

2nd December 1954] [Sri V. Chakkarai

may give them sympathy. We are in a position to give sympathy. At the same time, I think that, as a respect and homage to the memory of the deceased, we this House after passing this resolution, though to beginning this session. I cannot help making this request when three members have passed away. As a matter of course when Sri Odayappa (a Member of this House) died, the House (Legislative Assembly) adjourned. It seems to me appropriate, therefore, that we should mark our respect and our appreciation of the services of these three hon. Members by adjourning this House to-day, after passing this resolution."

* SRI A. GAJAPATHY NAYAGAR :—"மன்றத் தலைவர் அவர்களே, காலஞ்சென்ற ஸ்ரீ வி. நாடிமுத்துப் பிள்ளை அவர்களை நான் அறிவேன். யான் திருத்தறைப் பூண்டியில் முறைவலராக இருந்தபோது அவர்கள் வீட்டில் நான் வாடகைக்கு இருந்தேன். ஸ்ரீ நாடிமுத்துப் பிள்ளை செல்வர்; நன்றாக பணம் செலவு செய்பவர். அவரை நாடி வருபவர்கள் தஞ்சாவூரில் எல்லோரும் இருப்பார்கள். தஞ்சாவூரில் இருப்பவர்கள் அவருடைய டணத்தை நாடியோ அல்லது அவரது உதவியை நாடியோ எப்போதும் வருவர். ஆகையால், அவர் காங்கிரஸ்காரர்களுக்கு ஒரு பெரிய கர்த்தராக இருந்து அதிக பலம் கொடுத்து வந்தார். அவர் எல்லா மக்களிடையேயும் அன்பு கொண்டவர், குறிப்பாக ஏழை மக்களுக்கு கெல்லாம் நன்கு செலவு செய்பவர். ஆகையால், அந்தப் பெரியார் இறந்துவிட்டதற்காக நான் அனுதாபம் கொண்டு, அன்னருடைய குடும்பத்தாருக்கு என்னுடைய ஆழ்ந்த அனுதாபத்தைத் தெரிவிக்குமாறு உங்களைக் கேட்டுக்கொள்ளுகிறேன். வணக்கம்."

* SRI N. ANNAMALAI PILLAI :—"கனம் தலைவர் அவர்களே, 4-10 p.m. இன்றைய தினத்தை மிக துக்க கரமான தினமாகவே நினைக்கவேண்டியிருக்கிறது. இந்தச் சபையிலிருந்து இரண்டு அங்கத்தினர்கள் இதற்குமுன் இறந்துபோனார்கள். சமீபத்தில் ஸ்ரீ வி. நாடிமுத்துப் பிள்ளை அவர்களும் காலமானார். அவர் இந்த மாகாணத்தில் நல்ல உயர்ந்த வேலைகளைச் செய்வதற்கு உதவியாக இருந்தார். தேசத்தின் வேலைகளில் பங்கெடுத்துக் கொண்டார். கடுமையான சோதனைகள் வந்தபோது அன்னிய அரசாங்கத்தின் அடக்குமுறைகளுக்கு ஆளாகிச் சிறை வாசம் அனுபவித்தார். ஸ்ரீ நாடிமுத்துப் பிள்ளை அவர்களின் சேவை எல்லோருடைய மனதையும் தொட்டு இருக்கிறது. தஞ்சை ஜில்லாவானது இன்றையதினம் ஒரு உயர்ந்த தலைவனை இழந்துவிட்டது. தஞ்சைக்கு இனி ஒரு நூற்றாண்டு வரையில் இப்படிப்பட்ட ஒரு தலைவன் ஏற்படுவது கடினம் என்று கூட நினைக்க வேண்டியிருக்கிறது. தஞ்சைக்கு மாத்திரமல்ல; அவர் தமிழ் நாட்டுக்கே உயர்ந்த சிகரமான மனிதர். நமது தலைவர் ராஜாஜி அவர்களுக்கு ரொம்பப் பிரியமானவர்; அத்தியந்த நண்பர். அவர்களுடைய பிரிவு ராஜாஜி அவர்களுடைய உள்ளத்தையும் தொட்டிருக்கிறதென்பதில் எனக்குச் சந்தேகமில்லை. என்போலுள்ளவர்களுக்கே அபாரமான நஷ்டம். நான் சட்டசபைக்கு தேர்ந்தெடுக்கப்படும் காலங்களில் அவர் எடுத்துக்கொண்ட முயற்சியும் ஊக்கமும் அதிகம்; எனக்கு வேண்டி பிரசாரம் செய்வதற்குக்கூட வந்தார். அதுமாதிரி அல்ல. அவர் மரண வாயில் சிக்குண்டு அவஸ்தைப்படுகிற நேரத்திலுங்கூட நான் மேல் சபைக்குத் தேர்ந்தெடுக்கப்படுவதற்காக எனக்கு வோட்டளிப்பதற்கு மூன்று முறை இந்தச் சபைக்கு வந்து வோட்டளித்தார்கள். அவர் ஒரு பெரிய தனவந்தர்; கோடசுவரர் என்று கூட அவரைச் சொல்லலாம்; அவ்வளவு பெரிய சிறந்த மனிதர் ஒருவரை நான் நேசித்துவந்ததன் காரணமாக, அவருக்கு என்பாலுள்ள ஒரு அன்பின் காரணமாக, என்னுடைய தோல்வியைத் தன்னுடைய தோல்வியென்றே கருதி, எழுந்துவரக்கூடிய நிலைமையில் இல்லாதபோதும் காரில் வந்து வோட்டு போடுகிற நிலைமை ஏற்பட்டது. அவர் இவ்வளவு பெரிய காரியத்தைச் செய்வதற்கு காரணபூதமாக இருந்து எனக்கு அந்த கௌரவத்தை அளித்தார். அதனால் நான்

Annamalai Pillai]

2nd December 1954

ற்கு ஆளாகியிருக்கின்றேன். இந்த சபையிலும் சரி, சரி, இந்தியாவிலும் சரி அவரைத் தெரியாதவர்கள். சமீபத்திலே பார்லிமெண்டில்கூட அவருடைய அனுதாபம் தெரிவித்தார்கள். சமீபத்தில், சயாம் பிரதேசத் துர் சென்று வந்தார். அங்கும் தமிழர்களுடைய நிலைமையை சால்லி அங்குள்ள மக்களால் ஆசீர்வதிக்கப் பெற்றார். தஞ்சை ஒரு பெரிய தலைவனை இழந்து தவித்துக்கொண்டிருக்கிறது.

“தஞ்சை ஜில்லா போர்டிலே அவர் செய்த வேலையை, தஞ்சை மாநகரம் மட்டுமல்லாமல், மற்ற எல்லா ஜில்லா வாசிகளும் பின்பற்ற வேண்டியிருக்கிறது. அவ்வளவு அபாரமான வேலைகளைச் செய்து வைத்திருக்கிறார். மாணவர்களுக்கு தொழிற்சாலை, இலவசப் படிப்புக்கு வேண்டிய விடுதிகள், இன்னும் அந்தப் பிரதேசத்திற்குச் செய்யவேண்டிய வேலைகள் அனைத்தையும் அவர் செய்து முடித்துவிட்டார்; ஒரு முறை அல்ல; மூன்று முறை அவர் இந்தச் சபைக்குத் தேர்ந்தெடுக்கப்பட்டார்; ஆங்கில ஆட்சி இருந்த காலத்திலும் தேர்ந்தெடுக்கப்பட்டார்; சுதந்திரம் வந்த பிறகும் தேர்ந்தெடுக்கப்பட்டார். இதிலிருந்து ஜனங்களிடத்தில் எத்தகைய நன்மதிப்பை அவர் பெற்றிருந்தார் என்பது நன்கு விளங்கும். அப்படிப்பட்ட ஒரு பெரிய புருஷனை நாம் இழந்துவிட்டோம்; தமிழ் நாட்டுக்கு இது ஒரு பெரிய நஷ்டமாகும்; ஏன்? உலகத்திலே உள்ள தமிழ் மக்கள் அத்தனைபேரும் அன்னாருடைய மறைவுக்கு துக்கப்படுவார்கள் என்பதில் சந்தேகம் இல்லை; துக்கப்படவேண்டிய விஷயம்தான். அவருடைய ஆன்மா சாந்தியடைய எல்லாம் வல்ல ஆண்டவனைப் பிரார்த்திக்கின்றேன்.

“மற்றும் ஸ்ரீ ராமனாதன் செட்டியார் அவர்களும் காலமாய்விட்டார். ஸ்ரீ பார்த்தசாரதி அய்யங்கார் அவர்களும் காலமாய்விட்டார். அவர்களுடைய ஆன்மாக்களும் சாந்தியடைய வேண்டுமென்று பிரார்த்திக்கின்றேன். அவர்களுடைய குடும்பத்தாருக்கும், ஸ்ரீ நாடிமுத்துப் பிள்ளை அவர்களின் குடும்பத்தாருக்கும் என்னுடைய மனப்பூர்வமான அனுதாபத்தைத் தெரிவித்துக்கொள்ளுகின்றேன். ஸ்ரீ நாடிமுத்துப் பிள்ளை அவர்கள் தன்னுடைய இளங் குழந்தைகளையும், இளம் பெண்களையும் விட்டுவிட்டுக் காலமாய் விட்டார். அந்தக் குடும்பத்திற்கு இந்தச் சபை அனுதாபத்தைத் தெரிவிப்பது மட்டுமல்லாமல் இந்தச் சபையின் நடவடிக்கைகளையும் ஒத்திவைத்து அவருக்கு கௌரவம் செலுத்தவேண்டியது கடமை என்பதைத் தெரிவித்து, அவருடைய குடும்பத்தாருக்கு மீண்டும் என்னுடைய அனுதாபத்தைத் தெரிவித்துக்கொள்கின்றேன்.”

10 MR. CHAIRMAN :—“Hon. Members, may I associate myself with the sentiments expressed by the various Members who spoke on this resolution? The resolution before the House is that this House places on record its deep sense of sorrow at the demise of Sri C. R. Parthasarathy Ayyangar, Sri S. A. S. R. M. Ramapathan Chettiar and Sri V. Nadimuthu Pillai, former Members of the Madras Legislative Council and conveys its sense of sympathy to the Members of their bereaved families. There was a suggestion from Sri Chakkarai Chettiar that this House might adjourn as a mark of respect to the three late Members. But, usually in this House, we do not adjourn on such occasions and we have not done it before. I do not see any reason why we should depart from the usual practice.

“By way of passing the resolution, I would request hon. Members to stand in silence for a minute.”

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

2nd December 1954]

II.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

Prevention of betting on American cotton by the Madras City Police.

* 1 Q.—SRI MOHAMED RAZA KHAN: Will the Hon. the Chief Minister be pleased to state whether any special attempts are being made by the Madras City Police to prevent betting on American cotton?

THE HON. SRI M. BHAKTAVATSALAM (on behalf of the Hon. the Chief Minister):—“Yes, Sir.”

SRI MOHAMED RAZA KHAN :—“May I know, Sir, what is the result of the special attempts made by the Government to see that there is a check on this betting in Madras City and in other areas?”

THE HON. SRI M. BHAKTAVATSALAM :—“It is reported that on account of the measures taken by the Government, offences are going down in number.”

SRI A. M. ALLAPICHAJ :—“Are the Government aware, Sir, that there are no legal checks at present and that the police cannot make use of the existing law relating to betting?”

THE HON. SRI C. SUBRAMANIAM :—“We are amending the City Police Act for that purpose.”

SRI MOHAMED RAZA KHAN :—“Are the Government aware, Sir, that all the steps taken by the Government in this regard so far have not had any effect at all in putting down the offence in Madras City where the offences show no tendency to decrease but are actually on the increase?”

THE HON. SRI M. BHAKTAVATSALAM :—“I do not agree that all the measures taken by the Government have not had any effect at all. As my Hon. Colleague has pointed out, we propose to amend the existing law in order to make the measures already taken more effective.”

SRI V. V. RAMASWAMI :—“இந்த நடவடிக்கைகளுக்குக் காரணம் என்ன என்பதைக் கனம் மந்திரி அவர்கள் தெரிவிப்பார்களா?”

THE HON. SRI M. BHAKTAVATSALAM :—“The motive that governs such acts is the same that prompts people to indulge in gambling.”

Recognition of Service Associations by Government.

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

(a) the conditions under which Service Associations are recognized by Government;

[2nd December 1954]

(b) the number of Service Associations recognized by the Government as on 1st April 1954;

(c) the number of applications for recognition from Service Associations which have been rejected during 1953-54; and

(d) whether the Madras Ministerial Service Association has applied to the Government recently for recognition; and if so, whether recognition has been granted; and if not, why not?

THE HON. SRI M. BHAKTAVATSALAM (on behalf of the Hon. the Chief Minister):—“(a) A copy of G.O. No. 1160^a Public (General), dated the 11th day of May 1948, containing the instructions regarding the recognition of associations of Government employees is placed on the table of the House.

“(b) 66.

“(c) Nil.

“(d) No.”

SRI T. PURUSHOTHAM:—“May I know, Sir, if it is the policy of the Government not to allow non-officials to address service associations and if so, whether that ban would apply even to members of the Bharat Sevak Samaj who wish to address service associations on social welfare work?”

THE HON. SRI M. BHAKTAVATSALAM:—“It must be a healthy rule if non-officials are not permitted to address service associations on matters relating to the affairs of the associations concerned. But there should be no objection if members of the Bharat Sevak Samaj or other social workers address associations on social activities.”

SRI T. PURUSHOTHAM:—“Sir, Will the Government be pleased to issue instructions—clear instructions—in the matter as there have been instances wherein at the last moment members of such bodies were not allowed to address such meetings? Recently a worker of the Bharat Sevak Samaj was prevented from addressing a conference of the Non-Gazetted Officers' Association.”

THE HON. SRI M. BHAKTAVATSALAM:—“If the hon. Member makes a reference to the Government, the Government will look into the matter.”

SRI T. PURUSHOTHAM:—“May I ask the Government, Sir, to consider the question of revising the rules relating to recognition of service associations so that the whole thing might be placed on a broader basis in view especially of the need for closer collaboration between officials and non-officials in a Welfare State?”

THE HON. SRI M. BHAKTAVATSALAM:—“If the hon. Member makes any specific suggestions regarding amendment of the rules, the Government will examine the same.”

^a Printed as Appendix I on pages 51-53 infra.

2nd December 1954]

Periodical inspection of institutions and works by the Sanitary Engineer and his Assistants.

* 3 Q.—DR. A. SREENIVASAN: Will the Hon. the Minister for Health be pleased to lay on the table of the House a list of Government Orders governing the periodical inspection of institutions and works in the mufassal stations by the Sanitary Engineer to Government and his Assistants and to state—

(a) whether the Government have noted any dereliction of duty in respect of the Sanitary Engineer to Government and his Assistants; and if so, what action has been taken against them; and

(b) whether in cases where the inspection notes were not sent to the Minister for Health, the Head of the Department has noted any dereliction of duty of his subordinate officers and brought it to the notice of the Government; and if not, why not?

THE HON. SRI A. B. SHETTY:—“An extract^a from G.O. No. 885-M, dated 9th June 1919, is placed on the table of the House.

“(a) No, Sir.

“(b) Inspection notes are not required to be sent to the Minister for Health or the Government. But if a municipality neglects or refuses to take action in respect of any matter of a serious nature to which the inspecting officers have drawn attention, it is open to the Sanitary Engineer to report the matter to the Government. No such reports have been received by the Government. The answer to the latter part of the question is in the negative.”

DR. A. SREENIVASAN:—“Sir, is it not a fact that the standard of maintenance of our municipal water works has steadily deteriorated of late?”

THE HON. SRI A. B. SHETTY:—“Maintenance is looked after by the Municipal Engineer. As such, I see no reason why there should be deterioration.”

DR. A. SREENIVASAN:—“Sir, is it not a fact that in some of the administration reports of the local bodies and also the Department of the Government it is mentioned that there is deterioration in the standard of maintenance of works?”

THE HON. SRI A. B. SHETTY:—“If the hon. Gentleman mentions any particular instance, I shall look into it.”

SRI T. PURUSHOTHAM:—“May I know Sir, whether the Government have any proposal to constitute the sanitary engineering branch as a separate department of the Government independent of the Public Works Department?”

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

^a Printed as Appendix II on page 53 infra.

[2nd December 1954]

Amount of grant given to Kasturba Hospital, Udipi, South Kanara.

* 4 Q.—DR. A. SREENIVASAN: Will the Hon. the Minister for Health be pleased to state—

(a) whether any grant was given to the Kasturba Hospital, Udipi, South Kanara;

(b) if so, the amount of grant and whether it is a recurring or non-recurring grant; and

(c) the reasons for giving such a grant to this institution?

THE HON. SRI A. B. SHETTY:—“(a) & (b) A recurring annual grant calculated at the rate of Rs. 300 per student of this State studying in the pre-clinical classes in the college and at Rs. 600 for each such student in the clinical classes subject to a maximum of Rs. 20,000 per annum, has been sanctioned to the authorities of the Kasturba Medical College, Udipi. The payment of the grant commences from the grant for 1953-54 payable in 1954-55 and it is for a period of three years in the first instance.

“(c) As the college is the outcome of the efforts of a private agency, it is considered that some assistance from the State's funds is necessary.”

DR. A. SREENIVASAN:—“Sir, is the institution affiliated to any University?”

THE HON. SRI A. B. SHETTY:—“It is affiliated to the Karnataka University.”

DR. A. SREENIVASAN:—“Sir, is it not a fact that the authorities in charge of the institution have been collecting some thousands of rupees from prospective students before admission to the college?”

THE HON. SRI A. B. SHETTY:—“They are collecting a donation of Rs. 3,000 from each such student.”

DR. A. SREENIVASAN:—“When such is the case, is there any necessity for the Government to give any grant to this institution?”

THE HON. SRI A. B. SHETTY:—“The setting up of a medical college involves very large expenditure, several lakhs of rupees, and it is considered necessary that such donations should be collected. Otherwise it would not be possible for any private agency to start a college and run it.”

SRI MOHAMED RAZA KHAN:—“When there are parents who can pay Rs. 3,000 they could as well pay Rs. 4,000 so that the Government may not be called upon to pay this grant on behalf of the students.”

2nd December 1954]

THE HON. SRI A. B. SHETTY:—“Even this Rs. 3,000 is a fairly high sum.”

SRI MOHAMED RAZA KHAN:—“Before the Government passed orders sanctioning the grant, did the institution get the permission of the Government to levy this fee of Rs. 3,000 in respect of every prospective student? I put this question because it is our Government that makes the grant.”

THE HON. SRI A. B. SHETTY:—“No permission was sought for from this Government.”

SRI ALEXANDER GNANAMUTTU:—“Do the Government approve of this practice of receiving fat donations from prospective students in the matter of starting professional colleges?”

THE HON. SRI A. B. SHETTY:—“That is the only way any private agency can set up a college.”

DR. A. SREENIVASAN:—“Will not this kind of stipulation affect the quality of the stuff taken into the institution? For instance, there might be a brilliant boy who may not be in a position to pay this heavy sum of Rs. 3,000, and may not in consequence get admission, while money-bags can easily get in.”

THE HON. SRI A. B. SHETTY:—“Only a certain percentage of boys and girls are taken subject to this condition and the rest are admitted on other considerations.”

SRI MOHAMED RAZA KHAN:—“While appreciating the laudable step taken by the Government of Madras in encouraging this private medical college to spring up, may I ask whether this will not set up a bad precedent for others to follow?”

THE HON. SRI A. B. SHETTY:—“The hon. Gentleman may be aware that there is great rush for admission to medical colleges and that at the time of admission each year a great many parents are in desperate anxiety to secure seats for their sons and daughters. As such, the Government thought that they might give encouragement to private institutions in this way so that they may give opportunities for more boys and girls to have medical education if they desired it.”

Forests in the Madras State.

* 5 Q.—SRI T. PURUSHOTHAM (on behalf of Sri M. K. M. Abdul Salam): Will the Hon. the Minister for Agriculture be pleased to state—

(a) the extent of forests that are in existence in Madras State;

(b) the steps taken by the Government to preserve and improve the forests; and

(c) how many acres of forest land have been assigned by the Government to thyagis in Kodaikanal hills?

[2nd December 1954]

THE HON. SRI M. BHAKTAVATSALAM :—“(a) 12,000 square miles.

“(b) All the Reserved Forest areas are worked according to the prescriptions in the Working Plans in which detailed provisions are made for protection and development of the forests. In addition there are afforestation and Regeneration Schemes under the first Five-Year Plan, and the Soil Conservation Schemes in the Low Hill areas.

“(c) Three hundred acres.”

SRI T. PURUSHOTHAM :—“Have the Government considered any proposal to restore the forest lands and to assign other lands to political sufferers?”

THE HON. SRI M. BHAKTAVATSALAM :—“No such land has been assigned to political sufferers. Forest lands have been assigned only in cases where it was found that there could be no objection to disafforestation of such areas. I may tell the hon. Member that recently Government issued instructions that only such forest lands as could be disafforested should be assigned—e.g., some lands in the Kodaikanal reserves—for the benefit of the landless people.”

Ban on cross-word puzzles.

* 6 Q.—SRI MOHAMED RAZA KHAN: Will the Hon. the Minister for Finance and Education be pleased to state whether there is any proposal before the Government of Madras to ban the cross-word puzzles?

THE HON. SRI C. SUBRAMANIAM :—“No such proposal is pending with this Government at present.”

SRI MOHAMED RAZA KHAN :—“May I know Sir, whether there was any communication between the State Government and the Central Government in this connexion?”

THE HON. SRI C. SUBRAMANIAM :—“Yes, Sir.”

SRI MOHAMED RAZA KHAN :—“May I know, Sir, whether the Government contemplate any action to ban cross-word puzzles in our State?”

THE HON. SRI C. SUBRAMANIAM :—“The Central Government intend legislating on this subject. We are hoping that it will come about very soon.”

SRI MOHAMED RAZA KHAN :—“May I know, Sir, whether the views of our Government have been communicated to the Central Government and, if so, what those views are?”

THE HON. SRI C. SUBRAMANIAM :—“We have represented that this should be banned and that effective action in this regard should be taken as early as possible.”

[2nd December 1954]

Hindi as an alternative to Sanskrit in high schools.

* 7 Q.—SRI G. KRISHNAMOORTHY: Will the Hon. the Minister for Finance and Education be pleased to state—

(a) whether any Government Order making Hindi an alternative to Sanskrit under Part II of the First Language in the high schools was issued in June 1954; and

(b) if so, the reasons therefor?

THE HON. SRI C. SUBRAMANIAM :—“(a) & (b) A copy^a of G.O. No. 817, Education, dated 14th June 1954, is laid on the table of the House. Students in Forms IV to VI can study Hindi or Sanskrit or Urdu or Tamil or Telugu or Kannada or Malayalam under Part II of the first language.”

SRI G. KRISHNAMOORTHY :—“Sir, has not Sanskrit been 4-30
relegated to the background by this order of Government?” p.m.

THE HON. SRI C. SUBRAMANIAM :—“There is no question of Sanskrit having been relegated to the background.”

SRI G. KRISHNAMOORTHY :—“Will the Government think of an alternative plan by which Hindi could be developed as a third language instead of imposing Hindi as an alternative to Sanskrit?”

THE HON. SRI C. SUBRAMANIAM :—“As I have already said there is no question of Sanskrit being relegated to the background. The position is this. Under Part II a person can take any language except Hindi. I thought that such an invidious distinction against Hindi was not correct. Therefore, I have included Hindi also in the list of languages that a student could learn. As I have said in my answer, students in forms IV to VI can study Hindi or Sanskrit or Urdu or Tamil or Telugu or Kannada or Malayalam under Part II of the first language.”

SRI G. KRISHNAMOORTHY :—“In view of the fact that Hindi has been included under Part II and in view of the fact that Hindi would hereafter be more popular in view of its becoming the national language is there not a possibility that in due course many Tamil Pandits are thrown out of employment?”

THE HON. SRI C. SUBRAMANIAM :—“I do not think what the hon. Member thinks will take place.”

SRI G. KRISHNAMOORTHY :—“Will the Government kindly consider the question of making Sanskrit at least as an examination subject under third language and give more periods?”

THE HON. SRI C. SUBRAMANIAM :—“Sanskrit is given a place along with other languages under Part II. Those students who prefer Sanskrit can learn that language even now under Part II. There is no ban against Sanskrit. What we have now done is that Hindi also could be studied as a language under Part II.”

[2nd December 1954]

SRI T. PURUSHOTHAM :—“ Are there any separate Sanskrit schools in the State and has recognition been granted to them? May I know also whether there are specific rules governing the grant of recognition to Sanskrit schools? ”

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

Recognition of the Manual Training Teachers' Certificate by the Government.

* 8 Q.—SRI G. KRISHNAMOORTHY : Will the Hon. the Minister for Finance and Education be pleased to state with reference to Starred Legislative Council Question No. 13 answered on 9th March 1954 the steps taken by the Government to recognize the Manual Training Teachers' Certificate issued by the Department of Industries?

THE HON. SRI C. SUBRAMANIAM :—“ The Manual Training Teachers' Certificates are issued by the Principal, Teachers' College, Saidapet, and not by the Industries department.

The certificates issued by the Industries department, in weaving and other subjects except woodwork, are recognized by the Education department subject to certain conditions.

The certificates issued by the Industries department in woodwork are not recognized as they are not considered equivalent to the Manual Training Certificates in woodwork of the Teachers' College, Saidapet.”

SRI G. KRISHNAMOORTHY :—“ Are the Government aware of the anomaly that a certificate issued by this Government through its Industries department after a two-year course is not recognized by the self-same Government as equivalent to the certificate issued by the Education department of this Government for its one-year course? ”

THE HON. SRI C. SUBRAMANIAM :—“ I am really surprised that, of all persons, the hon. Member should put such a question. Evidently, the hon. Member has not correctly read the answer. S.S.L.C. is the minimum qualification prescribed for the course (Manual Training certificate in woodwork) in the Teachers' College, Saidapet, whereas a non-S.S.L.C. student can undergo the course of training given by the Industries department. In view of the fact that the minimum general qualification (S.S.L.C.) is not prescribed for training under the Industries department and that S.S.L.C. is prescribed for training under the Teachers' College, Saidapet, the certificate given by the Industries department is not recognized as equivalent to the one given by the Principal, Teachers' College, Saidapet.”

2nd December 1954]

SRI G. KRISHNAMOORTHY :—“ Are the Government aware of the fact that even though a teacher undergoes the two-year course under the Industries department and is certified as a trained teacher, the District Educational Officer states that such a teacher is unqualified and reduces his salary from Rs. 50 to Rs. 30? ”

THE HON. SRI C. SUBRAMANIAM :—“ We have prescribed qualifications after a good deal of consideration. S.S.L.C. is the minimum general qualification required. If the concerned Manual Training Certificate holder is not an S.S.L.C. but a non-S.S.L.C. with the certificate from the Industries department, then he is not a qualified teacher.”

SRI G. KRISHNAMOORTHY :—“ Will the Government at least in these days of encouragement of technological education just try to bridge the gap between the Education and Industries Department and see to it that the certificates issued by the Industries department are recognized by the Education department? ”

THE HON. SRI C. SUBRAMANIAM :—“ The question is whether we should have S.S.L.C. as the minimum general qualification or not. After full consideration of the problem, we have fixed the minimum general qualification as S.S.L.C. If the hon. Member suggests that we should not have S.S.L.C. as the minimum general qualification, then it is a matter to be considered by Government.”

SRI G. KRISHNAMOORTHY :—“ Will the Government kindly pass an order dropping these courses of training given by the Industries department so that teachers even after their undergoing those courses might not be thrown out of employment and be dispensed with? ”

THE HON. SRI C. SUBRAMANIAM :—“ The position has been made quite clear. The persons who undergo the courses under the Industries department are well aware of the openings available to them.”

Introduction of bifurcated courses in Agriculture in the high schools of Tanjore district.

* 9 Q.—SRI G. KRISHNAMOORTHY : Will the Hon. the Minister for Finance and Education be pleased to state—

(a) the number of high schools in Tanjore district where a bifurcated course in Agriculture has been introduced;

(b) the provision made for teaching Agriculture in the schools; and

(c) the qualifications prescribed for Instructors in Agriculture?

[2nd December 1954]

THE HON. SRI C. SUBRAMANIAM :—“(a) The following two high schools, Sir :—

- (1) Sir Sivaswami Iyer High School, Thirukattupalli, and
- (2) Board High School, Orathanad.

“(b) & (c) A statement* is laid on the table of the House.”

SRI G. KRISHNAMOORTHY :—“May I know whether a secondary grade teacher with a higher technical certificate in Agriculture issued by the Government is eligible to become an instructor?”

THE HON. SRI C. SUBRAMANIAM :—“The qualifications prescribed are there printed in the answer.”

SRI G. KRISHNAMOORTHY :—“Whenever a B.Sc. (Agriculture) is not available, why cannot a secondary grade teacher with a higher technical certificate in Agriculture be appointed?”

THE HON. SRI C. SUBRAMANIAM :—“There are other alternative qualifications prescribed. A Licentiate in Agriculture or an Intermediate with Agriculture as a subject, may also be appointed.”

SRI G. KRISHNAMOORTHY :—“Are the Government aware of the fact that the Board High School, Orathanad, has not been able to secure the services of a B.Sc. (Agriculture) and that a secondary-grade teacher in that school who has got the technical certificate in Agriculture of the Madras Government has not been appointed as an Instructor in Agriculture by the Tanjore District Board in spite of his repeated requests?”

THE HON. SRI C. SUBRAMANIAM :—“Either a B.Sc. Agriculture or a Licentiate in Agriculture or an Intermediate with Agriculture as a subject alone can be appointed as Instructors. They alone are recognized for the purpose of appointment as Instructors in Agriculture.”

SRI G. KRISHNAMURTHI :—“May I ask the Government to pass an order that secondary grade teachers who have undergone the hardship of training in Agriculture and who have passed the highest examination are also taken as Instructors along with B.Sc. (Agriculture)?”

THE HON. SRI C. SUBRAMANIAM :—“If the hon. Member suggests a revision of qualification for Instructors in Agriculture, I shall look into the matter and see whether any revision of qualification is possible at all.”

[2nd December 1954]

House-rent allowance to local board employees in Salem district.

* 10 Q.—SRI G. KRISHNAMOORTHY : Will the Hon. the Minister for Local Administration be pleased to state—

(a) whether the Government have issued any orders sanctioning house-rent allowance to local board employees at taluk headquarters in Salem district;

(b) whether teachers have been included in the list of local board employees eligible for such allowance; and

(c) if not, the reasons therefor?

THE HON. SRI S. S. RAMASWAMI PADAYATCHI :—“It is presumed that the question refers to district board employees stationed in taluk headquarters towns in Salem district. If so, the answer is in the negative.

“(b) & (c) Do not arise.”

SRI G. KRISHNAMOORTHY :—“Are the Government quite sure that in no taluk headquarters, district board servants are paid house-rent allowance barring teachers in that taluk board or district board?”

THE HON. SRI S. S. RAMASWAMI PADAYATCHI :—“District board employees in taluk headquarters do not receive any house-rent allowance. Only in towns and cities allowance is paid.”

SRI G. KRISHNAMOORTHY :—“Are district board teachers in municipal towns like Tiruvarur receiving the house-rent allowance?”

THE HON. SRI S. S. RAMASWAMI PADAYATCHI :—“Yes.”

SRI G. KRISHNAMOORTHY :—“I have been receiving a lot of complaints that house-rent allowance has not been paid to the teachers in taluk headquarters. Will the Government issue an order to all local boards to see that where the district board employees, whether in taluk headquarters or in municipal towns, are paid house-rent allowance, teachers should not be exempted?”

THE HON. SRI S. S. RAMASWAMI PADAYATCHI :—“Instructions have been issued only in respect of municipal towns. We will consider the hon. Member's suggestion so far as other taluk headquarters are concerned.”

UNSTARRED QUESTIONS.

Allotment of funds to this State for help to municipalities and panchayats for execution of water-supply schemes.

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

(a) the amount allotted to this State last year (1953-5) from the Central funds for help to municipalities and panchaya for execution of water-supply schemes;

[2nd December 1954]

(b) how much of the amount has been utilized on such schemes and how much of the allotment has lapsed, with cause for lapse, if any;

(c) whether the Central Government have called for any applications from municipalities and panchayats to be forwarded through the State Government for help from Central funds for such important schemes; and

(d) how many such applications from municipalities and panchayats have been received and forwarded by the State Government to the Central Government for help during this year?

A.—(a) No amount was allotted.

(b) Does not arise.

(c) No, Sir.

(d) Does not arise.

Constitution of Games Fund in Secondary Schools.

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

(a) the details of the Constitution of Games Fund in Secondary schools and the State contribution to the fund;

(b) whether Government lands required for school playgrounds are assigned free to the managements; and

(c) what steps the Government propose to take to encourage sports activities in secondary and elementary schools?

A.—(a) to (c) A statement ^a is laid on the table.

Qualifications equivalent to Pracharak Diploma of the Dakshina Bharat Hindi Prachar Sabha.

3 Q.—SRI G. KRISHNAMOORTHY: Will the Hon. the Minister for Finance and Education be pleased to state the qualifications considered by the Government as equivalent to the Pracharak Diploma of the Dakshina Bharat Hindi Prachar Sabha?

A.—A statement ^b is laid on the table.

Reports on Grow More Food Campaign of the religious institutions by the Hindu Religious Endowments Board.

4 Q.—SRI T. PURUSHOTHAM: Will the Hon. the Minister for Registration, Endowments and Transport be pleased to state whether the Hindu Religious Endowments Board has been submitting reports yearly on Grow More Food Campaign of the religious institutions, and if so, whether such reports are still continued and whether the Government have been issuing orders thereon?

^a Printed as Appendix V on pages 55-57 infra.

^b Printed as Appendix VI on page 58 infra.

[2nd December 1954]

A.—The ex-Hindu Religious Endowments Board was submitting annual and half-yearly reports to the Government on the progress of the Grow More Food Campaign of religious institutions. The Government were reviewing the reports and issuing instructions. The reports were discontinued after 30th September 1951, consequent on the decentralization and vesting of the administration of the religious institutions in the Deputy Commissioners, Area Committees and Assistant Commissioners.

Inspection of the landed properties of big religious institutions.

5 Q.—SRI T. PURUSHOTHAM: Will the Hon. the Minister for Registration, Endowments and Transport be pleased to state—

(a) whether the Deputy Commissioners and Assistant Commissioners are submitting their inspection notes regarding the inspection of the landed properties of big religious institutions; and

(b) whether the Government will be pleased to lay on the table of the House a copy of the Government Orders passed with reference to the Grow More Food activities of the above religious institutions during the year, i.e., 1952-53?

A.—(a) The Deputy Commissioners and Assistant Commissioners are not submitting their inspection notes regarding the inspection of landed properties of big religious institutions with reference to Grow More Food activities.

(b) No orders were issued by Government with reference to Grow More Food activities of the religious institutions during the year 1952-53.

Staff employed for appraisalment of jewels and other valuables of religious institutions.

6 Q.—SRI T. PURUSHOTHAM: Will the Hon. the Minister for Registration, Endowments and Transport be pleased to state—

(a) the number of special officers appointed to investigate the temple properties and for the preservation of and for appraising the jewellery and to furnish details regarding their pay, the nature of work; and

(b) the reason why no mention has been made about this in the administration reports of the Hindu Religious and Charitable Endowments Board?

[2nd December 1954]

4.—(a) (1) The following staff is now employed on the work of appraisement and verification of jewels and other valuables of religious institutions, each having jewels and other valuables worth more than Rs. 10,000 but less than Rs. 50,000:—

One Verification Officer . . . Rs. 250—0/2—500 *plus* a special pay of Rs. 50 per mensem subject to the condition that the total salary shall not exceed Rs. 300 per mensem *plus* usual allowances.

One Gem Specialist . . . Rs. 300 per mensem.

One Sthapathi . . . Rs. 150 per mensem.

One goldsmith . . . Rs. 100 per mensem.

Three lower division clerks. Rs. 45—3—60—2—90 per mensem each *plus* usual allowances. (Graduates will start on Rs. 51 per mensem.)

Two peons . . . Rs. 18—25 per mensem each *plus* usual allowances.

The sanction for this staff will expire on 31st December 1954.

(2) An Upper Division Inspector in the scale of Rs. 80—3—95—5—110 per mensem, with a special pay of 25 per cent of his substantive pay is working as officer to investigate and list out all kattalai properties in the Travancore-Cochin State relating to the following temples in the Tirunelveli district:—

1. Sri Sankaranarayan_{as}wami temple, Sankarankoil town and taluk.

2. Sri Thirumalaikumaraswamy temple, Panpoli, Tenkasi taluk.

3. Sri Kuthalanathaswami temple, Courtallam, Tenkasi taluk.

(b) Particulars regarding the work done by the staff mentioned in item (1) in the answer to clause (a) have been included in the Administration reports of the ex-Hindu Religious Endowments Board and the present Hindu Religious and Charitable Endowments (Administration) Department. The officer mentioned in item (2) in the answer to clause (a) was appointed only in September 1953.

2nd December 1954]

III.—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 seventh session of the Legislative Council under the Constitution:—

(1) Sri T. G. Krishnamoorthi.

(2) Sri T. M. Daivasikhamani Achariar.

(3) Sri V. Chakkarai Chetty.

(4) Srimathi Jothi Venkatachellum.”

IV.—DISCUSSION ON THE GOVERNOR'S ADDRESS.

MR. CHAIRMAN:—“ I have great pleasure in reporting to the House that on the morning of 1st December 1954, the Governor was pleased to make a speech ^a to both the Houses of the Legislature, copies of which have already been distributed to hon. Members.

“ Three days, viz., 2nd, 3rd and 4th December 1954, have been allotted for discussion on the Governor's Address in the Council and the discussion will now begin. Sri T. Purushotham will move the Motion of Thanks.”

* SRI T. PURUSHOTHAM:—“ Mr. Chairman, Sir, I beg to move—

‘ That an humble address be presented to the Governor that the Members of the Madras Legislative Council thank him for the Address delivered to the Members of the Legislature on the 1st December 1954. ’ ”

SRI MOHAMED RAZA KHAN:—“ Are we to move our amendments now, Sir? ”

MR. CHAIRMAN:—“ Amendments should be moved after Sri Purushotham's motion is moved and seconded.”

* SRI T. PURUSHOTHAM:—“ Sir, the Governor addressed us last on 21st February 1954. In the debate that followed it was generally pointed out by hon. Members that the Governor's address was not elaborate and that it did not cover all points. That argument cannot be repeated now. The Governor's Address made to us yesterday covers a large field of subjects and gives a lucid picture of the activities of the Ministry in the various Departments for the past nine months. The Constitution of India clearly provides that there shall be a discussion of the matters referred to in the Address. If only we adhere to the principle of not covering a wide range of subjects and reserve general discussion on State policies to be taken up during the Budget debate in March 1955, we could utilize this opportunity to offer suggestive criticisms on

[Sri T. Purushotham] [2nd December 1954]

matters referred to in the Address. I am sure the Government will be glad to consider the suggestions of hon. Members in drawing up their plans in future.

"Hon. Members expressed concern on the last occasion that the life of the District Boards was being extended from time to time. I am glad that elections to the District Boards have been completed and that elected representatives have taken up the administration of the Local Boards. The Governor has been pleased to remark that there must be a radical change in the set-up of the local bodies so that they may meet the needs of a Welfare State. The Hon. Sri M. Bhaktavatsalam told us during the last debate on the Governor's Address that a Committee would be appointed to decide finally about the future of District Boards, the kind of Local Bodies we should have and the future of the Panchayat Boards. I hope, Sir, that the Government would appoint a Committee as early as possible to tackle this problem and that necessary legislation would be introduced to amend the City Municipal Act, the District Boards Act, the District Municipalities Act and the Village Panchayats Act so as to conform to the needs of a Welfare administration as stated by the Governor.

"Sir, it is pleasing to note the remark in the Address of the Governor that seasonal conditions have been encouraging so far and that the North-east monsoon has also started in time. The Governor has said that a few more showers are needed before we can declare the season favourable this year, but our hopes in this direction have not been realized. We have already received reports that crops are actually withering in some of the districts. The ryots of one such badly affected area waited in deputation on the Hon. the Minister for Agriculture just a few days ago and represented to him that the concession hitherto granted, namely, postponement of recovery of instalments of takkavi and other agricultural loans due to Government, should be extended this year also. I implore the Government to take stock of the position and grant needed relief in time in the affected areas. Taking advantage of the encouraging situation so far, the Revenue Department has already ordered coercive steps to be taken for the recovery of two or three instalments of agricultural loans, all together this year. I request Government to stay coercive measures and put off the recovery of old dues till the end of the loan period.

"Speaking on the food situation, the Governor has stated that there is a stock of over a lakh of tons of rice in Government godowns which the Government of India have agreed to take over and that this would be available for use in any emergency. Whether it is the State Government or the Central Government that are maintaining this stock, I feel that the quality of the present stocks should be examined. I find that the present stocks are deteriorating. The Hon. the Minister for Revenue visited the godowns recently and examined the quality of the rice. I hope our Food Minister will also visit godowns and take steps to dispose of old stocks and arrange to replace them from time to time, if they are really to be made available in any emergency.

2nd December 1954] [Sri T. Purushotham]

"The burning question of the day is whether the Agriculturists' Relief Act of 1954 should be continued any further. When passing the Moratorium Act, the Madras Government expected some benefit to accrue to the indebted agriculturists. Unfortunately or quite unexpectedly, due to pest attacks and the falling of prices, the agriculturists did not get the expected profits and they even did not have enough money for proceeding with their agricultural operations. As the Government are anxious that all possible relief should be given to the needy agriculturists, the mere extension of the Act, I feel, would not meet the situation. If the Act were to be extended, the burden of paying the interest for the period of extension will fall on the shoulders of the agriculturists and their burden will be all the more heavy. I therefore feel that the relief to be given to them should be planned on the lines of the Agriculturists' Debt Relief Act, 1938. I would suggest that the rate of interest should be further reduced to 4½ per cent. If the amount of interest so far paid exceeds 50 per cent of the principal, no further interest should be paid. Any amount paid by way of interest in excess of the 50 per cent as on the 4th February 1955, when the present Act is due to expire, should be adjusted towards the principal. The balance of the principal amount should be ordered to be recovered in easy instalments. I feel that the percentage of interest and the number of instalments in which the loan should be recovered should be fixed and a legislation should be passed for that purpose before the expiry of the present Act, namely, the Indebted Agriculturists' (Temporary Relief) Act of 1954. I hope the Government will consider all these aspects and come to an early decision.

"I congratulate the State Government on the great strides they have taken in implementing the Community Projects and the National Extension Service schemes. It is gratifying to note that these national development programmes have received popular support, thanks to the personal contact and the inspiration of the Hon. the Minister for Agriculture. The Government should, however, examine the question of maintenance of the local works executed under these schemes. At a District conference held last week to consider the progress of the schemes under Local Boards, it was pointed out that the Government should sanction half the cost of the recurring expenditure of such works, as the finances of the Local Boards were too meagre to maintain properly the works that had been executed at a high cost. I commend this for the consideration of the Government.

"The Governor has remarked that the question of improving the organization of the Revenue Department in the districts in all its aspects is now under the consideration of the Government. In this connection, the abolition of the Board of Revenue should also be considered and the question of constituting smaller revenue districts should be examined. I feel that the Collectors may be empowered to deal with the Government direct in the interests of quick disposal of State business. I trust that the Government

[Sri T. Purushotham] [2nd December 1954]

would place the report of the official committee before the Legislature for discussion, before giving effect to the recommendations of the official committee.

50 m. "We are all happy that rural electrification is receiving due attention at the hands of the Government and that they have set a target of 1,000 villages per year so that a good portion of the State can be supplied with power within the second Five-Year Plan. This is really a great achievement and I take this opportunity to congratulate the Hon. the Minister for Public Works and the Hon. the Minister for Finance on the happy settlement that has been reached with the Government of Travancore-Cochin in regard to the utilisation of the Periyar lake waters by the Madras Government for power generation. Sir, we reasonably look forward to an era of progress and agricultural prosperity, apart from the development of industries. I feel that I should also point out, in this connection, that the supply of electricity alone to the villages will not solve the problem. The Government should arrange for adequate supply of pump-sets for the use of agriculturists. As it is, there is great delay in obtaining pump-sets through the agency of the Agricultural Department and, in the meantime, it often happens that the village is connected with electricity and the ryot has to pay—what is technically called—'unconnected electricity charges', though no connection has been given to him. I urge that there should be greater co-ordination in this matter between the Electricity and Agricultural Departments. It is a great hardship if the ryots have to pay when they have not used any power at all, though they must have applied to the Agricultural Department for the supply of pump-sets on the hire-purchase system. I am sure, the Government would consider this aspect of the matter and that they would draw up a comprehensive programme for the supply of pump-sets to the ryots.

"In the field of industrial labour, again it is happy to note that there has been an increasing evidence of sympathetic deal on the part of the Government. We are grateful to the Hon. the Chief Minister and the Labour Minister for their personal endeavours in maintaining cordial relationship between capital and labour in private sector as well as Government concerns. It is a noteworthy feature that the Government propose to implement the Medical Benefit Scheme in the Coimbatore mill-area next January and I hope that it will be extended to other industrial centres as well and as expeditiously as possible.

"We are glad to note that the Government have drawn up a comprehensive scheme for the amelioration of the condition of Harijans and Backward Classes at a cost of Rs. 25 lakhs and that the Government of India have offered a half-grant for the purpose. But we are in the dark as to the exact nature of the scheme. I appeal to the Government to place a copy of the scheme on the table of the House for the information of hon. Members. In this connection, I should like to state that the entire amount could

2nd December 1954] [Sri T. Purushotham]

with advantage be devoted to 'Education' and it is my earnest desire that all Backward Classes of citizens should be given free education till III Form and not one Backward Class alone and that too in a few districts only.

"I should particularly congratulate the Hon. Minister for Education on the opening of new elementary schools throughout the State. A large number of schools, nearly 3,000 in number, are proposed to be opened to cover villages with a minimum population of 500. It is stated that untrained teachers are posted to these new schools in the villages. Even if this scheme is to be treated as one to solve the problem of the 'Educated unemployed' the untrained men would be posted to existing schools transferring experienced trained teachers to open and build up the new schools in the villages. This is not being done now. A press communique issued by the Government some time ago stated that the Government were not in favour of single-teacher schools for the obvious reason that the single-teacher cannot, unassisted and inadequately supervised, discharge his duties efficiently. I, therefore, hope that the Government would consider the problem of single-teacher schools and take adequate steps for the proper working of these newly started schools. I am glad that the Hon. the Education Minister is personally interested in promoting the welfare of teachers. He has instructed the Madras City Corporation to draw up a programme for providing housing accommodation for City teachers. A similar programme for rural teachers has, of course, to be tackled and, I hope, the Committee on Elementary Education will consider this question. The Hon. the Minister for Education is also anxious to raise the social status of teachers. He assured us the other day at a public function that he would make a personal appeal to His Excellency the Governor to invite a few elementary and secondary school teachers for Raj Bahavan parties on Independence Day, Republic Day, etc., and, I am sure, that will give a rise in the status of the teachers.

"Sir, the Government it is stated, are doing all that is possible in the matter of medical relief within the available resources. I am afraid that we are behind in the matter of providing adequate medical relief for rural areas. The problem of maternity services has also to be tackled. The Central Government is giving us aid through the Social Welfare Extension Board for Rural Maternity and Child Welfare Schemes. This should be availed of and it is my sincere hope that arrangement will be made to have a maternity centre with a few beds, at least one in each firkā to serve the villages around. I trust the Public Health Department would endeavour to solve the problem with the active co-operation of social service organisations in the State which are doing laudable work under the able and most energetic guidance of our hon. Friend Mrs. Clubwala Jadhav and her enthusiastic colleagues.

"Sir, we have a heavy programme of legislative measures to go through in this session. We may deal with them when the Bills are presented to us and I do not think that it is necessary to deal with them at length now. I hope hon. Members will agree that

[Sri T. Purushotham] [2nd December 1954]

we need not discuss them at this stage. I should like to repeat, in this connection, what I once said on the floor of this House that the Bills may be referred to Joint Select Committees of both Houses, even though the Bills are Money Bills. Such a convention would ensure prompt disposal of legislative work. I believe, such a procedure has been introduced in our Parliament. Rules to that effect may be introduced here also when we revise the Standing Orders. I hope, Sir, you will kindly examine this question, if necessary after ascertaining the procedure obtaining in our Parliament. With these words, I commend this Motion of Thanks to the Governor for the unanimous acceptance of the House."

* SRI E. H. PARAMESWARAN :—" Mr. Chairman, Sir, I have great pleasure in seconding the Motion of Thanks to the Governor for the Address delivered by him to the Joint Session of the Legislature yesterday morning. A perusal of the Address and the review of the work of the Government during the last few months, will make anybody feel that the Government deserve to be congratulated. At the very outset, the Governor made a reference to the change in the Ministry on account of the relinquishment of office by our revered leader, Rajaji. Though there has been a change in the Ministry, the same Congress Ministry continues with a new Chief Minister. If any impartial observer looks at the administration for the last one year he will feel that there has been a steady all-round progress during the last few months and I have pleasure in congratulating the Hon. Sri Kamaraj Nadar and other Hon. Ministers on the able way in which they have been carrying on the administration during these months. Anybody is sure to feel satisfied with the way in which the District Board elections have been conducted in a very peaceful and orderly manner. There were doubts that there might be confusion at the time of District Board elections but we are very glad that elections have been conducted all over the State in a very fair and impartial manner."

p.m. "The food situation in the State is very satisfactory and there is nobody who says that he is suffering for want of food. Perhaps the prices of foodgrains are not so low as some of the poor people want them to be."

"We are very glad that the Government, with the aid of financial assistance amounting to about Rs. 3 crores, have decided to extend electricity to rural areas."

THE HON. SRI M. BHAKTAVATSALAM :—" The Government of India have given financial assistance by way of a loan."

* SRI E. H. PARAMESWARAN :—" We are also very glad that the Government have made provision for drinking water not only in villages but also in municipal areas like Calicut, Tirunelveli, Palayamkottai, etc. It has been stated that a sum of Rs. 2 crores will be spent on these works. The Government have also assured us that all these schemes will be taken up in the next twelve or fifteen months."

2nd December 1954] [Sri E. H. Parameswaran]

"I must also congratulate the Government on the manner in which the programme of irrigation works like Malampuzha, Manimuthar and Mettur Canals project have been implemented with very great vigour. Last year and the year before last, members complained that the Government were adopting a 'go-slow' policy in the matter of execution of these projects. But we find now that all these projects are being executed with the greatest vigour. The Governor has very rightly referred to the implementation of these programmes in the course of his address."

"I am very glad that the Governor, in the course of his Address, has referred to the progress of the Community Projects and National Extension Services. Speaking in the Council last year I had occasion to refer to the new drive which the Hon. the Minister for Agriculture and Community Projects, Sri M. Bhaktavatsalam, was giving to the execution of Community Projects. I find that the officers in charge of the Community Projects are working with great earnestness and enthusiasm. I must in this connection refer to the very good work done by the students in the Community Project areas in several parts of the State. Last year I made a reference to the remarkable work turned out by the students' camp at Pudukode. This year, a students' camp was organized at Chittalancheri and I myself was associated with it. About 250 students were in that camp. I wish the Members of the Council and Hon. Ministers had been able to see the remarkable work turned out by these 250 students during their 21 days' camp. These students functioned in the camp without any distinction of caste or creed. They lived as brothers for a period of 21 days. They were able to construct $6\frac{1}{2}$ miles of new road. They repaired four miles of old roads. They cleaned a number of tanks and wells. Three hundred compost pits were dug and filled by them. They also planted green manures like Sesbania on field bunds. It was a sight for the Gods to see these two hundred and fifty students who had been simply taking to books, going out and laying roads, cleaning tanks, digging compost pits, etc. The Hon. the Minister for Agriculture himself was present at the camp and he delivered the valedictory address. He congratulated the students on the excellent work turned out. I wish the Government organize such students' camps in other places also. Such camps give an opportunity to the students to be trained as proper citizens. It also instils into their minds the ideal of dignity of manual labour which Mahatma Gandhi was always telling us. These students at the camp did actually turn out good work. The only thing we have to give these students is some guidance."

"The Governor, in his Address, has referred to the Moratorium Act of 1954 and has rightly stated that opinions are now being advanced for and against the Act and that the Government are now seriously considering whether they should extend the Act for a further period or whether it should not be continued beyond February 1955. I wish that the Members of the Legislature should express their opinions frankly so that the Government may be able to come to a right decision. I am not

[Sri E. H. Parameswaran] [2nd December 1954]

conversant with this topic, but I have consulted many farmers and tillers of the soil and the opinion seems to be almost unanimous amongst them that far from relieving their distress this Moratorium Act of 1954 has crippled the rural credit and has made it impossible for them to purchase seeds, etc. People also say that the Act has led to so many anomalies. I was told that a proprietor of a big cinema house and a distributor of films had obtained a stay order under this Act on the ground that he also was an agriculturist because he owned some lands somewhere. It is also said that because of the exemption from stamp duty given to agriculturist lease-holders several bogus documents are produced by rich and wealthy people before the courts to prove that they are also lease-holders and that exemption from stamp duty should be given to them also. The intention of the Act was to give relief to the middle-class farmers and low-class agriculturists. But the Act has really benefited wealthy landlords, big merchants, proprietors of cinema houses, bus-owners, etc. I, therefore, think that the time has come for the Government to decide that this measure should not be continued any longer. When the measure was introduced in the Legislative Assembly by our revered leader Sri Rajaji, he gave almost something like an assurance that the life of the Act was for only one year, that it was not his intention to wipe off all the debts and that he wanted only that more time should be given for the payment of the debts. Representations have been made to the Government by public bodies, Bar Associations, Chambers of Commerce, etc., that this Act should not be extended. I feel, Sir, that any extension of the Act will not only shake public faith in the Government but will also permanently damage the system of rural credit.

"My hon. Friend Sri T. Purushotham who moved the motion of thanks has already referred to the great interest taken by the Hon. the Minister for Education with regard to this subject. He also referred to the opening of new elementary schools. I thought he would leave the subject of education to me and allow me to talk about single-teacher schools. However, he has made very valuable remarks on the subject of single-teacher schools. I remember when the modified system of elementary education was introduced, it was claimed as one of the advantages for the modified scheme that it would put an end to plural-class-teaching and that, therefore, it ought to be welcomed. Now we have this single-teacher schools started all over the State because of the grant received from the Central Government. For these single-teacher schools, even untrained people are appointed. I do not know why these untrained people—untrained S.S.L.Cs. and untrained Intermediates—are offered a higher salary than the salary actually offered to trained teachers working in the ordinary elementary schools. I do not know why such a distinction was made by the Government. As the hon. Member, Sri T. Purushotham, has suggested, it is for the Government to see now that untrained teachers who are put in charge of these single-teacher schools are transferred to schools where there are a large number of teachers and that experienced

2nd December 1954] [Sri E. H. Parameswaran]

teachers from those schools are put in charge of these single-teacher schools. Such a thing should be done with the permission of the Government of India if necessary. Otherwise though we may be getting a big grant from the Central Government, we shall not be advancing the cause of elementary education in our State.

"We are also glad that the Government have appointed a Committee to examine the system of elementary education in all its aspects. I feel that it would have been very good if the Government had put one or two representatives selected from those engaged in the field of elementary education, i.e., one or two teachers who have put in very long service as headmasters of elementary schools, in the Committee.

"The Governor's Address refers also to the question of secondary education and says that the recommendations of the Secondary Education Commission are being actively considered by the Government. I am very glad that at last the Government have appointed a Committee to go into the recommendations of the Secondary Education Commission and that the President of the South Indian Teachers' Union has been invited to serve as a member of that Committee. Let me point out that though many commissions have been appointed in the past, this is the first time in the history of India when an All-India Secondary Education Commission has been appointed. We in Madras ought to feel proud that one of our distinguished countrymen, our own Vice-Chancellor has been the Chairman of that Secondary Education Commission. I do not understand why there should be so much of hesitation on the part of the Madras Government to implement the several recommendations of the Commission. The Central Advisory Board of Education, several Ministers of the Central Government and the Academic Councils and the Senates of the Universities have given their blessings to the recommendations contained in the Secondary Education Commission Report. Therefore, there should be no hesitation in trying to implement the recommendations. I really feel that if, for some reason or other, these recommendations are not implemented and they are put in cold storage, it would be a great tragedy for this country. In this country there have been so many commissions, but no action has been taken on the reports of any of the educational commissions appointed by the Government of India in the past. 5-10 p.m.

"The Secondary Education Commission has also made reference to the very unsatisfactory state of things in regard to the economic condition of the teachers. The Commission has recommended what is called a Triple Benefit Scheme for all teachers in secondary schools, the triple benefit comprising (1) provident fund, (2) compulsory insurance and (3) pension for all teachers. It is a very good scheme, and I wish that the Government consult experts and see how far this scheme can be implemented. In educational reforms, Madras has always led other

[Sri E. H. Parameswaran] [2nd December 1954]

States. I am hoping that this time also Madras will take the lead and implement the recommendations of the Secondary Education Commission.

"Speaking of teachers and the recommendations of the Secondary Education Commission, I feel that I shall be failing in my duty if I do not bring to the notice of this House the great discontent that prevails among teachers of all classes at the present time. For the last four or five years, there has been this discontent. As early as 1951, the Executive Board of the South Indian Teachers' Union convened a special conference, and pointed out the several disabilities from which the teachers were suffering. In that special conference of teachers, it was pointed out that there had been a steady deterioration in the quality of persons who sought admission in training schools and colleges, and that competent teachers were leaving the profession both in the schools and colleges as they were unable to make both ends meet with their earnings. The standards of attainment and the tone of schools and colleges are showing marked signs of deterioration. Because the Government would not move in the matter, the South Indian Teachers' Union Executive passed a resolution saying 'The Executive Board of the Teachers' Union feels that the time has come when it may have to declare its inability to maintain the right morale of the teaching profession in this State. It, therefore . . .'"

* DR. V. K. JOHN :—"Sir, may I point out that this just discontent of the teachers has not been referred to in the Address?"

* SRI E. H. PARAMESWARAN :—"The Address, however, refers to the Secondary Education Commission. The service condition of teachers is there. In referring to the discontent of teachers I am sure the Deputy Leader of the Opposition will wholeheartedly support me when I say that teachers and other classes of people should be contented.

"In 1952 when the elections took place, and before the Ministry came into office, the South Indian Teachers' Union organized a deputation, and the deputation met the Hon. Sri Kumaraswami Raja, the then Chief Minister, and the Education Minister. I remember a categorical assurance was given by the Chief Minister that there would be a revision of the salaries of the teachers of elementary schools and secondary schools. Again, speaking on the floor of the Legislative Assembly, the Hon. Sri A. B. Shetty (who was then Finance Minister) gave the assurance that the revision of the salaries of teachers of secondary schools was under the active consideration of the Government. Two years and eight months have passed, and this Government have done nothing to alleviate the distress of the teachers."

* DR. V. K. JOHN :—"Sir, may I enquire of the hon. Member whether he is supporting the Motion of Thanks?"

* SRI E. H. PARAMESWARAN :—"Sir, the hon. Member, Dr. John, can judge for himself, and he will see at the end whether

2nd December 1954] [Sri E. H. Parameswaran]

I am supporting the Motion of Thanks or not. I wish to remind the Hon. the Minister for Education and the Government of some very pertinent remarks made by Dr. Amaranath Jha when he presided over the Bombay Conference only fifteen days ago. He said that unless the working conditions of teachers were improved, they might be driven to desperation and do immense mischief which several generations would not be able to undo. Sir, I want to point out that Dr. Amaranath Jha is a distinguished educationist respected all over the country. He is not a political agitator. He is not a teacher himself. He has been the Chairman of the Public Service Commission. Dr. Amaranath Jha gives this warning that it is high time that something was done to remove the discontent of the teachers. I have certainly faith that our Education Minister will look into the matter and will do his best. I would make a request to him not to plead lack of finance for carrying out the educational reforms. If the Government think that the recommendations of the Secondary Education Commission are good, will take India forward, and allow the students in India to become better citizens, let not financial considerations stand in the way. Any great statesman should be able to find the finance for educational reforms and for improving the status of the teacher, because the teacher is the pivot of all. All talk of educational advance will be meaningless unless we do something to relieve the discontent of the teacher.

"I am glad, Sir, the Governor has referred to the Bill about dramas and dramatic performances. I feel that such a Bill is absolutely necessary. It is necessary to have some control over these dramatic performances. Sir, I have great pleasure in seconding the Motion of Thanks to the Governor for his very valuable Address delivered on the 1st December 1954."

MR. CHAIRMAN :—"Motion moved—

'That an humble address be presented to the Governor that the Members of the Madras Legislative Council thank him for the Address delivered to the Members of the Legislature on the 1st December 1954'."

"I have received notice of two amendments, one from Sri Mohamed Raza Khan and the other from Sri A. Gajapathy Nayagar. These amendments, as is the custom in this House, are to be moved and seconded formally. Hon. Members will then speak both on the main motion and on the amendments."

* SRI T. PURUSHOTHAM :—"The subjects which form part of the amendments do not find a place in the Governor's Address."

* DR. V. K. JOHN :—"The hon. Member while he moved his Motion of Thanks said that we should not discuss anything which was not in the Address. This is not my view. We should discuss everything that is in the Address and which ought to have been in the Address."

[2nd December 1954]

MR. CHAIRMAN :—" This House had this privilege of moving amendments to the Governor's Address for long, and so I do not find any reason to disallow them."

SRI MOHAMED RAZA KHAN :—" Sir, I move the amendment standing in my name, namely :—

' Add the following at the end :—

" but regret to note that there is no indication in the Address of steps to be taken to solve the pressing problems of the State." " "

SRI K. BALASUBRAMANYA AYYAR :—" I second the amendment, Sir."

MR. CHAIRMAN :—" Amendment moved—

' Add the following at the end :—

" but regret to note that there is no indication in the Address of steps to be taken to solve the pressing problems of the State." " "

* SRI A. GAJAPATHY NAYAGAR :—" Sir, I move the amendment standing in my name, namely :—

' Add the following at the end :—

" but regret to note that the Government had failed once again to take note of the public demand for adoption, by law, of Tamil, as the official language of the Madras State, and particularly, the Madras State Official Language Bill introduced in the Madras Legislative Council." " "

SRI MOHAMED RAZA KHAN :—" Sir, I second the amendment."

MR. CHAIRMAN :—" Amendment moved—

' Add the following at the end :—

" but regret to note that the Government has failed once again to take note of the public demand for adoption, by law, of Tamil, as the official language of the Madras State, and particularly, the Madras State Official Language Bill introduced in the Madras Legislative Council." " "

The motion and the amendments are now before the House for discussion.

[At this stage the Deputy Chairman took the Chair.]

5-10 p.m. * SRI G. KRISHNAMOORTHY :—" Mr. Deputy Chairman, Sir, there has been a reference in His Excellency the Governor's address to the opening of 1,270 single-teacher schools and to the proposal for opening 1,530 single-teacher schools in the next year. A single-teacher school is a school managed by a single teacher. There will be surely more than one class in due course for the teacher

[2nd December 1954] [Sri G. Krishnamoorthi]

to handle. In educational terminology, we call it plural teaching. Plural teaching has been condemned throughout the world as logically and psychologically unsound. It was on this ground that the Government thought of abolishing this system and evolving a new scheme. But somehow or other the new scheme was not to be there. I do not know how the same Government have started 1,270 single-teacher schools and now think of having 1,530 schools in the coming year. Now we employ as teachers in single-teacher schools only S.S.L.C. holders. I quite understand that there is a proposal to solve the unemployment problem and to this end to provide jobs for those who come out of the high school. Now, some 2,800 S.S.L.C. holders are going to be provided with employment by the end of next year. We are producing some 50,000 S.S.L.C. holders every year in this State and in the last two years we have already produced a lakh of such people. Out of this one lakh, we are providing employment only to 2,800. What about the remainder? Can this be a solution to the problem of unemployment? Can there ever be a solution to this problem? We have produced lakhs and lakhs of such people and we cannot, of course, find them all in our own State. They are going about the country for employment. So, this cannot be a long-range solution. Then, what is the solution? There is something wrong at the very root of the present system of education which produces unemployment and unemployable persons. S.S.L.C. holders are certainly unemployable, for they do not know how to tackle things. They are not taught how to do work with the hand. The content of education should be modified. It should be modified to such an extent as to make it purely technical. The highly literary content of the present education has got to be taken away. Now, the Government will say, ' we have appointed committees to go into the question of elementary and secondary education.' All these committees are going to give their reports and make recommendations. But who is going to implement the recommendations to be made by these committees? It is the teacher. Teachers are the persons to implement them and what about the teachers? Can the Government attract able men to this teaching profession and can they make a person accept the job on Rs. 40 when he can easily get Rs. 120 either in the Railways or in the Postal Audit Department? Is it not the duty of the Government to see that teachers' emoluments are made attractive or at least to be on a par with those in other professions? How can they get the right type of man for the job on such terms? Even if they get some, they will not stick to their jobs permanently. They will be only birds of passage. And in spite of such conditions, if some still stick to the profession, it is on account of poverty. They take to this line for want of another job. How can such men give undivided attention to their work? Every man has got his stomach. He has to solve the problem of his stomach. Not only that. There are five or six stomachs in addition to his. How can he solve this problem with the pittance that he is offered? Pathetic is the tale of the teacher. He has to live in a hovel and cover himself with tattered clothes. He has to remain famished like Tenaliraman's horse. For instance, he was promised the three

[Sri G. Krishnamoorthi] [2nd December 1954]

rupees' increase in grant but to his amazement he found like Tenaliraman's horse that the three rupees' increase in his scale of pay was really not grass but was hair. It was the hair of the beard given to the management and not grass given to the teacher. An assurance was given on the floor of this House that this money would never go to the management and that if at all it did, ultimately it would reach the teacher. But it has not gone to the teacher so far. I have been suggesting to this Government for the last two years and a half that this position must be rectified and the teachers' job made attractive. I suggested as early as in February or March 1953 that there should be a teacher supporting education, and to this end, I submitted a scheme called the 'Teachers' Maintenance Fund' scheme. The Government have recently said that the teachers are so large in number that even a two or three rupees' increase in their emoluments would come to so many lakhs of rupees and that the teachers themselves might not after all be much benefited by such increase. Is it a fault that we are so large in number? Should not our own Government say: 'Well, you are large in number; if each one of you should turn out real work, paying undivided attention to it, all children can be trained to be patriotic citizens of the future, equipped nobly, spiritually, intellectually and physically.' That should be the attitude of the Government. Let us now come to brass tacks. We are large in number. Persons who can easily help us should be still larger in number. That is the idea underlying the scheme of teachers' maintenance fund. We want thirty to forty times the present strength of teachers to help us. And what is the scheme? One teacher has some thirty children to teach, and each child has a parent. In respect of each child, the parent should pay one rupee per month to the teacher who has to pay undivided attention to his work. If the scheme is implemented, we will get crores of rupees—at least two crores of rupees recurring every year—and we can solve the problem. If I make much noise in the House and go on repeating the demands, probably some allowance may be provided for the teachers—some lakhs of rupees—in the next Budget. But will that solve the problem? No. There is only one method of solving it and that is the method I have suggested. Whether it be in Madras or elsewhere, the best way of solving the problem of the teachers is by making the beneficiary pay for the benefit he gets and when the beneficiaries are so large in number the problem is easily solved. They must pay for the benefit both legally and morally. They can and, of course, will pay but the Government stand in the way. Who was maintaining the teachers in olden days? The parent was maintaining the teacher because it was his duty to pay for the benefit that he got. Now the Government stand in the way and say that if it is done it would amount to bribery and corruption. The system is not new to us and all that we want is, the mode of payment should be regularized. We want the proposed contribution by the parents to be regularized by the department. They can do it with one stroke of the pen. We want nothing from the public exchequer. We want the Guru to be paid by the parent who gets work from him. Government must come

2nd December 1954] [Sri G. Krishnamoorthi]

to our relief. Let the contribution from the parents in respect of each high school and elementary school be pooled, deposited in the treasury and earmarked for the benefit of the teachers. When this amount is deposited in the fund I have proposed, the Government can easily raise the salary of the teachers for which they have been appealing all these years. They can easily pay the house-rent allowance which works out to nearly ten lakhs of rupees. They can grant full fee concession to teachers' children studying in the high school classes. The disparity in the scales of pay of the various categories of teachers can be removed so that one source of heart-burning among them may disappear.

"Then, Sir, there are many other things that the Government can do without recourse to finances. In a secular State, we have now five castes! The Government have been trying to abolish caste but we have in our teaching profession five castes—the panchayat teacher, the municipal teacher . . ."

THE HON. SRI C. SUBRAMANIAM:—"Sir, may I request the hon. Member to clarify his useful suggestion regarding teachers' maintenance fund? What is to happen to those students who are unable to pay the contribution because of poverty? Will they be treated properly by the teachers?"

* SRI G. KRISHNAMOORTHY:—"In the scheme I have submitted, I have generally stated that those persons who are already eligible for concessions—such as those who belong to the Scheduled and Backward Classes—may be exempted from the payment of any contribution."

THE HON. SRI C. SUBRAMANIAM:—"The Backward Classes, Scheduled Castes and Tribes are really backward in their economic status. But even amongst the forward classes, there are people who are poverty-stricken. What can we do with them?" 5-30 p.m.

* SRI G. KRISHNAMOORTHY:—"If the Government are really sincere, they can just probe into the scheme, ask for suggestions from me or some other person interested in the scheme. I say that the scheme will really work well. Let the scheme be given a start. Even if Rs. 10 were collected, we will be satisfied. We will not blame the Government. What we want is that the Government should give the scheme a trial. I have stated in the scheme that parents of poor boys will be given concession."

"The Mysore Government have begun collecting four annas from every pupil for eight months in the year. In Bihar they have started the Taluk Teachers' Fund. But in our Madras State, the State in which the scheme originated, it has not been put into practice."

"We teachers have been divided into five castes, viz., the panchayat teacher caste, the municipality teacher caste, the district board teacher caste, the Government teacher caste and the aided school teacher caste. We are a secular State. Yet these castes persist. The panchayat teacher is an outcaste. We are having all these castes in a land which proclaims itself to be a secular State."

[Sri G. Krishnamoorthi] [2nd December 1954]

In these five castes, the Government teacher is the Brahman. He is not to be touched. He has his sacred rules. He has got security of service. He has got the pension benefit which no teacher in any district board or aided school has. Even after Independence, these castes are perpetuated. I do not know what is the reason for this. We were trained in the same school. We had the same educational training. We have the same syllabus. We teach the same Indian children. We are inspected by the same Inspectorate. But yet we have amongst us this disparity. This Government can remove that disparity by one stroke of the pen. But they have not done so.

“The attitude of the departmental officers towards the teachers is not encouraging. Whenever they inspect any school, the departmental officers should also look into the grievances of the teachers in that school and try to remove their grievances. Now, after the 15th of August 1947, at least the departmental officers should treat the teachers with some respect. We teachers have also got as much patriotism as any officer. The first thing that an Inspector has got to do when he inspects any school is to enquire into the grievances of the teachers. He must look to their comforts. The teachers should not be allowed to continue as a discontented lot. He must be a liaison officer between the management and the teacher. He must ask whether the teacher has been given his benefits, whether his Provident Fund Account has been opened or not. I have been receiving a lot of complaints from the teachers. I have been forced to approach the Secretary of the Education Department. All these difficulties could be solved by the District Educational Officer issuing an order to all the school authorities under his jurisdiction to see to it that the grievances of the teachers are redressed. That is the principle they have got to observe in a democracy. The interest of the man in the lowest rung of the ladder, viz., the elementary school teacher, should be protected. If his grievances are not redressed, and that too legitimate grievances, i.e., opening of Provident Fund Account and the like, where could the poor teacher go in appeal? Rules are there. It is one thing to demand liberalization and change of the rules. I have been doing it. It is quite a different thing to see to the proper application of the existing rules. The departmental officers should see to it that the rules prescribed with a view to safeguarding the interests of the teachers are correctly enforced. There are many cases wherein the rules are honoured more in their breach than in their observance. Can the poor teacher go in appeal to His Excellency the Governor? These are all small things. This trouble could be remedied by the Director of Public Instruction issuing an order by a stroke of the pen to all the officers concerned. Let us remember on this occasion what Nehruji, our revered Prime Minister, said a few days ago, viz., that in a democracy the ‘hookum’ could not be tolerated any longer. This is not a question of money. What do we want? We want security of service. Are the teachers having security of service? The answer is in the negative. Even the principal of any big aided college could be sent out even without 24 hours’ notice, of course with three months’ pay. Except the Government and

2nd December 1954] [Sri G. Krishnamoorthi]

local body teacher no teacher has any security of service. When such is our pitiable condition, is it wrong if we claim security of service? Even the Hon. the Minister for Education was kind enough to say in a meeting he addressed some months ago, that it was very essential to make the teachers stick to their job with security of tenure. Whereas even the lowest paid Government servant has got security of service, the poor teacher has no such security. The Government could give them security by one stroke of the pen. But still they have not done anything in that direction.

“The question of agency was solved by me as early as 1946. But Government have not paid heed to what I said and I have been clamouring all these years. It is very simple. If all the moneys received in every educational institution whether in the district boards or municipalities, are deposited in the treasuries and if the Headmaster of each institution is authorized as an officer to draw from the treasury the salaries of the teachers on the 1st of every month, the problem is solved. There would then be no longer the complaint from the teachers that they have not been paid their salaries for two or three months. Let all the moneys collected as fees be deposited in the treasury and let the auditors see if all the moneys collected are so deposited. Let the headmaster prepare the pay bills of the teachers and get the payment from the treasury. This will solve the question of agency. If the Hon. the Minister for Education has the will to do it, the scheme could be put into operation. Let the aided agencies be there. There must be all the agencies. Let them be paid 15 per cent of the actual disbursements to the teachers every month, as compensation or management grant. If the scheme is worked we will get as much as Rs. 1.68 crores every year as recurring profit from aided high schools alone. By this arrangement the teacher could be sure of his monthly pay on the first of every month. The problem is so simple. But Government have not come forward to implement the scheme.

“Before I close let me bring to the notice of the Hon. the Minister for Education the miserable plight of the teachers in Pudukkottai. When the State was merged with Madras, the untrained teachers were given an assurance that Government would grant them permanent exemption. There have been many cases wherein exemption has not been given. There has been lengthy correspondence with the Government in this regard. In spite of repeated requests to Government, they have not granted exemption. The inspecting officers harass the teachers. There are cases wherein the teachers have not been paid salaries for several months. Let the Government call for a statement from the Special Officer for Pudukkottai as to the number of untrained teachers and let permanent exemption be given to those teachers. All the former Pudukkottai State Government servants have been given continuity of service in Madras Government service after merger. But the teachers’ lot is a grievous one.

“Before I close let me ask for a clarification regarding B.C.G. vaccination from the Hon. the Minister for Health.”

[2nd December 1954]

DR. V. K. JOHN :—" I find the Hon. the Minister for Health is not in his place."

THE HON. SRI C. SUBRAMANIAM :—" Myself and other Ministers are here to take note of what the hon. Member says."

5-40 p.m. * SRI G. KRISHNAMOORTHY :—" It is stated that Government have decided to popularize B.C.G. vaccination. B.C.G. vaccination has been proclaimed by our Government to be their aim and it has been definitely stated that within the course of the next five years, all the people in the State would be inoculated with B.C.G. It seems that the medical authorities test the people by a test called the ' tuberculine test '. The after-effects of this test are described in so many ways by so many people. I would like to have enlightenment from the Hon. the Minister for Health in this matter and I would like to know whether we are really doing the right thing by subjecting people to this test.

" I do firmly believe that the Hon. the Minister for Education and the Hon. the Chief Minister would be pleased to provide a sum of Rs. 2 crores in the next Budget for giving relief to the teachers. I think this is an opportune time created by the Government for ascertaining the views of hon. Members before framing their Budget and I hope that they would do the right thing. If the Government are not able to provide this sum of Rs. 2 crores, even to-morrow they can start the Teachers' Maintenance Fund without touching even a pie from the taxpayers' money."

* DR. V. K. JOHN :—" Sir, may I make a suggestion? It would be a great advantage if as many Hon. Ministers as possible are present in this House when the discussion is going on, so that the discussion may not be a farce. I find that there are only two Ministers on the Treasury Bench."

THE HON. SRI C. SUBRAMANIAM :—" Even one Minister will do! "

* SRI K. BALASUBRAMANYA AYYAR :—" Mr. Chairman, Sir, may I rise to support the amendment that has been moved on behalf of our party here. That amendment does not negative the original proposition that hon. Members of this House present a humble address of thanks to the Governor for his address. But we want to say certain things about the various policies pursued by the Government so that they may pay regard to them in future, especially when they are framing the Budget for the next year. We are happy to have a full account of the various steps that the Government propose to take for the amelioration of the condition of our people with particular reference to food, irrigation, agricultural production and so on. This Address, if I may say so with great respect, gives fuller details than the previous Addresses and we are thankful to the Governor for giving us a detailed picture of the work proposed to be done in the coming year.

[2nd December 1954] [Sri K. Balasubramanya Ayyar]

" I would like to dwell upon one or two points. One is about the various irrigation projects. We are all very happy that a number of irrigation projects are being thought of and are being implemented. At the same time, we should not be carried away by the impression that we have done the best thing by executing these projects alone. All of us know that a sum of about Rs. 50 crores was spent on the Tungabhadra Project, but people are slow to take advantage of that project. Two high officials, Sri S. V. Ramamurthi and Sri Hejmadi have been appointed for the purpose of finding out why ryots are unable to utilize the benefits that accrue from this project. The same difficulty arises so far as the Lower Bhavani Project also is concerned. I had been there very recently and I enquired of the ryots. I find that they experience considerable difficulty. The truth is that the capital which the ryots can invest is very limited and their resources are very slender and the methods by which new lands can be brought under cultivation are also not very much known to them. On account of these factors, the ryots are not able to reap the full benefits of these irrigation projects immediately. I therefore feel that it would be better if the Government proceed slowly in the matter of the execution of these projects and take them up one by one. But there also a difficulty arises. If the Government take up for execution one project in a particular area, the people in the other areas complain that the Government are partial to that particular area and so on. There is no use spending crores and crores of rupees on these irrigation projects if the ryots are not able to take full advantage of these projects. I have always pleaded, as I have done on many prior occasions, that these irrigation projects may be executed slowly, one by one, and that our moneys may be utilized from time to time. That was the policy followed by the British, but we feel that whatever the British did was not good and we have started upon a new venture of carrying out these projects, all at the same time. The result is that we are not able to find all the money required for carrying out our Five-Year Plan. There will be a deficit of nearly 2,200 crores of rupees if the various schemes under the Second Five-Year Plan are executed. Nowadays, people do not care about deficits. The Union Finance Minister has stated that the Government will resort to deficit financing. We will have to go to America and other foreign countries for the purpose of financing some of our important projects. That is why I say that we can proceed slowly. In this connexion, I would like to draw the attention of the hon. Members to the statement in the Governor's Address, which reads as follows: ' We must, however, take note of the hard fact, that we are almost at the end of our tether in the matter of dependable water resources for the development of irrigation. Our further efforts towards growing more food, should therefore, be towards increasing the yield from the existing cultivable land.' This has my support. It is intensive cultivation that has to be encouraged. I am glad to find from one of the information reports published by the Government—of course, some of them are very dull—that one business man at Nagapattinam took advantage of the advice that was given by the Agricultural Department and that he was able to

[Sri K. Balasubramanya Ayyar] [2nd December 1954]

increase the yield from his land twice or thrice. I feel that more and more attention should be paid to minor irrigation projects. A sum of Rs. 70 lakhs has been provided for this purpose, but I feel that much more money ought to be spent on that. I frequently go to my village, though I am in the City, and I find that the difficulty with regard to these minor irrigation projects is want of drainage facilities. On account of the fact that there was no rain during the past ten years, repairs to tanks were completely neglected. As there was no rain, there was no necessity for repairs. But when there is rain and when the tanks get water, we find that the tank bunds breach. The ryots are not able to utilize the water stored in the tanks in times of difficulty when there is no rain. The rains have now stopped and the north-east monsoon is not active. I hope and trust that we will be having some rains in the near future. We are told that in Villupuram taluk the crops are withering for want of rains. The Government would be wise if they pay more attention to minor irrigation works and if they take steps to increase the yield from the existing cultivable lands. Recently the Japanese method of cultivation has been introduced in several places but we do not know whether it has been entirely successful. Anyhow, we shall try and see whether the yield from the lands could not be increased more and more.

8-50
p.m.

"Then, I want to touch upon another important matter and that is the handloom industry. Steps have been really taken towards giving relief to the handloom industry and we are very thankful to the Government for it. Especially when our Rajaji was the Chief Minister, he took every effort for the purpose of giving relief to the handloom industry and that has also been continued by the present Chief Minister. I am very glad to state that much relief has been given to handloom weavers. The other day I had the occasion to look into the Report of the Textile Enquiry Committee which was placed on the table of our Parliament very recently, and I find some suggestions have been made there. I do not know whether the people who are enthusiastic about the handloom industry will completely accept those suggestions but suggestions have been made in that report that so far as the handloom industry is concerned, in the course of a number of years, that is within 15 or 20 years, an attempt must be made to slowly convert handlooms into semi-automatic power looms. One difficulty is that this may displease the handloom weavers but they say that the whole thing will be spread over a period of 25 years and it is possible in the long run to see that all these handlooms are slowly converted into semi-automatic power looms. Therefore, I appeal to the Government to consider this aspect of the matter and see whether something in that direction can be done. Of course, they make reservations so far as the colour designs are concerned and they do not want that the handlooms should be converted into power looms. But so far as other kinds of cloth are concerned, they have suggested that they can be slowly converted into semi-automatic power looms. That is a matter for consideration by experts and also by the Government.

2nd December 1954] [Sri K. Balasubramanya Ayyar]

"The next point that I want to refer to in the Governor's Address, is the Indebted Agriculturists (Temporary Relief) Act, 1954. It is in a very significant way that the Government have proceeded in this matter. They do not want to call it as the Act is named but they have preferred to call it as the Agriculturists' Relief Act of 1954. It is a temporary Act and it was said so when it was passed. They are now afraid to call it merely temporary. I think it may be a mere slip but the significance is that it must be temporary and that is why I am drawing attention to that fact. Then, there is the further statement in paragraph 6 of the Governor's Address which says—

'Arguments for and against are now being advanced forcibly by the respective interests, and the matter is engaging the careful attention of the Government.'

I for one feel that there are no respective interests in this particular matter. There are no interests defined or marked as creditors and debtors. So far as agricultural rural credit is concerned, an agriculturist may be a debtor and a creditor at the same time and it is hardly fair on the part of the Government to say that the respective interests are making arguments for and against it. I do not think that it is correct to say so. So far as our State is concerned, this is an Act, among many Acts, which has produced disastrous consequences to the people. I am not a person to use strong language at any time."

DR. V. K. JOHN :—"No harm if the hon. Member uses it now."

* SRI K. BALASUBRAMANYA AYYAR :—"But so far as this Act is concerned, I foresaw the consequences and I mentioned them in this House at the time of passing it. I may be wrong but now I see that everyone is agreed—even the big farmers and agriculturists, because the 'agriculturist' under this Act is a person who can own even a thousand acres—and small farmers and agriculturists are also agreed that this Act has broken the agricultural credit entirely. That is a hard fact. The other day the Hon. the Chief Minister in replying to an address, said that these arguments were advanced by merchants and lawyers. That is not correct. They are not advanced merely by merchants and lawyers but even the merchants and lawyers are part of the body politic of our State and they should not be ruined and completely annihilated. Therefore, it is not at all correct to say so. I have actually seen farmers and agriculturists complaining that the agricultural credit has been entirely destroyed. Now, everybody is afraid to give money because he thinks that the Act may be extended for one or two more years. Nobody is certain about it and this uncertainty has to be put an end to. If the Government are for extending it for five years, let them say so and I can understand that."

DR. V. K. JOHN :—"May I remind the hon. Member that last year an undertaking was given that it would not be extended?"

[2nd December 1954]

* SRI K. BALASUBRAMANYA AYYAR :—“ I think, an assurance was given by the then Chief Minister that it might not be extended. I am speaking subject to correction.”

SRI C. RAJAGOPALACHARI :—“ It was in answer to a point that was raised.”

* SRI K. BALASUBRAMANYA AYYAR :—“ Now, if the Act is extended, the then Chief Minister is not responsible for it. I would appeal to the Government that they should not extend the life of this Act any further. Let it be a dead Act and that is the best answer that the Government can give so far as this Act is concerned, because it is affecting the rural credit. No joint stock banks have been exempted. The Government must remember that the joint stock banks deal with public money. They are also in a way superior to co-operative societies. The co-operative societies are unable to give loans to agriculturists immediately whenever they want it and are in urgent need. But the banks give loan easily and quickly but they are not exempted from this Act. I have got some experience about these banks and they find it very difficult to recover their money because under this Act even though a man may be a trader, if he has got a piece of land, he is an agriculturist and he says so. (Interruption.) Even if a suit is filed against him, he immediately applies to the court for stay order and the stay order is given, and then to apply and get a copy of the stay order it takes six months. So, his object is gained. I find also that in the last three years, he has had no assistance because his credit is going down and he is not in a proper condition to keep it up. In many cases people take advantage of this Act and write very boldly to the bank authorities, ‘ you cannot do anything, Sir.’ One person actually wrote to the Secretary of the Indian Bank, ‘ you cannot do anything so far as the Agriculturists’ Relief Act is there.’ That is the way this Act is operating on the mind of the people. I am more anxious about it and want that it should not operate in that way. It is demoralizing the whole credit structure of our country. Of course, it was done with a very good motive. I would not say that it was done with a very bad motive. There was no demand from the people for it at the time when the Act was passed but still it was thought that it might give relief. But it has not given relief. On the other hand, it has produced uncertainty in the minds of the people who are entering into these transactions and that is always the difficulty whenever the Government interfere with the contract entered into between two parties. That is why the English law says that ‘ contract ’ is sacred and they want to interfere in very difficult and serious matters. Especially when the interest is high and usurious, they want to interfere. Otherwise, they say, ‘ let the contract of the parties go on.’ Credit can only thrive on a free contract between parties. It is all right to say that there are debtors who are also honest. We know debtors. They want to take advantage of every circumstance by which things can be delayed. The hon. Member Sri T. Purushotham said that if the amount of interest so far paid exceeded 50 per cent

6.00
p.m.

[2nd December 1954] [Sri K. Balasubramanya Ayyar]

of the amount of the principal no further interest should be paid. Let us hope that this Agriculturists’ Relief Act of 1954 will expire in February 1955. If the Government want really to help agricultural debtors, let them wait for a year or two so that our rural credit system may improve. By doing so, they would not be doing any harm. This is the fundamental thing that I want to mention. I feel very strongly, Sir, in this matter. I am not guided in my views by any personal considerations. I have not given any loans. I have no personal interest in the matter. I can openly declare in this Assembly before the Hon. the Chief Minister that I have no personal interest in this matter. I know how this Act has affected the general credit of the country, especially the agricultural credit. That is why I come boldly before the Government and appeal to them that for once at least let them exercise the right wisdom and not extend this Agriculturists’ Relief Act any further. It has been stated in the Address itself that ‘ there has been an all-round improvement of agricultural conditions in the State.’ In view of their own statement I request that the Act may not be extended any further.”

DR. V. K. JOHN :—“ I hope the Government will not extend it.”

* SRI K. BALASUBRAMANYA AYYAR :—“ Sir, I wish to refer to one other matter. I was a little pained to read the Government’s review of the Police Administration Report for the year 1953. This review has also been published in the newspapers. According to this review, grave crimes and other crimes have increased. Members of the House will be interested to know the figures of grave crimes and other offences committed. In 1952 there were 181 dacoities and this increased to 239 in 1953.”

SRI MOHAMED RAZA KHAN :—“ Good progress.”

* SRI K. BALASUBRAMANYA AYYAR :—“ In 1952 there were 484 robbery cases and this increased to 503 in 1953. Offences under ‘ House-breaking ’ which were 10,484 in 1952 increased to 12,724 in 1953. As regards offences under Prohibition Law and other ‘ Local and Special Laws ’, crimes from 64,034 in 1952 increased to 72,880 in 1953. Other grave crimes like assault also increased from 47,273 in 1952 to 55,225 in 1953. Cattle thefts increased from 5,268 in 1952 to 6,296 in 1953. Ordinary thefts increased from 29,879 in 1952 to 34,292 in 1953. Offences under rioting and unlawful assemblies increased from 988 to 1,354. These figures are appalling. Even the figures for 1952 are sufficiently appalling. But that they should increase by 30 or 40 or 50 per cent is bad. I am perfectly sure that figures of crime will still further go up in 1954. Some time ago we read in the newspapers that lorries carrying goods were being stopped and lorry drivers were being deprived of their purses and wrist watches by criminals.”

[2nd December 1954]

DR. V. K. JOHN :—" May I enquire of the hon. Member what is the percentage of population in jails? "

* SRI K. BALASUBRAMANYA AYYAR :—" I am thankful to the hon. Member for the question. I have also looked into the Jail Administration Report. In that report, Mr. K. G. Menon has complained about the overcrowding in jails. It has been stated in that report that though about 5,200 prisoners were prematurely released there has still been overcrowding in jails. If more crimes are taking place, more jails will have to be built. If more crimes are taking place, it is probably due to the fact that jail life has become much pleasanter. I queried a jailor on this matter and he stated that prisoners were very happy in jails, because they got two meals. Whenever they are ill, they are immediately attended to by the jail medical attendant. In very many villages there are no doctors at all. But in every jail, there is a doctor to look after the prisoners. It was all right to agitate in olden days that jail life should be bettered because at that time respectable politicians went to jail. I do not say that prisoners should now be treated in jails as beasts. I only say that the life of a prisoner inside a jail should be a little harder. Otherwise people will prefer to remain inside jails to remaining outside. I find from the Jail Administration Report that life of criminals inside a jail has become very easy. Prisoners are quite happy with the meals supplied. I agree that the standard of life of the people has generally gone up a little. But, however, that does not mean that jail life should be comparatively easy. Jail life should certainly be a little harder compared to the life prisoners are usually accustomed to lead. I am glad that the Deputy Leader of the Opposition has mentioned it. Lawlessness has considerably increased. Speeches are being made in public streets inciting people to violence. I have myself heard a speech. I am sorry to say in this House that speeches are made in public streets in such a way that people will be tempted to take up weapons, go and fight. Such speeches are made in the name of liberty and freedom. But I ask, is it liberty? It is not liberty; it is libertinism. It is pernicious licence. The ordinary life of the citizen is becoming more and more insecure, especially in out-of-the-way villages! "

DR. V. K. JOHN :—" May I know whether the Government are encouraging it? "

* SRI K. BALASUBRAMANYA AYYAR :—" I do not say it, Sir, and I do not want to say that. But the fact is certain that the life of the ordinary citizen is becoming more and more insecure in out-of-the-way villages. It has been stated by the Government in the review of the Police Administration Report that 'law and order on the whole has been well maintained'. The Government themselves are very cautious in their statement and they use the words 'on the whole'. The Inspector-General of Police also has stated in the Administration Report that 'in spite of so many handicaps law and order has been well maintained.' Something

[2nd December 1954] [Sri K. Balasubramanya Ayyar]

must be done to cure the lawlessness of the people. We should instil in the minds of the people the need to have an abiding faith in God. I see that is the only remedy that I can suggest before this House. Some ten years ago people were afraid to commit sin. If a sheaf of corn were to be left in the field, some ten years ago, nobody would dare to touch it because people believed in those days that they would be ruined if they touched it. That was the experience in every village in those days. But now the grain will disappear in two minutes. There would not be any grain. Why is it so now? Because that superstition, as it was called, has gone out. It has died. We are all scientific enough not to believe in things except those felt by the senses. Therefore, we feel that anything can be done. The appropriate thing for any Government for the purpose of maintaining law and order is to increase the faith of the people in God. There must be the fear that decrease of faith in God will result in sins being committed. Nobody cares for sins now. Anybody can do anything with impunity. People must have faith in God. This is the only suggestion that I can make. Otherwise, it may be that the Crime Department should be improved. Latest methods of detection should be found out, and people may be sent to England and other countries for the purpose of receiving instruction in the latest methods of detecting crime. Effective steps must be taken by the Police department to put down crime. The Police Force may be increased. But I do not know whether these methods will effectively prevent crimes. But there is this hard fact. On going through the Administration Report, I was impelled to say all this here for the consideration of the Government.

" Sir, I welcome the proposed measure for control over dramatic performances. Control of cinemas could be done, because this subject relates to the Government of India. But so far as dramatic performances are concerned, our Government have thought of introducing a measure. I hope and trust that that measure will be introduced immediately. The Statement of Objects and Reasons says that more remedies should be given for the aggrieved party. It is for this purpose that the Government are introducing this Bill. I do not quite agree with this portion alone. More effective powers should be given to the Government to stop these dramas which are producing harm and pain to our people. People indulge in these dramas only for the purpose of producing pain. How are they concerned with Rama and Sita? Whether Rama and Sita existed or not, they know nothing. Why should they depict Rama and Sita in their own ways? It is only to hurt the feelings of people with whom Rama and Sita are part of their inheritance. It is not a question of belief in Rama and Sita from yesterday or to-day. It is part of the inheritance of the people. It has come in their very blood. It is only to traduce our religious feelings that these dramas are staged. That is my feeling. I am not condemning them in any outrageous terms, but I am feeling for them. I am feeling why they do all these things. In this way violence is being increased in our country. Our people are very law-abiding. That is why they are looking on. Many

6-10
p.m.

[Sri K. Balasubramanya Ayyar] [2nd December 1954]

people do not like these dramas. But still they say 'Let them reform themselves'. We hope that in the next generation things will become all right. If people begin to take the law into their own hands, then rioting and unlawful assembly will increase. Our Government have to interfere betimes. May we not, therefore, appeal to the Government to see that by some method these dramas are put an end to? One argument has been advanced that if we make too much of these things there will be much more publicity for all these. I do not think that that argument has succeeded at any rate. Mere passive unconcern has not produced that effect which we thought it ought to have. More power should be taken by the Government. Let us exercise that power properly after due consideration. Let us try to exercise that power by which unnecessary violence to the feelings of the people and unnecessary wounding of the religious susceptibilities of the people are not perpetrated on people. At any rate they are painful matters. I do not know what the motives of these people are. The Government should take into consideration all these matters. This subject of control of dramatic performances is mentioned in the last portion of the Address. (Interruption.) This would not be tolerated in the case of Muslims. Let us not talk about them. This control of dramatic performances is mentioned in the last portion of the Governor's Address. I hope and trust that it will be the first in the future Addresses of the Governor.

"So far as other matters are concerned, I have nothing but praise for this Government. This Government have, on the whole, done very well so far as other matters are concerned. This Government have really the interests of the people at heart. I am convinced of that. We are here to advise them on the proper course to be taken, and if we criticise sometimes very strongly, I can very well say that we do so with a view to helping the Government in the better administration of our State and for the achievement of the Welfare State that every one of us has at heart."

* SRI M. P. GOVINDA MENON :—"Mr. Chairman, Sir, when the hon. Member Sri T. Purushotham moved the Motion of Thanks to the Address delivered by the Governor, I heard a remark made by him. But I am glad that you overruled his objection that in criticizing the Governor's Address or in offering remarks on the Address, Members of the Legislature should confine to the points referred to in the Address. We are entitled to refer not only to the points covered by the Address but also to important omissions in the Address. Because the Address is the speech of the Treasury Bench, and the Members of the Legislature are entitled to draw the attention of the Members who adorn the Treasury Bench that they are making serious omissions—I would say very important omissions—from the programme that has been placed before the Legislature through the Governor. In the Address of the Governor delivered yesterday, there is an important omission, an omission which is a reflection on the Treasury Bench of the Madras State. An address which covers

2nd December 1954] [Sri M. P. Govinda Menon]

some pages has not dealt with a problem which faces this State. What is the situation, Mr. Chairman, through which we are passing now? The important question now is the question of unemployment. It is not the question of unemployment among the educated classes, but it is the question of unemployment among all classes of people. It is a wonder to me how such an important question has not been touched upon in the Address of the Governor. I am glad that hon. Members have referred to the food problem. We are glad that this problem has been solved to some extent. But what is the use of solving the food problem unless the State is in a position to give employment to all persons who can do some work and earn their livelihood? People have no work, and die of starvation as a result of no work. I do not think any Government can take credit for having solved the food problem without solving the unemployment problem. Recently I saw a report of a decision of our High Court where a prisoner who had killed his own child, was convicted and sentenced. But there was a recommendation to the Madras Government to reprieve the prisoner, to give him pardon, because the murder was committed out of absolute poverty. The person could not find the means to give food to his child. When such is the condition of the State, it is a pity that the Treasury Bench did not think it proper to include the important question of unemployment, which faces this Government, society, and this Legislature. That is why I may tell the hon. Member Sri T. Purushotham that omissions also are as important as matters dealt with in the Address."

* DR. V. K. JOHN :—"Probably the hon. Member does not know that the Governor does not consider unemployment as an important problem."

* SRI M. P. GOVINDA MENON :—"Sir, I am sure that the Deputy Leader of the Opposition in making his important and powerful speech, will move this Government to take this unemployment problem also into consideration."

"My hon. Friend, Mr. Parameswaran, who seconded the Motion of Thanks was more loyal than the King. (Laughter.) Generally new adherents to a political faith or any religious faith are more fanatical than the old heretics. Mr. Parameswaran said that this Government which succeeded the former one was also a Congress Government, and a successful Government as well. Sir, I may be pardoned for saying this; I am afraid that the present Government is not a Congress Government."

"The Governor in his Address has touched upon the retirement of Sri C. Rajagopalachari from active public life and has said that he is enjoying the rest which he really ought to enjoy. I beg to differ, however, Sir. Sri Rajagopalachari must not have any rest. (Laughter.) Even persons older than he—elderly statesmen—are doing work. Look at Mr. Churchill. I am told he is eighty. I am sure Mr. Rajagopalachari is not yet eighty. Mr. Churchill is continuing to be the Prime Minister of England."

[Sri M. P. Govinda Menon] [2nd December 1954]

Next, I come to my ex-leader, Mr. Prakasam. He is 86 I am told. He is vigorous and active and is running an election in a neighbouring State. So, this kind of platitudes, which drove away our eminent statesman from the arena of public life, should not be used. I hope that Sri Rajagopalachari will not retire from active politics but continue to work."

DR. V. K. JOHN :—" Mr. Chairman, Sir, may I suggest that at least the mover and the seconder should be present in the House when the motion is under discussion? Of course, I find the mover here but there is only one solitary Minister. You must set up a convention, Sir, by which as many Ministers as possible should be made to be present here when speeches are made by the Members of this House. This is really treating the House with discourtesy. Why should even one Minister be present here? "

THE HON. SRI M. BHAKTAVATSALAM :—" There is no difficulty in duly conveying the views expressed here to the Members of the Government. I do not see any discourtesy in this. Some of my Colleagues have some other engagements which they cannot avoid and so have left the House."

* DR. V. K. JOHN :—" Does the Hon. Minister suggest that the presence of Ministers here is not an important engagement? "

THE HON. SRI M. BHAKTAVATSALAM :—" I only contend that I represent all the Ministers quite adequately."

* DR. V. K. JOHN :—" On behalf of the Opposition, I humbly request you, Sir, kindly to direct that as many Ministers as possible ought to be present in the House."

* SRI M. P. GOVINDA MENON :—" Sir, you should make due allowance to me in respect of the time allotted to Members to speak, since the Deputy Leader of the Opposition and the Hon. the Leader of the House have taken away a portion of my time. I said, Sir, that the successor Government was not a Congress Government. Now look at the Treasury Bench from one end to the other. I do not see all are Congressmen. The Ministry is not a Congress Ministry. The policy is not Congress policy. There was a scheme of education. What has become of that scheme? It has been scrapped. Now something new is promised. I understand that a committee has been appointed to go into the question of elementary education. With great respect to the Treasury Bench, may I ask whether the Committee appointed by the Government is a competent committee to deal with elementary education? I have nothing to say personally against the proposed Chairman of the Committee, Dr. Alagappa Chettiar. He is a great philanthropist, a millionaire, who has contributed liberally to good causes. He is responsible for starting many educational institutions. In all humility, I ask, what is the special quality in him that prompted the Government to make him Chairman of this committee. (Sri Mohammed Raza Khan : ' Because he is " most suitable " , and our State itself is in an elementary stage '.) I know

2nd December 1954] [Sri M. P. Govinda Menon]

he has passed the elementary stage of education. Mr. Raza Khan and I also have passed that stage. The Committee consists of persons who are not prominent and who have not been heard of as experts in the field of education. (Dr. V. K. John : ' Hereafter, they will be all right '.) This is not a training ground for them. This is something important which concerns the future generations. The future of the State has to be planned with reference to the recommendations of this body. So, in this matter, I have a grievance. My district is not represented on the committee. Then look at the Treasury Bench. My district is not represented there too. My district is woefully neglected in all activities in Madras State. I am now standing between Mr. Naicker on this side and the Leader of the House on the other. (Laughter.) I am between the devil and the deep sea; only I do not know which is devil and which is deep sea. That is the position to which we have been reduced. In a committee appointed to reorganize elementary education, Malabar is neglected. Malabar has a large number of elementary schools. A very large percentage of the elementary schools in the State is located in Malabar. The problem of elementary education has been agitating the minds of the people of Malabar more than it has done others. The problems of Malabar are peculiar. Even in the modified scheme of Rajaji, there were some difficulties of implementation in Malabar. Of course, I supported the scheme because I saw in that scheme some good points. But the geography of Malabar is peculiar. Its grouping is peculiar. We do not follow the village system as it obtains in Tamil Nad. So, we made some suggestions and they were accepted by Rajaji. There ought to be some one from Malabar on this committee.

" As regards elementary education in general, I ask why all this trouble? Whatever be the system, the whole education should be the responsibility of the State. The question to be decided is, who is to undertake this work. I say the State must, because it is the Government that gives financial assistance to schools. So it is the function of the Government to be in complete charge of elementary education. Recently the Bombay State has taken over this subject. I am told that the Government may have to spend some sixty lakhs of rupees in addition as a result of taking over elementary schools. If Bombay can do it, why not Madras? Whether the municipality or the panchayat runs the schools, it is the Government that affords financial assistance. Again, as regards private managements, the teachers' salary is paid by the Government. Only the building, etc., are provided by private agencies. It is high time that this question was taken up and the Government undertook the responsibility of running the schools themselves.

" Then, Sir, coming to the proposed Bills to be introduced in this session, there is one on which I would like to speak. The Preservation of Private Forests Act is an important piece of legislation which this Legislature has passed. It is absolutely necessary to preserve forests to some extent at least. This afternoon, in answer to an interpellation, the Hon. the Minister for

[Sri M. P. Govinda Menon] [2nd December 1954]

Agriculture said that every care was taken to preserve forest wealth. My district again is very important in this matter of preservation of forests since there are more forests there than anywhere else in the State. It is necessary that we should prevent indiscriminate cutting of trees. The existing Act is about to lapse and the Government have promulgated an Ordinance. There is a Bill proposed to be introduced to regularise the temporary measure. In this connexion, I must point out that this Government are always fond of temporary measures. Why not have this Act on a permanent basis? We must have a well-thought-out Act on a permanent basis, after going into all aspects of the question of preservation of private forests.

"There has been an agitation in Malabar against the Collector that he is not granting licences for cutting trees. I know there are lots of difficulties in administering this Act. Sometimes in deserving cases licences are not given. Sometimes, serious offences like cutting of important trees are committed which do not see the light of day. But I know that the present agitation in Malabar is directed by vested interests, the money-bags. It is the Congress organization and Congressmen that have taken up this agitation in order to help vested interests. In the name of labourers who are employed in this cutting of trees, they went to attack the District Collector for having refused licences to very big capitalists who did indiscriminate cutting. That is a matter for the Government to look into. My feeling is this. Let us have a permanent Act which would be worked by persons who are honest and who would scrupulously follow the different sections of the Act.

6-30
p.m.

"Shall I continue my speech to-morrow, Sir?"

MR. CHAIRMAN :—"How many minutes more do you require?"

* SRI M. P. GOVINDA MENON :—"Ten or fifteen minutes."

MR. CHAIRMAN :—"Then the hon. Member may continue his speech to-morrow. The House will now adjourn and meet again to-morrow at 4 p.m."

The House then adjourned to meet again at 4 p.m. on Friday, the 3rd December 1954.

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

1. Notification No. 501, issued with G.O. Ms. No. 1734, Home, dated 16th June 1954, regarding exemption of buses coming from Travancore-Cochin State and plying for less than one mile in Madras State from payment of tax under the Madras Motor Vehicles Taxation Act, 1931.

2. (i) G.O. Ms. No. 1453, Public (Services), dated 27th August 1954, regarding amendments to the Madras Public Service Commission Regulations, 1954, regarding exclusion of the

2nd December 1954]

posts of Comptroller and Assistant Comptroller, Governor's Household, Private Secretary to the Governor and all posts in the Madras Police Subordinate Service and the Malabar Special Police Subordinate Service from the purview of the Madras Public Service Commission and revised scales of pay of the last grade Government servants in the office of the Madras Public Service Commission.

(ii) G.O. Ms. No. 1454, Public (Services), dated 27th August 1954, regarding Regulation under Article 318 of the Constitution of India issued by the Governor regarding revised scales of pay of the last grade Government servants in the office of the Madras Public Service Commission. [Laid on the table of the House with reference to Article 320 (5) of the Constitution of India.]

3. Notification No. 614, issued with G.O. Ms. No. 2147, Home, dated 19th July 1954, regarding continuance of arrangement for another quarter from 1st July 1954 in respect of collection of tax on lorries plying on inter-State routes after formation of Andhra State.

4. Notification issued with G.O. Ms. No. 2609, Home, dated 31st August 1954, regarding rule amending the Schedule to the Madras Motor Vehicles (Taxation of Passengers and Goods) Act, 1952.

5. Notification No. 771, issued with G.O. No. 2298, Home, dated 2nd August 1954, regarding cancellation of notification exempting certain motor cars belonging to Consul for France at Madras from taxation.

6. Notification No. 772, issued with G.O. Ms. No. 2687, Home, dated 7th September 1954, regarding exemption of certain vehicles of Travancore-Cochin State Electricity Department from payment of tax under the Madras Motor Vehicles Taxation Act, 1931 (Madras Act III of 1931).

7. Notification No. 756, issued with G.O. Ms. No. 2654, Home, dated 4th September 1954, regarding cancellation of notification No. 1037, dated 19th September 1952, published at page 1451 of Part I of the Fort St. George Gazette, dated 8th October 1952.

8. The Madras Land Revenue (Surcharge) Rules, 1954. [Laid on the table of the House under section 7 (4) of the Madras Land Revenue (Surcharge) Act, 1954.]

9. G.O. No. 1089, Finance (Ways and Means), dated 24th August 1954, regarding revised agreement between the Government of Madras and the Reserve Bank of India. [Laid on the table of the House under section 21 (4) of the Reserve Bank of India Act, 1934 (India Act II of 1934).]

10. Notification issued with G.O. Ms. No. 2109, Public (Services), dated 4th November 1954, regarding amendment to the Madras Public Service Commission Regulations, 1954, bringing

[2nd December 1954]

the posts of Director of Rural Welfare and Deputy Director of Rural Welfare outside and the post of Cinchona Propagation Superintendent within the Commission's purview. [Laid on the table with reference to Article 320 (5) of the Constitution.]

11. Notification issued with G.O. Ms. No. 3036, Agriculture, dated 9th October 1954, regarding amendment to Madras Commercial Crops Rules, 1954. [Laid on the table of the House under section 18 (4) (c) of the Madras Commercial Crops Markets Act, 1933 (Madras Act XX of 1933).]

12. Balance Sheets and Profit and Loss Accounts of the Fertilizers and Chemicals, Travancore, Limited, Alwaye, for the years ended 31st December 1951 and 31st December 1952 and the Balance Sheets and Manufacturing, Trading and Profit and Loss Accounts of the Radio and Electricals, Limited, Madras, for the years ended 31st December 1951 and 31st December 1952.

13. Amendments to the Madras Commercial Crops Markets Rules, 1948. [Laid on the table of the House under section 18 (4) (c) of the Madras Commercial Crops Markets Act, 1933 (Madras Act XX of 1933).]

(a) Notification issued with G.O. Ms. No. 677, Agriculture, dated 9th March 1954.

(b) Notification issued with G.O. Ms. No. 696, Agriculture, dated 10th March 1954.

(c) Notification issued with G.O. Ms. No. 2414, Agriculture, dated 20th March 1954.

14. The Madras Tenants and Ryots Protection (Amendment) Ordinance, 1954 (Madras Ordinance I of 1954).

15. Notification issued with G.O. Ms. No. 2340, Industries, Labour and Co-operation, dated 28th August 1954, regarding New Rule XXXI framed under Co-operative Societies Act regarding South India Co-operative Insurance Society—Election of Directors.

16. The Madras Preservation of Private Forests (Amendment) Ordinance, 1954 (Madras Ordinance II of 1954).

17. Notification issued with G.O. Ms. No. 3132, Agriculture, dated 19th October 1954, regarding amendment to Madras Commercial Crops Markets Committees Provident Fund Rules. [Laid on the table of the House under Section 18 (4) (c) of the Madras Commercial Crops Markets Act, 1933 (Madras Act XX of 1933).]

18. Notification No. 852 issued with G.O. Ms. No. 2953, Home, dated 1st October 1954, regarding continuance of arrangement for another quarter from 1st October 1954 in respect of collection of tax on lorries plying on inter-State routes after formation of Andhra State.

2nd December 1954]

APPENDIX I.

[Vide answer to starred question No. 2 asked by Sri T. Purushotham at the meeting of the Legislative Council held on 2nd December 1954, page 6 supra.]

G.O. No. 1160, Public (General-B), dated 11th May 1948.

[Service associations—Recognition by Government—Revised Instructions—Issued.]

READ—

G.O. No. 1116, Public (Services), dated 30th June 1938.

Order—No. 1160, Public (General-B), dated 11th May 1948.

In supersession of the orders issued in the Government Order read above, the Government of Madras hereby issue revised instructions regarding the recognition of associations of Government employees other than industrial employees. The instructions are annexed to this order and will come into force immediately.

(By order of His Excellency the Governor)

K. RAMUNNI MENON,
Chief Secretary.

To all heads of departments (including Collectors and District Judges).
„ all departments of the Secretariat (all sections).
„ the Recognised Service Associations.

ANNEXURE.

Instructions regarding the recognition by the Government of Madras of Associations of their Employees other than Associations of Industrial Employees.

Definition.—In these instructions, “Government” means the Government of Madras.

Part (A).—Associations of Government employees serving in the departments of Government other than those in the Police and Jail departments—(1) Government are prepared to accord official recognition to associations of their employees which comply with the conditions set out below.

(2) The association must ordinarily consist of a distinct class of Government employees.

(3) Every Government employee of the same class must be eligible for membership of the associations.

(4) Persons who are not in the active service of Government shall not be office-bearers of the association.

(5) Representations from such associations whether made orally, by deputation or presented in writing, may be received by Government officers notwithstanding anything contained in the rules relating to the submission of petitions and memorials by Government servants.

[2nd December 1954]

Provided that—

(a) no representations or deputations will be received except in connexion with a matter which is, or raises question which are, of common interest to the class represented by the association; and

(b) nothing in these instructions affects the discretion of the Governor, the head of a department or any other officer of Government to receive or not to receive a deputation from any association.

(6) Recognition is accorded for the purpose of enabling the employees of Government to communicate their needs and grievances to Government or to Government officers and it may be withdrawn by Government if the members adopt other methods of ventilating those needs and grievances.

Note.—For the purpose of this instruction, 'other methods' shall include seditious propaganda, expression of disloyal sentiments, publication in the press, engaging or inviting the assistance of political and other parties for the representation of grievances, and threat of strike.

(7) Government may require the regular submission for their information of copies of the rules of the association and the annual statement of its accounts and of lists of its members.

(8) Government may specify the channel through which representations from the association shall be submitted and authority by whom deputations may be received.

(9) The association shall not seek the assistance of any political party or organization to represent the grievances of its members.

(10) The association shall not, without the previous sanction of the Government, permit its proceedings to be open to the press.

(11) The association shall have the following rule incorporated among its rules :—

"A strike or the threat of a strike against the Government shall never be used as a means of achieving any of the purposes of the Association."

Part (B).—Associations of employees in the Police and Jail departments—The instructions in Part (A) shall be applicable to associations of employees in the Police and Jail departments with the following modifications :—

Instruction 2.—To this instruction the following sentence shall be added at the end, namely :—

"The association shall also consist of such distinct rank or ranks of employees as Government may prescribe, provided that Government may accord recognition to particular associations of specified ranks of employees in the Police department of which specified ranks of employees in the Excise department are also

[2nd December 1954]

Instruction 5.—For proviso (a) to this instruction, the following proviso shall be substituted, namely :—

"(a) No representation or deputation will be received on questions of discipline or of promotion affecting individuals; but representations or deputations may be received in connexion with any other matter which is, or raises questions which are, of common interest to the class represented by the association."

Instruction 7.—To this instruction, the following sentence shall be added at the end, namely :—

"No rule of the association shall be valid until it has received the approval of Government and Government may from time to time require the modification of a rule or proposed rule in a particular manner."

APPENDIX II.

[Vide answer to starred question No. 3 asked by Dr. A. Sreenivasan at the meeting of the Legislative Council held on 2nd December 1954, page 7 supra.]

Extract from G.O. No. 885-M., dated 9th June 1919, of Local and Municipal Department, Government of Madras.

2. The Sanitary Engineer should arrange to inspect all water-supply and drainage works once a year, while his deputies should inspect the works within their circle once every six months. The Boiler Inspectors should inspect the municipal pumping machinery once in six months.

3. Should a municipality neglect or refuse to take action in respect of any matter of a serious nature to which the inspecting officers have drawn attention, it is open to the Sanitary Engineer to draw the attention of Government specially thereto.

APPENDIX III.

[Vide answer to starred question No. 7 asked by Sri G. Krishnamoorthi at the meeting of the Legislative Council held on 2nd December 1954, page 11 supra.]

G.O. Ms. No. 817, Education, dated 14th June 1954.

[Secondary education—Scheme of study of languages—Provision for the study of Hindi under Part II of the first language—Orders passed.]

Order—No. 817, Education, dated 14th June 1954.

Under the orders in G.O. No. 2121, Education, dated 27th July 1950, the regional language is studied as the first language in Secondary schools in two parts (Part I for four periods and Part II Under Part II of the first language,

[2nd December 1954]

a student may study the regional language intensively, or he may study a classical language or any other Indian language except Hindi, if he is not willing to make an intensive study of the regional language under this Part. The present arrangement under which Hindi (the federal language) is not allowed to be studied under Part II of the first language, like any other Indian language, has been criticised. The Government consider that the federal language should be accorded at least the same status as any Indian language other than the regional language for purposes of study under Part II of the first language in Secondary schools. The Government, therefore, direct that with effect from the current school year, provision be made for the study of Hindi under Part II of the first language in Forms IV to VI of Secondary schools. They desire to make it clear that it is entirely left to the option of the student to study Hindi under Part II of the first language. It is open to him to study Hindi under Part II of the first language or study a classical language or the regional language itself as at present. Students, who opt for the study of Hindi under Part II of the first language in Forms IV to VI in Secondary schools, will of course have to write an examination in Hindi under the S.S.L.C. Scheme and the marks obtained in the subject will be taken into account for purposes of determining their eligibility for admission to University courses. The provision for the study of Hindi, as a third language, will be continued as at present, but pupils who opt for the study of Hindi under Part II of the first language need not study Hindi as a third language.

2. With the provision for the study of Hindi under Part II of the first language in Forms IV to VI in Secondary schools, students who have studied a classical language in Forms I to III under Part II of the first language may take up the study of Hindi in Forms IV to VI. Such students will be allowed to study the classical language as a third language in these higher forms. If they do not want to learn a classical language as third language, it will be open to them to learn an additional craft or occupy themselves during the period allotted for the study of the third language in any other approved activity.

3. The Director of Public Instruction is requested to implement these orders from the school-year 1954-55.

(By order of the Governor).

S. VENKATESWARAN,
Secretary to Government.

To the Director of Public Instruction, Madras.
,, Registrars of Universities, Madras and Annamalai.

[2nd December 1954]

APPENDIX IV.

[Vide answer to clauses (b) and (c) of starred question No. 9 asked by Sri G. Krishnamoorthi at the meeting of the Legislative Council held on 2nd December 1954, page 14 supra.]

(b) The management of Sir Sivaswamy Iyer High School, Tirukattupalli, has set up a farm on a land of 30 acres, where the students are having practical training in Agriculture. There are a pair of bullocks, one cow and one she-buffalo. In addition the management has a small dairy of about a dozen cows and she-buffaloes and Sindhi stud-bull. Necessary farm implements and other equipments have been provided. One B.Sc. (Agriculture) Graduate is in charge of the teaching work. Besides, there are a farm maistri, one diary man and a farm watchman. The District Board, Tanjore, has provided for the Board High School, Orathanad, a wet land of 2.5 acres and a high level land of 50 cents for giving practical training to the students taking the Agriculture course. There are one pair of work-bullocks and the necessary equipment. The staff appointed for this course consists of an Agricultural Instructor, who is a B.Sc. (Agriculture) and one coolie.

(c) B.Sc. (Agriculture) or B.Sc. with Agriculture as a subject in Degree course, or

B.Sc. with Agriculture as a subject in the Intermediate, or

B.Sc. Botany or Zoology with Higher Grade Certificate, or

Licentiate in Agriculture, or

Intermediate with Agriculture as a subject.

APPENDIX V.

[Vide answer to unstarred question No. 2 asked by Sri T. Purushotham at the meeting of the Legislative Council held on 2nd December 1954, page 16 supra.]

The reference apparently is to the games fund constituted for the collection of the special fee for games levied from pupils in secondary schools in the State. According to the orders issued by the Government this special fee, as well as the other special fees authorized to be levied should not be treated as a source of income for the management, and proper accounts should be maintained in respect of the collections and expenditure. The maximum for the special fee for games is Rs. 2 for Forms I to III and Rs. 3 for Forms IV to VI in secondary schools. The managements are permitted to collect the fee in two instalments—one in the long term and the other in the short term. The fee is levied in secondary schools under all types of managements.

So far as the secondary schools under the district boards and municipal councils are concerned, statutory rules have been

APPENDIX

[2nd December 1954]

framed for the regulation of the transactions of the special fund pertaining to the games fee. A copy of these rules is appended. The transactions relating to the games fund in secondary schools under other managements, are governed by the instructions on similar lines issued by the Director of Public Instruction. No contribution is made to the games fund by the State.

Government lands are alienated to educational institutions free, for use as playgrounds, if the lands are not required for Government purposes. The question is considered in individual cases on merits.

In the scheme of secondary education, physical education has been assigned a prominent place. Student of all classes are required to put in compulsory attendance at these classes. Every school is required to have a playground of its own, its extent depending upon the strength of the school. Grants are paid from State Funds for the purchase or acquisition of sites for playgrounds, and Government lands are also alienated in favour of the schools, subject to the usual conditions. Sports and games receive due attention, and district and inter-district competitions and tournaments are held to encourage these activities. Physical education forms part of the regular activities of the elementary school. Every one of these elementary schools is also required to have a playground of its own, and Government grant is paid towards the cost of purchase or acquisition of sites for the purpose.

APPENDIX.

Rules relating to Education and Medical Institutions.

Games fees in secondary schools under district boards.

* * * *

15. Games fees shall be levied in every secondary school maintained by a district board at such rates as may be fixed by the district board from all pupils except (a) girl-pupils in classes 1 to 3 and (b) pupils who are declared by the Medical Inspector of the school to be unfit to undergo physical training.

16. The games fees shall be collected by the Headmaster of the school in the same manner as other school fees.

17. There shall be a games fund for the school which shall consist of the games fees and of any contributions to the fund made by the district board, by Government or by private persons.

18. The Headmaster shall maintain an account in the local post office savings bank under the designation 'The Headmaster' in respect of the games fund and shall operate on it as and when required. He shall also maintain a separate cash book in respect of the fund and also a stock register of articles purchased out of the fund.

APPENDIX

2nd December 1954]

19. (1) The expenditure proposed by the school committee constituted under rule 21 may, if funds are available, be sanctioned—

(a) by the Headmaster up to a limit of Rs. 10 in case relating to repairs or improvements to playgrounds and without limit in other cases;

(b) by the President, District Board, up to a limit of Rs. 250 in cases relating to repairs or improvements to playgrounds; and

(c) by the district board in cases relating to repairs or improvements to playgrounds exceeding Rs. 250.

(2) The Headmaster shall submit every month to the President, District Board, a statement which shall—

(i) show the items of expenditure sanctioned under clause (a) of sub-rule (1) during the previous month and the objects for which such items of expenditure were incurred; and

(ii) be accompanied by copies of the resolutions of the committee regarding the same.

(3) All vouchers in respect of the expenditure incurred under clauses (a), (b) and (c) of sub-rule (1) shall be made available for audit in the manner provided in rule 20.

(4) The Headmaster may write off the value of damaged and unserviceable games articles. He shall submit every year to the President of the District Board a statement showing the articles written off, the reasons therefor and the value thereof.

20. The Headmaster shall keep an account of the games fund in the same manner as the monthly statement of school receipts and expenditure and submit such account to the President, District Board, once a month or once a quarter as may be decided on by the district board. The account shall be audited along with and in the same manner as the other accounts of the school. Audit objections in respect of the accounts of the fund shall be included in the objection statements and audit report on the accounts of the district board.

21. A school committee, consisting of students with which one or more teachers may be associated, shall be constituted for every school. Such committee shall be responsible for the organization and conduct of the sporting activities of the school and for the submission of proposals to the Headmaster regarding the utilization of the games fund.

22. The strength of the school committee, the tenure of its members, the manner of their election or appointment and the procedure for the conduct of the business of the committee shall be governed by regulations framed by the Headmaster and approved by the district board.

NOTE.—Similar rules have been framed for games fund relating to secondary schools under municipal councils.

[2nd December 1954]

APPENDIX VI.

[Vide answer to unstarred question No. 3 asked by Sri G. Krishnamoorthi at the meeting of the Legislative Council held on 2nd December 1954, page 16 supra.]

Hindi teachers appointed in Secondary Schools should possess, besides a knowledge of the Nagari script and ability to give instruction in the language of the district in which they are employed, the Pracharak Diploma of the Dakshina Bharat Hindustani Prachar Sabha, Madras, or the Hindustani Prachar Sabha, Wardha, Madhya Pradesh;

or

Visarad Diploma of the Dakshina Bharat Hindustani Prachar Sabha, Madras, or the Visarad Diploma of the Hindi Sahitya Sammelan, Allahabad;

or

Vidwan title in Hindi of the University of Madras, or Bhasha Praveena Certificate in Hindustani of the Andhra University;

or

Sahitya Bhushan or Sahityalankar Diploma of the Hindi Vidyapith, Deogher;

or

The B.A. Degree of an Indian University with Hindi as a special subject.

2. Holders of the Shastri and the Hindi Kovid Degrees of the Shri Kasi Vidyapith, Benares, will also be eligible for appointment provided that they are found in other respects competent to deal with the classes.

APPENDIX VII.

[Vide item IV on page 19 supra.]

Address by Shri Sri Prakasa, Governor of Madras, to the Members of the Madras Legislative Assembly and Council assembled together at the Assembly Chamber, Government Estate, Mount Road, at 11 a.m. on Wednesday, the 1st December 1954.

Hon. Members of the Legislature,

After I addressed you in February last, we have had a change in the Government. Failing health compelled Shri C. Rajagopalachariar to relinquish office and go back into retirement. I am sure you will all join in placing on record our deep debt of gratitude to him for the way he shouldered the burden of administration at a time of acute economic distress and political unrest. We cannot deny him his well-earned rest, but we may take comfort in the thought that he is still with us as a Member of this Legislature to guide us in times of stress.

[2nd December 1954]

2. We rejoice that our countrymen in the old French Settlements, have at last gained their freedom. Our Government had an anxious time early this year, when border incidents were being reported almost every day as the struggle gained in intensity and elaborate security measures had to be organised in a short time in collaboration with the Government of India. It augurs well for international harmony that the Government of France appreciated the realities of the situation and arranged for the *de facto* transfer of power in a statesmanlike way. Let us hope that the newly liberated people will realise immediately they look around them, the complete identity of interests between themselves and their brethren in the contiguous States.

3. Law and order continue to be well-maintained. Elections to the District Boards have gone off peacefully. The elected representatives of the people are taking over local administration in all districts. The question naturally arises whether these institutions, developed in pre-independence days, are not too unwieldy for proper mass-contact and too inadequate for the growing needs of a Welfare Administration. Local Bodies seem to be in need of some readjustment, and the Ministers will naturally welcome useful suggestions on the subject from Hon. Members.

4. Seasonal conditions are encouraging so far. The south-west monsoon was adequate and agricultural operations have commenced well. The north-east monsoon has started in time and a few more showers, well-spread over the districts, are needed before we can declare the season favourable.

5. The Food situation, which used to cause us much anxiety all these years, has eased and control measures have all been lifted throughout the country. There is a stock of over a lakh of tons of rice in Government godowns, which the Government of India have agreed to take over and this will be available for use in any emergency. I should like to say how much we of Madras sorrow along with the rest of the country, at the sudden death of the Central Minister of Food and Agriculture Shri Rafi Ahmed Kidwai on October 25 last. He helped very greatly in the solution of the very difficult food problem in this as in other States, and we shall ever remember with gratitude, his sympathy and assistance in our own endeavours.

6. The all-round improvement of Agricultural conditions in the State, has brought out the question as to whether the Agriculturists' Relief Act of 1954, should be continued any further. Arguments for and against are now being advanced forcibly by the respective interests, and the matter is engaging the careful attention of the Government.

7. With a view to attain self-sufficiency in food for the State as quickly as possible, the Government are implementing their Irrigation programme with redoubled vigour. The Bhavani project is nearing completion and water has already been released for irrigating about 115,000 acres. It is hoped that practically the

[2nd December 1954]

whole ayacut of 200,000 acres can be covered by the next season. Rapid progress is being made on the Malampuzha, Manimuthar, and Mettur Canals projects and the irrigation of some new areas will be possible by next year. Work has already commenced on the Vaigai, the Amaravathi, the Sathanur and other projects which were recently sanctioned. Work on the Krishnagiri reservoir will also be taken up during the current year. The minor irrigation programme is being accelerated and it is hoped that the provision of Rs. 70 lakhs provided for this purpose in the current year's budget, will be fully expended. In the meanwhile, investigations are well in progress on the projects to be included in the second Five-Year Plan, and the matter is now under correspondence with the Planning Commission.

8. We must, however, take note of the hard fact that we are almost at the end of our tether in the matter of dependable water resources for the development of irrigation. Our further efforts towards growing more food, should therefore, be towards increasing the yield from the existing cultivable land. The Agricultural department is doing its best to distribute improved seeds, and to popularise the use of natural and chemical manures. It is gratifying to note that the ryots are responding adequately to these new techniques, as could be seen from the fact that the practice of growing green manures like Sesbania on field bunds, has spread all over the State, more particularly in the Tanjore Delta. We have got over the initial difficulties and are now making appreciable progress on the Community Projects and National Extension Services. Work on 20 new blocks has been started recently; and with this addition, the target of covering 25 per cent of the rural population by the end of the first Five-Year Plan, has been reached. It is proposed to take on another 30 blocks in the coming year which will be in excess of the target given in the Plan. The preliminary work of training the necessary field-staff is well on hand. All these new items of work have added to the responsibilities of our Collectors and the district establishments under their control, and I am happy to see them all bending to these fresh tasks in good cheer and with enthusiasm. The question of improving the organization of the Revenue Department in the districts in all its aspects, is now under the consideration of the Government, and an official Committee presided over by a Member of the Board of Revenue, has been directed to make suitable recommendations. The ultimate success of the National Extension Services and the Local Development Programmes will depend largely on the willing co-operation of the people in the villages. Let me take this opportunity to appeal to all Hon. Members to help, by going round the country-side and explaining to the people, the object of these schemes, so that they may be able to benefit themselves to the fullest extent.

9. The Government are aware that the quickest way of improving living conditions in villages, is to extend electric power for use on lift irrigation and the development of cottage industries. On our repeated representations, the Government of India have

[2nd December 1954]

agreed to give us further financial assistance amounting to about Rs. 3 crores during the period covered by the Plan, towards rural electrification. We are now extending electricity to about 250 villages per year. The pace is being accelerated to reach a target of 1,000 villages per year, so that a good portion of the State can be supplied with power within the second Five-Year Plan. To meet our expanding needs of bulk-power, work has just commenced on the Periyar Hydro-electric project which is expected to yield ultimately about 100,000 k.w. of fresh power. We have also approached the Planning Commission for its approval to the Kundah Hydro-electric project, which has been fully investigated and is ready for execution.

10. The major deficiency of our Hydro-electric grid is that it is easily vulnerable to the vagaries of the monsoon, necessitating drastic power cuts in the dry season. This can be corrected only by giving Thermal support, for which cheap fuel is needed in abundance. That is the significance of the pilot project on lignite initiated by the Government at considerable cost. The project is making encouraging progress and we may expect results in another month. A British firm of Consulting Engineers has been engaged to prepare a scheme for the mining and utilization of this motive fuel, and their report has just come in. The preliminary indications, are that we can get this mineral out at an economic cost. The Government are examining in consultation with the Government of India, the question of starting some heavy and subsidiary industries, making use of lignite and the other minerals already located in the State.

11. In the field of Industrial labour, the Government have decided to implement the Medical Benefit scheme, under which every worker and his family will be given free medical aid near his place of work. The scheme is being introduced in the Coimbatore mill-area next January, and will be extended to other industrial centres as expeditiously as possible.

12. The difficulties of the Handloom industry continue to engage the anxious attention of the Government. There has been some improvement in the off-take, and there is no large accumulation of stocks at present. The rebate of $1\frac{1}{2}$ annas in the rupee, given to Co-operative Society for advancing the sale of Handloom products, has now been extended to selected private dealers also at the reduced rate of one anna in the rupee. The ameliorative measures now in operation, are largely in the co-operative field, and do not reach the Handloom weavers of Malabar employed in small factories. A scheme for converting two of these Handloom factories into Industrial Co-operatives, to be run by the workers with assistance from the Cess-Fund, is now being considered; and if this experiment proves successful, it may be extended to cover a larger field in due course.

13. Our State continues to be in the forefront in the matter of amelioration of the condition of Harijans and Backward classes. About one crore of rupees is being ear-marked for this purpose each

[2nd December 1954]

year. Further schemes costing about Rs. 25 lakhs are now under consideration, in pursuance of the offer of a half-grant on them by the Government of India; and they will be implemented as soon as the necessary approval is obtained.

14. In my last address I had indicated the intention of opening 1,270 new elementary schools to cover all the villages with a population of 1,000 and above. That scheme has been carried out in full; and schools are now functioning in all those villages. The Government have since decided to open another 1,530 schools to cover villages with a population of between 500 and 1,000 as well. These will be opened within the course of the year, and we are thus taking one more step towards the directive principle of the Constitution in this behalf. The Government have also appointed a Committee to examine the system of Elementary Education in all its aspects. The report of the Secondary Education Commission is now under the consideration of the Government.

15. The provision for drinking water in the villages is now receiving the special attention of the Government. Under the Local Development Scheme, any village which comes up with some contribution towards the cost of the work, can be given the highest priority. The total outlay programmed for this year for rural water-supply is about rupees one crore. Special efforts are being made to provide protected water-supply to groups of contiguous villages where there are facilities for the same. A special Engineering staff is being placed under the control of Collectors, so that the works may be expedited and the entire provision utilized. In the matter of Urban water-supply also, we are now in a position to make appreciable headway. A sum of Rs. 50 lakhs is being provided as assistance to the City Corporation for urgent items of improvements including mechanical filters. A substantial programme spread over about 20 municipalities, is being taken up immediately, and a sum of Rs. 2 crores will be spent on those works in the next 15 months.

16. In the field of medical relief, the Government are doing all that is possible within the available resources. The Madurai Medical College has been opened with 50 students, and it is proposed to increase the strength as further buildings are ready. With a view to arrest the spread of tuberculosis, the Government have decided to popularise B.C.G. vaccination on a mass scale. The first unit of the field staff to cover a population of one crore has been set up, and the work has already commenced. The scheme will be extended over the whole of the State in about 5 years, after watching the results obtained in the initial stages.

17. The main legislative work in the current session will be the consideration of the Bills which are already before the House for the levy of Betterment Fees, Agricultural Income-tax on planta-

2nd December 1954]

tions and the Revision of the Court Fees Act. It is proposed to introduce legislation in accordance with the consideration of the various subjects detailed below—

(a) In view of the continued need to secure the most economic utilization of the power available to the State, it has become necessary to extend the life of the Madras Essential Articles Control and Requisitioning (Temporary Powers) Act, 1949, for a further period beyond 26th January 1955.

(b) The life of the Madras Tenants and Ryots Protection Act, 1949, expired on 7th October 1954. As it was decided that this Act should be continued for a further term of one year, and as the Legislature was not then in session, the Madras Tenants and Ryots Protection (Amendment) Ordinance, 1954, was promulgated, extending the life of the Act till 12th January 1955. A Bill to replace the Ordinance will be introduced.

(c) The life of the Madras Preservation of Private Forests Act, 1949, will expire to-morrow (2nd December 1954). As it was decided that this Act should be continued for a further term of one year, and as the Legislature was not then in session, the Madras Preservation of Private Forests (Amendment) Ordinance, 1954, was promulgated, extending the life of the Act till 12th January 1955. The necessary Bill to replace the Ordinance will be introduced.

(d) A Bill to provide for the better control of public dramatic performances in the State is being brought forward.

18. The present session will in due course consider the Budget for 1955-56. That is the last year of the first Five-Year Plan; and it is the intention of the Government that all the remaining schemes covered by the Plan should be initiated in that year. In the meanwhile the Report of the Taxation Enquiry Commission will be before us and we hope that the Commission would indicate how we should proceed to raise the necessary resources with which to lay the foundations of the Welfare State, which we all wish to achieve. Let me now conclude with the hope that Providence will inspire you with faith and wisdom, and that you will conduct your deliberations with the usual tolerance and dignity for which this Legislature is justly renowned.

THE MADRAS LEGISLATIVE COUNCIL.

Friday, the 3rd December 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.

Participation of non-officials in the activities of recognized Service Associations.

* 11 Q.—SRI T. PURUSHOTHAM: Will the Hon. the Chief Minister be pleased to state whether non-officials are not permitted to address the Civil Service Associations and, if so, whether the Government will be pleased to place on the table of the House a copy of the latest orders of Government in the matter of participation of non-officials in the activities of recognized Service Associations?

THE HON. SRI M. BHAKTAVATSALAM (on behalf of the Hon. the Chief Minister):—“Orders are in force to the effect that Conferences and meetings of Service Associations should be restricted to the members of the Association only and that outsiders other than Government or local board servants should not be invited to preside over their meetings or Conferences. A copy ^a of the G.O. Ms. No. 3668, Public (Elections), dated 28th December 1944, containing these instructions is placed on the table of the House.”

SRI V. CHAKKARAI CHETTY:—“What are the grounds for the Government denying to a recognized institution the privilege of that association being addressed by prominent public men? I think when Government give recognition to an association, the privilege of that association being addressed by prominent public men is conceded. Why should the Government not allow in this case public men to address the services association on matters pertaining to their profession?”

THE HON. SRI M. BHAKTAVATSALAM:—“There is the recognized code of conduct for Government servants and that is taken into account in prescribing these rules and procedures. But still Government would make exceptions in the case of prominent social workers and others if they are to address the services association on subjects not relating to the affairs of the association.”

SRI MOHAMED RAZA KHAN:—“Supposing some of the non-official members were to address the service association and

[3rd December 1954]

ask them to demand lesser pay and do more efficient work, will the Government grant them permission to address the association?" (Laughter.)

THE HON. SRI M. BHAKTAVATSALAM :—" Even then Government would not like to permit them."

Clinical facilities to the Kasturba Medical College at Udipi.

* 12 Q.—SRI MOHAMED RAZA KHAN : Will the Hon. the Minister for Health be pleased to state—

(a) whether it is a fact that Government have, to enable the Kasturba College at Udipi to have clinical facilities, approved of the necessary developments in the District Headquarters Hospital, Mangalore;

(b) if so, the developments that have been authorized; and the amount that is expected to be expended;

(c) whether the Government propose to allow the management to utilize the Mangalore District Headquarters Hospital for training these students and for appointing their own staff to man this hospital;

(d) whether it is a fact that the Government refused to allow the District Headquarters Hospital at Vellore to be utilized by the authorities of the Christian Medical College, Vellore;

(e) whether the Government have spent any amount for the improvement of the District Headquarters Hospital at Vellore for giving the necessary clinical facilities for the students of the Christian Medical College; and

(f) whether the Government have acceded to the proposal of the management of the Udipi Medical College to man the District Headquarters Hospital, Mangalore, with their own staff, and if so, on what authority?

THE HON. SRI A. B. SHETTY :—" (a) to (e) In September 1952, the Government informed the authorities of the Kasturba Medical College, Udipi, that they would be prepared to permit the Government Hospitals at Mangalore and Udipi being used for the clinical training of the students of that college. Proposals for implementing the above decision are under consideration. Improvements to the Wenlock Hospital and the Lady Goschen Hospital, Mangalore, were sanctioned in October 1950, and these works are now under execution. The estimated cost is Rs. 32.5 lakhs. These improvements are being made as part of the scheme for improving District Headquarters Hospitals.

The Christian Medical College authorities at Vellore maintain a well equipped hospital at that town which also serves as a teaching hospital. The question of utilising the District Headquarters Hospital at Vellore for clinical teaching does not therefore arise.

" (f) There are no such proposals under the consideration of the Government."

3rd December 1954]

SRI V. CHAKKARAI CHETTY :—" Why should not there be reciprocity between the Christian Medical Hospital and the Government hospital so that the Christian Medical Hospital can be utilized by the Government and *vice versa*?"

THE HON. SRI A. B. SHETTY :—" The students of the Christian Medical College are having their clinical training at their hospital."

SRI T. PURUSHOTHAM :—" In view of the statement made by the Hon. Minister yesterday in regard to the Kasturba Medical College at Udipi to the effect that it is affiliated to the Karnatak University, may I know if the students who pass out of that college are eligible for recruitment to the Madras Public Service?"

THE HON. SRI A. B. SHETTY :—" That is a question to be considered, Sir."

SRI MOHAMED RAZA KHAN :—" May I know whether the professors of the medical college will be appointed to man the hospital that is to give clinical teaching to the students?"

THE HON. SRI A. B. SHETTY :—" They will be taken in as Honorary Medical Officers at the Mangalore Hospital so that they may do clinical teaching."

SRI T. PURUSHOTHAM :—" Now that the question has been raised by me, may I know whether Government would consider the matter whether the students who pass out of that college would be eligible for recruitment to the Madras Public Service?"

THE HON. SRI A. B. SHETTY :—" This is not the time to consider that question, Sir."

DR. A. SREENIVASAN :—" Do the Madras Government think that this is the right time to give grants to unrecognized institutions of this kind? I appeal to Government to apply their mind whether in the present state of our revenues, it is wise to aid institutions of this kind."

THE HON. SRI A. B. SHETTY :—" I shall look into that question, Sir."

SRI K. BALASUBRAMANYA AYYAR :—" Is it not a question of principle that a college which is affiliated to the Karnatak University (with which the Madras University has no reciprocal arrangement) should not be given grants out of revenues of the Madras Government? I think this may be contended to be illegal?"

THE HON. SRI A. B. SHETTY :—" The college is situated within the area of the Madras State."

SRI MOHAMED RAZA KHAN :—" May I know who is the authority for appointing Honorary Professors in the hospital for teaching the students of the college?"

[3rd December 1954]

THE HON. SRI A. B. SHETTY :—" The managing body of the college in which we have, as our representative, the District Medical Officer, South Kanara."

DR. V. K. JOHN :—" May I know why this college was not affiliated to the Madras University? I suppose the Madras University was not prepared to recognize this college."

DR. A. SREENIVASAN :—" Is it because of the low standard? "

THE HON. SRI A. B. SHETTY :—" The Karnatak University and the Bombay Government have taken into consideration what provision has been made for the building accommodation required, equipment and staff. After taking into consideration all these requirements, they have affiliated the college to the Karnatak University."

DR. A. SREENIVASAN :—" Has the All-India Medical Council recognized this institution? "

THE HON. SRI A. B. SHETTY :—" The time is not yet ripe for that, Sir."

SRI K. BALASUBRAMANYA AYYAR :—" The Madras University refused to affiliate this college on principle, because the college authorities wanted the students to pay Rs. 3,000 on being admitted, till 1959. On question of principle, the Madras University refused to affiliate this college."

THE HON. SRI A. B. SHETTY :—" I do not think they applied for affiliation to the Madras University. This question of accepting Rs. 3,000 from each student was considered and it was thought that for ten years this amount may be taken so that they may have sufficient money for building up the college."

SRI ALEXANDER GNANAMUTTU :—" As a member of the Syndicate I know that the college authorities applied for affiliation to the Madras University."

THE HON. SRI A. B. SHETTY :—" May be, Sir. Government are not aware of it."

SRI MOHAMED RAZA KHAN :—" Anticipating that Karnatak Province would be formed in the near future, have the college authorities acted with foresight in affiliating the college to the Karnatak University? " (Laughter.)

THE HON. SRI A. B. SHETTY :—" It may be so, Sir."

SRI T. PURUSHOTHAM :—" In view of the remarks offered by hon. Members on the floor of the House, will the Government examine the whole question *de novo* and come to a satisfactory understanding with the authorities of the Karnatak University on the question whether the students who pass out of that college would be eligible for appointment in the Madras Public Service? "

3rd December 1954]

THE HON. SRI A. B. SHETTY :—" Government have given an assurance to the college authorities that they will provide clinical training facilities to the students at the Government hospitals in Mangalore and Udipi."

SRI M. P. GOVINDA MENON :—" To avoid any unpleasantness connected with the Udipi College, will the Government of Madras consider stopping any more financial aid to that college and start a medical college at Kozhikode so that there may not be any more trouble? "

4-10 p.m.

THE HON. SRI A. B. SHETTY :—" The recurring annual grant is given only for the students admitted from this State. I understand that the Hyderabad Government have promised similar grants to that college and the Bombay Government also are considering the question of giving grants."

DR. V. K. JOHN :—" Sir, in view of the importance of this subject, I request that a half-hour debate may be allowed."

MR. CHAIRMAN :—" This is not sufficiently important for a half-hour debate."

Revision of salaries of Higher Grade teachers under local bodies.

* 13 Q.—SRI G. KRISHNAMOORTHY : Will the Hon. the Minister for Agriculture be pleased to state with reference to Starred Legislative Council Question No. 18 answered on 29th December 1953—

(a) whether Government have any proposal to revise the salaries of Higher Grade teachers in the employ of local bodies as per Grade III under the Minimum Wages Act, 1948; and

(b) if not, the reasons therefor?

THE HON. SRI M. BHAKTAVATSALAM :—" (a) No, Sir. (b) The total monthly wage of a Higher Elementary Grade teacher exceeds Rs. 40 which is the minimum wage fixed under the Minimum Wages Act."

SRI G. KRISHNAMOORTHY :—" May I know, Sir, whether the Government have classified these teachers as coming under Grade III in some paper laid on the table of the House? "

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

SRI G. KRISHNAMOORTHY :—" Sir, I remember to have seen a paper laid on the table of the House classifying them under Grade III. Will the Government kindly give an assurance, Sir, that they would give them a minimum wage of Rs. 40 excluding dearness allowance, which is a temporary affair? "

THE HON. SRI M. BHAKTAVATSALAM :—" From the information that I have, I find that the total remuneration excluding house rent allowance which is now drawn by a Higher Elementary Grade teacher comes to Rs. 40 per mensem."

[3rd December 1954]

SRI G. KRISHNAMOORTHY :—“ Do the Government treat all their other servants under Grade III like that and take their salary plus dearness allowance together in calculating their minimum wage? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ Yes, Sir, the rate of Rs. 40 includes dearness allowance.”

SRI G. KRISHNAMOORTHY :—“ Is it the case, Sir, in the case of other servants under Grade III? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ I would like to have notice, Sir.”

Grant of leave for leprosy treatment to teachers employed in aided secondary institutions.

* 14 Q.—SRI G. KRISHNAMOORTHY : Will the Hon. the Minister for Finance and Education be pleased to state the conditions governing the grant of leave for treatment in the case of teachers employed in aided secondary institutions affected with leprosy?

THE HON. SRI M. BHAKTAVATSALAM (on behalf of the Hon. the Minister for Finance and Education) :—“ The managements of aided secondary schools have discretion to frame their own leave rules for the teachers under their employ. But for purposes of assessment of teaching grant, sick leave not exceeding four months at a time and limited to one year in the whole service of a teacher is admitted. No separate rules for the grant of leave for the treatment of teachers of aided schools affected with leprosy have been framed by the Government.”

SRI G. KRISHNAMOORTHY :—“ May I know, Sir, what is the difficulty felt by the Government in extending the rules which apply to the teachers in schools under local bodies in regard to the leprosy treatment to the teachers employed in aided secondary institutions? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ The Government will look into the matter, Sir, but I may tell the hon. Member that if any individual case of a teacher in any school affected with leprosy is brought to the notice of the Government, necessary action will be taken.”

SRI G. KRISHNAMOORTHY :—“ As there have been cases where teachers could be allowed leave as per the rules governing District Board schools in the case of non-infectious leprosy cases, will the Government go into this matter and see that the rules governing the District Board schools are extended to these teachers also so long as they have got leave to their credit? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ The Government will look into the matter.”

3rd December 1954]

Scales of pay for Language Pandits of Forms I to VI.

* 15 Q.—SRI G. KRISHNAMOORTHY : Will the Hon. the Minister for Finance and Education be pleased to state—

(a) whether there is a G.O. No. 840, Education, dated 14th March 1950, laying down Grade I scales of pay for Language Pandits of Forms I to VI irrespective of the number of periods or classes handled, if they are the only Pandits for such language in that school; and

(b) if so, whether Government would issue instructions to all schools to pay pandits accordingly?

THE HON. SRI M. BHAKTAVATSALAM (on behalf of the Hon. the Minister for Finance and Education) :—“ (a) Yes, Sir. But the orders in the said Government Order will not be applicable to pandits entertained after 11th February 1949.

“ (b) Concrete instances, if any, where the orders of Government have not been carried out may be brought to the notice of the authorities and the matter will receive due attention.”

SRI G. KRISHNAMOORTHY :—“ Will the Government consider the question of applying the Government Order to persons who entered service even after 1949? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ I am afraid that it will not be possible, Sir. The pandits employed in secondary schools before 1948 might not have possessed either the general educational qualification or the training qualification. They may have been holders of Oriental Titles or University degrees. In order that the revised orders of Government might not operate as a hardship in the case of those pandits, it was decided that these pandits might be allowed pay in Grade I scale. They were drawing the Grade I scale of pay prior to the issue of the Government Order.”

SRI G. KRISHNAMOORTHY :—“ Sir, may I be permitted to submit that this question is with reference to a pandit who is handling a particular language in all the forms from I to VI and the claim that is made through this question is only with reference to the necessity of his handling all the Forms? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ If the hon. Member would bring the matter to the notice of the Government, they will look into it.”

SRI G. KRISHNAMOORTHY :—“ As there have been many cases of appeal to Government in this matter, will the Government kindly see that in cases where there is a single pandit who is handling Forms I to VI he at least is given the Grade I scale of pay? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ I would once again suggest to the hon. Member to bring some specific cases to the notice of the Government so that they may be looked into.”

[3rd December 1954]

SRI MOHAMED RAZA KHAN :—" May I make a submission to the Hon. Chairman that as the questions are being shared by Sri T. Purushotham and Sri G. Krishnamoorthi, the questions may be arranged alternately so that they may have some time and rest also?" (Laughter.)

MR. CHAIRMAN :—" What about the Hon. Minister?" (Laughter.)

SRI MOHAMED RAZA KHAN :—" The Hon. Minister can also make adjustments." (Laughter.)

Grant of B.T. degree to those who underwent the short-term B.T. course.

* 16 Q.—SRI G. KRISHNAMOORTHY: Will the Hon. the Minister for Finance and Education be pleased to state with reference to Starred Legislative Council Question No. 122 answered on 21st July 1953, whether the Government have recommended to the Madras University the grant of the B.T. degree to those who underwent the short-term B.T. course before the affiliation of the course to the University?

THE HON. SRI M. BHAKTAVATSALAM (on behalf of the Hon. the Minister for Finance and Education) :—" The University was addressed in the matter and it has stated that the New Regulations adopted cannot be given retrospective effect and that the students who underwent the Teachers' Training Course conducted in the College prior to affiliation cannot be given the privilege of appearing for the examination."

SRI G. KRISHNAMOORTHY :—" Sir, has the University refused permission to these students even to sit for the examination?"

THE HON. SRI M. BHAKTAVATSALAM :—" The Government have again addressed the University whether they could give permission to the students to sit for the examination."

SRI G. KRISHNAMOORTHY :—" Does the University mean to say that those who underwent the B.T. course, that is the Collegiate training course, have to sit again for eight months and read in the Teachers' College and then appear for the examination?"

THE HON. SRI M. BHAKTAVATSALAM :—" The University is not willing to permit the students who undergo the training course to appear for the examination and the Government cannot do anything further in the matter."

SRI G. KRISHNAMOORTHY :—" Though the University may be an autonomous body, is it not right on the part of the Government, to insist that the University should honour the Government's sanction especially when the Government had issued certificates in respect of the collegiate training course?"

[3rd December 1954]

THE HON. SRI M. BHAKTAVATSALAM :—" The Government cannot do any such thing, Sir. The University is an autonomous body. The Government in fact hesitated to address the University in the matter."

Schools for teaching astrology, palmistry and allied science.

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

(a) whether the Government are conducting any schools for teaching astrology, palmistry and allied science in this State; and

(b) if so, the steps taken by the Government to encourage the teaching of the above subjects on scientific basis?

THE HON. SRI M. BHAKTAVATSALAM (on behalf of the Hon. the Minister for Finance and Education) :—" (a) No, Sir.

" (b) The Government do not propose to take any steps to encourage such studies."

SRI T. PURUSHOTHAM :—" Will the Government consider whether any steps should be taken to encourage scientific development of these subjects in view of the large number of quacks in the field?"

THE HON. SRI M. BHAKTAVATSALAM :—" I do not know who are quacks and who are scientific astrologers. I think we have a sufficient number of astrologers and palmists and they are more than enough for us."

DR. V. K. JOHN :—" Am I right, Sir, in presuming that Ministers consult astrologers?"

THE HON. SRI M. BHAKTAVATSALAM :—" No, Sir. I am afraid Ministers do not have such faith in astrology and palmistry as members of the Opposition seem to possess." (Laughter.)

Maximum rates of school fees for secondary schools.

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

(a) the maximum rates of school fees fixed for levy in secondary schools;

(b) whether the Government are aware that the school fees collected from pupils in secondary schools have been enhanced recently by the aided schools; and whether the enhanced income also is taken into account in assessing the Government grant payable to the institutions; and

(c) what steps the Government have instituted to check the enhancement of school fees beyond the prescribed rates?

[3rd December 1954]

SRI MOHAMED RAZA KHAN :—" May I make a submission to the Hon. Chairman that as the questions are being shared by Sri T. Purushotham and Sri G. Krishnamoorthi, the questions may be arranged alternately so that they may have some time and rest also? " (Laughter.)

MR. CHAIRMAN :—" What about the Hon. Minister? " (Laughter.)

SRI MOHAMED RAZA KHAN :—" The Hon. Minister can also make adjustments." (Laughter.)

Grant of B.T. degree to those who underwent the short-term B.T. course.

* 16 Q.—SRI G. KRISHNAMOORTHY: Will the Hon. the Minister for Finance and Education be pleased to state with reference to Starred Legislative Council Question No. 122 answered on 21st July 1953, whether the Government have recommended to the Madras University the grant of the B.T. degree to those who underwent the short-term B.T. course before the affiliation of the course to the University?

THE HON. SRI M. BHAKTAVATSALAM (on behalf of the Hon. the Minister for Finance and Education) :—" The University was addressed in the matter and it has stated that the New Regulations adopted cannot be given retrospective effect and that the students who underwent the Teachers' Training Course conducted in the College prior to affiliation cannot be given the privilege of appearing for the examination."

SRI G. KRISHNAMOORTHY :—" Sir, has the University refused permission to these students even to sit for the examination? "

THE HON. SRI M. BHAKTAVATSALAM :—" The Government have again addressed the University whether they could give permission to the students to sit for the examination."

SRI G. KRISHNAMOORTHY :—" Does the University mean to say that those who underwent the B.T. course, that is the Collegiate training course, have to sit again for eight months and read in the Teachers' College and then appear for the examination? "

THE HON. SRI M. BHAKTAVATSALAM :—" The University is not willing to permit the students who undergo the training course to appear for the examination and the Government cannot do anything further in the matter."

SRI G. KRISHNAMOORTHY :—" Though the University may be an autonomous body, is it not right on the part of the Government, to insist that the University should honour the Government's sanction especially when the Government had issued certificates in respect of the collegiate training course? "

3rd December 1954]

THE HON. SRI M. BHAKTAVATSALAM :—" The Government cannot do any such thing, Sir. The University is an autonomous body. The Government in fact hesitated to address the University in the matter."

Schools for teaching astrology, palmistry and allied science.

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

(a) whether the Government are conducting any schools for teaching astrology, palmistry and allied science in this State; and

(b) if so, the steps taken by the Government to encourage the teaching of the above subjects on scientific basis?

THE HON. SRI M. BHAKTAVATSALAM (on behalf of the Hon. the Minister for Finance and Education) :—" (a) No, Sir.

" (b) The Government do not propose to take any steps to encourage such studies."

SRI T. PURUSHOTHAM :—" Will the Government consider whether any steps should be taken to encourage scientific development of these subjects in view of the large number of quacks in the field? "

THE HON. SRI M. BHAKTAVATSALAM :—" I do not know who are quacks and who are scientific astrologers. I think we have a sufficient number of astrologers and palmists and they are more than enough for us."

DR. V. K. JOHN :—" Am I right, Sir, in presuming that Ministers consult astrologers? "

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Maximum rates of school fees for secondary schools.

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

(a) the maximum rates of school fees fixed for levy in secondary schools;

(b) whether the Government are aware that the school fees collected from pupils in secondary schools have been enhanced recently by the aided schools; and whether the enhanced income also is taken into account in assessing the Government grant payable to the institutions; and

(c) what steps the Government have instituted to check the enhancement of school fees beyond the prescribed rates?

[3rd December 1954]

THE HON. SRI M. BHAKTAVATSALAM (on behalf of the Hon. the Minister for Finance and Education):—“(a) Certain standard rates of fees have been prescribed for secondary schools under Government and under local bodies. The rate and levy of fees in institutions under private managements are left to the discretion of the managements. If the rate of fees is increased by local bodies, the sanction of Government is obtained. In the case of Government secondary schools, fees are levied only at standard rates.

“(b) It is seen from the financial statement of aided secondary schools received in the office of the Director of Public Instruction that fees have been enhanced recently in some schools. The enhanced income is not however taken into account in assessing the Government grant payable to the institutions.

“(c) The rate and levy of fees in institutions under private managements are left to a large extent to their discretion and the department does not therefore interfere in this matter.”

SRI T. PURUSHOTHAM:—“Sir, in view of the hardship caused to the parents, will the Government kindly see that even in aided institutions the prescribed rates of school fees are not exceeded?”

THE HON. SRI M. BHAKTAVATSALAM:—“The Government feel that it would be the best thing to leave the matter to the discretion of the managements of the schools and it is for the pupils to choose the high schools which would suit them.”

20 SRI G. KRISHNAMOORTHY:—“May I know, Sir, whether the Government have prescribed any rules as to the use of the surplus funds in the aided institutions?”

THE HON. SRI M. BHAKTAVATSALAM:—“Notice, Sir.”

Dust allowance to the workers and other staff in the Madras Electricity Thermal Stations.

* 19 Q.—SRI T. PURUSHOTHAM: Will the Hon. the Minister for Public Works be pleased to state whether dust allowance is paid to the workers and other staff in the Madras Electricity Thermal Stations (Basin Bridge Power House, etc.), and if so, the rates of the dust allowance and the conditions for grant of the same?

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI:—“Nominal Muster Roll workers in the Basin Bridge Power House of the Madras Electricity System are paid dust allowance. The rate of the allowance is four annas per day. The workers are eligible for the allowance if they work in hot and dusty conditions with coal and fumes and only for the days they actually work under such conditions.”

[3rd December 1954]

SRI T. PURUSHOTHAM:—“Sir, is the allowance paid on the same basis and at the same rates as before—I mean before the Madras Electricity Supply Corporation was taken over by the Government?”

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI:—“This allowance is paid only to Nominal Muster Roll Workers belonging to Government. It is not paid to the ex-Madras Electricity Supply Corporation workers.”

SRI T. PURUSHOTHAM:—“May I know, Sir, why this allowance is not paid to all those employed in the thermal stations—the clerical staff, supervisors, and labourers—because all of them are put to great disability on account of the dust nuisance in such plants?”

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI:—“Clerks and other people would not come in this category, because they do not work under dusty conditions near the machines. But only the Nominal Muster Roll workers and the ex-Madras Electricity Supply Corporation workers come under this category. The ex-Madras Electricity Supply Corporation workers are not given this allowance, because they were having better conditions, and when the Corporation was taken over by the Government, their service conditions were not disturbed, and they are getting better terms of pay and allowances.”

SRI T. PURUSHOTHAM:—“May I respectfully submit to the Hon. Minister, Sir, that the supervisors are there actually supervising the work of the labourers, and they are put to all the disability caused by the dust nuisance? I would request the Hon. Minister to kindly consider this question of grant of allowance to all who work under such conditions.”

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI:—“No, Sir. It is not conceded that supervisors work very near the machines and can have this as an occupational allowance. This is only an occupational allowance. The ex-Madras Electricity Supply Corporation workers are claiming this now. But their conditions were better under the Corporation. It is only to augment the poor salaries of the Nominal Muster Roll workers this allowance has been given. Now the Government are considering the removal of this dust allowance, because it is creating complications and making everybody demand it. We may add it in some form or other to their pay. That is the idea of the Government at present.”

SRI T. PURUSHOTHAM:—“Sir, are not the labourers put to great inconvenience from the health point of view on account of this dust trouble in such places?”

[3rd December 1954]

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI :—" Yes, Sir. That is why pay is being supplemented in the form of dust allowance. But then styling this as a dust allowance is creating more complications. We will pay this in some shape or form to these workers."

SRI V. GURUNANDAN ROW :—" Is not this allowance, Sir, maintainable as an occupational allowance? "

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI :—" But then, Sir, it is creating complications because they take it as an occupational allowance, and they are demanding it. On the other hand, the ex-Madras Electricity Supply Corporation workers were not prepared to come down to the level of the Government workers."

SRI V. GURUNANDAN ROW :—" Were they not entitled to the same service conditions as were obtaining at the time of the taking over under the agreement? "

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI :—" They are being maintained on the same terms as they were under the Corporation."

Meters fixed to auto-rickshaws in the City of Madras.

* 20 Q.—SRI T. PURUSHOTHAM: Will the Hon. the Minister for Registration, Endowments and Transport be pleased to state whether any complaints have been received by the Government that meters fixed to auto-rickshaws in the City of Madras are inaccurate and, if so, the action taken by the Police authorities to check such tampering with meters by the concerned persons?

THE HON. SRI B. PARAMESWARAN :—" No complaints have been received by the Government. However the Commissioner of Police has instructed the Motor Vehicles Inspectors and Police Officers to make surprise checks to find out whether the meters are tampered with or are defective. The meters are tested thoroughly at the time of renewal of fitness certificate once in a year."

SRI M. ETHIRAJULU :—" Are the Government aware, Sir, that at times auto-rickshaw drivers collect more than the scheduled rates from the passengers and, if so, what action is taken by them? "

THE HON. SRI B. PARAMESWARAN :—" This question relates to meters. If specific cases of overcharge are brought to the notice of the Government, we will take necessary action."

DR. V. K. JOHN :—" Will the Hon. Minister, Sir, tell us whether he has at any time got into an auto-rickshaw? "

THE HON. SRI B. PARAMESWARAN :—" Yes, Sir. I have travelled in auto-rickshaws."

3rd December 1954]

Use of plates by customers in hotels.

* 21 Q.—SRI G. KRISHNAMOORTHY: Will the Hon. the Minister for Health be pleased to state whether the Government have any proposal to ban the use of plates by customers in hotels?

THE HON. SRI A. B. SHETTY :—" No, Sir."

SRI G. KRISHNAMOORTHY :—" Sir, are the Government aware of the fact that the increase in the incidence of tuberculosis is commensurate with the increased number of plates used in the hotels during the last thirty years? "

THE HON. SRI A. B. SHETTY :—" It is too far-fetched a connexion that the hon. Member is trying to have between the two."

SRI T. PURUSHOTHAM :—" Sir, have the recommendations of the Hotels Sanitation Committee been accepted by the Government? Have orders been issued with regard to the proper cleaning of the plates in the hotels? "

THE HON. SRI A. B. SHETTY :—" Yes, Sir. The Government have accepted the Committee's recommendations in general. They have issued instructions to all Health Officers and local bodies to take necessary action to implement the various recommendations of the committee."

SRI T. PURUSHOTHAM :—" Sir, may I know whether the hotel servants are periodically subjected to medical examination, and, if so, what is the agency employed for such medical examination? "

THE HON. SRI A. B. SHETTY :—" So far no such medical examination has been made."

SRI G. KRISHNAMOORTHY :—" Sir, will the Government consider the question of banning the use of plates in hotels instead of just insisting on the proper cleaning of the plates? "

THE HON. SRI A. B. SHETTY :—" Leaves instead of plates are used in rural areas. I do not think that that would be convenient in urban areas. No such recommendation has been made by the committee."

SRI T. PURUSHOTHAM :—" Why this discrimination, Sir, between urban and rural hotels? "

THE HON. SRI A. B. SHETTY :—" In rural areas leaves are easily available and plates are very costly to buy."

SRI G. KRISHNAMOORTHY :—" Sir, leaves were available for the last twenty years. Can they not be made available to these hotels now in the interests of the health of the nation? "

THE HON. SRI A. B. SHETTY :—" Times have changed."

[3rd December 1954]

Encouragement of Homoeopathy.

* 22 Q.—SRI G. KRISHNAMOORTHY: Will the Hon. the Minister for Health be pleased to state the proposals of the Government, if any, for the encouragement of Homoeopathy?

THE HON. SRI A. B. SHETTY:—"The Government have no proposals for the encouragement of Homoeopathy."

SRI G. KRISHNAMOORTHY:—"Has there been any representation from the Tiruchirappalli Homoeopathic Association to this Government?"

THE HON. SRI A. B. SHETTY:—"Yes, Sir. Representations have been made to Government by different bodies from time to time."

SRI G. KRISHNAMOORTHY:—"Is it a fact, Sir, that this Government have replied that the matter is under consideration of the Central Government and that it would be taken up in due course?"

THE HON. SRI A. B. SHETTY:—"At one time they may have said that, Sir. But the Government have now decided that there is no need to encourage homoeopathy or to recognize it."

SRI G. KRISHNAMOORTHY:—"Sir, have not the Planning Commission in their report on homoeopathic system recommended certain things?"

THE HON. SRI A. B. SHETTY:—"They may have recommended. We are not bound to follow all their recommendations."

SRI G. KRISHNAMOORTHY:—"So long as the Government are not able to give the rural population proper treatment, will it not be advisable to go into the question of homoeopathic treatment, whether that treatment ensures cure, and whether this cheap system of treatment cannot be had in our villages?"

THE HON. SRI A. B. SHETTY:—"Sir, I am told that there are innumerable practitioners of homoeopathy, and the practice of homoeopathy is not banned by any legislation in this State or in this country."

SRI G. KRISHNAMOORTHY:—"Is it not the duty of the Government, Sir, to see that it is regulated and quacks do not just cause harm to the people?"

THE HON. SRI A. B. SHETTY:—"Government think it quite sufficient to encourage and recognize the system of modern scientific medicine and the indigenous systems of medicine."

[3rd December 1954]

DR. V. K. JOHN:—"Sir, is it correct to say that the Government do not believe in homoeopathy?"

THE HON. SRI A. B. SHETTY:—"I am not prepared to express an opinion."

Interviews with the Officers of the Industries Department.

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

(a) whether the officers of the Industries Department are not allowed to interview any visitors and whether 'no interview' boards have been put up by the officers in the office of the Director of Industries and Commerce;

(b) whether any specific rule has been framed for the purpose of interviewing visitors by the officers of the Industries Department and if so, whether the rule has been approved by Government; and

(c) whether the Government will be pleased to lay on the table of the House a copy of the rule, if any, framed as referred to in clause (b) above?

THE HON. SRI M. BHAKTAVATSALAM:—" (a) The Director of Industries and Commerce and the Joint Director of Industries and Commerce grant interviews to visitors and the section officers are not allowed to interview visitors direct. The visitors are however allowed to interview section officers with the permission of the Director of Industries and Commerce or the Joint Director of Industries and Commerce. Some of the section officers have put up 'No interview' boards since they are not authorized to give interviews direct without the permission of the Director of Industries and Commerce or the Joint Director of Industries and Commerce.

" (b) & (c) No specific rule has been framed for the purpose of interviewing visitors by the officers of the Industries Department. Executive instructions have however been issued by the Director of Industries and Commerce for the guidance of the officers of his Department in the matter of interview by visitors."

Non-recognition of Trained Hindi Pandits' Certificates issued by an Institute at Coimbatore.

* 24 Q.—SRI G. KRISHNAMOORTHY: Will the Hon. the Minister for Finance and Education be pleased to state—

(a) whether Government have received any complaint in the month of November 1953 regarding the non-recognition of the Trained Hindi Pandits' Certificate issued by the Institute conducted at Coimbatore under the auspices of the Dakshina Bharat Hindi Prachar Sabha; and

(b) if so, the orders passed thereon?

4-30
p.m.

[3rd December 1954]

THE HON. SRI M. BHAKTAVATSALAM (on behalf of the Hon. the Minister for Finance and Education):—“(a) A representation, dated 9th November 1953 was received from a Hindi Pandit to recognise him as a fully qualified Hindi Pandit by virtue of his having undergone the Visharad course in the Tamil Nad Hindustani Training Institute, Coimbatore.

(b) The petitioner was informed that as the training taken by him in the Institute was not one akin to Pracharak Training he could not be treated as a trained Hindi Pandit.”

SRI G. KRISHNAMOORTHY:—“Is it a fact that in the year 1938 the Institute was started under the auspices of the Dakshina Bharat Hindi Prachar Sabha and the certificate has been issued by it?”

THE HON. SRI M. BHAKTAVATSALAM:—“The Government took the advice of the Dakshina Bharat Hindi Prachar Sabha and decided that students of this Institute should not be considered to possess the Pandit training qualification.”

SRI G. KRISHNAMOORTHY:—“In view of the fact that the Dakshina Bharat Hindi Prachar Sabha has been saying that the certificate issued by itself is not valid, will the Government kindly go into the question and render justice?”

THE HON. SRI M. BHAKTAVATSALAM:—“The Government will examine the question further, Sir.”

Counting of service in the elementary school for purposes of increment and other benefits.

* 25 Q.—SRI G. KRISHNAMOORTHY: Will the Hon. the Minister for Finance and Education be pleased to state—

(a) whether service in the elementary school is taken into account for purposes of increment and other benefits in the case of teachers posted to secondary schools under the same management; and

(b) if not, the reasons therefor?

THE HON. SRI M. BHAKTAVATSALAM (on behalf of the Hon. the Minister for Finance and Education):—“(a) No, Sir.

“(b) The work of teachers posted to Secondary schools is considered to be more responsible than that of the teachers working in elementary schools, and the two are treated as different cadres of a service.”

SRI G. KRISHNAMOORTHY:—“What harm is there in treating the service as a whole?”

THE HON. SRI M. BHAKTAVATSALAM:—“Such a course would raise unnecessary expectations and that will cause disappointment and frustration. Therefore, the Government did not think it advisable to do so.”

[3rd December 1954]

SRI G. KRISHNAMOORTHY:—“In the initial stages, will the Government consider the cases of those working in secondary and elementary schools which are under the same management as there may not be many such cases?”

THE HON. SRI M. BHAKTAVATSALAM:—“Individual cases might be considered, Sir.”

Free supply of newspapers and weeklies to Government officials.

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

(a) to lay on the table of the House a list of Government officials to whom newspapers and weeklies (magazines, etc.) are supplied free at the cost of the State Government; and to state

(b) what are the newspapers, weeklies, etc., which are so supplied to them; and

(c) the total cost incurred by the Government annually on this account in all the public offices in the State?

THE HON. SRI M. BHAKTAVATSALAM (on behalf of the Hon. the Minister for Finance and Education):—“(a) to (c) A statement^a furnishing the information is placed on the table of the House.”

SRI T. PURUSHOTHAM:—“Will the Government re-examine this question and order revision of this list which has been prepared long ago and see whether any cut could be made with regard to the free supply of newspapers? Of course in the case of real necessity for official use, those officers may be supplied with free copies.”

THE HON. SRI M. BHAKTAVATSALAM:—“Sir, Collectors are given discretion to subscribe to English newspapers up to a maximum of three and also one language newspaper. The Government think that the expenditure incurred on this item is worthwhile.”

SRI T. PURUSHOTHAM:—“Will the Government kindly consider the revision of the list even as an item of economy?”

THE HON. SRI M. BHAKTAVATSALAM:—“I have already stated that the Government consider this item of expenditure as worthwhile. So there is no question of re-examining the revision of the list especially when the Collectors are given discretion in the matter of subscribing to the various newspapers concerned.”

SRI T. PURUSHOTHAM:—“Not only Collectors, but various other high officers are shown in the list. That is why I made

^a Printed as Appendix II on pages 112-117 infra.

[3rd December 1954]

a reference to this point. Of course, if it is considered necessary for official use, nobody would grudge the supply of the newspapers to such officers."

THE HON. SRI M. BHAKTAVATSALAM :—" Yes, Sir, the Government would limit the expenditure to the barest necessity."

SRI A. GAJAPATHY NAYAGAR :—" சர்க்கார் அதிகாரிகளுக்காக இந்தெந்த தினத் தாள்கள்தான் வாங்கலாம் என்று கவர்ன்மென்டார் ஜாபிதா கொடுத்திருக்கிறார்களா ? "

THE HON. SRI M. BHAKTAVATSALAM :—" அவ்வாறு ஒரு ஜாபிதாவை சர்க்கார் கொடுக்கவில்லை."

SRI A. GAJAPATHY NAYAGAR :—" ஏன் கொடுக்கவில்லை என்பதை கனம் மந்திரி அவர்கள் தெரிவிப்பார்களா ? "

THE HON. SRI M. BHAKTAVATSALAM :—" அப்படிப்பட்ட ஒரு ஜாபிதாவைக் கொடுக்கவேண்டுமென்று அரசாங்கத்திற்குத் தோன்றவில்லை."

SRI A. GAJAPATHY NAYAGAR :—" எப்பொழுது தோன்றும் ? "

THE HON. SRI M. BHAKTAVATSALAM :—" அது நமக்குத் தெரியாது."

Application for recognition and aid from the Aided Elementary School, Ennayiram, South Arcot district.

* 27 Q.—SRI G. KRISHNAMOORTHY: Will the Hon. the Minister for Finance and Education be pleased to state—

(a) whether the Government have received any application for recognition and aid from the Aided Elementary School at Ennayiram, Villupuram taluk, South Arcot district;

(b) if so, whether recognition has been given to that school; and

-(c) if not, the reasons therefor?

THE HON. SRI M. BHAKTAVATSALAM (on behalf of the Hon. the Minister for Finance and Education) :—" (a) An application for recognition and aid for the school was received by the District Educational Officer, South Arcot.

" (b) Yes.

" (c) Does not arise."

Representations regarding waiver of sales tax levied on tanners.

* 28 Q.—SRI MOHAMED RAZA KHAN (on behalf of Sri M. K. M. Abdul Salam) :—" Will the Hon. the Minister for Land Revenue be pleased to state—

(a) whether any representation has been made to the Government by the South India Skins and Hides Merchants' Association to waive the sales tax levied on tanners during the years 1950-51, 1951-52, 1952-53; and

[3rd December 1954]

(b) whether it is a fact that the Government deferred collection of tax on account of doubts regarding the legality of demand?

THE HON. SRI M. A. MANICKAVELU NAICKER :—" (a) & (b) Yes."

SRI MOHAMED RAZA KHAN :—" Is it a fact that the Government are trying to collect the money after the lapse of a long period and that a good deal of hardship has been caused to the tanners and as a result of this, most of the tanneries are being closed? "

THE HON. SRI M. A. MANICKAVELU NAICKER :—" To obviate the hardship caused to them, certain concessions were given to them so that they may pay the dues in instalments."

SRI MOHAMED RAZA KHAN :—" All these years the Government were under the impression that they were not entitled to collect this tax. Are the Government aware that if they now demand the tax, many of the small tanneries will not be in a position to pay the dues to the Government and the industry itself will be crippled? "

THE HON. SRI M. A. MANICKAVELU NAICKER :—" No, Sir. The Government were only awaiting the interpretation of Article 286 of the Constitution. When the Supreme Court gave its decision in the matter, the Government implemented it."

SRI MOHAMED RAZA KHAN :—" When the Government did not collect this tax in good faith, why not the Government also waive their claims in good faith? "

THE HON. SRI M. A. MANICKAVELU NAICKER :—" It is only in good faith certain concessions were given. Further representations have been made and they are still under consideration."

Improvements to the Palar river for the benefit of agriculturists.

* 29 Q.—SRI G. KRISHNAMOORTHY: Will the Hon. the Minister for Public Works be pleased to state whether there is any scheme to make the river Palar more useful to the agriculturists of North Arcot district?

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI :—" There is a scheme which has to be examined on merits after the boundary between the Andhra and Madras States has been finally fixed. This is for the construction of a reservoir across the Palar in North Arcot near the Madras-Andhra borders."

[3rd December 1954]

SRI G. KRISHNAMOORTHY :—“ Is it a fact that the Mysore Government have built a dam or some such thing in Nandi hills and that is why Palar does not get its flow of water? ”

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI :—“ I have not got the exact information with me now. But, they were making greater use of the water and that question is being examined, Sir.”

SRI G. KRISHNAMOORTHY :—“ Is there an agreement between the Mysore Government and the Madras Government? ”

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI :—“ Yes, Sir. There is an agreement and we are examining whether the terms of the agreement have been transgressed.”

SRI G. KRISHNAMOORTHY :—“ Are the floods that we get in the Palar occasionally, over and above the water stored by the Mysore Government? ”

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI :—“ Obviously it should be so.”

SRI G. KRISHNAMOORTHY :—“ Will the Government kindly enquire into the question and see that the North Arcot and Chingleput districts get the benefit of regular irrigation facilities? ”

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI :—“ I have already stated that we are examining the question.”

Nationalization of public utility concerns in the City of Madras.

* 30 Q.—SRI T. PURUSHOTHAM :—“ Will the Hon. the Minister for Registration, Endowments and Transport be pleased to state—

(a) the steps taken by Government towards nationalization of public utility concerns in the City of Madras; and

(b) whether the Government have considered the nationalization of City Tramway Service, and if so, at what stage the matter stands, with reasons for delay in settling it?

THE HON. SRI B. PARAMESWARAN :—“ (a) Bus Transport in the City of Madras and Electricity have been nationalized. No other public utility concerns in the City require to be nationalized.

“ (b) Yes. They have decided to drop the question of nationalizing the tramway service.”

[3rd December 1954]

SRI T. PURUSHOTHAM :—“ Have the Corporation of Madras applied to the Government for taking over the Tramways and, if so, may I know why the Government have not permitted the Corporation to do so? ”

THE HON. SRI B. PARAMESWARAN :—“ The Corporation of Madras have a proposal, but they want the assistance of the Government.”

SRI MOHAMED RAZA KHAN :—“ There may be a proposal with the Corporation or the Government, but are the Government aware that there is no tram in existence in the City? ”

THE HON. SRI B. PARAMESWARAN :—“ When there is no tram in existence, the question of nationalisation does not arise.”

DR. V. K. JOHN :—“ Is it a fact that some of the trams have been sold away and some are being broken? ”

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

SRI A. M. ALLAPICHAJ :—“ Are the Government aware that the stoppage of tram service has caused a lot of inconvenience to the poor people? ”

THE HON. SRI B. PARAMESWARAN :—“ The question is about nationalization of utility concerns.”

UNSTARRED QUESTION.

Artificial insemination centres maintained by the Animal Husbandry Department in this State.

7 Q.—SRI T. PURUSHOTHAM : Will the Hon. the Minister for Agriculture be pleased to lay on the table of the House a districtwar list of artificial insemination centres maintained by the Animal Husbandry Department in this State and state the steps taken by the Government to popularize the scheme?

A.—The information^a is placed on the table of the House.

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

II.—STATEMENT BY THE HON. SRI M. BHAKTAVATSALAM RE DISTURBANCES IN MADURAI CITY.

* THE HON. SRI M. BHAKTAVATSALAM :—“ Mr. Chairman, Sir, I wish to make a statement regarding certain incidents that happened in Madurai last night. Though no official reports have been received yet from the local authorities, Government have with them a radio message received by the Inspector-General of Police, and enquiries have also been made on the telephone. Trouble seems to have arisen over the staging of a drama by

[Sri M. Bhaktavatsalam] [3rd December 1954]

M. R. Radha and party. This evoked local opposition among certain sections of the people who appear to have resorted to picketing. The demonstrating crowds became unruly and resorted to violence as a result of which several policemen were injured. It is understood that amongst the injured were one sergeant, one police sub-inspector, one Additional Sub-Magistrate, 24 city constables and 25 men of the Armed Reserve. Consequently, the mob had to be dispersed by a lathi charge. It is understood that eight persons received serious injuries and have been admitted as in-patients in the hospital. Minor injuries have been sustained by 16 others who also received necessary medical aid. Order was soon restored. Pickets have been posted and intensive patrolling by the Armed Police has been arranged. No incident has occurred since 1 o'clock last night. The city is now quiet.

4-40
p.m.

"At the instance of the Police, the City Magistrate has promulgated an order under Section 144, Criminal Procedure Code, prohibiting the assembly of crowds and prohibiting also the staging of the drama. The Inspector-General of Police is proceeding to the spot. Government are also instructing a Member of the Board of Revenue to hold an enquiry into this incident and submit a report to Government."

MR. CHAIRMAN :—"I hope there is no necessity now for the short-notice question given notice of by Dr. John."

DR. V. K. JOHN :—"I can put supplementaries if it is answered."

III.—DISCUSSION ON THE GOVERNOR'S ADDRESS—cont.

* SRI M. P. GOVINDA MENON :—"Mr. Chairman, Sir, in the course of the Address delivered by the Governor, a reference was made to the fact that the people of the former French Indian Settlements had gained their freedom. It is a matter for congratulation that some people who belonged to our mother country and occupied places belonging to India and yet lived under foreign rule until now have gained their freedom by peaceful means. Certainly it does credit to our Prime Minister and to the Government of India headed by him that this big changeover could be arranged without any recrimination and without resorting to violence. So, along with the Governor, we also consider this an important event—the handing over of the *de facto* governance of the French Indian Settlements by the French Government to the Indian Government. In this connexion, I have an additional reason to be proud of the event. One of the former French Indian Settlements is Mahe in Malabar where *de facto* Government was established not as a result of the present agreement between the French and the Indian Governments but long before. Power was transferred to the representatives of the people of Mahe by the French Indian authorities much earlier. The Government of Mahe was in the hands of my esteemed friend and colleague—an ardent disciple of Mahatma Gandhi who fought in the nation's struggle for independence, that young man of very good qualities, Mr. Kumaran, who had been the Administrator of Mahe just before

3rd December 1954] [Sri M. P. Govinda Menon]

the Government of India took over the administration. It was our great good fortune that he was in a position to hand over the administration to the Government of India. But, Sir, unfortunately, in this morning's newspapers, I read a news item which read that as a result of some agreement between the Indian Government and the French India Government, this very Kumaran, who was administrator and who was very ably administering Mahe for a few months after the withdrawal of the French power from there, and who has given himself up to Boodan work started by Jaiprakash Narain and Acharya Vinoba Bhave, had been prosecuted for some offence committed in the year 1948. I know this Government have nothing to do with it. I hope that the Government of Madras will take the matter up with the Government of India and see that the case against Mr. Kumaran is not proceeded with. Mr. Kumaran deserves an honoured place in our national history. A Gazette Extraordinary ought to have been issued when the transfer of power took place. Instead, he has been prosecuted. I hope, the Madras Government will move in the matter.

"Another point dealt with in the Governor's Address is with reference to local bodies. It is stated :

"The question naturally arises whether these institutions, developed in pre-independence days, are not too unwieldy for proper mass-contact and too inadequate for the growing needs of a Welfare Administration."

Sir, it is a fact that local bodies were organized by a foreign Government for the purpose of meeting the demands of the people at least to some extent. They continue even to-day in the same form in which they were organized and it is a pity that the Republic of India even after seven years of Independence has not thought of reorganizing these local bodies to suit the needs of the present. It is time to have a different set-up in respect of these institutions and I am glad that the Governor has made a reference to this question in his Address. I only hope that the Government will take suitable action in the matter as early as possible. We want smaller bodies which can come in contact with the people daily. Also, we want ample powers for these bodies and not powers doled out to them by the Government. They must be really autonomous bodies in spheres allocated to them. Then only can they function properly and prepare our people for real Swaraj. I would request the Government seriously to pursue the matter.

"There is a burning question of the day dealt with in the Address. It has been referred to by Mr. Balasubramanya Ayyar also. I refer to the Moratorium Act. The Moratorium Act was passed in the year 1954. When it was passed, it was considered a temporary measure, designed to meet a temporary situation that arose out of good seasons and consequent good crops. The question before the Government is whether it is to be extended for another year or not. Personally, I do not find any reason for extending the life of the Act. Even if further help is necessary for the agriculturists in the matter of relief of agricultural indebtedness, this Act will not be of any use to them. It will not serve

[Sri M. P. Govinda Menon] [3rd December 1954]

the purpose which the Government and the Legislature desire it should serve. The definition of the word 'agriculturist' given in the Act is too wide. People who are not real cultivators and who do not employ themselves in agricultural work do not deserve any sympathy at the hands of the Government and the public. This Act benefits also such persons and not real agriculturists who want relief from indebtedness. What is important is agriculturists should be given debt relief. Therefore, the Government should seriously consider whether the definition of the term 'agriculturist' should be retained as it is and, if so, whether the wide scope of the definition should not be curtailed. I hope the Government will consider this question seriously. I agree with Mr. Purushothama Mudaliar that some sort of relief is necessary. As he suggests, we can reduce the quantum of the present debts. If necessary, let us make a provision now for scaling down the debts of those who really engage themselves in agriculture. Let us also make a provision for the repayment of debts in instalments. If the Government prolong the life of the present Moratorium Act, it will not benefit the person for whose benefit it was passed. After some years, the agriculturists will be compelled to pay interest on the accumulated debts. So, there must be some provision to reduce the quantum of debts, to enable the agriculturists to pay off their debts in instalments and to restore credit. As far as the villagers are concerned, Government must do some such thing either through the agency of co-operative societies or other agencies. If the Government cannot do this, there is no use of talking about extending the life of the Act by one more year. I hope the Government will seriously consider this question.

4-50 P.M. "Mr. Chairman, yesterday I began my speech by making a reference that this Government was not entirely a Congress Government, because some members adorning the Treasury Benches were not Congressmen. This morning I read in the newspapers that there has been a sudden change as if by a magic wand and that the members of the Tamil Nad Toilers' Party and Commonweal Party had joined the Congress. They have become full-fledged Members, not mere associate members. It is good news that persons who were not of the Congress organization have joined the Congress. To that extent I welcome it as a good news. But, Mr. Chairman, I want to know in the words of Bottomley whether this transformation is for the good of the State.

"The Leader of the House has referred to-day to some incidents in Madurai. It is a sign of the times. A drama was to be staged wherein the heroes and heroines, whom millions of our countrymen have worshipped for generations and whom we have nurtured and are nurturing, would be ridiculed or made fun of. That would wound the sentiments of millions of our countrymen. In fact it has wounded the sentiments of a large number in Madurai. That is why we have had the incident. I am told that the son of one of our revered Congressman Sri A. Vythianatha Ayyar was attacked. The Police had to be called for. It was of no use.

[3rd December 1954] [Sri M. P. Govinda Menon]

"I want to sound a note of warning to the Government. It is a sign of the times. The Government is being torn by the sub-communal parties. By merging yourself with the Tamil Nad Toilers' Party and the Commonweal Party, you (I mean the Congress) are being drowned into the hands of the Dravida Kazhakkam. That is why such incidents are taking place in Madurai and other places. If the Hon. the Chief Minister were to look himself into the mirror he will not see the Hero of Tamil Nad in it but the long beard of Ramaswamy Naicker. That is the shadow that is looming large in Tamil Nad. I give this warning to the Government.

"With these words, I resume my seat."

MR. CHAIRMAN :—"I have fixed a time-limit of fifteen minutes for each member."

* SRI A. GAJAPATHY NAYAGAR :—"Sir, due to the enormity of subjects I have to cover, I require some ten minutes more.

"மன்றத் தலைவர் அவர்களே, நான் பேசும்போது முன்னால் முதல் அமைச்சரோ தற்கால முதல் அமைச்சரோ இல்லாததுபற்றி வருந்துகிறேன். கவர்னர் பெருமான் வழக்கம்போல பேருரை நிகழ்த்திவிட்டார். பல பொருள்களைப்பற்றி பேசியிருக்கின்றார். அவைகளை நான் வரவேற்கின்றேன். அதற்காக அவருக்கு நான் நன்றி செலுத்திக்கொள்கின்றேன்.

'செய்தக்க வல்ல செய்க்கெடுஞ் செய்தக்க செய்யாமை யானுங் கெடும்.'

என்று திருவள்ளுவர் கூறியிருக்கின்றார். அதாவது, ஒரு மனிதன் பல காரியங்களைச் செய்திருக்கலாம். ஆனால், அதே மனிதன் தான் செய்யவேண்டியதைச் செய்தாரா, என்பதுதான் கேள்வி. அதைப்போலவே, கவர்னர் பெருமானுடைய பேருரையில் எவ்வளவோ காரியங்களைப்பற்றி குறிப்பிடப்பட்டிருக்கின்றன. ஆனால், செய்யவேண்டிய சில முக்கியமான விஷயங்களைப்பற்றி ஒன்றும் குறிப்பிடவில்லையே என்பதுதான் என்னுடைய வருத்தம்.

"தமிழகத்திலே தமிழ் மொழியை ஆட்சி மொழியாக ஆக்கவேண்டுமென்று நான் ஏற்கனவே ஒரு மசோதாவைக் கொண்டுவந்திருக்கிறேன். கவர்னர் பெருமானுடைய பேருரையில் முன்தடவையிலும் அதைப்பற்றி ஒன்றும் குறிப்பிடப்படவில்லை. அதே குற்றத்தைத் திரும்பவும் செய்திருக்கின்றார். தமிழ் மொழியைப்பற்றி ஒன்றும் பேசவில்லை. அதற்கு என்ன காரணம்?

"முன்னால் முதல் அமைச்சர் உயர்திரு வி. ஆர். அவர்கள் காலத்தில் தமிழை இந்த ராஜ்யத்தில் ஆட்சி மொழியாகச் செய்யவேண்டும் என்ற முறையில் ஒரு மசோதாவை நான் இந்தச் சபையில் அறிமுகப்படுத்தினேன். வழக்கத்தை யொட்டி அதைத் தடுக்கவில்லை என்று ஸ்ரீ வி. ஆர். அப்பொழுது இந்தச் சபையில் தெரிவித்தார்கள். அவருடைய மனப்பான்மையை நான் அறிந்தேன். அப்பொழுது ஏற்றுக் கொள்ளாத தன்மை இருந்தபோதிலும், காலம் மாறும் என்று இருந்தேன். இப்பொழுது அரசாங்கத் தலைமையில் மாறுதல் ஏற்பட்டிருக்கிறது. இப்பொழுது தமிழ் மகன்—பழங்குடி மகன்—ஸ்ரீ காமராஜர் அவர்கள் முதலமைச்சராக வந்திருக்கிறபடியால், அவர் காலத்திலாவது மனம் மாறும் என்று எதிர்பார்த்திருந்தேன். ஆனால் மீண்டும் அதே கதி. இதற்கு என்ன காரணம்?

"இந்திய அரசியலமைப்புச் சட்டத்தின் 343-வது பிரிவுப்படி இந்த மொழியானது இந்திய யூனியனுக்கு ஆட்சி மொழி (Official language)

[Sri A. Gajapathy Nayagar]

[3rd December 1954]

ஆகிவிட்டது. அதை ஒட்டி 345-வது பிரிவின்படி தமிழ் நாட்டில் தமிழ் மொழியை சட்டப்படி (by law) ஆட்சி மொழியாக ஆக்கவேண்டும். ஏன் அப்படிச் செய்யக்கூடாது? இதைப்பற்றி கவர்னர் பேருரையில் குறிப்பிடவில்லை. அது ஒரு பெரிய குற்றமாகும்.

“மக்களிடையே பல கூட்டங்கள் போட்டு, பல மாநாடுகள் நடத்தி, தமிழ் மொழி தமிழ் நாட்டில் ஆட்சி மொழியாக இருக்கவேண்டும் என்ற தீர்மானத்தை நிறைவேற்றியிருக்கிறோம். மேலும் ஐந்து பேர்கள் கொண்ட ஒரு குழுவை அமைத்திருக்கிறோம். இப்பொழுது அமைச்சராக இருக்கும் கனம் ஸ்ரீ எஸ். எஸ். ராமசாமிபயைச் சேர்ந்த திரு. சுயம்பிரகாசம், எம்.எல்.ஏ. அவர்களும் அதில் ஒரு உறுப்பினர். ஐவரைக்கொண்ட அந்தக் குழுவானது அப்பொழுது சென்றிருந்தது. நாங்கள் அப்பொழுது சென்றிருந்தபோது, எனக்கு அரசியல் அலுவல்கள் அதிகமாக இருக்கின்றன; குழுவினரைப் பார்க்க நேரமில்லை” என்று ஒரு குமஸ்தாவின் மூலமாக எங்களுக்குத் தெரிவிக்கப்பட்டது. குழுவினர் வந்திருக்கிறார்களே என்று மரியாதைக்கு குமஸ்தாவின் மூலமாக எங்களுக்குத் தெரிவிக்கப்பட்டது. இல்லை. ஒரு இழிவு? இந்த நாட்டில் தமிழ் மொழி ஆட்சி மொழியாக இருக்க வேண்டுமென்று எல்லோரும் கேட்கவில்லையா? தமிழ் நாட்டிலுள்ள மக்களெல்லோரும் ஒருமுகமான அபிப்பிராயத்தை தெரிவித்திருக்கிறார்கள். திருக்குறள் கழகம், திராவிடக் கழகம், ஆகிய கழகங்களும் தமிழரசுக் கழகத்தின் தலைவர் உயர்திரு ம. பொ. சிவஞான கிராமணியார், ஸ்ரீ என். அண்ணாமலைப் பிள்ளை போன்றவர்களும் தமிழ் மொழி ஆட்சி மொழியாக இருக்கவேண்டுமென்று சந்தேகத்திற்கிடமில்லாதபடி தெரிவித்திருக்கிறார்கள். தமிழ் மொழி ஆட்சி மொழியாக இருக்கக்கூடாது என்று யாரும் தெரிவிக்கவில்லை. தமிழ் மொழியாக இருக்கக்கூடாது என்று யார் சொல்கிறார்கள்? சட்டசபையில் காங்கிரஸில் இல்லையா? அப்படி எல்லோரும் ஒத்துக்கொண்டிருக்கும் ஆதரிக்க மசோதாவைப்பற்றி ஒரு சில வார்த்தைகளாவது கவர்னர் பேருரையில் குறிப்பிடப்படாமலிருப்பது பெருங் குற்றம். அந்தக் குற்றத்தைச் சாட்டுவதற்காகத்தான், நான் நேற்று என்னுடைய திருத்தத்தைப் பிரேரேபித்தேன்.

“மதுவிலக்குத் திட்டத்தைப்பற்றி பேருரையில் ஒன்றும் குறிப்பிடவில்லை. இது இண்டாவது குறை. போலீசார் வசம் மதுவிலக்குச் சட்டத்தை அமுல் நடத்தும்படியாக விட்டுவிட்டதாக நேற்று வெளிவந்த ஒரு அரசியல் அறிக்கையிலிருந்து தெரிகிறது. எடுத்ததற்கெல்லாம் போலீசா? நம் நாடு போலீஸ் ராஜ்யமா? மதுவிலக்கா, மதுவிலக்கா என்று நான் கேட்கின்றேன். எங்கு பார்த்தாலும் கள்ளச் சாராயம் காய்ச்சப்படுகிறது; சில அரசியல் அதிகாரிகள் லஞ்சம் வாங்கிக்கொண்டு குற்றமற்ற மக்களை ஜெயிலில் போடுகிறார்கள். சென்னை நகரத்திலேயே ஒரு சம்பவம் நடைபெற்றதாக அறிகிறேன். கடவுளைப்பற்றி அதிகமாக பேசக்கூடிய ஒரு புராணிகர் திராவிடக் கழகம் நாத்திகம் பேசுகிறது என்று குற்றம் சாட்டி பேசுவார்—ஒரு இரவில் சில பேர்கள் சென்று அவரைத் தாக்கி, விதமாக மதுவிலக்குச் சட்டத்தை வைத்துக்கொண்டு வந்திருக்கிறது. இவ் தன்மைக்கு வந்துவிட்டது. போலீசார் வசம் மதுவிலக்கை அமுலுக்கு விடப்போகிறோம் என்று சொல்வது சரியான முறை அல்ல. போலீசாரிடம் மதுவிலக்கை ஒப்படைப்பதற்கான காரணங்கள் எதுவும் கவர்னர் பேருரையில் குறிப்பிடவில்லை.

“இந்திய நாட்டு மருத்துவம், இந்திய வைத்திய முறைகளைப்பற்றி சொல்லவிரும்புகின்றேன். சென்னையில் இந்திய வைத்தியக் கல்லூரி (College of Indian Medicine) இருக்கின்றது. சித்த வைத்தியம்,

[Sri A. Gajapathy Nayagar]

[3rd December 1954]

யூனியோனற்ற வைத்திய முறைகள் நடைமுறையில் வைக்கவேண்டுமென்று முன்னாள் அமைச்சர் பனகல் ராஜா அவர்கள் தொடங்கி வைத்தார். அது இப்பொழுது என்ன நிலைமையில் இருக்கிறது என்பதைப் பற்றி ஒன்றும் குறிப்பிடவில்லை. மதுரை வைத்தியக் கல்லூரி அமைத்தாய்விட்டது என்று கவர்னர் சொல்லுகிறார். ஆனால், யூனியோனி, சித்த வைத்திய முறைகள் என்ன நிலையில் இருக்கின்றன. அவைகளை அபிவிருத்தி செய்வது சம்பந்தமாக என்ன நடவடிக்கைகள் எடுக்கப்பட்டன என்பதற்குப் பதில் சொல்லவேண்டும். இந்திய அமைச்சர் அவர்கள் அவைகளுக்குப் பதில் சொல்லவேண்டும். இந்திய நாட்டு வைத்திய முறைகளான சித்த, ஆயுர்வேத, யூனியோனிய வற்றிற்கு சர்க்காரின் ஆதரவு போதிய அளவு கிடைக்காது என்ற பீதியை உண்டாக்கவேண்டாம். அவைகளை ஆதரிக்கவேண்டியது சர்க்காரின் கடமை என்பதை நான் வற்புறுத்திச் சொல்லுகின்றேன்.

“உள்ளாட்சிக் கழகங்கள் (லோகல் போர்டுகள்) ஆகியவைகளை மாற்றியமைக்கவேண்டுமென்று சொல்லப்படுகிறது. ஆங்கில ஆட்சி இருந்த காலத்தில் மாகாண சுயாட்சி (Provincial autonomy) இருந்தது. இப்பொழுது அது ஒழிந்துவிட்டது. சட்டத்தின் 40-வது பிரிவிலே பஞ்சாயத்து போர்டுகள் அமைக்கப்பட வேண்டுமென்று சொல்லப்படுகிறது. பஞ்சாயத்துக்களை வைத்து, அதைக்கொண்டு Local self-governing units-ஆக வைத்தால் நன்றாக இருக்கும். பஞ்சாயத்துக்கள் தல சுயாட்சிக் கழகங்களாகவும், அவைகளுக்கு மேலே மத்திய -சர்க்காரும், இவைகளுக்கு இடையே அலுவல் அதிகாரிகளும், வைத்தால் இது அரசியலாட்சி (official administration) ஆக இருக்குமே ஒழிய மக்கள் ஆட்சி என்று சொல்ல முடியாது. இது ஒரு பெரிய கொடுமை. சுயாட்சி கெட்டுவிடும். அதைத் தடுக்கவேண்டும். வினாவிலே விடை கூறுவதுபோல்,

‘The question naturally arises whether these institutions, developed in pre-independence days, are not too unwieldy for proper mass-contact and too inadequate for the growing needs of a Welfare Administration.’

என்று கவர்னர் பேருரையில் குறிப்பிடப்பட்டிருக்கிறது. அதை நான் ஒத்துக் கொள்ளமுடியாது. மேற்சொன்ன காரணம் சரியானதல்ல. உள்ளாட்சிக் கழகங்களை ஒழிப்பது நல்லதல்ல; அவைகளை ஒழிக்கும் முயற்சியை நான் கண்டிக்கின்றேன்.

“அடுத்தபடியாக, அரிசி நமது ராஜ்யத்தில் அதிகமாக விளைந்துவிட்டது என்றும் ஒரு லட்சம் டன்னுக்குமேல் கிடங்குகளில் அரிசி கிடக்கின்றது என்றும் சொல்லப்படுகிறது. அரிசி மிகுதியாக இருக்கிறது என்று சொல்லிவிட்டால் ஏழை மக்களுக்கு நியாயமான விலையில் அரிசி கிடைத்துவிடும் என்று சொல்லமுடியுமா? விலைவாசிகள் குறைக் கப்பட்டு ஏழை மக்கள் அவைகளை வாங்குவதற்கான ஏற்பாடுகள் செய்யப் பட்டிருக்கின்றனவா? மத்திய சர்க்கார் வசத்திலுள்ள கிடங்குகளில் ஒரு லட்சம் டன் அரிசி இருந்துவிட்டால் அவைகள் உருத்து, மாவாகப் படிச் சேமித்து வைப்பதால் நாளடைவில் அவைகள் அல்லவா? ஆக போய், மக்களுக்குப் பிரயோசனமில்லாமல் போய்விடும் அல்லவா? ஆகவே, அரிசி விலை குறையவேண்டும்; குறைந்தால்தான் ஏழை மக்கள் வாங்கமுடியும். அப்பொழுதுதான் மக்கள் ஆட்சி நிலவுகின்றது என்று மக்கள் நினைப்பார்கள். இவைகளைச் செய்யாமல் இருப்பது நல்லதல்ல.

“ரெவினியூ இலாகாவானது (ரெவினியூ போர்டு, கலெக்டர், கீழ்க் ளவர்கள்) ஒரு பெரிய Aegean's stable-ஐப்போல் இருக்கிறது. கிரேக்க தேசத்தில் இருந்த பழைய குதிரை லாயத்தை யாராலும் கழுவ முடியாது. ஹெர்குலிஸ் வந்தால்கூட அதைக் கழுவ முடியுமா என்ற ஐயப்பாடு இருந்தது. அதைப்போல ரெவினியூ இலாகாவை சீர்திருத்துவது என்பது, கண்துடைப்பு வேலையாக இருக்குமோ என்று நினைக்கிறார்கள். ஆட்சி முறையில் நம்பிக்கை குறைந்தி வருகிறது. நான் இதை என் சொல்கிறேன் என்றால், ஒரு வேலையை எடுத்தால்

[Sri A. Gajapathy Nayagar] [3rd December 1954]

அது சேக்கிரம் முடிவது இல்லை. யாரைப் பார்க்கவேண்டும், எப்படிச் செய்யவேண்டும் என்று தெரியாமல் மக்களிடையே ஒரு பீதி இருக்கிறது. இப்பொழுது இருக்கும் ஆட்சி முறை நல்லதாகவும் தீவிரமாகவும் புனிதமாகவும் நியாயமாகவும் நடக்கவில்லை என்ற எண்ணம் மக்களிடையே வளரக்கூடாது. தக்க முறையில் அரசியலார் நடந்துகொள்ள வேண்டுமென்று வேண்டிக்கொள்கின்றேன்.

“கல்வியைப்பற்றி பேசும்போது பிற்போக்கு மக்கள், முற்போக்கு மக்கள் என்று குறிப்பிடப்படுகிறது. பிற்போக்கு மக்கள் என்பதற்குப் பதிலாக பின்னணி மக்கள் என்று கூறவேண்டும். அவர்களுக்கு கல்வி சம்பந்தமாக அளிக்கப்படும் சலுகைகளைப்பற்றி பேசும்போது என்ன நண்பர் திரு புருஷோத்தம முதலியார் ஏதோ அரசியலார் ஒரு உத்தரவைப் பிறப்பித்துவிட்டார், வன்னியகுல கூத்திரியர்களுக்கு மாதிரி கல்விச் சகாயம் செய்து விட்டார்கள், அது ரொம்பத் தவறு, அது நியாயமல்ல என்று சொல்லிவிட்டார்.”

* SRI T. PURUSHOTHAM:—“On a point of personal explanation, Sir. The hon. Member is absolutely wrong. What I referred to was that the concession should not have been given to one backward class alone and that in one district only but that it should be given to all backward classes in the State. I do not at all object to the concession granted to one particular backward class. I certainly welcome the relief granted to them.”

* SRI A. GAJAPATHY NAYAGAR:—“வன்னிய குல கூத்திரிய மக்களைப்பற்றி சொல்லவில்லை என்றால் நான் ஏற்றுக்கொள்கின்றேன். வன்னிய குல கூத்திரிய மக்களைப் பாதிக்கிறது என்று சொன்னதால், கல்வி இலாகாவில் நான் விசாரித்தேன். ‘வன்னிய குல கூத்திரியர்கள் என்ற பெயர் கொண்டவர்களுடைய மக்களுக்கு இலவசக் கல்வி கொடுக்க வேண்டும்’, என்று அந்த கவர்ன்மென்ட் உத்தரவில் சொல்லப்பட்டிருக்கிறது. அந்த உத்தரவை நான் படித்துப் பார்த்தேன். ‘வன்னிய குல கூத்திரிய மக்களுக்கு’ என்று அந்த உத்தரவில் கண்டிருப்பதை நான் ஒரு மணிக்கு முன்னால்தான் பார்த்தேன். அதை ஒட்டியே பேசவேண்டுமென்று இருந்தேன். ஆனால், இப்பொழுது அதற்கு ஒரு திருத்தம் வருகிறது. படையாட்சி என்ற சிறப்புப் பெயர் கொண்ட மக்கள், தென்னாற்காடு, தஞ்சாவூர் ஜில்லாக்களில் இருக்கிறார்கள். முற்காலத்தில் ஒரு மந்திரி செய்த கொடுமையால், அவர்கள் வி.டி. சட்டத்தின்கீழ் கொண்டுவரப்பட்டார்கள். குற்ற பரம்பரைச் சட்டத்திலிருந்து அவர்களை விடுவிப்பதற்கு இப்பொழுது அமைச்சராக இருக்கும் ஸ்ரீமான் மாணிக்கவேலு நாயக்கரும், ஸ்ரீமான் கோபால கவுண்டரும் பெரு முயற்சி எடுத்துக் கொண்டு, அதைத்திருத்தினார்கள். ஆனால் போலீசார் கைவந்த அதிகாரத்தைக்கொண்டு சில கிராமத்தில் படையாட்சிகளை O.T. களாக பதிவு செய்தார்கள். வருஷக்கணக்காக அது அப்படியே இருக்கிறது. அந்தக் காலத்திலே குற்ற பரம்பரையில் பதிந்த காரணத்தினால், குற்ற பரம்பரையினருக்கு உள்ள கல்வி வசதி கொடுக்கப்பட்டது. இப்போது திருத்தம் எப்படியென்றால் படையாட்சிகள் வன்னிய குல கூத்திரியர்கள் என்றும் சொல்லிக்கொள்கிறார்கள். அப்படிச் சொல்லிக்கொண்டாலும் அவர்களுக்குக் கல்வி வசதி கொடுங்கள் என்பது. இது என்ன காரணம்? படையாட்சிகள் குற்ற பரம்பரை மக்களா? வன்னிய குல கூத்திரியர்கள் ஒரு பெரிய மரபு. வன்னிய குல கூத்திரியர்கள் தென்னாட்டில் 80 லட்சம் பேர்களும், வட நாட்டில் 20 லட்சம் பேர்களும் இருக்கிறார்கள். தென்னாற்காடு ஜில்லாவில் படையாட்சிகள் என்றும், நாயக்கர்கள் என்றும், சேலம் ஜில்லாவில் கவுண்டர்கள் என்றும் சிறப்புப் பெயர்கள் அவர்களுக்கு இருக்கின்றன. ஆகையால், இவர்கள் எல்லோரும் ஒரு பெரிய தமிழ் மரபு—பழங்குடி மக்கள்—ஒரே இனத்தவர். கல்வி வசதி கேட்கும்போது படையாட்சிகள் குற்ற பரம்பரையினர் என்று சொல்லி அவர்களை அவமானப்படுத்துவது பண்ணி பழியும் பாவமும் தேடிக்கொள்ளாதீர்கள். இது கல்விச் சர்க்கார் வழங்கும் நியாயமா?

[3rd December 1954] [Sri A. Gajapathy Nayagar]

“பிற்பட்ட வகுப்பினர் என்ற பேச்சே இருக்கக்கூடாது. தமிழ் ஆட்சி மொழியாக இருந்தால், நான் கொடுத்திருந்த மசோதாவை ஏற்றுக் கொண்டிருந்தால், எல்லா நடவடிக்கைகளையும் தமிழிலேயே நடத்தினால், அப்பொழுதுதான் efficiency காணமுடியும். தமிழ் மொழியின் மூலமாகவே கல்வியும், அரசாங்க அலுவல்களும் நடந்தால் மக்கள் பிற்பட்ட நிலையிலேயே இருக்கமாட்டார்கள். அவர்களுடைய தாய்மொழி, அதாவது தமிழ் மொழி ஆட்சி மொழியாக இருக்கும்போது அவர்கள் என் பிற்பட்ட வர்களாக இருக்கப்போகிறார்கள்? அரசாங்க அலுவல்களில் அவர்களும் பங்குகொள்ளுவார்கள். தமிழ் மொழி ஆட்சிமொழியாக இல்லாதவரையில் தமிழ் மக்கள் பிற்பட்ட நிலையிலிருந்து எப்படி விடுபடமுடியும்? என்னுடைய மகன் ஆங்கிலத்தைப் படிக்க முடியும், இந்தி மொழியையும் படித்து விடுவான்; ஆனால், ஆபீசில் பியூகை இருப்பவனுடைய மகன் தாய் மொழி யாகிய தமிழ் மொழியைத் தவிர வேறு மொழியை கற்க இயலாது. ஆகவே தமிழ் மொழியின் மூலமாகவே எல்லோருக்கும் கல்வி அளிக்கப்படவேண்டும். அதோடு கூட, அவர்கள் அரசியலில் முழுப் பங்கு எடுத்துக்கொள்வதற்கு ஏதுவாகத் தமிழ் மொழி ஆட்சி மொழியாக இருப்பது மிக மிக அவசியம் என்பதை நான் வற்புறுத்திக் கூற விரும்புகிறேன். வசதியுள்ளவர்கள்தான் ஆங்கிலத்தையும், இந்தியையும் படிக்க முடியுமேதவிர பெரும்பாலான மக்கள் அவைகளைப் படிக்கமுடியாது. அவர்கள் பிற்பட்ட நிலையிலிருந்து மீட்கப்படவேண்டுமானால், ஜாதிப் பிரிவுகளிலிருந்து மக்கள் விடுபடவேண்டுமானால், தயவு செய்து தமிழை ஆட்சி மொழியாகச் செய்யுங்கள் என்று மீண்டும் கேட்டுக்கொள்கின்றேன். அப்படிச் செய்யாதவரையில் மக்களிடையே சமத்துவ உணர்ச்சி ஏற்பட முடியாது. ஏற்றத்தாழ்வு உணர்ச்சி இருந்துகொண்டுதான் இருக்கும். இதைச் செய்யாமல் முற்போக்கு மக்கள், பிற்போக்கு மக்கள் என்று சொல்லிக்கொண்டு இப்போது ஒரு வியாபாரமே நடந்துவருகிறது. அந்த வேலை இனியும் வேண்டாம். தமிழ் மொழி ஆட்சி மொழியாக வந்துவிட்டால், யாரும் பயப்படவேண்டியதில்லை. எல்லோரும் சமத்துவமாக சமாளமாக வாழலாம், பிற்போக்குத் தன்மை என்று சொல்லப்படுகிற நிலைமையிலிருந்து அவர்கள் விடுபடலாம். ஆகவே, தமிழ் மொழியை ஆட்சி மொழியாகச் செய்யவேண்டும் என்று கேட்டுக்கொள்கின்றேன்.

“கனம் அங்கத்தினர் ஸ்ரீ கோவிந்த மேனன் பேசுகையில் ‘கஜபதி நாயகர் தமிழ் மொழியில் பேசுகின்றார்கள்; தமிழ் தெரிந்தவர்களை டீரெஷர் பெஞ்சில் உட்கார்ந்திருக்கிறார்கள்; I am between the devil and the deep sea’ என்று சொன்னார்கள். நான் ‘டெவிலா’? அல்லது ‘டீப் ஸீயா’? எனக்குத் தெரியவில்லை. எங்கள் நாட்டில் என் மொழியில் நான் பேசுகின்றேன். என் தாய் மொழியில் நான் பேசுவதால் என்னை டெவில் என்று அவர் சொல்ல முடியுமா? அதேபோல் அவர்கள் நாட்டில் அவர்கள் மொழியில் பேசுவதற்கு என்ன தடை இருக்க முடியும்? (Interruption by Sri M. P. Govinda Menon.)

“தமிழ் நாட்டில்தான் எல்லோரும் வாழமுடியும். தமிழ் நாடு எல் லோரையும் வாழ வைக்கும் நாடு; தமிழர் திறந்த மனப்பான்மை கொண்டவர்கள்; விருந்தோம்பலில் சிறந்தவர்கள்; இந்த இடம் தவிர அன்னியர்கள் வேறு ராஜ்யத்தில் வாழமுடியாது. ஸ்ரீ அண்ணாமலை பிள்ளை அவர்கள் இதை நன்றாக அறிவார்கள். தமிழ்நாட்டுக்கு மாதிரி மல்ல; தெலுங்கு மலையாள தேசத்திற்கும் பொதுவாகத்தான் நான் பேசுகின்றேன். அங்கங்கே அவரவர்கள் தாய் மொழியில் பேசுவதால் முற்போக்கு, பிற்போக்கு என்று மக்களை பிரிக்கும் வியாபாரம் அடியோடு முடிந்துவிடும். மொழிபெயர்ப்பில் ராஜ்யங்கள் பிரிக்கப்பட்டு, அவரவர்கள் தாய் மொழியிலேயே ஆட்சி நடத்தப்பெற்றாகவேண்டும் என்று வற்புறுத்திக் கேட்டுக்கொள்கின்றேன்.

“நான் ஆங்கிலத்தில் பேசுவதை விட்டுவிட்டு தமிழில் ஏன் பேசுகின்றேன்? ஆங்கிலத்தில் பேசினால் ரத்தம் தெறிக்க என்னைப் பேசமுடியும். தமிழ்மொழியில் பேசவேண்டுமென்று நான் தாழ்ந்திருக்கின்றேன். நான் பேசுவது இந்தச் சபையினருக்காக மட்டுமல்ல; வெளியேயிருக்கும் என்னை

[Sri A. Gajapathy Nayagar] [3rd December 1954]

மக்களுக்காகப் பேசுகின்றேன். ஆகையால், நான் எதோ அதிகமாகப் பேசியிருந்தால் தலைவர் அவர்கள் என்னை மன்னிக்கும்படி கேட்டுக்கொள்கின்றேன்.

“கவர்னர் பெருமான் பேருரையில் 17-வது பாராவில் ‘A Bill to provide for the better control of public dramatic performances in the State is being brought forward’ என்று குறிப்பிட்டார். காலே தினத்தாளில் (இந்து) மதுரை சம்பவம் பற்றி ஒரு செய்தி வந்திருக்கிறது. இது புதிதல்ல. ஐந்து, ஆறு ஆண்டுகளுக்கு முன்பு மதுரையில் திராவிடக் கழக மகாநாடு பெரியார் ராமசாமி யால் கூட்டப்பட்டது. அந்தச்சமயத்தில் நான் அங்கு சப்-ஜட்ஜாக இருந்தேன், உடுப்பி ஓட்டலில் தங்கியிருந்தேன். கலவரம் நடந்த நாளன்று ஓட்டலில் வேலைசெய்யும் ஆட்கள் என்னிடம் ஓடிவந்து ‘மதுரை மீட்டர் அம்மன் கோவிலில் இந்தக் கழகத்தினர் ஒரே கூட்டமாக நுழைந்து விட்டனர். அவதூறாகப் பேசினார்கள்’ என்றெல்லாம் அவன் சொன்னான். அவ்வளவும் சுத்தப் பொய் என்றேதோன்றிற்று. ஆனால் உண்மையில் நடந்ததென்ன? அந்த மகாநாட்டுக்கொட்டகைக்குத் தீ வைக்கப்பட்டது. இருக்கிறது நியாயம் வழங்குவதற்காக. சட்டத்தைத் தானே கையேந்தக்கூடாது. முறைசெய்துக்கொள்ளவேண்டும். சட்டப்படி அதிகாரிகளை அணுகவேண்டும். அதைவிட்டுவிட்டு தானேபோய் நேரடியாக நடவடிக்கை எடுக்கலாமா? No man should take the law into his own hands? என்று மதுரையில் நடந்த சம்பவங்களுக்கு யார் பொறுப்பாளி, யார் உடைந்தையாக இருந்தது? இதற்கெல்லாம் காரணம் ஆர்.எஸ்.எஸ். தான். இந்த கழகம்தான் இந்த வேலைகளுக்கெல்லாம் காரணமாயிருந்தது. இதுபற்றிய விவரங்கள் ‘இந்து’ பேப்பரில் வந்திருக்கிறது. இந்த ராஷ்டிரிய சேவா சங்கத்தைச் சேர்ந்தவர்கள் கும்பல் கும்பலாகவும், படைபடையாகவும் வந்ததாக ‘இந்து’ தாளில் கூறியிருக்கிறது. நான் கடலூரில் சப்-ஜட்ஜாக இருந்தபோது ஒருவர் என்னிடம் 5 மணிக்கு வந்து 6 மணிக்கு ஒரு சேதி வரும் என்று சொன்னார். செய்தியும் வந்தது. காந்தியாரை சுட்டுக்கொன்றதாக செய்தி வந்தது. அன்று மாலையே சிலையிடங்களில் சர்க்கரையும் கற்கண்டும் வழங்கப்பட்டது என்று கேள்விப்பட்டேன். நான் ஏன் இதைச் சொல்லுகிறேன் என்று கேட்டால், இப்பொழுதிருக்கும் நிலைமை இந்த ஆர்.எஸ்.எஸ். கழகம் இன்னும் அதிக வலிமை அடைந்து வந்திருக்கிறது. சில இராக்காலங்களில் இவர்கள் மைலாப்பூர் குளத்தில் ‘டிரில்’ பழகுவதாகச் சொல்லுகிறார்கள். அரசியலார் இவைகளையெல்லாம் பார்த்துக்கொண்டுதான் இருக்கிறார்கள் ஒவ்வொரு ஓட்டலிலும் வேலை செய்கிறவர்களெல்லாம் இந்தச் சங்கத்தின் உறுப்பினராக இருக்கிறார்கள். ‘பிராமணன்’ என்ற ஒரு தனிப்பட்டதிரிகையும் நடத்துகிறார்கள். இவ்விதமாக ஒரு குழு ஆக்கிரமிப்பு வழியிலேயே சென்றுகொண்டிருக்கிறது. அரசாங்கம் இதற்குத்தக்க நடவடிக்கை எடுக்கவேண்டும். இதைப்பற்றியெல்லாம் நான் வெளியே சொல்ல வதற்கு எனக்கு உரிமை உண்டு. இவைகளை சொல்லக் கடமைப்பட்டிருக்கிறேன். நான் எனக்காக ஒன்றும் செய்துக்கொள்ளவில்லை. பிறருக்காக, இந்நாடு மக்களுக்காக, இவைகளையெல்லாம் எடுத்துச் சொல்லுவிரும்புகிறேன். 10, 15 நாட்களுக்கு முன்னால் ஒரு இடத்திற்கு போயிருக்கும்போது அங்கே ஒருவர் பாருங்க ஆர்.எஸ்.எஸ். சீக்கிரமே வீராவேசத்துடன் எழப்போகிறது’ என்று சொன்னார்கள். அதற்கு சாட்சிகள் இரண்டு மூன்று பேர்கள் இருக்கிறார்கள். கிளம்பவேண்டிய இடத்திலிருந்து கிளம்பிவிட்டது.

(At this stage, Srimathi Jothi Venkatachellum occupied the Chair.)

“தமிழ்த்தாயே என்பேச்சைக் கேட்க வந்ததுபோல் அம்மையார் அவர்கள் சபைக்குத் தலைமை கொள்கிறார்கள். மதுரையில் இன்று நடந்த குழப்பத்திற்குக் காரணம் இந்த ஆர்.எஸ்.எஸ். தான். ஸ்ரீ வைத்திநாதய்யரின் மகன்

[Sri A. Gajapathy Nayagar] 3rd December 1954]

என் கலவரம் நடந்தயிடத்திற்குப்போனார். சென்றதனால்தான் அவருக்கு காயம் ஏற்பட்டிருக்கிறது. இதையெல்லாம் ஏன் சொல்லுகிறேன் என்றால் R.S.S. is a danger to our country. இதைச் சொல்வதற்காக நான் பயப்படவில்லை. பயப்படும் குலத்தில் நான் பிறக்கவில்லை. பிரதமர் நேரு அவர்களும் கண்டித்திருக்கிறார்கள். இந்த விஷயத்தில் அரசாங்கம் வெகு ஜாக்கிரதையாக இருக்கவேண்டும். ஹிந்து மகா சபா, ஆர்.எஸ்.எஸ். ஸ்தாபனங்கள் பழைய வருணஸ்ரம தருமத்தை நிலைநாட்ட முயற்சித்துக் கொண்டுவருகிறது. நான் இப்பொழுது திரு. எம். ஆர். ராதாவுக்காக பேசவில்லை. அவருக்குத் தெரியும் தன்னை எப்படிக் காப்பாற்றிக்கொள்ள வேண்டுமென்று. தங்கள் மனப்பான்மைக்குத் தகுந்தவாறு கடவுளைத் தொழுகிறார்கள். பழமை பழமை என்று சொல்லிக் கொண்டு மூடப்பழக்கவழக்கங்களைக் கையாளக்கூடாது என்று சிலர் பேசுவார்கள். இன்னும் மக்களிடையே ஒவ்வொரு காரியத்தையும் செய்யும்பாங்கும், மனப்பண்பாடு தன் அறிவைக் கொண்டு ஏற்படவேண்டும். யாராவது ஒருவன் குற்றம் செய்தால் கோர்ட்டுக்கு போகலாம். எந்தவிதமான குற்றத்திற்கும் சட்டம் இருக்கிறது. கோர்ட்டிலே வாதாடினால் நியாயம் வழங்கப்படும். எம். ஆர். ராதாவின் நாடகம், ரத்தக்கண்ணீர், ராமாயணம் மிகவும் மோசமாக இருக்கிறதென்றால், நாடகம் நடத்தக்கூடாதென்றால் கோர்ட்டுக்குச்சென்று வழக்காடுங்கள். அதைக் கையாளாது குழப்பத்தை நாட்டில் உண்டுபண்ணுகிறார்கள். குழப்பம் உண்டாக்க ஒரு சங்கம் ஏற்படுத்தலாமா? இதுவா நாடாளும் வழி? எந்த ஒரு தனிப்பட்ட மனிதனோ அல்லது எந்த ஒரு தனிப்பட்ட கழகமோ தானே சட்டத்தை நிலைநிறுத்த முயற்சிக்க முடியும். இந்திய அரசியல் சட்டத்தின் கீழ் கோர்ட்டுகள் ஏற்படுத்தப் பட்டிருக்கின்றன. அங்குபோய் வாதாட எல்லோருக்கும் சுதந்திரம் அளிக்கப்பட்டிருக்கிறது. அப்படியிருக்கும்போது இந்த மாதிரியான அனாவசியமான குழப்பத்தை ஏன் உண்டுபண்ணவேண்டும். இதைத் தடுக்கவேண்டுமென்றால் நாம் ஒன்றுபடவேண்டும். மொழிவழி அடிப்படையில் ஒன்றுபட வேண்டும். தமிழர் எல்லோரும் ஒரே குலம். திராவிட கழகத்தையும் வெறுக்கலாகாது. தமிழ்நாடு முன்னேறுவதற்காக எல்லோரும் ஒத்துழைக்க வேண்டுமென்று சொல்லிக்கொண்டு, இவ்வளவு நேரம் எனக்குப் பேச வாய்ப்பு அளித்ததற்காக என் நன்றியை தெரிவித்துக்கொள்கிறேன். வணக்கம்.”

* SRI ALEXANDER GNANAMUTTU :—“Madam, let me congratulate you on the charming way in which you are adorning the Chair. Permit me, Madam, to make a few observations on the Governor's Address. Frankly speaking, my appraisal of the Address is that it is a reminiscental rhapsody of past events, of events that have taken place during the last ten months. It does not unfortunately give us a full or a complete picture of the shape of things to come.”

“Let me first take up and deal with the Department of Education. Reference has been made with pride to about 1,300 elementary schools which had been started and the prospect of another 1,530 schools to be started during the course of this year. What we, teachers and Legislators, are ever so anxious to know is how these 1,300 schools already started are actually functioning. As a teacher of some experience, I feel that the Government cannot expect tangible and concrete results if students are left in charge of untrained teachers. Two hon. Members of this House, my hon. Friend Sri E. H. Parameswaran and my hon. Friend Sri G. Krishnamoorthi, who had already spoken on the subject, referred to it. Both of them feel, as I do feel, that however enthusiastic, intelligent and clever these untrained teachers may be, they can not do anything of the nature of the work that a trained teacher

[Sri Alexander Gnanamuttu] [3rd December 1954]

is capable of doing. I am therefore in entire agreement with the suggestion that was made yesterday by that veteran educationist Sri Parameswaran that if we are to have tangible results, these untrained teachers should be sent to bigger schools and trained and senior teachers should go and man these single teacher elementary schools.

"Madam, I am so happy to note the appointment of an expert Committee to go into the entire scheme of Elementary Education, but I must frankly confess that I am a bit disappointed at the composition of this Committee. I feel that some interests which ought to have been included have not found a place on the Committee. I would like to point out one or two glaring omissions. Personally I feel that a bit of injustice has been done to Christian missionaries and missionary institutions inasmuch as they have been completely blacked out from this Committee. I do not think I am at all wrong when I say that these missionaries were the pioneers of elementary education in this State as well as in the whole of India and I do not see any reason why these institutions manned by Christian missionaries should have been completely left out. (Interruption by Dr. V. K. John.) In fact, the elementary schools run by the missionaries formed the bulwark of elementary education in the State of Madras. I again feel that there is yet another glaring omission in the composition of the Committee. There is no representation given to Correspondents and Managers of aided institutions. I feel that they have also an important voice in the matter. They have been left out. There is a third omission which has already been pointed out. I feel that in a Committee of this kind, the man who is actually dealing with elementary education, that is the elementary school teacher or the Headmaster of an elementary school should have been given a place. However, I feel that the newly constituted Committee in spite of these omissions will present a much better and a worthwhile report than the report that was presented to this House a few months ago and which the Government have very wisely pigeon-holed into the archives of the Government."

* DR. V. K. JOHN :—"Is not the appointment of the Committee merely an eye-wash? I feel that the criticism of the hon. Member regarding the composition of the Committee is justified."

* SRI ALEXANDER GNANAMUTTU :—"With your permission, Madam, let me now refer to the report of the Secondary Education Commission, that classical and monumental report, otherwise known as the Lakshmanaswami Report. The Governor's Address refers to it and we are told that special consideration is being given to that report. It is not necessary for me to tell hon. Members of this House how the recommendations of this Committee with regard to the three-year degree course have already won the seal of approval of all the Universities of this State. They have also won the approval of the Universities of the adjoining States. I hope the Government will implement the various recommendations of the Secondary Education Commission with reference

[Sri Alexander Gnanamuttu] [3rd December 1954]

to the multi-purpose schools as quickly as possible and not postpone them or keep them in cold storage as pointed out by Sri Parameswaran yesterday.

"In the press and on the platform tributes are frequently paid to the excellent work done by the National Cadet Corps. I feel, Madam, that this N.C.C. as it is popularly known, ought to be rapidly expanded so that the benefits of the wonderful training may be enjoyed by schools and colleges which so far have not had the privilege of enjoying them. When women undergraduates are about to get this military training, is it not time that all our boys who are reading in colleges should get the benefit of this training? I speak on behalf of Tirunelveli where we have five colleges. There are more than 3,000 undergraduates and they have been clamouring for the last half a dozen years for a Company of their own. Every time it has been a question of finance and the reply of the Government to the University is that there is no money to have an additional Company in Tirunelveli where there is none at present. Madam, only yesterday it was given out in answer to one of the questions that a sum of Rs. 20,000 is given annually to a hospital at Mangalore, just to help a Medical College at Udipi which is not at all affiliated to any of the Universities of the State of Madras. When we are prepared to throw away Rs. 20,000 and more every year on institutions which do not at all belong to us, have we not a better right to make a claim for a Company of our own in Tirunelveli and in other areas where we do not have the N.C.C."

"The Governor's Address makes a reference to the decision of the Government to implement what is known as the medical benefit scheme, by which every factory worker and every member belonging to his family will hereafter get free medical aid. May I now, in all humility, ask why this privilege, this amenity, should not be extended to teachers in schools and colleges? The same privilege has been extended to N.G.Os. Now this is being extended to factory workers. In the matter of emoluments, I think the majority of the teachers get as much as the N.G.Os. or get as much as, if not less than, the factory worker. Don't you think that teachers also should be given this concession?"

"Speaking on the work of Community Projects and the National Extension Scheme, the hon. Member Sri Parameswaran referred yesterday in glowing terms to the splendid work done by students under the auspices of social service leagues. He said that the work that students did during their spare time was wonderful. It is spectacular. It is something for the Gods to see what he said. I entirely agree with the statement made by him, but may I ask a question? What happens to the work of these students of schools and colleges? We are told and reports also give us a very rosy picture of furlongs of road laid by students. But if we go to the same place after three months, what do we see? We find nothing of it. Everything seems spirited away as though by the enchanter's magic wand. Why? It is because there is no follow-up work. The Government do not carry on and

5-30
p.m.

[Sri Alexander Gnanamuttu] [3rd December 1954]

maintain the work so well done by students selflessly in various parts of the country. Therefore my humble submission is that the Government, the District Board or the Panchayat Board ought to give the necessary encouragement and see that the work done by the students is well maintained and carried on. It is refreshing to note that provision for drinking water in villages will soon be made, and that the Government are devoting their special attention to the provision of drinking water in villages. May I ask what about the towns? Towns people also need drinking water. I come from the town of Palayamkottai and protected water-supply scheme for that town was taken up by the Government years ago. It received some priority. It was in the approved list. It was taken up for execution. For two years they have been at it, and it looks as if it will take another two years before it is completed. May I request the Government to see that these works are executed as quickly as possible so that really good drinking water may be supplied to towns people also?

"One of the paragraphs in the Address of the Governor refers in a very encouraging manner to this year's seasonal conditions. He refers to the commencement of the South-East monsoon in time. It is true that the monsoon set in in time. But the picture that is presented by the Governor, I feel, is too rosy. Speaking about Tirunelveli from where I come, may I inform this House that after Deepavali we have not had a single shower worth mentioning and the crops are actually withering, with the result that a kottah of paddy which was being sold at Rs. 30 is now sold at Rs. 45? We cannot be complacent over this situation in places like Tirunelveli.

"A word more, and I have done. Many people have spoken against the Agriculturists' Relief Act. Speaking on behalf of the poor ryots, I would crave the indulgence of the Government and ask for an extension of the Act at least for another year under modified conditions. (Interruption from Sri K. Balasubramanya Ayyar.) If you were in the Cabinet, I would ask for two more years. Yesterday some valuable suggestions were made by the hon. Member Sri T. Purushotham, and I feel that the Act could be extended for another year under modified conditions. I honestly feel that it has really benefited some of the poor agriculturists though others incidentally also have been benefited.

"I have nothing more to add, Madam, except to congratulate the Cabinet on the very good work done by them during the last ten months under the very able captaincy of the Chief Minister Sri Kamaraj Nadar."

* SRI A. CHIDAMBARA MUDALIAR :—"தலைமை வகிக்கும் அம்மையார் அவர்களே, கவர்னர் அவர்கள் இரு சட்டசபைகளின் கூட்டுக் கூட்டத்தில் நிகழ்த்திய உரையைப்பற்றி ஒரு சில வார்த்தைகள் பேச முன்வந்துள்ளேன். என்னுடைய நண்பர் பாளையங்கோட்டையின் இரண்டு டொரு திட்டங்களைப்பற்றி குறிப்பிட்டதுபோல நான் மதுரை நகரசபையின் நீண்டகாலக் குறையை ஓரளவு எடுத்துக்காட்ட விரும்புகிறேன்.

3rd December 1954] [Sri A. Chidambaram Mudaliar]

"மதுரை நகரத்தின் ஜனப்பெருக்கம் 1941-ம் வருஷத்திற்குப்பின் இடத்தட்ட இரண்டரை லட்சத்திற்கு அதிகமாயிருக்கிறது. 1951-ல் ஏற்கெனவே இருந்த மூன்றரை லட்சம் ஜனத்தொகையானது இப்பொழுது சுமார் ஐந்து லட்சம் ஆகியிருக்கிறது. 1926-ம் வருஷத்திலேயே நகரத்தின் தண்ணீர்த் தேவையை அதிகப்படுத்த வேண்டுமென்பதற்காக ஒரு திட்டம் வகுக்கப்பட்டு, அது நிறைவேற்றப்படவேண்டுமென்று நகரசபையில் ஒரு தீர்மானம் நிறைவேற்றப்பட்டது. அந்தத் திட்டம் சர்க்காரின் கவனத்தில் அப்பொழுது இருந்துவந்தது. அதற்கென ஒரு இன்வெஸ்டிகேஷன் நிதி யொன்றும் சர்க்காருக்கு நகரசபை செலுத்தியிருக்கிறது. அந்தத் திட்டம் துரதிருஷ்டவசமாக, இடையே நடந்த யுத்தத்தின் காரணமாக கைவிடப்பட்டது. மூன்று ஆண்டுகளுக்கு முன் இன்வெஸ்டிகேஷன் கட்டணமாகிய மூன்று லட்சம் ரூபாயும் செலவிடப்பட்டதாகத் தெரிகிறது. இப்பொழுது அந்தத் திட்டம் எந்த நிலையில் இருக்கிறது என்பது ஓரளவு தெரியமுடியாத நிலையில் இருக்கிறது. சமீபத்தில் தலைமை அதிகாரி ஒருவர் குறிப்பிட்டார். இன்வெஸ்டிகேஷன் நடந்தபிறகு தலை இல்லாத வால் போல மேலக்கால் திட்டம் என்ற பெயரில் இருக்கிறது. கோச்சடைக்குப் பின் என்ன நடந்திருக்கிறதென்று தெரியவில்லை, என்று குறிப்பிட்டிருவிட்டு, இதுசம்பந்தமாக தீவிர நடவடிக்கை எடுக்கின்றேன் என்று சொல்லிவிட்டார்கள். எந்த ஒரு நகரத்திற்கும் குடி தண்ணீர்த் திட்டம் மிகவும் அத்தியாவசியம் என்று நான் சொல்லத் தேவையில்லை. அதுவும் ஜனப்பெருக்கம் அதிகரித்துக் கொண்டுவரும் மதுரை போன்ற நகரத்திற்கு, அதிகரித்துக்கொண்டுவரும் ஜனத்தொகைக்கேற்ப குடி தண்ணீர்த்திட்டம் நிறைவேற்றப்படவேண்டியது அவசரமாகும். மதுரை நகரத்தின் குடி தண்ணீர் சம்பந்தப்பட்ட ரீதியிலே பல குறைகள் இருந்துவருகின்றன. ஆகவே, இது விஷயத்தில் சர்க்கார் தீவிர நடவடிக்கை எடுத்துக்கொள்ள வேண்டுமென்று கேட்டுக் கொள்கின்றேன்.

"கிராம குடி தண்ணீர்த் திட்டத்தையும் சமீபத்தில் ஏற்படுத்தி, அதற்காக மத்திய சர்க்காரும் ஓரளவு நிதி ஒதுக்கியிருக்கிறது. அந்த நிதி விஷயத்தைப்பற்றி சமீபத்தில் பத்திரிகையில் வந்திருக்கிறது. கிராமங்களுக்கு குடி தண்ணீர் அவசியம்தான். உதாரணமாக பழனி தாலுகாவுக்குச் சமீபத்தில் ஆயக்குடி மேஜர் பஞ்சாயத்து இருக்கிறது. அங்கு 12 ஆயிரம் குடி ஜனங்கள் இருக்கிறார்கள். அவர்களுக்கு குடி தண்ணீர் வசதி ஒன்றும் கிடையாது. மூன்று மைல் தூரத்திலிருக்கும் பழனியிலிருந்தாவது ஒரு உப திட்டத்தை வகுத்து அந்தக் கிராம மக்களுக்கு குடி தண்ணீர் வசதி செய்து கொடுக்கலாம். நல்ல குடி தண்ணீர் வசதியில்லாத காரணத்தினால் ஜனங்கள் நரம்பு சிலந்தி என்ற ஒரு கொடிய வியாதிக்கு உள்ளாகி அவஸ்தைப்படுகிறார்கள். ஜனங்கள் அந்தக் கொடிய வியாதியிலிருந்து விடுபடவேண்டியதை உத்தேசித்து குடி தண்ணீர் சம்பந்தப்பட்ட மட்டில் எவ்வளவு துரிதமாக நடவடிக்கை எடுக்கவேண்டுமோ அதை சம்பந்தப்பட்ட மந்திரிமார்களும், சர்க்கார் அதிகாரிகளும் கவனித்து கூடிய சீக்கிரம் ஜனங்களுக்கு குடி தண்ணீர் வசதி செய்துகொடுக்க வேண்டும். மக்களின் சுகாதாரத்திற்காக என்று குறிப்பிட்டு நிதி ஒதுக்கப்பட்டிருந்தால், அதை சுகாதார வசதிக்காகவே செலவு செய்ய வேண்டும். இன்வெஸ்டிகேஷனை துரிதப்படுத்தியோ, அதிகமாக சிப்பந்திகளை வைத்தோ குறிப்பிட்ட திட்டங்களைச் செய்து முடிக்கவேண்டும்.

"மதுரை நகரசபையானது எந்த பெரிய திட்டங்களுக்குப் பண உதவி கேட்டாலும் ஒவ்வொரு சந்தர்ப்பத்திலும் பண உதவி இல்லையென்று சொல்லப்படுகிறது. கடனாகத்தான் பணம் கொடுக்கப்படும் என்று சர்க்கார் ஒவ்வொரு முறையும் சொல்லிவருகிறது. பெரும் திட்டங்களுக்காவது சர்க்கார், நகரசபைகளுக்கு கடனாக இல்லாமல் பண உதவியாகக் கொடுக்க முன்வந்தால் நல்லதாக இருக்கும். குறிப்பாக மக்களுக்கு அத்தியாவசியமான குடி தண்ணீர்த் திட்டம் சம்பந்தப்பட்டவரையிலாவது சர்க்கார் பண உதவி கட்டாயமாக கொடுக்கவேண்டுமென்று கேட்டுக்கொள்கின்றேன். நகரசபைகள் சேம்பரின் தலைவன் என்ற முறையில் எல்லா நகரசபைகளின் சார்பாகவும் நான் இதைப் பொறுப்பிட்டு சொல்லிக் கொள்ள விரும்புகிறேன். சேலம் நகரசபைக்குக்கூட சர்க்கார் ஈடு

[Sri A. Chidambara Mudaliar] [3rd December 1954]

செய்திருக்கிறார்கள். தஞ்சாவூர், கும்பகோணம், மங்களூர் ஆகிய நகரங்களுக்கும் குடி தண்ணீர்திட்டம் வரும் என்று சொல்லப்பட்டிருக்கிறது. மங்களூரில் நகரசபைத் தலைவர்களின் கூட்டம் நடந்தது. அப்பொழுது நகரசபைகளின் தேவைகளைப்பற்றி தீர்மான ரூபமாக நிறைவேற்றி சர்க்காருக்கும் அனுப்பிவைத்திருக்கிறோம்.

“ஸ்தல ஸ்தாபன நிர்வாக சம்பந்தமாக சில மாறுதல்கள் செய்யப் போவதாக கவர்னர் உரையிலிருந்து தெரிகிறது. ரத்தனாபதி முதலியார் கமிட்டி நான்கு வருஷங்களுக்கு முன் செயலாற்றி அதன் ரிபோர்ட் சர்க்கார் கையில் இருக்கிறது. நகரசபைகள் சம்பந்தப்பட்ட மட்டில் மேற்படி கமிட்டியின் சிபாரிசுகளை உடனடியாக அமுலுக்குக் கொண்டுவரவேண்டிய ஏற்பாடுகளைச் செய்யவேண்டுமென்று கேட்டுக்கொள்கின்றேன்.

“விவசாயக்கடன் ஒத்திவைப்புச் சட்டம் நீடிக்கப்படவேண்டுமா வேண்டாமா என்பதை சர்க்கார் கவனிக்கவேண்டும். இந்தச் சட்டம், கிராமத்தில் விவசாய அபிவிருத்திக்கு விவசாயிகள் கடன் வாங்க முடியாத நிலைமையை உண்டாக்கிவிட்டது. ஆகையால், பொதுவாக விவசாயிகள் கடன்காரர்களாகவே இருக்கவேண்டுமென்று நான் சொல்லவில்லை. அவர்களுடைய நிலைமையை ஓரளவு கவனிக்கவேண்டும். இந்தச் சட்டம் விவசாய அபிவிருத்தியில் குறுக்கிட்டுக்கிறது. சட்டம் இன்னும் நீடிக்கப்படுமோ என்ற ஐயத்தினால் விவசாய அபிவிருத்திக்காக வேண்டிய பொருளை விவசாயிகள் வாங்கிக்கொள்ள முடியாத நிலையில் இருக்கிறார்கள். அந்த முறையில் இந்தச் சட்டம் இடையூறு இருக்கிறது. இந்தச் சட்டத்தை நீடிக்கவேண்டுமா என்பது யோசனையில் இருந்துவருவதாகத் தெரிகிறது. நீடிப்பை அறவே விட்டுவிட வேண்டியதுதான். அப்பொழுதுதான் பொதுவாக எல்லோருக்கும் நல்லதாக இருக்கும் என்பது என்னுடைய அபிப்பிராயம். நீடிக்கப்பட்டால் விவசாய அபிவிருத்திக்கு வேண்டிய பண உதவி கிடைப்பது கஷ்டமாகும். அதனால் விவசாயம் பெருமளவு பாதிக்கப்படும். இதையும் சர்க்கார் கவனிக்கவேண்டும்.”

“மதுரையில் நடைபெற்றுவரும் தமிழ்நாடு பாலிடெக்னிக் ஸ்கூலை ஒரு இன்ஜினீயர் கல்லூரியாக மாற்றவேண்டுமென்று நான் கேட்டுக்கொள்கின்றேன். இப்படிச் செய்தால் தென்பகுதி ஜில்லாக்களிலிருந்து படிக்க வரும் மாணவர்களின் பணச் செலவு குறைவதுடன் வசதிகளும் பெருகும்.

“பொதுவாக சர்க்காருடைய நடைமுறைகள் இதற்கு முன்னும் இப்பொழுதும் நல்ல முறையில் நடந்துவருகின்றன. இந்த அமைச்சர்கள் குழுவில் அனுபவம் மிகுந்தவர்களும், ஏற்கெனவே அமைச்சர்களாயிருந்து அனுபவம் பெற்றவர்களும் இருப்பதால் நன்றாகக் காரியங்கள் தொடர்ந்து நடந்துவருகின்றன என்று தெரிவித்துக்கொண்டு என்னுடைய சிறு முரையை முடித்துக் கொள்கிறேன்.”

(At this stage Mr. Chairman occupied the Chair.)

MR. CHAIRMAN :—“ In the agenda for to-morrow circulated to hon. Members, the time of meeting of the House has been given as 4 o'clock. It is really 3 o'clock.”

* SRI T. M. NARAYANASWAMY PILLAI :—“ Mr. Chairman, Sir, my friend Sri Govinda Menon was very angry that Members of the Tamil Nad Toilers' Party and the Commonweal Party had joined the Congress. I really do not understand what he has in his mind. Does he want the Tamil Nad Toilers and the Commonweal Parties to remain for ever as communal parties? If those parties want to change their programme and want to merge with the Congress, what objection can there be for people interested in the good working of Democracy? ”

* DR. V. K. JOHN :—“ Probably, he wants them to merge with the Praja Socialist Party.”

3rd December 1954]

* SRI T. M. NARAYANASWAMY PILLAI :—“ Well. If the Praja Socialist Party has the right to take them into its fold, it should concede the same right to the Congress to take the members of the other parties into its fold. I am raising this question as it is rather important. We have to create conditions necessary for the successful working of democracy. In this country one of the evils is the existence of too many parties—rather groups. Rightly have we adopted the British Model, and the good working of the Parliamentary Democracy of the British type depends on the existence of two well-defined parties; but it must be noted that these two parties must be constitutional parties. It is no use having only one party which is constitutional and another party which is unconstitutional. So, if in the course of the working of our Parliamentary institution, circumstances so shape themselves as to lead to the evolution of two well-defined constitutional parties, it is a good sign and ought to be welcomed; it is imperative that we must work our democracy successfully; there is no other alternative, no other salvation. We do not want totalitarianism; we do not want communism or communalism. Therefore, a Socialist, as Mr. Govinda Menon is, must have welcomed this merger.”

* DR. V. K. JOHN :—“ He is a new Socialist.”

* SRI T. M. NARAYANASWAMY PILLAI :—“ If he is a new Socialist it is all the more necessary for him to welcome this merger. There must be freedom in a democracy. Once a person is a Socialist he need not always be a Socialist. Once a person is a Congress man he need not always be a Congress man. Sri Govinda Menon was a Congress man and then he became a Socialist. So as a new Socialist, Mr. Govinda Menon must concede the right of the members of the Tamil Nad Toilers and the Commonweal Parties to merge with the Congress.”

* DR. V. K. JOHN :—“ He is fast becoming an old Socialist.”

* SRI T. M. NARAYANASWAMY PILLAI :—“ I am glad he is fast becoming an old Socialist that is to say he is satisfied with the programme and policy of the Socialist Party and wants to continue in the Party itself. I hope the members of the Tamil Nad Toilers and Commonweal Parties who have joined the Congress now will, in a like manner, continue in the Congress Party and will fast become old and veteran congressmen. Then they will be helping the birth of two constitutional political parties and contributing to the success of democracy. Here I may be permitted to utter a word of caution. There is a feeling in the Congress circle that they alone are the inheritors of something sacred and that they alone have got a monopoly of patriotism. Unfortunately they have been trading too much upon the good name and sacrifice of Mahatma Gandhi. They have been looking back too much upon their struggle for Independence; nobody could deny them the credit for it but at the same time this kind of supercilious attitude on the part of some Congressmen must go. If this attitude persists in them, it will not encourage the growth and

[Sri T. M. Narayanaswamy Pillai] [3rd December 1954]

development of true parliamentary life with two Constitutional parties—one forming the Government and the other sitting in Opposition as a potential alternative Government.

5-50
p.m.

“ The future progress of the country lies in the path of helping the development of two constitutional parties having equal rights and privileges. Sir, along with this, I may consider the question of party politics in local bodies. The Congress has felt it necessary to contest elections to local bodies on a party basis. My feeling is that in a Democracy on the British pattern elections to Local Bodies must not be contested on party basis. There is no room or necessity for parties in Local Administration. Therefore everyone who is interested in the successful working of democracy in our country should discourage party politics in local bodies. Party politics in Local Administration may injure not only the administration of local bodies but also the administration at the State and National levels.

“ At this stage I may just consider briefly as to whether local bodies should exist in the present set-up. Some people express the view that there is no need for local bodies in an era when we have full self-Government. I am not of that view. In this country, though the local self-governing institutions were introduced for training us in the art of self-government at a time when we had no Swaraj, it does not mean that they ought to be wiped off after the attainment of Swaraj. The peculiarity of British Democracy is that alongside of Democracy at the National level there is Democracy in Local Administration. If there is need for local administration in a democratic country like England, there is the same need for it in this country also. Now that we have attained Swaraj there is all the greater reason for local bodies to continue, expand and work vigorously. They have a vital role to play in this democratic set-up. In the first place they impart a civic sense of duty and train people to discharge it. It offers a wide field for all the citizens to take as much interest as possible in affairs which concern them most. That is what people ought to do in a democracy. If local administration is successful, it will make available trained and responsible administrators for service at the State and National level. Further there is necessity to dissociate local politics and administration from State Politics and Administration. There may be discontent in a particular locality. It may be purely of a local nature. In such a case there must be scope and opportunity for that discontent to give vent to it in that locality itself. The organization of democracy should not be such as to make local discontent contaminate the State or the National policies. There was a no-confidence motion moved in a municipal council the other day. A whip was issued by the Congress leaders to the Congress members to vote in a particular manner. Elections had been contested on a party basis. The Congress leaders might have had good reasons for issuing the whip. The whip was however disobeyed and there is some confusion now and there is a danger of this affecting our politics at the State level. That is why there should not be party politics in local

3rd December 1954] [Sri T. M. Narayanaswamy Pillai]

administration. As I said already there are two distinct spheres—one is the State and National sphere, and the other is the local administration sphere. In the local administration sphere all should work harmoniously. In the National and State sphere it is necessary and desirable to have a Government by party. If we have party Government from the village upwards, it will develop another kind of caste. This should disappear. While I am anxious that we should develop two parties and two parties only in our National politics I am equally anxious that local politics should be absolutely free from Party politics. What should count in local administration is character, and ability to handle local affairs efficiently. The Governor has invited suggestions in regard to local bodies. Personally I feel that our Government whether it is the Congress Government of 1937, 1947 or 1952 or the Diarchic Government after 1920—have been unsympathetic to local bodies and municipalities. When something goes wrong, the Government put the blame always on the local body. A kind of mistrust in the local administration has been slowly developing since 1920. Amendments have been made from time to time. Generally speaking these amendments have been prompted by mistrust in local administration. These amendments have been followed up by various rules and orders issued by the Government from time to time under the rule-making powers of the Government. Thus the Government have been tinkering with the Acts relating to local administration and the net result is the municipalities and the district boards do not enjoy any real powers of self-Government. There is no local administration in the real democratic sense, nor are there Chairmen in the real sense of the term? ”

DR. V. K. JOHN :—“ They are figureheads! ”

SRI T. M. NARAYANASWAMY PILLAI :—“ Yes, they are figureheads. They have no real powers. The Municipal Act as well as the Local Boards Act are creatures of the Legislature but within the ambit of the Acts, the local bodies and municipalities are autonomous bodies. This principle has now been forgotten. There are certain spheres of activity assigned to them and we ought not to interfere with their working in those spheres. Any rules or orders issued by the Government should not deprive them of their rights. Any readjustment of their functions should take into account the need for restoring the local bodies to their old position or even to a better position.”

* DR. V. K. JOHN :—“ Government want all the powers for themselves.”

* SRI T. M. NARAYANASWAMY PILLAI :—“ I am not going to take such an uncharitable view. There might be some cases wherein the local bodies might have failed, might have transgressed the laws and the limits set for them. But the remedy does not lie in depriving all Local Bodies and their Presidents of their powers. Where there is a real breakdown of the administration (if one may so put it) or there is a glaring maladministration

[Sri T. M. Narayanaswamy Pillai] [3rd December 1954]

in defiance of law, prejudicing the interests of the people, the Government might and must act in a drastic way. I must concede this power to the Government to stop maladministration or to prevent a breakdown of the administration. But they should have no power to interfere with the day-to-day administration of the municipalities and the local bodies. At present District Boards are not in a position to serve the people effectively. They do not have any engineering staff. They have lost all control over all important roads. What is left with them is control over small roads—village roads; but how can they discharge even this responsibility for village roads without any engineering staff, however small it may be? The village roads are under the control of the district boards while the execution in respect of them is assigned to the Highways Department. This kind of dual responsibility does not work satisfactorily and local bodies are unfortunately forced to share the blame. There is the Public Health Act. The local bodies have to foot the bill but they have no voice or control in the Public Health activities. Is this the way of encouraging and fostering the spirit of democracy and of service in local administration? The suggestion I would make is this: Whatever the institution—whether it is the district board or taluk board or a panchayat board, please invest it with necessary powers and see that they are provided with the necessary finance. This is my appeal. On both these matters, the present position is unsatisfactory from the view-point of local bodies. As to the question whether a district board or a taluk board should function, I thought that the Government meant that the district board as such was too unwieldy and that it did not provide enough opportunities for coming into contact with the masses which was so very necessary in a Welfare State. We should have a Welfare State, I admit. But does it necessarily mean that there should be a Taluk Board? Here I am speaking subject to correction. I assume that it is the Government's advice to the Governor that the present Welfare State requires the revival of the taluk boards; if that is the Government's view, I, for one, beg to differ. There were taluk boards and district boards at one time. Taluk boards were abolished in 1934 because they were financially unsound. If they were unsound then, how could they be sound now? Further, one of the directive principles of the Constitution is that we should develop village panchayats as self-governing units. In the very near future when every village has a panchayat, what would be the function of the taluk board? Take Secondary Education which is now looked after p.m. by the district board. If the district board should be abolished, the taluk board could not be expected to handle this department efficiently. There are again medical institutions. Would you allow these medical institutions to be managed by the taluk boards? Again there is the important question of elementary education. It might be argued that in regard to elementary education, the taluk boards would be a better agency. My own view is that even in regard to elementary education, the district board would be a better authority, provided the district board appointed a Special District Board Educational Officer to whom the necessary powers

3rd December 1954] [Sri T. M. Narayanaswamy Pillai]

should be delegated. I think it was I that represented to the Government that for ensuring a proper supervision over all elementary schools, the district boards should be allowed to appoint District Board Educational Officers. I understand that now there is no district board having its own Special Education Officer for the elementary education. If this is correct, I want to know the reason for it. The district board should be given the necessary powers to carry out the functions and duties assigned under the Act. As I said before, they do not enjoy enough powers and they do not possess enough resources so as to enable them to carry out their functions efficiently. District boards should be developed on healthy lines and then they will become local centres of thought and action and at each district headquarters, they will be the institutions which will supply the necessary intellectual force.

“Further, if it is said that for Revenue administration of the district, there should be a central authority like the District Collector at the district headquarters, then in the field of Local administration, there should be a similar central authority with the same powers and at the same level. If we cannot abolish the posts of Collectors and carry on with the Revenue Divisional Officers alone, we cannot also abolish the Presidents and their district boards. This is my humble suggestion. This view, I believe, is supported by some authoritative pronouncements. But unfortunately I could not verify them.

“The district board could not be said to be unwieldy. The constituency that a member of the district board represents will be the revenue firka or three-fourths of a firka. It is certainly not more unwieldy than a constituency represented by a Member of the Legislature.

“I do not want to take up more time in referring to the subject of education about which many hon. Members have spoken. But I want to say a few words about the Moratorium Act. My friend Sri K. Balasubramania Ayyar has spoken about it. It is not as if we are against these poor men, I mean, the debtors. Everybody sympathizes with them and their difficulties. What is the best way of helping them? It would have been better for them if their debts had been completely wiped out; ultimately they would not get any benefit under a Moratorium Act of this kind. It is no good splitting the society into two different compartments, viz., debtors and creditors and trying to pass a law on the footing that it will benefit the debtors. There are no water-tight compartments. The proper view is to take the community as a whole. In this connection, a very important point which we have to note with regard to our society is this: ‘The middle class or the upper middle class is slowly disappearing’. This is a bad sign. Every country must rely on this middle class for setting up standards of life and conduct, for practising virtues and for supplying leadership. The middle class is the progressive and dynamic element in the society and this bulwark of the society is slowly disappearing.

[Sri T. M. Narayanaswamy Pillai] [3rd December 1954]

What is the reason? One reason is the burden of taxation. Taxation is too heavy. Something should be done by the Government to relieve them of this burden. I realize the difficulties of the Government and the demands of a Welfare State but at the same time I feel that enough attention has not been bestowed upon the economies that could be effected. To go back to the middle class, the extension of the Moratorium Act would hasten the disappearance of the middle class. In the ultimate analysis, it will serve no useful purpose. The wiping out of the debts must be welcomed by the debtors but such a wiping out would be a revolutionary and immoral step. Last year, the Government gave a categorical assurance that the Act would not be extended and that the debts would not be wiped out. There is a clear obligation on the part of the Government to give effect to their assurance. Believing the assurance given in the Assembly and elsewhere, creditors have been looking forward to the lapse of the Act. On the other hand, the indulgence given to the debtors for one year has emboldened them and made them demand the wiping out of their debts. No society, however, socialistic it may be, should pass a law wiping off the debts. There is no emergency warranting it. In the circumstances such a law is one of the most atrocious and immoral. The result will be that society will perish. We must respect the sanctity of contract. No doubt, if the contract provides for usurious interest or if the creditors demand their pound of flesh and desire to pounce upon the debtors as upon birds of prey, relief could be given to debtors. But the money borrowed must be paid—say in two, three or four instalments. I feel that the question has not been sufficiently examined. If extension of the Moratorium Act is made without any positive provision for the repayment of debt, it will mean the ruin of the whole middle class.

"I want to echo the feelings of Mr. Govinda Menon with regard to legislation by Ordinance and I would request the Government to bring before the Legislature the Bills contemplated speedily in this session itself. Sir, I thank you for the opportunity given to me for participating in the discussion."

6-10 p.m. * SRI T. M. DAIVASIKHAMANI ACHARIAR:—"Mr. Chairman, Sir, I feel somewhat diffident to speak after the impressive speech of my hon. Friend Sri T. M. Narayanaswamy Pillai, which we have heard just now. Anyhow, Sir, since you have called me to speak, I will say a few words in support of the resolution which is under consideration of this House and before I speak on that resolution, let me first thank you, Sir, for having appointed me as one of the penal of Chairmen."

"I now find that this resolution is based upon the precedents which are being adopted in the Mother of Parliaments wherein the usual practice is that as soon as the Ruler delivers his Address to the House of Lords or House of Commons, a humble Address of thanks is usually presented to the Ruler. I think we are following that age-old procedure here also. The practice obtaining in

3rd December 1954] [Sri T. M. Daivasikhamani Achariar]

England, if I have understood it aright, is that a Ruler's address is always welcome and respected and it is a convention that no member is allowed to speak against the speech of the Ruler, because they consider that the Ruler is above criticism and is only acting as the mouth-piece of the Cabinet. Therefore, if at all anything is said against the Address of the Ruler, it is the Cabinet that is answerable for the policies of the Government that are outlined in the Address. Are we following that principle here? I ask. We are finding fault with the Governor's Address as if the Address represented his own ideas. Sir, it is the Cabinet which has put into the mouth of the Governor certain things which may or may not be palatable to the public or the members of the legislature. It is the Ministry, as it is, that is responsible for whatever is contained in the Address and so our criticisms are actually intended for the Members of the Cabinet collectively and severally. My hon. Friend Sri T. Purushotham, the mover of the resolution, was too technical and he plunged all at once into Acts, amendments, laws and all other things. So also many hon. members have followed suit. Firstly, our thanks are due to the Governor in words of praise for his Address to the Joint Session. As is said of Caesar, he came and saw us and exchanged courtesies and conquered our hearts by delivering his Address, for which we are offering our grateful thanks.

"Sir, you and I and all others know the Governor. I had opportunities of coming in contact with him in other spheres also. I have always found him to be a gentleman of the first water. He is not only a capable administrator, but also a candid speaker. Had he prepared the Address himself, there would have been no need to criticize it or to complain about the meagre information contained in it. Had he been given an opportunity to draft this Address himself, he would have written a very big volume. He is always in his form and he likes speaking. He likes things which people like most. So far as this Address is concerned, he only shares his responsibility with the Ministers."

* DR. V. K. JOHN:—"The personality of the Governor is not involved in the discussion."

MR. CHAIRMAN:—"The hon. Member's speech is out of the way."

* SRI T. M. DAIVASIKHAMANI ACHARIAR:—"Sir, rightly or wrongly, I thought that a few laudatory references to the Governor will not be inappropriate. However, I shall confine my speech to the two paragraphs of the Governor's Address, namely, paragraphs 11 and 14, the first of which deals with industrial problems. Meagre mention has been made about the industries of South India. The industrial problem of the State is a problem of the first magnitude. It can neither be forgotten nor brushed aside. However, there is mention of one word that by extending electric power to villages, the Government are going to develop cottage industries. Is that correct, Sir? I ask."

[Sri T. M. Daivasikhamani Achariar] [3rd December 1954]

Cottage industries are essentially to be done by hand, by using small tools and implements and electricity does not play a very great part in reviving or improving the cottage industries. On the industrial side, our State is yet in an infant stage. The Hon. the Minister for Industries, to a question put by me at the last meeting, was good enough to answer that 35 new industries have been started in this State. When I went into the matter and minutely examined what new industries have been started and what industries are being helped by the Government, I found the list to be too poor and that the industries mentioned therein were only apologies for real industries.

6-20
p.m

"I honestly think that the Government are not justified in promoting an aerated water factory on the very banks of the river Cauvery. Can you find any more glaring mistake than this? When the water in the Cauvery river is drinkable, why should the people of the place be made to drink aerated waters? This is one example of the vagaries of the industries that have been mentioned in the list that was supplied to me. I find no other bulk or new industries have been started on commercial scale. Therefore, I request that Government should engage themselves in real industrial pursuits which are quite necessary for the advancement of our State. It is as well to revert to the old practice and grant a Government loan of over Rs. 50,000 to any promising new industry. While I am on the subject of industries, I feel bound to say something about the cottage industries. Not a word has been said about cottage industries in the Governor's Address. Not a word has been mentioned about the funds that have been allotted for the improvement of cottage industries. From the Prime Minister of India downwards, all are talking about cottage industries and their rapid promotion and advancement. But, in fact, nothing has been done so far. If the cottage industries are to be improved according to the wish and the fervent hope of our Prime Minister, this State Government should formulate workable schemes to promote the indigenous cottage industries. On the last occasion when I asked what scheme had been introduced in this State, our Industries Minister was good enough to say that Sir Visveswarayya's Scheme was being introduced in our State in two or three districts. When I next asked him when that scheme was prepared, the Minister said that he did not know. So, that nameless scheme—a scheme which does not cater to the needs of South India, is being pushed through by our Government, regardless of the result. Our Chief Minister, Mr. Kamaraj Nadar, is also speaking about the improvement of cottage industries. It was only from a recent speech I gathered this information. I ask if he has passed any orders or if he has initiated some of the cottage industries which are needed for the people of this Welfare State? In countries like Japan, Germany or America, these cottage industries are the backbone, nay, the mainstay, of the State, and it is these that feed the vast population there. They give ample food everyday. Is it enough if some of these workers in industries are given free medical aid by the Government? Is that for appeasing the

8rd December 1954] [Sri T. M. Daivasikhamani Achariar]

hunger-sickness or is it for curing the after-effects of starvation? I ask. (Cheers.) These poor people are suffering from acute hunger and starvation. What they require is at least a single square meal a day rather than free medical aid. If a good whole-square meal is given to them, there is no need for free medical aid at all. The money to be spent on free medical aid may be as well be spent on the supply of foodgrains or on the giving of free wholesome food to these hard-worked workers in the country. But the Government treat these cottage industries and industrialists in a step-motherly way. I request them to put their shoulder earnestly to the wheel of progress and then do something substantial to improve the cottage industries in this State. Without improving cottage industries, our State can produce nothing and nothing tangible can be done to ameliorate the distress of thousands of our countrymen. Our Prime Minister is harping upon the tune that if these cottage industries are not improved in time, we will have to lose our hard-earned freedom. He has said this not once, but many a time. He has even said that our hard-earned freedom will not remain in our hands for long. What is required in our State is the satisfactory harnessing of cottage industries. We must do something substantial for the improvement and spread of the cottage industries. In the next Budget, I hope that sufficient funds will be allotted for the improvement of cottage industries.

"As you are aware, Sir, coir-making and mat-weaving are not peculiar to South India. These cottage industries are pursued in other places also. They vary according to the taste of the people and raw materials and labour available in different localities. There are certain religious sentiments also in respect of some of the cottage industries. All these things must be reckoned with, and must be given effect to by the State Government. I am now asking one pertinent question. I am the only member representing Industries also in this Council. There is not even one member in the Assembly. Sir, what is my position or duty here? Is it not the duty of the Government to consult the member for industries—a person who has spent forty years of the best part of his life in promoting not only cottage industries but also factory industries? I know there are several members in the Assembly who follow the textile industries. These members also have not found a place in any Industrial Committees which the Government have set up, and yet they are called Industrial Advisory Board or Cottage Industries Board—a misnomer. As has been previously said, the only member for industries in this Council, who was seated next to the Ministerial Benches, has been promoted to the third Bench. That is the position which Industry occupies in this country! Even this one seat, if I may say so, as it stands, will disappear in 1956.

"Now I come to paragraph 14 of the Governor's Address. In the Elementary Education Scheme, I am greatly interested from the beginning. Elementary education, as conceived by our

[Sri T. M. Daivasikhamani Achariar] [3rd December 1954]

Ex-Chief Minister, Sri Rajaji though novel here, is not a new thing to the world. It is a very very old thing. Sir, if you look into the Greek history, you will find mention about elementary education as the saviour of the Greek nation. Boys and girls between the ages of five and ten received co-education, and after the tenth year, girls were separated and placed in the hands of lady teachers. The children were not confined to the class-rooms for six hours in a day. They were taught only for a few hours and the rest of the day they were enjoying freedom as every free-born person must enjoy."

MR. CHAIRMAN :—" Will the hon. Member take five minutes more and finish off his speech or continue his speech to-morrow? "

* SRI T. M. DAIVASIKHAMANI ACHARIAR :—" I will continue my speech to-morrow, Sir."

MR. CHAIRMAN :—" All right. The House will now adjourn and meet again to-morrow at 3 p.m."

The House then adjourned to meet again at 3 p.m. on Saturday, 4th December 1954.

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

1. Notification issued with G.O. Ms. No. 2980, Home, dated 8th October 1954, regarding amendments to the Madras Motor Vehicles (Taxation of Passengers and Goods) Rules, 1953.

2. G.O. No. 1564, Public (Special), dated 6th September 1954, regarding reorganized set up of the Board of Revenue for supervising various developmental activities (Laid on the table of the House with reference to the answer to Legislative Council Starred Question No. 43 answered on 2nd January 1954).

3. Amendments to the Madras Motor Vehicles Rules, 1940 [Laid on the table of the House with reference to sub-section (3) of section 133 of the Motor Vehicles Act (Central Act IV of 1939)] :—

(1) Erratum, dated 26th August 1954, issued by the Home Department.

(2) G.O. Ms. No. 1407, Home, dated 13th May 1954.

(3) G.O. Ms. No. 1508, Home, dated 24th May 1954.

(4) G.O. Ms. No. 1735, Home, dated 16th June 1954.

(5) G.O. Ms. No. 1842, Home, dated 24th June 1954.

(6) G.O. Ms. No. 2180, Home, dated 21st July 1954.

(7) G.O. Ms. No. 2427, Home, dated 13th August 1954.

(8) G.O. Ms. No. 2958, Home, dated 4th October 1954.

(9) G.O. Ms. No. 3145, Home, dated 21st October 1954.

(10) G.O. Ms. No. 3146, Home, dated 21st October 1954.

3rd December 1954]

APPENDIX I.

[Vide answer to starred question No. 11 asked by Sri T. Purushotham at the meeting of the Legislative Council held on 3rd December 1954, page 65 supra.]

G.O. Ms. No. 3668, Public (Elections), dated 28th December 1944.

Service Associations—Annual conferences and other meetings—Inviting outsiders to preside—Considered undesirable—Position explained

Order—No. 3668, Public (Elections), dated 28th December 1944.

The question has been raised whether associations of Government servants can invite an outsider to preside at their annual conferences or other meetings. The object of service associations is to look after the official interests of the Government servants concerned and to take steps to get any grievances redressed by representation to Government or any lower authority through the proper channel. At annual conferences or other meetings the activities of these associations will be reviewed and resolutions passed on matters touching their interests as Government servants. According to the spirit of Rule 17 of the Government Servants' Conduct Rules, 1936, all such conferences and meetings should be restricted to members of the associations, and outsiders other than Government or local board servants should not be invited to preside at these conferences or meetings.

2. Heads of Departments are requested to see that all associations of Government servants are made aware of this ruling

(By order of the Governor)

J. B. BROWN,

Chief Secretary to Government.

To all Heads of Departments (including Collectors and District Judges).

" Departments of the Secretariat (including Public).

[3rd December 1954]

APPENDIX II.

[Vide answer to starred question No. 26 asked by Sri T. Purushotham at the meeting of the Legislative Council held on 3rd December 1954, page 81 supra.]

Serial number and Government officials to whom newspapers and weeklies are supplied free at the cost of Government.	Newspapers, weeklies, etc., supplied.	Total cost incurred by Government annually.
(1)	(2)	(3)
		RS. A. P.
1 Chief Secretary to Government.	Indian Express .. .. .	.. .. .
2 Deputy Secretary to Government, Public Department.	Hindu, Mail and Indian Express .. .. .	.. .. .
3 Under Secretary to Government, Public Department.	Do.	367 8 0 annually. (This amount includes item 53 on page 114 infra.)
4 Secretary to Government, Revenue Department.	The Mail	120 0 0
5 Deputy Secretary to Government, Revenue Department.	The Indian Express and The Hindu .. .. .	.. .. .
6 Secretary to Government, Public Works Department.	The Madras Mail and the Indian Express.	122 8 0
7 Deputy Secretary to Government, Public Works Department.	The Hindu .. .. .	.. .. .
8 Secretary to Government Industries, Labour and Co-operation.	The Mail and The Indian Express	113 8 0
9 Deputy Secretary to Government, Industries, Labour and Co-operation.	The Mail .. .. .	.. .. .
10 Secretary to Government, Health, Education and Local Administration Department.	The Hindu and The Mail	84 0 0
11 Secretary to Government, Finance Department.	Do.	84 0 0
12 Agriculture Department Secretariat.	The Hindu, The Madras Mail and The Indian Express	122 8 0
13 Secretary to Government, Agriculture Department.	Women's Welfare Journal (4 copies in each of General and Tamil editions).	Vide items 66-72 on pages 115-116 infra.
14 Deputy Secretary, Rural Development Project, Account and Special Officer, (Community Project) Project Executive Officer, Gandhigram (Chinnalapatti).	The Hindu (daily) and The Dinamani (daily).	Vide items 74-79 on page 116 infra.
15 Secretary to Government, Home Department.	The Mail and Film India	116 0 0
16 Deputy Secretary to Government, Home Department.	The Hindu .. .. .	.. .. .
17 Collector of Tiruchirappalli	The Hindu, The Indian Express, The Mail and The Swadesamitran.	156 0 0
18 Collector of Madras	The Hindu, The Indian Express, The Mail and The Dinamani.	147 9 0
19 Collector of Chingleput	Do.	148 8 0
20 Collector of Tanjore	Do.	145 0 0

[3rd December 1954]

Serial number and Government officials to whom newspapers and weeklies are supplied free at the cost of Government.	Newspapers, weeklies, etc., supplied.	Total cost incurred by Government annually.
(1)	(2)	(3)
		RS. A. P.
21 Collector of Madurai	The Hindu, The Mail, The Indian Express and Rural India.	129 8 0
22 Collector of Malabar	The Hindu, The Mail, The Indian Express, Powrasakthi and Mathrubhumi.	168 0 0
23 Collector of Ramanathapuram.	The Hindu, The Mail, The Indian Express and Dinamani.	150 12 0
24 Collector of South Kanara	The Hindu, The Mail and The Indian Express.	123 2 0
25 Collector of South Arcot	The Hindu, The Mail, The Indian Express and Swadesamitran.	145 0 0
26 Collector of Salem	The Hindu, The Mail, The Indian Express, Dinamani and Rural India.	155 12 0
27 Collector of Tirunelveli	The Hindu, The Mail, Dinamani and Rural India.	120 4 0
28 Collector of Ootacamund	The Hindu and The Mail	84 0 0
29 Collector of North Arcot	The Hindu, The Mail, The Indian Express and Swadesamithran.	147 0 0
30 Collector of Coimbatore	The Hindu, The Mail, The Indian Express and Dinamani.	137 0 0
31 Inspector-General of Police, Madras.	The Hindu, The Mail, The Indian Express and Swadesamithran.	217 0 0
32 Assistant Inspector-General of Police, Madras.	The Mail and The Indian Express .. .. .	.. .. .
33 Deputy Inspector-General of Police, Railways and Criminal Investigation Department, Madras.	The Mail and The Indian Express .. .. .	.. .. .
34 Superintendent of Police, Special Branch, Criminal Investigation Department, Madras.	The Hindu, The Mail and The Indian Express.	322 0 0
35 Superintendent of Police, 'X' and Crime Branch, Criminal Investigation Department, Madras.	The Hindu and The Mail .. .. .	.. .. .
36 Deputy Inspector-General of Police, Western Range.	The Hindu, The Mail and The South of India Observer.	90 8 0
37 Deputy Inspector-General of Police, Southern Range.	The Indian Express and The Mail	71 8 0
38 District Superintendent of Police, Chingleput.	The Hindu, Daily Thanthi and Viduthalai.	99 3 0
39 District Superintendent of Police, North Arcot.	Daily Thanthi, Viduthalai and Janasakthi.	57 12 0
40 District Superintendent of Police, South Arcot.	Indian Express (2 copies)	75 0 0
41 District Superintendent of Police, Tanjore.	Hindu, Viduthalai, Dinathanthi and Janasakthi.	104 10 0
42 District Superintendent of Police, Madurai Urban.	Thanthi, Viduthalai, The Hindu, Tamilnad and Janasakthi.	115 4 0
43 District Superintendent of Police, Madurai North.	Dinathanthi, The Indian Express, Viduthalai and Janasakthi.	96 0 0
44 District Superintendent of Police, Ramanathapuram.	Viduthalai, Bharatadevi, Daily Thanthi and The Hindu.	126 0 0
45 District Superintendent of Police, Tirunelveli.	The Hindu, Thanthi and Viduthalai.	97 8 0

[3rd December 1954]

Serial number and Government officials to whom newspapers and weeklies are supplied free at the cost of Government.	Newspapers, weeklies, etc., supplied.	Total cost incurred by Government annually.
(1)	(2)	(3)
		RS. A. P.
46 District Superintendent of Police, Tiruchirappalli.	The Indian Express, Bharatadevi, Viduthalai and Dinathanthi.	114 0 0
47 District Superintendent of Police, Coimbatore.	The Hindu, Viduthalai, Dinamani, Janasakthi and Nava India.	106 12 0
48 District Superintendent of Police, The Nilgiris.	The Hindu and South of India Observer.	54 8 0
49 District Superintendent of Police, Malabar.	The Hindu, Mathrubhoomi and Mathruboomi (weekly).	84 0 0
50 District Superintendent of Police, South Kanara.	The Indian Express (2 copies), Cross Roads, Janasakthi, Aruna and Navabharat.	125 3 6
51 District Superintendent of Police, Government Railway Police, Tiruchirappalli.	The Hindu, Viduthalai, Thinathanthi and Bharathadevi.	125 0 0
52 Commissioner of Police, Madras.	The Hindu (4 copies), The Mail (4 copies), The Indian Express (4 copies), Swadesamithran (1 copy) and Dinathanthi (1 copy).	599 0 0
53 Private Secretary to Chief Minister.	The Hindu and The Mail	Vide page 112 ante.
54 Chief Electoral Officer ..	The Hindu, The Mail and The Indian Express.	* 122 4 6
55 Chairman, two Members, Secretary and two Assistant Secretaries of Madras Public Service Commission.	One copy each of Hindu, Mail and Indian Express circulated among all the officers.	122 8 0
56 Secretary, Board of Revenue (L.R.)	The Indian Express	35 8 0
57 Director of Settlements ..	The Indian Express, The Hindu and The Madras Information.	85 12 0
58 Secretary, Board of Revenue (Commercial Taxes).	The Hindu	48 0 0
59 Inspector-General of Registration.	The Madras Mail and The Madras Information.	38 4 0
60 Commissioner, Hindu Religious and Charitable Endowments (Administration) Department.	The Hindu, The Mail and Dinamani.	784 4 0
61 Deputy Commissioners ..	The Hindu	
62 Assistant Commissioners ..	The Hindu	
63 Controller of Stationery and Printing.	The Hindu	48 0 0
64 K.S.A. Tiruppur Centre Khadi Officers at Vellakoil, Avanashi, Chinnasalem, Payyanur and T. Kallupatti.	Rural India	48 0 0
65 Director of Information and Publicity.	(1) The Hindu, English daily, (2) The Mail, English daily, (3) The Indian Express, English daily, (4) Deccan Times, English weekly, (5) Swadesamithran, Tamil daily, (6) Mathrubhumi, Malayalam daily, (7) Rashtra Bandhu, Kannada weekly, (8) Dinamani, Tamil daily, (9) Bharatadevi, Tamil daily, (10) Powrasakthi, Malayalam daily, (11) Kanteerava,	

* For one year from 1st August 1953 to 31st July 1954.

3rd December 1954]

Serial number and Government officials to whom newspapers and weeklies are supplied free at the cost of Government.	Newspapers, weeklies, etc., supplied.	Total cost incurred by Government annually.
(1)	(2)	(3)
		RS. A. P.
65 Director of Information and Publicity—cont.	Kannada, Bi-weekly, (12) Jadeed Dil Chasp, Urdu weekly, (13) Desabhimani, Malayalam daily, (14) Eastern Economist, English weekly, (15) Swatantra, English weekly, (16) Chandrika, Malayalam daily, (17) Shanker's weekly, English weekly, (18) Hindustan Times, English daily, (19) Amrita Bazar Patrika, English daily, (20) Bombay Chronicle, English daily, (21) Capital, English weekly, (22) Hitavada, English daily, (23) Times of India, English daily, (24) Times International, English weekly, (25) Daily Thanthi, Tamil daily, (26) Mathrubhumi, Illustrated weekly, (27) Nam Nadu, Tamil daily, (28) Anandavikatan, Tamil weekly, (29) Kalki, Tamil weekly, (30) Prabhat, Kannada weekly, (31) Nava Sandesh, Kannada weekly, (32) Soviet Union, English monthly, (33) New Times, English weekly, (34) People's China, English fortnightly, (35) Chinese Pictorial, English monthly, (36) For a Lasting Peace for a People's Democracy, English weekly, (37) National Herald, English daily, (38) Current, English weekly, (39) Blitz, English weekly, (40) Daily Pasban, Urdu daily, (41) Janayugam, Tamil weekly, (42) Nagpur Times, English daily, (43) Visalandhra, Telugu daily, (44) Democracy, English weekly, (45) New Age, English weekly, (46) Muslim, Tamil daily (temporarily ceased publication) and (47) Berigai Tamil weekly.	* 1,552 14 0
66 Rural Welfare Officers, Tellicherry, Kumbala and Payyanur.	Women's Welfare Journal	
67 Rural Welfare Officers, Kalasapakkam, Kadambuliur, Tiruvallur, Tiruppur, Vellakoil, Tirumangalam, Octasamund, Malli, Veerapandi, Musiri, Chinnasalem, Saliyamangalam, Vengolam, and Palayamkottai.	Do.	
68 Deputy Director, Rural Welfare, Madurai.	Do.	
69 Eight Assistant Women's Welfare Officers of Tamil districts.	Sarvodaya	
70 Branch and Assistant Women's Welfare Officers (39).	Grama Rajyam	
71 Assistant Women's Welfare Officers (47).	Nalvazi	
72 Women's Welfare Office ..	Harijan, Readers' Digest, Madras Information and Housewife.	

664 6 0
(This amount includes item 13 on page 112 ante).

* For 1952-53. Steps are being taken to discontinue subscriptions to the Urdu and Telugu Newspapers and Periodicals.

APPENDIX

[3rd December 1954

APPENDIX III.

[Vide answer to unstarred question No. 7 asked by Sri T. Purushotham at the meeting of the Legislative Council held on 3rd December 1954 at page 85 supra.]

1. Districtwise list of centres where artificial insemination work is carried out—

District. (1)	Location of the artificial insemination. (2)	Location of key village centre. (3)	Key farm centres in private institutions. (4)
1 Madras	Madras .. ..	.. ..	.. ..
2 Coimbatore ..	Coimbatore ..	Vellakoil	Palayakottai.
Do. .. ..	.. ..	Kangayam .. ..	.. ..
Do. .. ..	.. ..	Malayandipattanam ..	.. ..
Do. .. ..	.. ..	Cinchona .. ..	.. ..
Do. .. ..	.. ..	Mulanur .. ..	.. ..
Do. .. ..	.. ..	Sankarandanpalayam.	.. ..
3 The Nilgiris ..	Ootacamund ..	.. ..	.. ..
4 Madurai	Madurai .. ..	.. ..	Idayakottai. Neikarapatti.
5 Salem .. ..	.. ..	Livestock Research Station Hosur .. ..	.. ..
6 Chingleput ..	.. ..	.. ..	Valapuram. Kilacheri.
7 South Arcot ..	.. ..	.. ..	Keelamoongiladi.
8 Tanjore	Kumbakonam *	.. ..	.. ..
	Mayuram * .. ..	.. ..	.. ..

* Opened under the National Extension Service Scheme.

2. Steps taken to popularize the scheme.—Intensive propaganda is carried out in and around the centres where the artificial insemination work is being done. The staff specially trained in the work participate in all the important cattle shows and exhibitions held in different districts and explain the technique to the public through demonstrations. The scheme is gaining popularity.

THE MADRAS LEGISLATIVE COUNCIL.

Saturday, the 4th December 1954.

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

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

Minimum general educational qualifications for entry into Government Ministerial Service in the State.

* 31 Q.—SRI T. PURUSHOTHAM: Will the Hon. the Chief Minister be pleased—

(a) to lay on the table of the House a copy of the notification prescribing the minimum general educational qualification for entry into Government Ministerial Service in the State; and to state

(b) whether S.S.L.C. candidates declared eligible for College Course are eligible for recruitment to public services in the State, and if not, the reasons therefor?

THE HON. SRI M. BHAKTAVATSALAM (on behalf of the Hon. the Chief Minister):—“(a) A copy * of the Schedule to the General Rules for the State and Subordinate Services prescribing the minimum general educational qualification is placed on the table of the House.

“(b) A holder of a Secondary School-Leaving Certificate declared eligible for admission to College Courses of study is not eligible for recruitment to posts for which the minimum general educational qualification has been prescribed as a qualification, unless he satisfies sub-clause (1), (2) or (3), of clause (a) of the Schedule to the General Rules for the State and Subordinate Services.

The Government consider that for a Government servant to discharge his duties efficiently, he should possess a minimum standard of general education and have accordingly laid down the qualification which a candidate seeking appointment to ministerial posts should possess. As a holder of a S.S.L.C. declared eligible for College courses of study need not necessarily come up to the above standard, S.S.L.C. holders with a mere eligibility for College courses have not been recognized as possessing an alternative qualification for appointment to ministerial posts.”

SRI T. PURUSHOTHAM:—“Will the Government consider the question of revision of the rules so that eligibility for college course may also qualify for entry into public service without regard to the minimum percentage of marks prescribed in English, etc.?”

[4th December 1954]

There seems to be no reason why 40 per cent is necessary in English and so on for entry into public service. When a candidate is declared eligible for college studies, I think it should be possible for him to enter public service as well."

THE HON. SRI M. BHAKTAVATSALAM:—"In the interests of efficiency in Government service, in which all hon. Members are interested, Government do not consider it advisable to revise the rules. If some 25 per cent is said to be sufficient for eligibility for admission to college course, it is because there the boys are going to receive further education. It is not so in the other case and so a higher percentage of marks is required."

Decision of questions relating to technical and scientific subjects by the Board of Public Health.

* 32 Q.—DR. A. SREENIVASAN: Will the Hon. the Minister for Health be pleased to state—

(a) whether it is a fact that the Board of Public Health, as at present constituted, is called upon from time to time to decide questions relating to technical and scientific subjects; and

(b) if so, who are the members of the Board who are qualified to decide such questions other than the official expert members?

THE HON. SRI A. B. SHETTY:—" (a) The Public Health Board shall advise the Government on such matters as the Government may from time to time refer to it as per the statutory provisions. The matters may relate to technical and scientific subjects.

" (b) The non-official members as such do not decide any question referred to the Public Health Board, but the Board as a whole including the official expert members advise the Government on any question."

DR. A. SREENIVASAN:—"Is it not time, Sir, to have two Boards instead of one, one for administrative purposes and the other for consultation on technical matters, as is the case in other civilized countries?"

THE HON. SRI A. B. SHETTY:—"As per Regulation 11, the Board may constitute a sub-committee to investigate and report on any question and appoint non-members also to such committees. If necessary, the Board may requisition the help of any expert."

DR. V. K. JOHN:—"May I know who are the Members of the Board?"

THE HON. SRI A. B. SHETTY:—"The Minister for Health is the President. The Members are the Minister for Local Administration, the Director of Medical Services, the Director of Public Health, the Sanitary Engineer to the Government and three representatives of the Legislature."

4th December 1954]

DR. V. K. JOHN:—"May I know who is the expert on the Committee on Public Health?"

THE HON. SRI A. B. SHETTY:—"The Director of Medical Services, the Director of Public Health and the Sanitary Engineer."

Amount spent on the investigation of lignite deposits at Neyveli in South Arcot district.

* 33 Q.—SRI MOHAMED RAZA KHAN (on behalf of Sri M. K. M. Abdul Salam): Will the Hon. the Minister for Agriculture be pleased to state the amount that has been spent till now on the investigation of lignite deposits at Neyveli in South Arcot district?

THE HON. SRI M. BHAKTAVATSALAM:—"A sum of Rs. 74.32 lakhs has been spent on the investigation of lignite deposits, Neyveli, from 1945-46 to 30th September 1954."

SRI K. BALASUBRAMANYA AYYAR:—"In what stage is the investigation at present?"

THE HON. SRI M. BHAKTAVATSALAM:—"We are within 30 or 40 feet from the area of deposits of lignite. We expect to reach it and complete the pilot project within a month."

SRI MOHAMED RAZA KHAN:—"May I know when exploitation of the lignite will start?"

THE HON. SRI M. BHAKTAVATSALAM:—"The pilot project will be completed within a month and we will know the extent of the mines then and take out the deposits. Now we are considering in consultation with the Government of India the report submitted by the expert firm which has quarried it. We have to take a decision in consultation with the Government of India as to what further steps are to be taken fully to exploit the mines."

SRI K. BALASUBRAMANYA AYYAR:—"What is the further expenditure contemplated for the pilot project to be completed?"

THE HON. SRI M. BHAKTAVATSALAM:—"I do not have the figures with me regarding the further expenditure to be incurred."

SRI T. PURUSHOTHAM:—"May I know whether the Neyveli Project is proposed to be worked as a nationalized project and what is the extent of foreign interest in the same?"

THE HON. SRI M. BHAKTAVATSALAM:—"I have just now stated that the Government of Madras and the Government of India have been examining as to what course should be adopted in the matter of exploitation of these deposits."

[4th December 1954]

DR. V. K. JOHN :—“ Have we reached a stage where we can definitely say that this exploitation will be a successful one? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ Yes, Sir. I am glad to tell the House that the expert firm that has gone into the question thoroughly has presented a report to us which gives a fairly rosy picture of the prospects.”

SRI V. V. RAMASWAMI :—“ இந்தத் திட்டத்தினால் நல்ல பலன் கிடைக்குமானால் அங்கு கிடைக்கக்கூடிய நிலக்கரியைக்கொண்டு பெரிய கைத்தொழில்களை ஆரம்பிப்பதற்கு சர்க்கார் ஏதாவது திட்டம் வைத்திருக்கின்றார்களா? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ அதுவும் இப்பொழுது பரிசீலனை செய்யப்பட்டு வருகிறது.”

Condonation of the age-limits prescribed by the Government regarding fixation of pay of L.T. Assistants in certain cases.

* 34 Q.—SRI G. KRISHNAMOORTHY: Will the Hon. the Minister for Finance and Education be pleased to state—

(a) whether the age-limit of 40 prescribed in G.O. No. 903, Education, dated 20th April 1953, regarding fixation of pay of L.T. Assistants who have experience in Local Board High Schools is condoned in the case of a shortage of a few days;

(b) whether the Government have received any applications for such condonation; and

(c) if so, the action taken by the Government on such applications?

THE HON. SRI M. BHAKTAVATSALAM (on behalf of the Hon. the Minister for Finance and Education) :—“ (a) The concession in G.O. No. 903, Education, dated 20th April 1953, is allowed to those who are past forty years of age. Condonation is necessary in the case of other teachers who have not completed forty years of age and the question of such condonation will be considered on the merits of each case.

“ (b) & (c) The application received from an individual teacher is under consideration.”

SRI G. KRISHNAMOORTHY: Will the Government kindly issue an order that in cases of shortage by one or two months in respect of the prescribed age-limit of forty years, the revised salary will be regularly paid without reference to the Government? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ I do not think Government will be well advised to issue a general order like that.”

SRI G. KRISHNAMOORTHY :—“ Have the Government received any representation from an L.T. teacher in the North Arcot District Board in this regard? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ I just referred to that case and that is under consideration.”

4th December 1954]

Details of the Modified Scheme of Adult Education introduced in the State.

* 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 giving details of the “ Modified Scheme of Adult Education ” introduced in the State and to state—

(a) from what date the scheme was introduced;

(b) the amount of Central Government grant made or promised for the Adult Education work in this State; and

(c) the annual extra cost to State Government by the introduction of the “ modified scheme ”?

THE HON. SRI M. BHAKTAVATSALAM (on behalf of the Hon. the Minister for Finance and Education) :—“ A copy * of G.O. No. 1250, Education, dated 31st August 1954, containing details of the modified scheme of adult education, is placed on the table of the House.

“ (a) from 1st October 1954.

“ (b) The Government of India have promised 50 per cent of the additional expenditure on Social (Adult) Education under the Five-year Plan of educational development.

“ (c) The total cost in a year is about Rs. 7.4 lakhs, part of which will be met from the Community Projects budget.”

SRI T. PURUSHOTHAM :—“ May I know whether adult schools outside the Community Project and the Block Development areas have actually been closed down after the introduction of the modified scheme of adult education? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ Yes, Sir. They have been closed down and in their place evening schools are proposed to be started.”

SRI G. KRISHNAMOORTHY :—“ Have the Government introduced this because the older system was found not useful? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ Government consider the new system more useful and worthwhile in educating people below a certain age-limit rather than the old which aimed at educating all kinds of adults.”

SRI T. PURUSHOTHAM :—“ In paragraph 6 of the Government Order placed on the table, it is stated that the existing equipment should be transferred to schools in the Community Project and National Extension Service areas. Will it not be possible to retain the existing equipment in adult schools which may be prepared to run without Government grant in areas outside the Development Blocks? ”

[4th December 1954]

THE HON. SRI M. BHAKTAVATSALAM :—“ If any proposal is made to the Government, the Government may consider it.”

SRI T. PURUSHOTHAM :—“ May I know what steps would be taken by the Government to correlate adult education syllabus to the requirements of rural areas? ”

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

Remarks made in the S.S.L.C. register of pupils about their scout activities.

* 36 Q.—SRI G. KRISHNAMOORTHY: Will the Hon. the Minister for Finance and Education be pleased to state whether any remarks are made in the S.S.L.C. register of pupils regarding their scout activities?

THE HON. SRI M. BHAKTAVATSALAM (on behalf of the Hon. the Minister for Finance and Education) :—“ No, Sir.”

3-10 p.m. SRI G. KRISHNAMOORTHY :—“ Would it not be better if such entries regarding scouting are made in the S.S.L.C. register? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ I may tell the hon. Member who is perhaps aware of it that there is a provision in the existing S.S.L.C. register for making detailed remarks regarding the physical attainments of the pupils. I think that will do.”

SRI G. KRISHNAMOORTHY :—“ In these days when extra curricular activities of a student are viewed with more importance than his educational attainments, would it not be better if a special remark is made in the register regarding the student's attainment in scouting? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ The S.S.L.C. register is just now under revision and perhaps the Board of Secondary Education may consider it and make a suggestion.”

Instructions to all institutions in the State not to retire teachers in the middle of a school-year.

* 37 Q.—SRI G. KRISHNAMOORTHY: Will the Hon. the Minister for Finance and Education be pleased to state—

(a) whether the Government have issued any instructions to all institutions in the State not to retire teachers in the middle of a school-year; and

(b) if not, when the Government proposed to do so?

THE HON. SRI M. BHAKTAVATSALAM (on behalf of the Hon. the Minister for Finance and Education) :—“ (a) No, Sir.

[4th December 1954]

“ (b) There is no such proposal. But, the Government have issued orders permitting the re-employment, subject to certain conditions, of teachers who have retired on superannuation.”

SRI G. KRISHNAMOORTHY :—“ Are the Government aware of the fact that if a teacher is retired in the middle of the year and not continued till the close of the year, he is likely to suffer? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ That is not the concern of Government. Government are interested in the pupils. Sometimes they will not be able to agree to a discontinuance in the teaching and therefore they consider it on individual merits and decide whether to continue the teacher or not.”

SRI G. KRISHNAMOORTHY :—“ Is it not a fact that in a Welfare State, the State should take care of the teacher also besides the pupil and see to it that the teacher is not retired in the middle of the year and allowed to go home without even being allowed the leave salary? Is it not the duty of the State to continue him in service till the end of the school year and not disturb him in the middle? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ I do not think that such consideration should be shown to teachers in the matter of application of these rules about superannuation.”

SRI ALEXANDER GNANAMUTHU :—“ Is the Hon. Minister aware that teachers in colleges even though they attain the age of superannuation in the middle of the year are allowed to continue till the end of the year? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ Yes, Sir, it may be the case. But we must remember that the course of studies and teaching in the colleges are very different from those prevailing in the schools.”

Amount of grant given to the Bharat Scouts Organization.

* 38 Q.—SRI G. KRISHNAMOORTHY: Will the Hon. the Minister for Finance and Education be pleased to state—

(a) the amount of grant given to the Bharat Scouts Organization during the years 1953-54 and 1954-55; and

(b) the provision made for monthly allowance and supply of uniform to scouters attached to schools?

THE HON. SRI M. BHAKTAVATSALAM (on behalf of the Hon. the Minister for Finance and Education) :—“ (a) A sum of Rs. 25,000 was paid as grant during 1953-54 and a sum of Rs. 20,000 during 1954-55.

“ (b) No provision has been made for the payment of monthly allowance to scouters. The question of supplying uniforms free of cost to scouters attached to schools is under consideration.”

[4th December 1954]

SRI G. KRISHNAMOORTHY :—" If I understand the figures read out by the Hon. Minister as correct, I ask, Sir, has the grant been cut down? "

THE HON. SRI M. BHAKTAVATSALAM :—" Yes."

SRI G. KRISHNAMOORTHY :—" May I know the reasons? "

THE HON. SRI M. BHAKTAVATSALAM :—" When the Madras State was partitioned into Andhra and Madras, provision was made in the current year's budget for Rs. 17,000 and the amount was disbursed to the association subsequently. Subsequently the representatives of the association waited in deputation on the Hon. the Minister for Education, and in a conference of which the Hon. Minister was the Chairman, he raised the figure from Rs. 17,000 to Rs. 20,000."

SRI G. KRISHNAMOORTHY :—" Because of the fact that N.C.C. Officers in the schools are paid extra allowance, why cannot the same concession be shown to these Scout-masters and cub-masters who have to handle little boys who could not join the N.C.C. and who have got to do extra work? "

THE HON. SRI M. BHAKTAVATSALAM :—" I do not think I can give any assurance."

Eligibility of school assistants acting as headmasters for allowances.

* 39 Q.—SRI G. KRISHNAMOORTHY : Will the Hon. the Minister for Finance and Education be pleased to state whether assistants acting as headmasters in charge of elementary schools under the control of local bodies are eligible for any allowance?

THE HON. SRI M. BHAKTAVATSALAM (on behalf of the Hon. the Minister for Finance and Education) :—" It is presumed that the hon. Member refers to Assistants holding additional charge of the posts of headmasters in elementary schools. If so, the hon. Member is informed that such Assistants are not eligible for any allowance save charge allowance as provided in Fundamental Rules."

SRI G. KRISHNAMOORTHY :—" May I know whether Government have received any complaint from teachers in the Salem District Board regarding the non-grant of this allowance? "

THE HON. SRI M. BHAKTAVATSALAM :—" I have no information with me. The rule that prevails in other spheres must apply here also. Those who hold additional charge are entitled only to charge allowance while those who act will get extra allowance."

SRI G. KRISHNAMOORTHY :—" May I point out that even that charge allowance is not paid to the teachers? "

[4th December 1954]

THE HON. SRI M. BHAKTAVATSALAM :—" Let the hon. Member bring to the notice of Government specific cases and Government would look into them."

Demand for increased admissions to the Arts Colleges in the State.

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

(a) whether the Government have received any representation recently demanding increased provision for admissions to the Arts Colleges in the State;

(b) if so, whether the Government have taken up the matter with the University of Madras;

(c) what steps the Government have taken to meet the demand for increased admission to the Colleges; and

(d) whether the University of Madras have accorded permission for admission of more students in the Government Colleges and if so, the extra number permitted this year in each of the Colleges?

THE HON. SRI M. BHAKTAVATSALAM (on behalf of the Hon. the Minister for Finance and Education) :—" (a) No, Sir.

" (b) to (d) Do not arise."

SRI T. PURUSHOTHAM :—" In view of the improvements effected in the various colleges in the City and also the provision made by the managements to appoint extra staff, will the Government take up the matter with the Madras University to increase the number of seats to enable more students to be admitted into the colleges in the city in view of the very great rush of students for admission into the colleges every year? "

THE HON. SRI M. BHAKTAVATSALAM :—" After ascertaining the views of the principals of colleges in respect of the year 1954-55 a consolidated list for increasing the seats in the colleges was made by the Director of Public Instruction in November 1953. It is not possible for me now to read out the names of colleges and the additional seats provided."

SRI T. PURUSHOTHAM : Will the Government continue this arrangement for extra seats for the next year also by negotiating with the Madras University in time and make them agree to the requests of the managements of the city colleges for provision of additional seats? "

THE HON. SRI M. BHAKTAVATSALAM :—" Government will look into the matter."

DR. V. K. JOHN :—" May I know whether Government do not consider it their primary responsibility to provide for admission of every student seeking admission to a college class? "

[4th December 1954]

THE HON. SRI M. BHAKTAVATSALAM :—" Government have so many responsibilities and there must be a sense of priority. Government are opening new elementary schools."

SRI ALEXANDER GNANAMUTTU :—" May I inform the Hon. Minister that the Madras University had granted last year permission for many colleges for additional seats and in fact there were certain Arts colleges, both Government and private in the mofussil which had seats which were unfilled? "

THE HON. SRI M. BHAKTAVATSALAM :—" I am thankful to the hon. Member for the information."

SRI MOHAMED RAZA KHAN :—" Whatever might have been the position in the mofussil colleges, the rush of students for admission in the City colleges continues. Are the Government aware of that fact? "

THE HON. SRI M. BHAKTAVATSALAM :—" Government have no particular opinion about the position in the City. I am told even in the mofussil colleges there is rush of students for admission."

Deputation of medical officers for study in Radiology in foreign countries.

* 41 Q.—DR. A. SREENIVASAN : Will the Hon. the Minister for Health be pleased to state—

(a) whether the Director of Medical Services recommended to Government the deputation of two medical officers for study in Radiology in foreign countries; and

(b) if so, the reasons assigned by him for such recommendation?

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

" (b) Scarcity of Medical officers with post-graduates qualifications in therapeutic radiology."

DR. A. SREENIVASAN :—" Is it not a fact that at the beginning it was thought that on account of the opening of the new course from July, they had to be trained in post-graduate therapeutic radiology but later on the proposal boiled down and new hands had to be trained in Barnard Institute of Radiology? "

THE HON. SRI A. B. SHETTY :—" There is need for medical officers with post-graduate qualifications in therapeutic radiology for cancer treatment in the General Hospital and in the Hospital for Women and Children in Madras City, where we have 100 beds for cancer patients in each place. We are now having the Madurai College and we will require doctors qualified in radio therapy for the hospital there. There is a D.M.R. course of one year giving training in therapy and diagnosis at the Barnard Institute of Radiology. To get

[4th December 1954]

advanced training and post-graduate qualification we have to send our men to foreign countries to qualify themselves in radio therapy and radio diagnosis."

Deputation of candidates for Post-graduate study in Radiology in foreign countries.

* 42 Q.—DR. A. SREENIVASAN : Will the Hon. the Minister for Health be pleased to state—

(a) whether the Government called for applications from the members of the medical staff in the State for the selection of candidates for deputation to Post-graduate study in Radiology in foreign countries;

(b) if so, how many applications were received;

(c) if the answer to clause (a) is in the negative, what *modus operandi* was adopted in selecting candidates for such foreign deputation; and

(d) whether any qualifications were prescribed for the candidates to be deputed to foreign countries for training in Radiology?

THE HON. SRI A. B. SHETTY :—" (a) Yes, Sir. Applications from the members of the Medical staff with D.M.R. qualification were called for.

" (b) Six applications were received.

" (c) Does not arise.

" (d) Yes, Sir. Candidates were required to possess the basic qualification of M.B.B.S. with the additional qualification of D.M.R. with experience in that speciality."

DR. A. SREENIVASAN :—" May I know why Government had to incur this expense of sending students abroad for post-graduate studies in radio therapy when the Madras University had already instituted a diploma course which is equivalent to D.M.R. of Cambridge."

THE HON. SRI A. B. SHETTY :—" The Madras University has just started the diploma course this year, for radio diagnosis and therapy. Those doctors who go for post-graduate studies to London, undergo at the Royal Cancer Hospital a two years' course in radio diagnosis or two years' course in radio therapy separately. That is considered a higher qualification which is necessary for service in our teaching hospitals."

DR. A. SREENIVASAN :—" Would it not be better if students who pass the diploma course of the Madras University in Radio Therapy are sent for further post-graduate training so that they might be able to appreciate better the advancement of the subject in foreign countries rather than send abroad men to study the A.B.C. of Radio therapy? "

[4th December 1954]

THE HON. SRI A. B. SHETTY :—" Only people with D.M.R. qualification and who have had six years' experience in radio therapy work were selected for post-graduate study abroad."

DR. A. SREENIVASAN :—" Who were the six applicants and why were the applications rejected? "

THE HON. SRI A. B. SHETTY :—" Sir, six people with the D.M.R. qualification applied. Two persons with longer service in Radio therapy were selected."

Strength of the teaching staff in the Central Polytechnic, Madras.

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

(a) the present strength of the teaching staff and the number of students in each section in the Central Polytechnic, Madras;

(b) the posts that are vacant at present showing how long they have been vacant; and

(c) what steps have been taken by the Government to fill up the vacant posts?

THE HON. SRI M. BHAKTAVATSALAM :—" (a) & (b) Attention is invited to the statement* placed on the table of the House.

" (c) The vacancies in the various sections are advertised every year and suitable and qualified persons are recruited to as many posts as possible. When full-time Lecturers are not available for appointment to the various posts, part-time Lecturers drawn from the Public Works Department, etc., are employed."

Introduction of Model Children's Bill in the Madras Legislature.

[44Q.—

MR. CHAIRMAN :—" The hon. Member Srimathi Mary C. Clubwala Jadhav is not in her place. The answer will be printed in the proceedings."]

SRIMATHI MARY C. CLUBWALA JADHAV: Will the Hon. the Minister for Finance and Education be pleased to state when the Model Children's Bill which has been prepared by a special committee appointed by the Government of Madras, will be introduced in the Madras Legislature?

THE HON. SRI C. SUBRAMANIAM :—" The Government have under consideration the question of undertaking legislation on the lines of the draft Madras Children's Bill and the implementation of the scheme step by step having regard to the financial commitments involved."

* Printed as Appendix III on pages 191-192 infra.

[4th December 1954]

Starting of Teachers' Maintenance Fund for relief to teachers.

* 45 Q.—SRI G. KRISHNAMOORTHY: Will the Hon. the Minister for Finance and Education be pleased to state whether Government have considered any proposal to start a Teachers' Maintenance Fund for relief to teachers?

THE HON. SRI M. BHAKTAVATSALAM (on behalf of the Hon. the Minister for Finance and Education) :—" No, Sir."

SRI G. KRISHNAMOORTHY :—" Are the Government aware of the fact that parents are prepared to encourage teachers by way of contribution and will the Government kindly say why they have not taken into consideration my suggestion? "

THE HON. SRI M. BHAKTAVATSALAM :—" Sir, apart from the suggestion made by the hon. Member, it is now proposed that one of the terms of reference to the Elementary Education Committee should be the examination of the service conditions of the teachers. That Committee is expected to go into this question also and further I may inform the House that there is a proposal to start an Insurance Scheme for the teachers, which is under the consideration of the Government."

SRI G. KRISHNAMOORTHY :—" Sir, do the Government still think that the service conditions of teachers are rosy enough as to make them keep quiet? "

THE HON. SRI M. BHAKTAVATSALAM :—" I am unable to understand how the hon. Member, who is himself a teacher, has not been able to understand and comprehend what I meant. Service conditions are examined now and then only for improving them. It is not as if the service conditions are all satisfactory. So if I say that service conditions are proposed to be referred to the Committee, I do not think there is anything to be found fault with."

DR. V. K. JOHN :—" May I know why these service conditions were not enquired into in the past? "

THE HON. SRI M. BHAKTAVATSALAM :—" The service conditions of teachers and other services are being examined now and then. Now that a new Committee has been set up, it is proposed to refer to it this question also for its consideration."

Scales of pay for Physical Training Instructors.

* 46 Q.—SRI G. KRISHNAMOORTHY: Will the Hon. the Minister for Finance and Education be pleased to state the latest scales of pay fixed for Physical Training Instructors of different qualifications employed in high schools under the various agencies?

[4th December 1954]

THE HON. SRI M. BHAKTAVATSALAM (on behalf of the Hon. the Minister for Finance and Education):—"A statement" is laid on the table of the House."

SRI G. KRISHNAMOORTHY:—"In view of the fact that untrained teachers, S.S.L.C. holders and untrained graduates, are given a decent pay under the single-teacher school system, cannot the grant for untrained teachers be enhanced to that level?"

THE HON. SRI M. BHAKTAVATSALAM:—"No, Sir. The Government have no such proposal."

SRI G. KRISHNAMOORTHY:—"Sir, have the Government come to the conclusion that those who are already in service should suffer while those who were recently recruited to the job should be made better?"

THE HON. SRI M. BHAKTAVATSALAM:—"Sir, this is question No. 46 relating to the scales of pay of physical training instructors of different qualifications. I hope the hon. Member is referring to a different question."

Grants given to Secondary Grade failed teachers and untrained graduates in Aided Elementary Schools.

* 47 Q.—SRI G. KRISHNAMOORTHY: Will the Hon. the Minister for Finance and Education be pleased to state the amount of grants allowed to Secondary Grade failed teachers and untrained graduates employed in Aided Elementary Schools?

THE HON. SRI M. BHAKTAVATSALAM (on behalf of the Hon. the Minister for Finance and Education):—

"Secondary grade failed teachers. Rs. 18 per month pay plus Rs. 18 dearness allowance.

Untrained graduates.

Rs. 23 per month pay plus Rs. 19 dearness allowance."

SRI G. KRISHNAMOORTHY:—"Sir, may I repeat the same remark. Inasmuch as in single-teacher schools S.S.L.C. holders are paid Rs. 40 and graduates are paid Rs. 50, why should not the same grants be made applicable to teachers who are already in service?"

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

Duties of the Members of the Board of Revenue.

* 48 Q.—SRI T. PURUSHOTHAM: Will the Hon. the Minister for Land Revenue be pleased to state the duties assigned to each of the Members of the Board of Revenue?

Printed as Appendix IV on page 192 infra.

[4th December 1954]

THE HON. SRI M. A. MANICKAVELU NAICKER:—"The particulars relating to the duties assigned to the Members of the Board of Revenue including the duties assigned to the 'Full Board' and the 'Collective Board' are placed on the table of the House. (Collective Board consists of three of the four members, viz., the Commissioner of Land Revenue and Development, the Commissioner of Commercial Taxes and the Commissioner of Civil Supplies and Settlement of Estates.)"

SRI T. PURUSHOTHAM:—"May I know, Sir, whether there is periodical change of subjects among individual members so as to avoid the same Member being in charge of particular subjects for a long time to come?"

THE HON. SRI M. A. MANICKAVELU NAICKER:—"Sir, the allocation is made by the Members of the Board themselves."

SRI T. PURUSHOTHAM:—"Will the Government consider this aspect that I have raised and issue instructions to the Board of Revenue that it would be desirable for the Members to have a change once in three years instead of one and the same Member continuing to deal with the same subjects for a long number of years?"

THE HON. SRI M. A. MANICKAVELU NAICKER:—"Sir, when some such necessity arises, certainly the Government will issue instructions."

SRI T. M. NARAYANASWAMY PILLAI:—"Sir, is not the allocation referred to in the Act itself?"

THE HON. SRI M. A. MANICKAVELU NAICKER:—"The allocation referred to in the Act is with reference to the full Board and the duties of the individual Members and not with reference to subjects."

Duties and functions of the State Transport Commissioner and the Joint Transport Commissioner.

* 49 Q.—SRI T. PURUSHOTHAM: Will the Hon. the Minister for Registration, Endowments and Transport be pleased—

(a) to lay on the table of the House a list showing full details of the duties and functions of—

(i) the State Transport Commissioner; and

(ii) the Joint Transport Commissioner; and to state

(b) the reasons for the continuance of the two posts after the separation of Andhra State?

THE HON. SRI B. PARAMESWARAN:—" (a) A list is placed on the table of the House."

Printed as Appendix V on pages 193-200 infra.
Printed as Appendix VI on pages 200-204 infra.

[4th December 1954]

"(b) The existing organizational set up of the Transport department and of the Government Bus Service which has been left intact in the Madras State even after the Andhra partition requires the services of two I.C.A. cadre officers."

SRI T. PURUSHOTHAM :—" May I know, Sir, whether both of them, the State Transport Commissioner and the Joint Transport Commissioner, are administrative officers or officers with engineering qualification? "

THE HON. SRI B. PARAMESWARAN :—" They do not possess the engineering qualification, but they are supervising the Engineering section also."

SRI T. PURUSHOTHAM :—" Will the Government consider the desirability of having for the post of the Joint Transport Commissioner, one with engineering qualification so that he could be entrusted with the nationalization scheme in the City entirely? "

THE HON. SRI B. PARAMESWARAN :—" Sir, there is a proposal to bring about a change in the set-up of the Central Road Traffic Board. When that question is taken up and while taking a decision on it, we will consider the suggestion made by the hon. Member."

Representation from the Chamber of District Boards for enhancement of their powers.

* 50 Q.—SRI T. PURUSHOTHAM: Will the Hon. the Minister for Local Administration be pleased to lay on the table of the House—

(i) a copy of the representation made to the Government by the Chamber of District Boards for enhancement of their powers; and

(ii) a copy of the orders passed by the Government thereon?

THE HON. SRI S. S. RAMASWAMI PADAYATCHI :—" Copies of the resolutions passed by the Chamber of District Boards at its last conference held on 24th May 1953, referred to by the hon. Member, and copies of the orders passed by Government thereon are laid on the table of the House."

SRI T. PURUSHOTHAM :—" Are not the Committee reports open documents, Sir, and why should they be treated as confidential? I am speaking on the remark of the Government with reference to Resolution No. 14 which says: 'The recommendations of the Committee are under active consideration of Government, but the Committee's report cannot be published as it is of a confidential nature?'"

THE HON. SRI S. S. RAMASWAMI PADAYATCHI :—" Sir, as long as it is under the consideration of the Government, it is treated as confidential."

[4th December 1954]

SRI T. PURUSHOTHAM :—" Sir, may I know what has of the proposal of the former Minister for Local Administration, Sri K. Rajaram Naidu, to revive the taluk boards? "

THE HON. SRI S. S. RAMASWAMI PADAYATCHI :—" That is also under the consideration of the Government."

House Surgeoncy course for the graduates of the College of Indigenous Medicine.

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

(a) whether graduates of the College of Indigenous Medicine are allowed to undergo House Surgeoncy course and if so, whether they are appointed as Medical Officers of Local Fund dispensaries of Modern and Indigenous Medicine;

(b) how many graduates of the College of Indigenous Medicine underwent House Surgeoncy course so far and how many of them have been appointed as Medical Officers; and

(c) how many vacancies of Medical Officers in regular Local Fund dispensaries remain yet unfilled as on 1st May 1954?

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

" (b) So far 10 graduates of the College of Indigenous Medicine have completed the House Surgeoncy course and 5 of them have been appointed as Medical Officers.

" (c) Thirty vacancies of Medical Officers in Local Fund dispensaries of Modern Medicine remained unfilled on 1st May 1954."

SRI T. PURUSHOTHAM :—" In view of the answer to clause (c), could not all those who are graduates of the College of Indigenous Medicine who have undergone House Surgeoncy course be appointed in such vacancies and could not the Government use their good offices in the matter and address the local bodies concerned to see that these people are appointed? "

THE HON. SRI A. B. SHETTY :—" Sir, the orders of the Government have been communicated to the local bodies. Preference is given to medical graduates in modern medicine, then to licentiates in modern medicine and then to G.C.I.Ms. and L.I.Ms."

SRI T. PURUSHOTHAM :—" Sir, there are vacancies and 3-30 qualified people are available. I would request the Government to take up this question with the concerned local bodies and see that these people are appointed in existing vacancies." p.m.

THE HON. SRI A. B. SHETTY :—" Yes, Sir. We shall send another communication."

[4th December 1954]

DR. A. SREENIVASAN :—“ Will the G.C.I.M. graduate, Sir, be in a position to fulfil the requirements that are expected of a medical officer in far off places as well as any graduate in modern medicine? ”

THE HON. SRI A. B. SHETTY :—“ Graduates in modern medicine, Sir, are not willing to go to these places and are not available for such purpose. In the absence of such people, graduates of indigenous medicine and licentiates in indigenous medicine are given chances, Sir.”

Appointment of Honorary Surgeon in the Royapetta Hospital.

* 52 Q.—DR. A. SREENIVASAN: Will the Hon. the Minister for Health be pleased to state—

(a) whether there was recently a vacancy in the post of Honorary Surgeon in the Royapetta Hospital, Madras;

(b) how many candidates applied for the post and what their qualifications are; and

(c) the candidate ultimately appointed in the above vacancy and his qualifications?

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

“ (b) & (c) Dr. H. T. Veera Reddi, M.B.B.S., F.R.C.S., was the only applicant and he was appointed to the post.”

Issue of essentiality certificate in respect of medical concessions to non-gazetted officers.

* 53 Q.—SRI G. KRISHNAMOORTHY: Will the Hon. the Minister for Health be pleased to state—

(a) whether the District Medical Officer is the only medical attendant in a district authorized to issue the essentiality certificate in respect of medical concessions to non-gazetted officers; and

(b) whether the Civil Assistant Surgeons in charge of Local Fund Hospitals at Taluk Headquarters also are recognized as medical attendants for this purpose?

THE HON. SRI A. B. SHETTY :—“ No, Sir. A list* of Medical Officers authorized to issue such certificates is placed on the table of the House.

“ (b) No, Sir.”

SRI G. KRISHNAMOORTHY :—“ May I know, Sir, whether the essentiality certificate granted by the Senior Officer at the Taluk Headquarters is recognized for the purpose of payment of medical charges? ”

THE HON. SRI A. B. SHETTY :—“ A list of the various medical officers has been placed on the table of the House, Sir.”

* Printed as Appendix VIII on page 808 infra.

[4th December 1954]

SRI G. KRISHNAMOORTHY :—“ I want confirmation, Sir, whether the essentiality certificate issued by the officers mentioned in the printed list is honoured and the amount paid to the teacher.”

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

SRI G. KRISHNAMOORTHY :—“ Sir, have the Government received any complaint from the district board teachers or headmasters that payment is still due to them for want of funds in the District Board? ”

THE HON. SRI A. B. SHETTY :—“ I am not aware of it.”

Superannuated and untrained graduate teachers in secondary schools in the State.

* 54 Q.—SRI G. KRISHNAMOORTHY: Will the Hon. the Minister for Finance and Education be pleased to state—

(a) the number of superannuated teachers employed in secondary schools under the various agencies in the State in the school year 1953-54; and

(b) the number of untrained graduate teachers employed in the secondary schools under the various agencies in the State in 1953-54?

THE HON. SRI M. BHAKTAVATSALAM (on behalf of the Hon. the Minister for Finance and Education) :—“ (a) 631 teachers, Sir.

“ (b) 1,453 teachers, Sir.”

SRI G. KRISHNAMOORTHY :—“ In view of the fact, Sir, that raw graduates are more than double the superannuated teachers, will the Government kindly see that teachers are given extension of time and are allowed to continue on the same scale of pay when reappointed? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ It is also possible that the raw graduates might prove superior to the retiring teachers.”

SRI G. KRISHNAMOORTHY :—“ At least from the point of view of these raw graduates being birds of passage, is it not in the interest of the institutions and the pupils in particular that there should be continuity of teaching and the same teacher should be continued? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ Sir, the raw graduates at least have a future before them. But retiring teachers, I do not think, are better than birds of passage.”

SRI G. KRISHNAMOORTHY :—“ Will not the Government, Sir, at least recognize their valuable services and extend their services when the country requires them? ”

[4th December 1954]

THE HON. SRI M. BHAKTAVATSALAM :—" Their services will be recognized and appreciated as services of others are recognized and appreciated."

Appointments and promotions in the cadre of School Assistants.

* 55 Q.—SRI G. KRISHNAMOORTHY: Will the Hon. the Minister for Finance and Education be pleased to state—

(a) the number of permanent vacancies at present in the cadre of School Assistants;

(b) the number of candidates appointed under general rule 10 (a) (i) and of those promoted under general rule 31 (a) who are fully qualified for posts mentioned in clause (a); and

(c) whether the Government propose to regularise the appointments and promotions referred to in clause (b) and if so, when?

THE HON. SRI M. BHAKTAVATSALAM (on behalf of the Hon. the Minister for Finance and Education) :—" (a) the total number of vacancies at present is 293. Information in regard to the number of permanent vacancies is not available.

" (b) 143 under rule 10 (a) (i) and 51 under rule 39 (a). [The relevant rule is 39 (a) and not 31 (a).]

" (c) The services of candidates promoted under rule 39 (a) will be regularized in due course. The services of persons appointed under rule 10 (a) (i) cannot be regularized as they have been appointed only under the emergency provisions. It is proposed to replace them by Commission candidates as and when they become available."

SRI G. KRISHNAMOORTHY :—" Sir, what difficulty is there in regularizing their services when there are permanent vacancies? "

THE HON. SRI M. BHAKTAVATSALAM :—" But the Government, Sir, are interested in securing properly qualified candidates and so they look to the Commission. When Commission candidates are available, it is not right to regularize these teachers' services."

SRI G. KRISHNAMOORTHY :—" Sir, is not regularization resorted to by an interview with the Commission without examination? "

THE HON. SRI M. BHAKTAVATSALAM :—" Notice, Sir."

SRI G. KRISHNAMOORTHY :—" Sir, has not the Director of Public Instruction the power to regularize services even without the candidates' interview with the Service Commission? "

THE HON. SRI M. BHAKTAVATSALAM :—" That is why, Sir, we prefer the Commission candidates."

[4th December 1954]

Alleged preference to the retention of lady teachers over men-teachers.

* 56 Q.—SRI G. KRISHNAMOORTHY: Will the Hon. the Minister for Finance and Education be pleased to state—

(a) whether the Government have instructed local bodies to give preference to lady teachers over men-teachers senior to them in the matter of retention in service during retrenchment; and

(b) if so, the reasons therefor?

THE HON. SRI M. BHAKTAVATSALAM (on behalf of the Hon. the Minister for Finance and Education) :—" (a) Under the statutory rules governing the discharge of teachers in elementary schools in the control of local bodies if a teacher to be discharged happens to be a woman, the man-teacher next above her should first be discharged. To prevent undue hardship on men-teachers by this rule, the Government have recently circularized all local bodies that they should avoid indiscriminate recruitment of women-teachers only, with probationary rights even for vacancies of short duration.

" (b) Does not arise."

Proposals to raise the age of retirement of elementary higher grade teachers.

* 57 Q.—SRI G. KRISHNAMOORTHY: Will the Hon. the Minister for Finance and Education be pleased to state whether Government have any proposals to raise the age of retirement to 60 in the case of elementary higher grade teachers, secondary grade teachers, B.T. Grade teachers and specialist teachers like Pandits, Drawing Masters, Physical Training Instructors serving in non-Governmental institutions, viz., district board, municipal and aided institutions (elementary, middle and high schools)?

THE HON. SRI M. BHAKTAVATSALAM (on behalf of the Hon. the Minister for Finance and Education) :—" The age of retirement of teachers working in aided schools is already fixed at 60. But teachers of all grades working in district board, municipal and panchayat schools should retire at the age of 55. There is at present no proposal to raise this limit to 60 years."

SRI G. KRISHNAMOORTHY :—" Sir, will the Government say that the aided school teacher, when he attains the age of 55, becomes younger and is more fit for work than the district board teacher? "

THE HON. SRI M. BHAKTAVATSALAM :—" Sir, the managements of aided schools do not find it so easy as district boards and Government to secure teachers, and, therefore, this concession is extended to them."

[4th December 1954]

SRI G. KRISHNAMOORTHY :—“ Sir, in view of the dearth of teachers, will the Government kindly treat the case of teachers separately and not link them with N.G.Os. and others and extend their age up to 60 as in the case of the Hon. Judges of the High Court? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ Sir, I am sure that the hon. Member will agree that teachers should not be put on the same level as the Hon. Judges of the High Court.”

Withholding of educational fee concessions granted to children of teachers.

* 58 Q.—SRI G. KRISHNAMOORTHY : Will the Hon. the Minister for Finance and Education be pleased to state the rules under which educational fee concessions once granted to children of teachers are withheld?

THE HON. SRI M. BHAKTAVATSALAM (on behalf of the Hon. the Minister for Finance and Education) :—“ Copies of the Memorandum No. 27566-B/D-52-4, Education, dated 24th April 1953, G.Os. No. 1250, Education, dated 31st May 1952, and No. 2518, Education, dated 1st November 1952, on the subject are placed on the table of the House.”

SRI G. KRISHNAMOORTHY :—“ Sir, with reference to a particular rule, which says that in the case of retirement of teachers the concession should be stopped with that particular term, will the Government extend that period to the end of the year at least, though not after retirement? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ The Government will look into the matter.”

Eligibility of certain Hindi Pandits for B.T. scales of pay.

* 59 Q.—SRI G. KRISHNAMOORTHY : Will the Hon. the Minister for Finance and Education be pleased to state whether Hindi Pandits exempted under G.O. No. 304, Education, dated 7th February 1949, from possessing the Hindustani Pracharak Diploma with S.S.L.C. qualification and holding a Teachers' Training Certificate are eligible for B.T. scales of pay?

THE HON. SRI M. BHAKTAVATSALAM (on behalf of the Hon. the Minister for Finance and Education) :—“ No, Sir. The Pandits in question are eligible for pay only in the scales of Rs. 55—5—115 and Rs. 65—5—130 or Rs. 50—4—110 and Rs. 60—4—120 according as they are employed in Government or non-Government schools.”

SRI G. KRISHNAMOORTHY :—“ May I know, Sir, when they have been exempted from that qualification, what difficulty is there in giving them the salary, when they are actually handling higher Forms? ”

4th December 1954]

THE HON. SRI M. BHAKTAVATSALAM :—“ Sir, the Government feel that teachers who are in possession of Pracharak diploma should be treated as I grade pandits. If they handle Forms IV to VI, they will be eligible for II grade or III grade scale prescribed for them, and certainly not the I grade.”

SRI G. KRISHNAMOORTHY :—“ May I know the reason, Sir, for the difference when they are given the work and not the pay? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ Sir, Government take into account their qualifications also.”

Intimation regarding examination centres to private candidates appearing for the T.S.L.C. Examinations.

* 60 Q.—SRI G. KRISHNAMOORTHY : Will the Hon. the Minister for Finance and Education be pleased to state—

(a) whether, under the existing arrangements, intimation is sent to private candidates appearing for the T.S.L.C. Examinations regarding the centre (place of writing) of their examinations; and

(b) if not, the reasons therefor?

THE HON. SRI M. BHAKTAVATSALAM (on behalf of the Hon. the Minister for Finance and Education) :—“ (a) Yes.

“ (b) Does not arise.”

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

II.—DISCUSSION ON THE GOVERNOR'S ADDRESS—cont.

MR. CHAIRMAN :—“ We are now in item II of the Agenda. The hon. Member Sri T. M. Daivasikhamani Achariar will continue his speech.”

* SRI T. M. DAIVASIKHAMANI ACHARIAR :—“ Mr. Chairman, Sir, yesterday I was describing the education that was given to the Greek children some 3,300 years ago. Those boys and girls were given education for three hours in the day and the rest of the time they were given training in out-door games. As I read books on that subject, I found that the boys were given training in manly games and the girls were given training to be good housewives. Those girls were given training not only in sewing and embroidery but also in house-keeping and culinary arts. The boys were given training in making statues, painting pictures, etc. That was the sort of elementary education that was given to those boys and girls between the ages of six and ten. After the age of 12, they were given training in the use of arms and in other manly games such as running and horse riding. All these items should eventually be considered essential if our system of elementary education is to take us far in producing healthy citizens of our land.”

3-40
p.m.

[Sri T. M. Daivasikhamani Achariar] [4th December 1954]

"Then, Sir, let me refer to the system of education that was obtaining in England in 1853. Lord John introduced a system of compulsory education under which all children between the ages of 6 and 14 were given free and liberal education. This system of education was objected to by many institutions. The Missionaries were against this system of education. It will be a surprise to hear that even Gladstone and Disraeli differed from Lord John and they did not support his scheme of education. Yet that system went through and produced so many healthy handicrafts, in England.

"Sir, our country also possessed such great men who framed very good systems of elementary education. In the age of Chandragupta, about 2,200 years ago, there was a compulsory system of elementary education for boys and girls. The boys and girls of that time were taught not only the three R's but also handicrafts, including metallurgy.

"In Scotland, when Dr. William John Kerr introduced such a scheme of elementary education in 1865, he went from village to village collecting boys and putting them in schools. He attached great value to handicrafts. The boys were taught even shoe-making. This House will be surprised to hear that even angling was taught to the boys. They were taken to the Firth of Forth and Firth of Clive in order to be taught angling.

"Let me now complete this picture by referring to the educational system obtaining in America. We look with wonder and sometimes with fear at the rapid advances and strides made by America. They have improved all round. America gained her independence in the year 1779. Their Constitution at that time did not mention anything about school-going age or systems of education. Subsequently when the Constitution was amended, the school-going age was fixed between 8 and 12. They found this inadequate and therefore they raised it to 6 to 16. Thus boys in America were receiving free education, free books and free lunch for ten years. Not only this; they were also receiving education in all handicrafts. I refer to this because, our Constitution fixes the maximum age at 14. Our ancients have fixed the minimum age at five. They admitted their boys in schools at that age with great eclat. Therefore, I am also inclined to fix the age of our school-going children from five to fourteen.

"Sir, having said all this, let me now come to the system of elementary education that is now under the consideration of the Government. Sir, the system of education conceived by our ex-Chief Minister was declared to have been dropped in one place and suspended in another place. I take it that it was in the state of suspended animation for about six months and our Hon. Minister for Education has now come forward with a statement that the scheme is taking a new turn altogether. He said that since the introduction of that scheme 125,000 boys and 62,000 girls were benefited by that scheme of education. Then he came out with another statement that about 1,200 schools were opened and 1,500 more are to be opened. In that connexion he complained

4th December 1954] [Sri T. M. Daivasikhamani Achariar]

about the dearth of teachers, I do not know with what authority. He said nobody was willing to take up teacherships in those schools. Only recently I saw in papers that for about 270 vacancies of teachers, about 2,000 applications were received from candidates possessing qualifications ranging from S.S.L.C. to B.A. Therefore my submission is that the plea of want of teachers should not stand in the way of expanding elementary education in our State.

"The Governor has further stated that a committee has been appointed to go into the question of elementary education. The composition of this committee has been opposed by many of the educationists in this State and they rightly complain that the composition—right from the Chairman downwards—is not as good as it ought to be. Among the five members of the committee is the Director of Public Instruction. The others are practically unknown to the educational world. Two of the members of the committee come from the district to which the Minister of Education belongs. Perhaps he was moving in his own orbit and has brushed aside the claims of educationists in other districts. The missionaries have been excluded from the committee. It is to my mind a great injustice that has been done to these educationists who have worked for centuries in our country for dispelling the darkness of illiteracy among the people irrespective of differences based on religion. Some of these men must have been included in the committee. I hope the list is not yet complete and there is scope even now to include a few more in it. There is another point to be mentioned here. If elementary education is one coupled with craft education, do we find any man in that committee to advise it on craft education? If crafts are also included in the subjects for investigation and enquiry by the committee, I humbly protest again against the composition of the committee which is but incomplete and useless. What can any committee do with purely educational matters alone? There are other allied problems to be considered. Even our grand old Rajaji failed in this respect, viz., he did not include any single industrialist in the Parulekar Committee. There should have been an industrialist to advise as to how elementary education should be reorganized so as to include industrial education also."

* SRI T. PURUSHOTHAM :—" May I know the connexion between elementary education and industrial education about which the hon. Member is so eloquent? "

DR. V. K. JOHN :—" May I suggest that he is only criticizing the Government very strongly and correctly? " (Laughter.)

* SRI T. M. DAIVASIKHAMANI ACHARIAR :—" I humbly submit that if at all the Government are really earnest about getting through this elementary education scheme successfully, they must look at the other side of the picture also. The committee must be able to advise the Government on education as a whole—general and technical.

[Sri T. M. Daivasikhamani Achariar] [4th December 1954]

"Next, Sir, I come to the text-books prescribed for the elementary school classes. The other day, I had been to the Higginbothams where I found a colourful text-book on elementary education. Out of curiosity I bought the book and went through it. As usual, I found nothing extraordinary in that. There are certain illustrations given for the letters அ, ஆ, etc. அ is illustrated by 'anil', that is, squirrel in English. ஆ is illustrated by 'aamai', that is, tortoise in English. இ is illustrated by 'idi', that is, thunder in English. Is it ordinarily possible for children to see all these which are mentioned in the text-book in the class room? Are the teachers going to bring amphibious animals into the class room and show them to the children? I do not know what they now do. Take for instance this 'idi', thunder, which illustrates the letter இ. How can they show thunder to the children and teach them how thunder is produced, when they are just five year old children? I stop at this.

"Then, I went through another portion of the book. There are certain songs therein and these are intended, I take it, for both male and female children. There is a song, for instance, which runs thus: நிலா நிலா வா வா! நிலலாமல் ஓடிவா! The reference is to 'nila', that is, the Moon. Can it be seen during daytime in the class room? There is another song 'காக்கா கண்ணுக்கு மை கொண்டு வா; குருவி கொண்டைக்கு பூ கொண்டு வா' which is intended to be read by the boys! This is rather funny. I take this opportunity of pointing out to the Government this absurdity so that they may take proper men into the Text-book Committee.

"There is yet another portion I went through, which related to 'Kummi' and 'Kolattam'. A song runs thus:

'மாரன் கணையாலே வாடுகிறேன்'.

This is a song intended for children who have not passed their teens! (Cheers.) I found yet another absurdity in this portion and let me refer to it now, with due apologies to the lady members of this House. A song is written which is intended to be put into the mouths of girls between the ages 5 and 10 and it runs:

'கும்மி அடி பெண்கான், கும்மியடி, இரு
கொங்கை குலுங்கவே கும்மியடி.' (Laughter and Cheers)

This is the text-book prescribed for the elementary school classes. Are you going to impart education or to teach such absurd things to our children and make them sensuous? There must be a select committee for prescribing text-books and that committee should prepare proper books in consultation with school teachers. Can we find a better person to preside over such a committee than our revered friend, Mr. Narayanaswami Pillai who has been a member of the Academic Council of the University for several years? There should be an industrialist also on this committee because instead of things like 'anil', 'aamai' and 'idi', things which might be useful in crafts, like 'aram' (file), 'aani' (nail), izhapuli (plane) might be shown to the children and taught about. For instance a 'aram' and a nail might be placed on a table in the class room and

4th December 1954 [Sri T. M. Daivasikhamani Achariar]

the children taught about the different kinds of files and nails used in industry for different kinds of work and so on. So, a veteran educationist and an industrialist must be on any committee for the preparation of text-books. I lay very great importance on the imparting of elementary education in the State because elementary schools started and run with proper curricula as I have suggested are alone going to be the lighthouses for dispelling the darkness of illiteracy which pervades the whole country.

"Sir, the propagation of learning, knowledge and culture depends on these schools, the tiny capsules into which are packed the mighty seeds which will not only bring forth great giant intellects of the future, but will also produce national champions to safeguard the freedom and independence of our country which our revered Mahatmajī secured for us peacefully. (Applause.) That is why Sir, I lay very great stress on elementary education of the right sort. Thank you, Sir, and other Members of the House for having listened to me with patience. With these words, I resume my seat."

*SRI O. P. RAMASWAMI REDDIAR:—"தலைவர் அவர்களே, சம்பிர 4 p.m.

தாயமாக அங்கத்தினர்கள் பேசுவதும் கனம் மந்திரிமார்கள் பதில் சொல்வதும் வழக்கமாக இருக்கிறது. வெறும் சம்பிரதாயமாகப் போகாமல் யார் யார் என்ன சொல்லுகிறார்கள், அதில் ஏதாவது நல்லவைகள் இருக்கின்றனவா, அவைகளை நடைமுறையில் கொண்டுவரக்கூடிய வசதிக் குப்பட்டு எவ்வளவு செய்யமுடியும் என்பதையெல்லாம் அரசாங்கத்தார் கவனித்துச் செய்வார்கள் என்று எதிர்பார்க்கின்றேன்.

"சென்ற ஏழு ஆண்டுகளாக நமது அரசாங்கம் நடந்துகொண்டு வருகிறது. இந்த அரசாங்கம் நடந்துகொண்டுவரும்போது கட்சிகள் கொள்கைகளை வகுத்துக்கொண்டு வேலை செய்வது வழக்கம். அந்தத் திட்டங்களையும் கொள்கைகளையும் எவ்வளவு தூரம் நாம் நடைமுறையிலே கொண்டுவந்தோம், எவ்வளவு கொண்டுவர முடியவில்லை, அதில் இருக்கக் கூடிய கஷ்டங்கள் என்ன, அதற்குப் பொருளுதவி இல்லையா, வேலை செய்யக்கூடிய ஆட்கள் இல்லையா, பொருளுதவியும் ஆட்களும் இருந்து, கவனக் குறைவினால் சரியாக நடக்கவில்லையா என்பதையெல்லாம் நாம் சர்ச்சை செய்கின்றோம். சர்ச்சை செய்வதன் மூலமாக கஷ்ட நஷ்டங்களை எடுத்துச் சொல்கின்றோம். அவைகளைப் பரிசீலனை செய்து ஆகவேண்டிய காரியங்களை நடைமுறையில் கொண்டுவர வேண்டுமென்றுதான் நாம் சர்க்காரிடமிருந்து எதிர்பார்க்கின்றோம். சென்ற ஏழு வருஷங்களாக காரங்கிரஸ் கட்சியானது அரசாங்கத்தை நடத்திக்கொண்டு வருகிறது. யார் அமைச்சர்களாக இருந்தாலும் கொள்கை ஒன்றுதான். அந்தக் கொள்கைகள் எவ்வளவு தூரம் நடை முறையில் வந்திருக்கின்றன என்று பார்க்கும் போது, அந்தக் கொள்கைகளிலே சில விடப்பட்டு இருக்கின்றன. சில போது, அந்தக் கொள்கைகளிலே சில விடப்பட்டு இருக்கின்றன. 'லாஸ்' ஆகவும் இருக்கின்றன. எந்த முறையிலே வேலை செய்ய வேண்டுமோ அப்படிச் செய்யாமல் கொஞ்சம் 'லாஸ்' ஆகவும் வந்து விட்டது என்பதை கவனத்திற்குக் கொண்டுவர வேண்டும் என்ற முறையிலேதான் நான் பேசுவிரும்புகிறேன். யாரையும் குறை கூறுவதற்கு நான் முன்வரவில்லை. விஷயங்களை எடுத்துச்சொல்லி அவைகள் சரியாக நடக்க வேண்டுமென்ற எண்ணத்தில்தான் நான் பேசுகின்றேன். நானும் அமைச்சராக இருந்திருக்கின்றேன். இதில் எனக்கும் பொறுப்பு உண்டு என்பதை உணர்ந்து நான் பேசுகின்றேன்.

"கல்வி சம்பந்தமாக சில அங்கத்தினர்கள் பேசினார்கள். மக்களுக்குக் கல்வி அறிவு முக்கியமானது. கல்வி இல்லாவிட்டால் அரசாங்கத்தில் என்ன நடக்கிறது. ஜனங்கள் என்ன சொல்லுகிறார்கள். நாம் எவ்வளவு தூரம் அதில் நன்றாகச் செய்ய முடியும், நாம் செய்வது ஜனங்களுக்கு எவ்வளவு தெரிகிறது என்பதையெல்லாம் பொருத்திருக்கிறது.

[Sri O. P. Ramaswami Reddiar] [4th December 1954]

“நாட்டில் பெரும்பான்மையான ஜனங்கள் கிராமத்தில் வசிக்கிறார்கள். கிராம ஜனங்களுக்குத் தகுந்த கல்வி முறையை நாம் வகுக்க வேண்டுமென்று காந்திஜி மூலாதாரக் கல்வியை ஆரம்பித்தார். அதற்கு முந்தி ஆரம்பக் கல்விப் பள்ளிகள் நடந்து வந்திருக்கின்றன. இப்பொழுது புதிதாக அனேக ஆரம்பப் பள்ளிக்கூடங்களைத் திறக்கப் போவதாகச் சொல்லப்படுகிறது. அதற்காக அரசாங்கம் பணத்தை ஒதுக்கி வேலை செய்து கொண்டு வருகிறது. ஆனால், இருக்கிற பள்ளிகள் எவ்வளவு தூரம் நன்றாக வேலை செய்துகொண்டிருக்கின்றன என்பதைக் கவனிக்காமல் மேலும் மேலும் பள்ளிகளை மாத்திரம் அதிகமாக ஏற்படுத்திக்கொண்டு, அதனுடைய பலன் ஜனங்களுக்குச் சரியாக வருகிறதா என்பதைப் பார்க்காமலே பணத்தை விரயப் படுத்திக்கொண்டிருக்கிறோம் என்று தான் நான் நினைக்கிறேன். ஏனென்றால், கிராமத்தில் நான் இருக்கின்றேன். கிராமச் சூழ்நிலையில் நான் வாழ்ந்து வருபவன். கிராமப் பள்ளிக்கூடங்கள் எந்த முறையில் நடந்து வருகின்றன என்பதை நான் நன்றாக அறிவேன். கிராமத்திலுள்ள ஆரம்பப் பள்ளிக்கூடங்கள் எந்த முறையில் நடக்கின்றன என்று பார்க்கும் போது, அவைகள் எந்த முறையில் நடக்கவேண்டுமோ அந்த முறையில் நடக்கவில்லை. பெரிய பள்ளிக்கூடங்களைத் தவிர, ஒரு உபாத்தியாயர், இரண்டு உபாத்தியாயர்கள் பள்ளிக்கூடங்கள் பூராவும் அனேகமாக சரியாக நடக்க வில்லையென்பதை நான் நன்றாகச் சொல்லமுடியும். அவைகள் இன்னும் நன்றாக நடைபெறும்படி அரசாங்கத்தார் கவனிக்க வேண்டும். அரசாங்க ஊழியர்கள் மாத்திரமல்ல, கனம் மந்திரிமார்களும் கூட ஆங்காங்கு பிரயாணம் செய்யும்போது திடீரென்று ஆங்காங்கு பள்ளிக்கூடங்களைப் பார்த்தால் நிலைமை நன்றாகத் தெரியும். எவ்வளவு பிள்ளைகள் ரிஜிஸ்தரில் இருக்கிறார்கள், எவ்வளவு பிள்ளைகள் ஆஜராகி இருக்கிறார்கள் என்பதையெல்லாம் தெரிந்துகொள்ளலாம். எந்த முறையில் கல்வி அளிக்கப்படுகிறது, அதனால் அந்தப் பிள்ளைகளுக்கு ஏதாவது பிரயோஜனம் ஏற்படுகிறதா என்பதெல்லாம் பார்க்கும்போது ரொம்பவும் கீழ்நோக்கித்தான் போய்க்கொண்டிருக்கிறது. பள்ளிக்கூடங்கள் அதிகமாக இருக்கிறது. அரசாங்கத்திலிருந்து பணமும் அதிகமாக செலவழிந்திருக்கிறது. ஆனால், செலவு செய்யப்பட்ட பணத்திற்குத் தகுந்த முறையிலே பலன் ஏற்படவில்லை யென்று தான் நினைக்கவேண்டியிருக்கிறது.

“கல்வி இலாகாவில் உபாத்தியாயர்களைத் தேர்ந்தெடுக்கும் விஷயத்தில் சர்க்கார் கவனம் செலுத்த வேண்டியிருக்கிறது. எஸ். எஸ். எல்.ஸி. பாஸ் பண்ணியிருக்கிறவர்கள்கூட தேர்ந்தெடுக்கப்படுகிறார்கள். ‘யார் நம்முடைய தேசத்திற்கு பிரசிடெண்ட்?’ என்று அவர்களை கேள்வி கேட்டால், ‘ஜவஹர்லால் நேரு’ என்று சொல்லக்கூடியவர்களும் உபாத்தியாயர்களாக சிலர் தேர்ந்தெடுக்கப்படுகிறார்கள். இம்மாதிரி வேடிக்கையாக ஒரு பத்திரிகையில் வந்திருந்ததை நான் பார்த்தேன். இன்னும் அதிகமாகச் சொல்ல முடியும். அதைப்பற்றி அதிகமாக சொல்லவேண்டாம்.

“கல்வியின் தரம் கீழே போய்க்கொண்டிருக்கிறது. ஆரம்பக் கல்வி, செகண்டரி கல்வி, கல்லூரி கல்வி ஆகியவைகளின் தரம் கீழே போய்க் கொண்டிருக்கிறது. மூளையை தீட்சண்யமாக்கக்கூடிய கல்வி அனேகமாக அளிக்கப் படுகிறது. இந்தக் கல்வி சாதாரண ஜனங்களுக்கும், கிராம ஜனங்களுக்கும் எவ்வளவு தூரம் பயன் படும். நகரத்தில் வசிக்கும் ஜனங்களுக்கு எவ்வளவு தூரம் பயன் படும். வர்த்தகக் கல்வி, தொழிற் கல்வி, விவசாயக் கல்வி, கால் நடை அபிவிருத்திக் கல்வி இவைகள் எவ்வளவு தூரம் அபிவிருத்தி அடையும் என்று பார்க்கும் போது மூளையை அதிகமாக தீட்சண்யம் செய்யக்கூடிய கல்வியாக இருக்கிறதே யொழிய, தொழில் சம்பந்தமான இன்னும் மற்ற எல்லாத் துறைகளிலும் பயன் படக்கூடிய முறையில் கல்வி இல்லை. ஆகையால், இதைச் சரியாகக் கவனிக்காவிட்டால் ஐந்து வருஷ திட்டம், பத்து வருஷ திட்டம் என்று சொல்லி பணத்தை விரயம் செய்வதாகத்தான் முடியுமெய்யொழிய செலவு செய்யப்படும் பணத்திற்குத் தகுந்த முறையில் மக்கள் பல துறைகளில் பலனை அடைந்தார்கள் என்று சொல்ல முடியாமல் போய்விடும்.

[Sri O. P. Ramaswami Reddiar] 4th December 1954]

பணம் செலவு செய்த போதிலும் கவனக் குறைவினால் பலனை அனுபவிக்க முடியாமற் போவதைத் தடுத்து நிறுத்த வேண்டும் என்பதைச் சுட்டிக்காட்ட விரும்புகிறேன்.

“பள்ளிக்கூடங்கள் ஆரம்பிக்கப்படுகின்றன. அந்தப் பள்ளிக்கூடங்கள் நல்ல முறையில் பிள்ளைகளுக்குப் பயன் படுகின்றனவா என்பதையும் அரசாங்கம் கண்காணிக்க வேண்டும். அப்படிச் செய்யாவிட்டால் பணத்தைச் செலவு செய்து பள்ளிக் கூடங்களை ஆரம்பித்தும், பயனற்றுப் போய் விடும்.

“சுமார் 2,500 ஆரம்பப் பள்ளிகளுக்குமேல் ஏற்படுத்தப் போகிறார்கள். அவைகளுக்கு நிறைய பணம் செலவாகும். உபாத்தியாயர்கள் வரப் போகிறார்கள். அந்த உபாத்தியாயர்களுக்கு பயிற்சி கூட வேண்டியதில்லை யென்று கனம் கல்வி அமைச்சர் சொல்லியிருப்பதாகப் பத்திரிகையில் படித்தேன். அது உண்மையாக இருந்தால், அப்படிப்பட்ட பள்ளிக்கூடங்களைத் திறக்காமலே இருப்பது மேல் என்று நான் அபிப்பிராயப்படுகிறேன். ஏனென்றால், பயிற்சி பெற்ற ஆசிரியர்களை நான் ஏற்கெனவே குறிப்பிட்ட மாதிரி இருக்கும்போது, பயிற்சி பெறாதவர்களை அதிகமாக உத்தியோகத்தில் அமர்த்திவிட்டால் பள்ளிக்கூடம் சரியாகவே நடக்காது. டிபுடி இன்ஸ்பெக்டர் வீட்டிலேயோ அல்லது ஜில்லா போர்டு அங்கத்தினர்களிடத்திலேயோ அவர்கள் இருக்க வேண்டியதுதான். அவர்களால் பள்ளிக்கூடங்களுக்குப் பிரயோஜனம் இல்லை.

“ஜில்லா போர்டு பள்ளிக்கூடங்களைப் பார்த்தால் அவைகள் ரொம்பவும் மோசம். எனக்கு நன்றாக தெரியும். எல்லா ஜில்லா போர்டு பள்ளிக்கூடங்களைப் பற்றியும் நான் அப்படிச் சொல்லமுடியாது. ஆனால், பெரும்பான்மை அப்படித்தான் இருக்கிறது. இது அனேகமாக எல்லா அங்கத்தினர்களுக்கும் தெரிந்த விஷயம். ஆனால், வெளியிலே சொல்வது இல்லை. நம்முடைய லோகல்-செல்ப்-கவர்ன்மென்டைப் பற்றி வெளியில் சொன்னால் நன்றாக இருக்காது என்று எல்லோரும் மூடி வைத்துக் கொண்டு இருக்கிறார்கள். அப்படியிருப்பதில் பிரயோஜனம் இல்லை. ஜில்லா போர்டு நிர்வாகத்திலிருந்தே ஆரம்பப் பள்ளிக்கூடங்களெல்லா வற்றையும் எடுத்துவிட்டால்கூட நல்லது என்று நான் சொல்வேன். ஜில்லா போர்டு நிர்வாகத்தின்கீழ் பள்ளிக்கூடங்கள் இருப்பதில் பிரயோஜனம் இல்லை. ஒன்றிரண்டு ஜில்லா போர்டு தலைவர்கள் நன்றாகக் கவனித்து வரலாம். இருந்தாலும் பெரும்பான்மையான ஜில்லா போர்டுகள் பள்ளிக்கூட நிர்வாக விஷயத்தில் திருப்திகரமாக நடந்துகொள்ள வில்லை. Dual Control காரணமாக பள்ளிக்கூட நிர்வாகம் சரியாக நடக்க முடியவில்லை. ஆகவே, கல்வி விஷயத்தைச் சரியாகக் கவனித்து, தகுந்த முறையிலே கண்காணிக்கவேண்டும்.

“விவசாயக் கல்வி, கைத்தொழிற் கல்வி, கால் நடை அபிவிருத்திக் கல்வி இவைகளெல்லாம் கிராமங்களில் நடக்கும்படியாக ஏற்படுத்தினால் நன்றாக இருக்கும். கிராம மக்களுக்கு ஏற்றதாகவும் இருக்கும். நான் முன்னே சொன்னபடி இதுவும் உபாத்தியாயர்கள் தேர்ந்தெடுக்கப்பட்டு கிறது. சரியான, திறமை மிகுந்த உபாத்தியாயர்கள் தேர்ந்தெடுக்கப்பட்டு பயிற்சி கொடுக்கப்படவேண்டும். மேற்பார்வையாளர்களும் சரிவர அமைய வேண்டும். அப்பொழுதான் இது வெற்றிபெற முடியும்.

“பள்ளிக்கூடங்களுக்கு கிராண்டு கொடுக்கப்படும் முறையைப் பார்க்கும்போது, உபாத்தியாயர்கள்பேரில் கிராண்டு கொடுக்கப்படுகிறது. முன்பெல்லாம் பள்ளிக்கூடங்களில் எவ்வளவு மாணவர்கள் நன்றாக படித்து எவ்வளவு பேர்கள் தேறினார்கள் என்பதைப் பொறுத்துத்தான் கிராண்டு கொடுக்கப்பட்டுவந்தது. இப்பொழுது அம்மாதிரி இல்லை. ஆதலால் தரம் ரொம்பவும் மோசமாகப் போய்க் கொண்டிருக்கிறது.

“மூலாதாரக் கல்விக்கென 600 பள்ளிக்கூடங்கள் நமது ராஜ்யத்தில் ஏற்படுத்தப்பட்டிருக்கின்றன. அவைகளில் அனேகம் ஜில்லா போர்டின் கீழ் இருக்கின்றன. தென்னாற்காடு ஜில்லாவில் வடலூருக்கருகில்

[Sri O. P. Ramaswami Reddiar] [4th December 1954]

10, 12 பள்ளிக்கூடங்களுக்கு கருவிகள், பஞ்ச முதலியன சமார் ஐந்தாறு மாதங்கள் வரையில் வரவில்லை. கல்வி அதிகாரிகள் முன்பெல்லாம் என்னை வந்து பார்ப்பதுண்டு. நான் கல்வியின் தரத்தைப்பற்றி ஏதாவது கேட்பதால் இப்பொழுது என்னிடம் வருவது கூட இல்லை. அந்த முறையிலே மூலாதாரப் பள்ளிகளின் மேற்பார்வை நடந்துவருகிறது.

4-10 p.m.

“ ஆரம்பக் கல்வி, செகண்டரி கல்வி, கல்லூரிக் கல்வி இவைகளுக்காக பத்து கோடி ரூபாய் வரையில் செலவு செய்து கொண்டிருப்பதில் மட்டும் என்ன பிரயோஜனம்? செலவு செய்யப்பட்ட பணத்திற்கேற்ற பலன் ஏற்படும்படி அரசாங்கத்தார் கவனித்துக்கொள்வது அவசியம். ஆகையால், சர்க்கார் இன்னும் அதிகமாக கவனம் செலுத்திவரவேண்டும். மந்திரிமார்கள் மாத்திரமல்ல; அரசாங்க ஊழியர்கள் இன்னும் அதிகமாக கவனம் செலுத்த வேண்டும். அவர்கள் கவனித்தால் மட்டும் போதாது. சட்டசபை அங்கத்தினர்களும் கவனம் செலுத்த வேண்டும். ஸ்தல ஸ்தாபன மெம்பர்களும் கவனம் செலுத்த வேண்டும். பொது ஜனங்களிடையே அந்தப் பிரக்ஞையை உண்டாக்க வேண்டும். இல்லாவிட்டால் சரியாக நடக்காது. அதையும் யோசிப்பார்கள் என்று நம்புகிறேன். (Interruption.) என்னுடைய யோசனை வேண்டுமென்றால் சொல்லத் தயார். ஆனால், கேட்காதபோது நான் சொல்ல வேண்டிய தில்லை அல்லவா? அரசாங்கத்தை நடத்துகிறவர்களுடைய வேலை அது. அதை அவர்கள் கவனித்துச் செய்யவேண்டும்.

“ மாகாணத்திலே சுயாட்சி நடந்து கொண்டு வரும்போது மாகாணத்திலே எந்த மொழி பேசப்படுகிறதோ அந்த மொழியில்தான் அரசாங்கம் ஆட்சி நடத்தவேண்டும். இது ரொம்ப முக்கியமான விஷயமாகும். நான் ரொம்ப நாளாக அதைப்பற்றி சிந்தனை செய்து கொண்டு வந்தேன். எதிர்க்கட்சியினர்கள் சொல்லுகிறார்கள் என்பதற்காக நாம் அதற்கு விரோதமாக இருக்கவேண்டியதில்லை. யார் சொன்னாலும் நல்லதாக இருந்தால் அதை நாம் எடுத்துக்கொள்ள வேண்டும். ஆகையால், எவ்வளவு சீக்கிரமாக தமிழ்மொழியை, நம் மாகாணத்திலே ஆட்சி மொழியாகச் செய்யவேண்டுமோ அவ்வளவு சீக்கிரம் செய்தாகவேண்டும். மக்கள் பேசும் மொழியில் ஆட்சிமுறை இருந்தால்தான் மக்களெல்லோரும் ஆட்சியில் பங்கெடுத்துக்கொண்டு மக்களுக்கு வேண்டிய காரியங்களைச் செய்ய முடியும். நான் இந்த அரசாங்கத்தின் தலைமைப் பதவியிலிருந்தபோது ஒரு ஜில்லாவில் தமிழ் மொழியின் மூலமாக அலுவல்களை நடத்த வேண்டுமென்று உத்தரவு போட்டேன். அதைத் தொடர்ந்து மற்ற ஜில்லாக்களுக்கும் அந்த முறையை விஸ்தரிக்க வேண்டிய முயற்சியை எடுத்துக்கொள்ளலாம். மனது இருந்தால் அப்படிச் செய்யமுடியும். மாகாணம் பூராவும் ஒரேயடியாக அப்படிச் செய்ய முடியாவிட்டாலும் இரண்டு இரண்டு ஜில்லாக்கள் வாரியாக எடுத்துக் கொண்டு ஆரம்பிக்கலாம். அப்படி நடத்துவதற்கு ஏதாவது முன் ஏற்பாடுகள் செய்ய வேண்டியிருந்தாலும் அவையையெல்லாம் கவனித்து ஆவன செய்யவேண்டும். அதைச் செய்வார்கள் என்று நம்புகிறேன்.

“ விவசாயிகளுடைய நிலைமை எந்த முறையில் இருக்கிறதென்று சொல்லி முடியாது. மத்திய சர்க்கார், மாகாண சர்க்கார், நமது காங்கிரஸ் கட்சி, இதர அரசியல் கட்சிகள் இவர்களுக்கெல்லோரும் சேர்ந்து விவசாயத்தை எந்த முறையில் அபிவிருத்தி செய்ய வேண்டுமென்று கவனிக்க வேண்டும். அப்படிச் செய்வதுதான் ஜனநாயக அரசாங்கத்தின் கடமை. அப்படிச் செய்து ஜனங்களிடையே ஒரு நம்பிக்கையை உண்டாக்கியிருக்கிறார்களா என்று பார்க்கப்போனால் இல்லவே இல்லை. எவ்வளவு நாம் பேசினாலும், பணத்தை எவ்வளவு நாம் விரயம் செய்யத் தயாராய் இருந்தாலும்கூட, விவசாயிகளிடையே நம்பிக்கை இல்லாத நிலையிலே போய்க்கொண்டிருக்கிறோம். அதையும் நாம் கவனிக்க வேண்டும். பல துறைகளிலே காரியங்களைச் செய்ய வேண்டும் என்று கிளர்ச்சி நடக்கிறது. நம்முடைய எண்ணமும் அப்படியே, கட்சிகளும் அதற்காகத் தான் பிரயத்னப்படுவதாகச் சொல்கின்றன. ஆனால், எவ்வளவு தூரம் பிரயோஜனம் படும், நாம் செலவு செய்யும் பணம் எல்லாம் நல்ல முறையிலே

[Sri O. P. Ramaswami Reddiar] 4th December 1954]

போகின்றனவா, ஜனங்கள் என்ன நிலையில் இருக்கிறார்கள், நம்முடைய நிலை என்ன, அதை நிறைவேற்றுவதற்கு அரசாங்கத்திற்கும் நமக்கும் திறமை இருக்கிறதா என்று பார்த்துச் செய்யவேண்டும். இதைப் பார்க்காமல் ஏதோ அவசரப்பட்டு கட்சிகள் போட்டு வாங்கவேண்டும் என்ற முறையிலே செய்துகொண்டு போனால் அரசாங்கத்தை நல்ல முறையில் நடத்த முடியாது. யார் அரசாங்கத்தை நடத்தினாலும்கூட ஒரு கொள்கையை வைத்துக்கொண்டுதான் நடத்த முடியும். அந்தக் கொள்கை பெரும்பான்மையான ஜனங்களுக்கு நல்லதைச் செய்கிறதா என்று பார்க்க வேண்டும். எந்தக் கட்சி நன்றாகச் செய்கின்றார்களோ அந்தக் கட்சியை ஜனங்கள் ஆதரிக்கின்றார்கள். அதை மனதில் வைத்துக்கொண்டு செய்ய வேண்டும்.

“ விவசாயத்திற்கு கால்நடை மிகவும் அவசியமாகும். கால்நடை பராமரிப்பு விஷயத்தில் நம் நாட்டில், குறிப்பாக தமிழ் நாட்டில் போதிய கவனம் கிடையாது. அரசாங்கம் கவனிப்பதே கிடையாது. கால்நடைகள் மேய்வதற்கென பூமிகள் ஒதுக்கப்பட்டிருந்தது. அதற்கென ஒதுக்கப்பட்டிருந்த கொஞ்ச நஞ்சும் பூமியையும் யார் யாருக்கோ ஜாரி செய்து விடலாம் என்ற கொள்கையில் போய்க்கொண்டிருக்கிறது. கால்நடை இல்லாமல் விவசாயத்தைச் செய்யமுடியாது. விவசாயம் சரியாக இல்லையென்றால் மூலப்பொருள்களை உற்பத்தி செய்யமுடியாது. மூலப் பொருள்கள் கிடைப்பதைப் பொறுத்துத்தான் வியாபார கைத்தொழில் அபிவிருத்தியும் தேசத்தின் செழிப்பும் இருக்கின்றது என்பதை மறந்துவிடமுடியாது.

“ நீர்ப்பாசன வசதி சம்பந்தமாக பெரிய பெரிய திட்டங்களைப் போடுகின்றோம். சிறு நீர்ப்பாசன வசதிக்காக குளங்களைச் செப்பனிடும் திட்டத்தை ஏற்பாடு செய்தோம். அதை என் நிறுத்தி விட்டார்கள் என்று தெரியவில்லை. நீர்ப்பாசனத் திட்டங்களை பெரிய திட்டங்கள், மத்திய தரத் திட்டங்கள், சிறு திட்டங்கள் என்று பிரிக்கலாம். சிறு திட்டங்களைப்பற்றிச் சொல்லும்போது, ஏதோ சில காலத்தில் பெய்யும் மழைத் தண்ணீரைத் தேக்கி வைத்துக்கொள்வதற்காக குளங்கள் செப்பனிடப்படவேண்டும். கிணறுகள் தோண்டும் திட்டத்தைச் சரியான முறையிலே நீடித்து, எங்கெங்கெல்லாம் அதைச் செய்தால் நன்றாக இருக்கும் என்று யோசித்துச் செய்யவேண்டும். தமிழ் நாட்டில் ஜீவ நதிகள் குறிப்பிடத்தக்க அளவு இல்லாததாலும், பஞ்சம் அதிகமாக இருப்பதாலும், இம்மாதிரி சிறிய நீர்ப்பாசனத் திட்டங்களில் அரசாங்கத்தார் அதிகமான கவனம் செலுத்த வேண்டும்.

“ பாலாறு திட்டத்தைப்பற்றி அங்கத்தினர் ஒருவர் பேசினார். பாலாற்றைப்பற்றி இந்த அரசாங்கத்திற்கும் மைசூர் அரசாங்கத்திற்கும் முன்னே ஒரு உடன்படிக்கை இருந்தது. அந்த உடன்படிக்கை இல்லையென்று ஒரு உடன்படிக்கை இருந்தது. நான் அமைச்சர் சொல்லுகிறார்கள். எனக்கு ஆச்சரியமாக இருக்கிறது. நான் அமைச்சராக இருந்தபோது அதற்குத் தனியாக ஒரு ஆபீசரை incognito ஆகப் போட்டு, யாருக்கும் தெரியாமல் விசாரித்து விவரங்களைச் சேகரிக்கும்படி சொன்னேன். அந்த விசாரணையின் முடிவு என்ன ஆயிற்று என்று தெரியவில்லை. மைசூர் அரசாங்கம் அவர்களுடைய பங்குக்குமேலே அதிக அணைக்கட்டு கட்டி, தண்ணீர் நமக்கு வராமல் செய்திருக்கின்றார்கள் என்று தெரிகிறது. தென் பெண்ணை, வட பெண்ணை, பாலாறு, இந்த நதிகளினால் நாம் முழுப் பயனையும் அடையவேண்டும். மைசூர் ராஜ் நதிக்காலம் நந்திதுர்க்கத்திற்குப்போய் விசாரிக்கும்படி போடப்பட்ட யத்திலும் நந்திதுர்க்கத்திற்குப்போய் விசாரிக்கும்படி போடப்பட்ட அதிகாரியின் ரிபோர்ட் என்ன ஆயிற்று என்று தெரியவில்லை. அரசாங்கம் இதையும் கவனிக்கவேண்டும்.

“ அவர்கள் அந்த இடத்தில் ஒப்பந்தத்திற்கு மேலாக அணைக்கட்டுகட்டி நமக்குரிய தண்ணீரை அவர்கள் தேக்கிவைத்துக்கொள்ள விடுவது நியாயமில்லை. நம்மால் செய்யமுடியவில்லையென்றால் மத்திய சர்க்காரின் மூலமாக வாவது அந்த ரிகார்டுகளை வரவழைத்து, அவர்கள் அதிகமான தண்ணீரை உபயோகப்படுத்திக்கொள்ள விடாமல் நமக்குரிய பங்கை நாம் அடைய வேண்டும். எந்த அரசாங்கமாக இருந்தாலும் அவரவர்கள் நிலையில் அவரவர்கள் இருக்கவேண்டும். ஒருவருக்குரியதை இன்னொருவர் எடுத்துக்

[Sri O. P. Ramaswami Reddiar] [4th December 1954]

“வடலூர் ஏரியாவை லிக்னைட் ஏரியா என்று சொல்லி அரசாங்கத்தார் ஒரு நோடிபிகேஷன் கொடுத்திருக்கிறார்கள். எல்லா இடத்திலேயும் இப்பொழுதே எடுக்கப்போவதில்லை. லிக்னைட் எப்பொழுது எடுக்கப்போகிறார்கள் என்று தெரியாது. இப்பொழுது எடுக்கும் இடத்தில் இன்னும் 100 வருஷத்திற்கு வேண்டிய லிக்னைட் இருக்கிறது. ஆனால் இப்பொழுதே நோடிபிகேஷன் பூரா ஏரியாவுக்கும் கொடுத்தாய்விட்டது. 1947-ம் ஆண்டில் இந்த நிலம் எந்த விலை இருந்ததோ அந்த விலைக்குத்தான் விற்கலாம் என்று உத்தரவு போட்டிருக்கிறார்கள். அது நியாயம் இல்லை. எப்பொழுது எடுத்துக்கொள்ளுகிறார்களோ அப்பொழுது செய்துகொள்ளட்டும். நல்ல விலைக்கு விற்கவும் வாங்கவும் அரசாங்கம் வேண்டிய கடன் கொடுக்காமலும் அவர்களுக்கும் வசதி இல்லாமல் செய்வதும் நியாயம் இல்லை. அதையும் அரசாங்கம் கவனிக்கவேண்டும்.”

“வடலூர் ராமலிங்கசுவாமிகள் மறைந்த இடத்தை ‘மேட்டுக்குப்பத்தை’ லிக்னைட் ஏரியாவில் சேர்த்திருக்கிறார்கள். அதை நீக்கவேண்டும். அரசாங்கத்திற்கு இது விஷயமாக மெமோரியல் வந்திருக்கிறது. அதை கவனிப்பதாகத் தெரியவில்லை. ஆகையினால், அதையும் அரசாங்கம் கவனிக்கவேண்டும்.”

“பல துறைகளில் கவனம் இல்லாமல் இருக்கிறது. அனேக விஷயங்கள் கவனப்படுத்தியும்கூட அரசாங்கத்தார் உண்டு, இல்லை என்று பதில் எழுதாமல் இருக்கிறது. அக்னாலெட்ஜ்மெண்டு கூட சில சமயங்களில் வருவது இல்லை. அந்த முறையில் அரசாங்கம் நடக்கிறது. அதையும் கவனிப்பார்கள் என்று எதிர்பார்க்கிறேன். உத்தியோகஸ்தர்கள் தப்போ, அமைச்சர்கள் எந்த முறையில் இருக்கவேண்டுமோ அந்த முறையில் காரியங்கள் நடந்தால்தான் நன்றாக இருக்கும் என்பதை சுட்டிக்காட்ட விரும்புகிறேன். இன்னும் எவ்வளவோ விஷயங்களைச் சொல்லவேண்டியிருந்த போதிலும் நேரமின்மையால் நான் இத்துடன் நிறுத்திக்கொள்கிறேன்.”

* Sri N. NALLASENAPATHI SARKARAI MANRADIAR :—

“கனம் சபாநாயகர் அவர்களே, கவர்னர் அவர்கள் உரையை நான் வரவேற்றுப் பேசுகிறேன். கவர்னர் உரையை கவனிக்கும்போது விவசாயத் துறையைப்பற்றி சொல்லியிருக்கிறார். விவசாயத்திற்கு கால்நடை மிகவும் அவசியம் என்பது எல்லாருக்கும் தெரிந்த விஷயம். கவர்னருடைய உரையில் கால்நடை அபிவிருத்தியைப்பற்றி சொல்லவில்லை என்று என்னைப் பொருத்தமட்டில் வியப்பாகவே இருந்தது. ஏனென்றால் நான் கால்நடைப்பண்ணை நடத்துபவன்—விவசாயியும்கூட. ஆகவே கவர்னர் உரையைப் பார்த்தவுடனே கால்நடைகளைப்பற்றி சொல்லவில்லை என்று மனவருத்தம் உண்டாயிற்று. இருந்தாலும் அரசாங்கத்திற்கு இவ்விஷயத்தில் சிரத்தை அதிகம் இருக்குமென்று நம்புகிறேன். சொல்லாமலே செய்வார் பெரியோர் என்னும் பழமொழிக்கிணங்க நடைமுறையிலே அதைப்பற்றியெல்லாம் அரசாங்கம் கவனிக்குமென்று நினைக்கிறேன்.”

“கவர்னர் அவர்கள் இன்றைய நிலைமையை எடுத்துச் சொல்லும்போது இந்த வருஷத்திலே மழை நன்றாகப் பெய்திருக்கிறது என்று சொன்னார். இன்னும் கொஞ்சம் மழை பெய்திருந்தால் நல்ல நிலைமைக்கு வந்திருக்குமென்று எடுத்துச் சொன்னார். மழை குறைவாகப் பெய்ததினால் கால்நடைகளுக்கு தீனிக் கஷ்டம் அதிகமாக ஏற்பட்டிருக்கிறது. இன்றைய நாளில் இயற்கை விரோதமாக இருப்பதால் கால்நடைகளின் நன்மையைக் குறித்து, கால்நடைகளைப் பாதுகாப்பதற்காக செயற்கை மழை உண்டுபண்ணுவதற்கான முறைகளைக் கையாள அரசாங்கம் முன்னுக்கு வரவேண்டும். ஆனால் செயற்கை மழை எவ்வளவு தூரம் சாத்தியமாகும் என்பது சொல்வதற்கில்லை. கால்நடைகளுக்கு artificial தீனி உண்டாக்குவதற்கு முயற்சித்தால்தான் கால்நடைகளை வளர்க்க ஏதுவாகும். எனென்றால் கால்நடைகளுக்கு வேண்டிய தீனி மழையிருந்தால்தானே கிடைக்கும். இயற்கையும் விரோதமாக இருக்கிறது.”

[Sri N. Nallasenapathi Sarkarai Manradiar] 4th December 1954]

“தாராபுரம், ஈரோடுக்கும் லோயர் பவானி வாய்க்கால் வந்து சிலவிடங்களில் பாய்ந்துகொண்டிருக்கிறது. அதைத்தவிர மற்றவிடங்களில் மிகவும் மோசமாகத்தான் இருக்கிறது. இந்த வருஷம் விவசாயிகளிடமிருந்து அபிவிருத்தி வரி (betterment tax) முதலிய வரிகள் வசூலிக்காமல் இருக்கும்படியாக சர்க்காரைக் கேட்டுக்கொள்ளுகிறேன். மற்றும் விவசாயத்துறையிலே காடுகளில் இருக்கும் விவசாயப் பயிர் காய்ந்துகொண்டு தானிருக்கிறது. கோவை ஜில்லாவில் அதிகமான காட்டு வெள்ளாமை தான் செய்யப்படுகிறதென்பதை சொல்லத் தேவையில்லை.”

“இப்போது ஒரு பெரிய சிக்கலான விஷயம் வந்திருக்கிறது. விவசாயிகள் கடன் ஒத்திவைப்புச் சட்டத்தைப்பற்றி. நானும் கிராமத்திலிருந்து வருபவன் ஆதலால் அதைப்பற்றி எனக்கு நன்றாகத் தெரியும். இன் னைய நிலையில் சட்டத்தை எடுத்துவிட்டாலும் விவசாயிகள் மிகவும் கஷ்டப்படவேண்டிய நிலை வந்துவிடும். இந்தச் சட்டத்தை நீடித்தாலும் விவசாயிகளின் கடன் சுமை ஏறிக்கொண்டே போகும். ஆதலால் இரண் ணைய மத்தியமான ஒரு வழியை ஏற்படுத்திக்கொண்டு விவசாயிகளைக் காப்பாற்றினால்தான் மிகவும் நன்மையாக இருக்கும். 4, 5 தவணைகளில் கடன் தொகையை வட்டியுடன் சேர்த்து கொடுக்கும் வகையில் ஏற்பாடு செய்வார்களானால் ஏழை விவசாயிகளுக்கு மிகவும் நன்மை பயக்கும் என்று சொல்ல விரும்புகிறேன்.”

“சமுதாய அபிவிருத்தித் திட்டம், தேசிய விஸ்தரிப்புத் திட்டம் முதலிய திட்டங்களுக்காக ஜில்லாக்களுக்கு வேண்டிய தொகையை நிறைய சிலவழிக்கிறார்கள். பல கிராமங்களுக்கு அபிவிருத்தி வேலைகளுக்காக பணவசதி செய்யுகிறார்கள். இப்படிப்பட்ட வேலைகளை ஜில்லா போர்டினிடம் ஒப்படைத்துவிட்டால், அவைகள் நன்றாக நடந்துவரும். சமுதாய திட்டங்களைப்படி மூன்று ஜில்லாக்களுக்கு ஒன்றுதான் உபயோகிக்கப்படுகிறது. ரோட்டுகள் போடுவது, கட்டடங்கள் கட்டுவது போன்ற காரியங்களை ஜில்லா போர்டுகளிடம் தானே ஒப்படைக்கப் போகிறார்கள். இது போன்றவைகள் ஜில்லா போர்டுகளிடம் கொடுத்தால் மிகவும் நல்ல முறையில் நடத்த முடியும்.”

“நேற்று பேசும்போதுகூட ஸ்ரீ டி. எம். நாராயணசாமி பிள்ளை ஜில்லா போர்டு நிர்வாகத்தைப்பற்றி அவருடைய அனுபவத்தை எடுத்துச் சொன்னார். மற்றும் மாஜி பிரதமர் ஜில்லா போர்ட் விஷயத்திலே கொஞ்சம் அவர்கள் சொல்லுவதிலிருந்து நான் புரிந்துகொண்டது என்னவென் னால் இந்த ஜில்லா போர்டுகளில் சரியாக நிர்வாகம் நடைபெறவில்லை என்பதுதான். அதற்கு காரணம் என்னவென்று நான் நினைக்கிறேன் என்றால் அதற்குள்ள அதிகாரங்கள் மிகக் குறைவாயிருக்கின்றன. உதாரணமாக என்ஜினியரிங் டிபார்ட்மெண்டிலும், கல்வி இலாகாவிலும் எந்தக் காரியத் தையும் நேரடியாக ஜில்லா போர்டு செய்வதற்கில்லாத நிலையிலிருக்கிறது. இதைப் போல் பல அதிகாரங்கள் கொடுக்கப்படாமல் இருக்கின்றன. அந்த அதிகாரங்களையெல்லாம் ஜில்லா போர்டுக்கு வழங்கினால் எந்த காரியத்தை யும் உடனடியாக செய்வதற்கு ஏதுவாயிருக்கும். இந்த இடத்திலே கவர் யும் உடனடியாக செய்வதற்கு ஏதுவாயிருக்கிறார்கள். ‘The question naturally arises whether these institutions, developed in pre-independence days, are not too unwieldy for proper mass-contact and too inadequate for the growing needs of a Welfare Administration.’ ஜில்லா போர்டுகள் நீடித்து இருக்குமா, நீடிக்க வேண்டியதில்லையா என்று நாம் இந்த இடத்திலே யோசிக்க வேண்டியதாயிருக்கிறது. ஆனால் இன் னைய நிலையில் ஒவ்வொரு இடத்திலும் பஞ்சாயத்து போர்டுகள் ஏற்பப் புகிறபடியால், அதற்கு மேல் இருக்கும் தாலுக்கா போர்டுகள் போன்ற ஸ்தாபனம் வேண்டுமா என்பதையும் யோசிக்கவேண்டும் என்பது என் கருத்து.”

“அடுத்தபடியாக சிறிய நீர்பாசன திட்டங்கள் கிராமங்களுக்கு வேண்டியதை அரசாங்கம் செய்யவேண்டும். மழை பெய்தால் சிறு கிறு பள்ளங்களில் தண்ணீர் தேங்கி வழிந்து ஆற்றில் போய் சேருகிறது. சிறு பள்ளங்களில் தண்ணீர் தேங்கி வாயிருந்தால் மழைத்தண்ணீர் தேங்கி சிறிய குட்டையாகவோ குளமாகவோயிருந்தால் மழைத்தண்ணீர் தேங்கி ஸ்தலத்தில் தேங்குகின்றன. உபயோகப்படும். கிராமங்களிலுள்ள குடி

[Sri N. Nallasenapathi Sarkarai Manradiar] [4th December 1954]

தண்ணீர் கிணறுகளிலாவது தண்ணீர் இருக்கும். மழை கிடைக்காத காலங்களில் மிகவும் உபயோகமாகயிருக்கும். பொது மக்களுக்கும், கால் நடைகளுக்கும் இதனால் பயன் ஏற்படும்.

“மற்றும் கிராமங்களில் ஓர் ஆசிரியர் பள்ளிக்கூடங்கள் ஏற்படுத்தி வருகிறார்கள். இதைப்பற்றி பலதரப்பட்ட அபிப்பிராயங்கள் கூறப்பட்டது. இப்பொழுது ஏற்படுத்தப்போகும் ஓர் ஆசிரியர் பள்ளியைப்பற்றி எப்படி நடக்கும் என்பதைப் பற்றி நடை முறையில் பார்த்தால்தான் தெரியும். ஆசிரியருக்கு நோய் வந்துவிட்டால் ஒரு வாரத்திற்கு என்ன செய்வது? அந்த இடத்தில் ஒரு வாத்தியாரைப்போடுவார்களா என்ற கேள்வியை யோசிக்கவேண்டும். இதற்காக சர்க்கார் என்ன செய்யப்போகிறார்கள் என்ற கருத்தை அறியமுடியவில்லை.

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

“கோயமுத்தூர் ஜில்லாவிலே, கோயமுத்தூர் நகரத்திலேயே பி.வி.ஜி. ஊசிகள் குத்தினார்கள். ஜனங்கள் மிகவும் சந்தோஷமாகத் தான் வந்து அதைப் போட்டுக்கொண்டார்கள். அதைப்பற்றிய செய்தியை உடனடியாக இங்கு சர்க்காருக்கு தெரிவித்தேன், அதுமாதிரிமல்ல. கிராமங்களிலேயும், ஜில்லா பூராவிலும் அதைச் செய்ய வேண்டுமென்று நம் சர்க்காருக்கு ஒரு தந்தி மூலமாக அனுப்பினேன். ஜனங்கள் மிக சந்தோஷமாகத்தான் அதை வரவேற்கின்றார்கள் என்று தெரிகின்றது.

“கடன் ஒத்திவைப்புச் சட்டத்தைப்பற்றி எனது நண்பர் ஒருவர் அங்கிருந்து ஒரு சின்ன மகஜர் அனுப்பியிருக்கிறார். ‘கல்கி’ யில் வெளிவந்திருந்த ஒரு கார்டுன் படத்தைக் கத்தறித்து எனக்கு அவர் அனுப்பியிருக்கிறார். ‘தூக்கம் கலையுமா?’ என்ற தலைப்பு அந்தக் கார்டுனுக்கு கொடுக்கப்பட்டிருக்கிறது. ‘சென்னை சர்க்கார் விவசாயிகள் கடன் ஒத்திவைப்புச் சட்டத்தைப் பற்றிய முடிவை வெகு சீக்கிரத்தில் தெரிவிப்பார்கள்’ என்று அதன் அடியில் குறிப்பிடப்பட்டிருக்கிறது. வக்கீல்கள் தூங்குவது மாதிரி அதுவும் குறட்டை விட்டுக்கொண்டு தூங்குவதுமாதிரி—அதில் சித்தரிக்கப்பட்டிருக்கிறது. அதைக் கத்தறித்து எனக்கு அவர் அனுப்பியிருக்கிறார். ‘ஆயிரக்கணக்கில் இருக்கும் கடன் கொடுத்த முதலாளிகளும் நூற்றுக்கணக்கான வக்கீல்களைக் காட்டிலும் பல லட்சக் கணக்கில் இருக்கும் ஏழை விவசாயிகளைக் காப்பாற்றுவதுதான் தர்மம்’ என்று கடைசியில் அந்த நண்பருடைய குறிப்பில் எழுதியிருக்கின்றார். அதற்கும் மேலாக சொல்லியிருக்கிறார்: ‘ஒரே யடியாக நாம் யோசனை செய்யும்போது இந்த இடத்திலே சர்க்கார் மிகவும் கவனித்து விவசாயிகளைக் காப்பாற்றவேண்டும். ஆனால், நான் என்னுடைய சொந்த அனுபவத்திலிருந்து சொல்லுகிறேன். நான் கிராமத்திலேயே இருக்கிறவன் என்ற முறையிலே சொல்லுகின்றேன். கடன் கிடைப்பது அரிதாகப் போய்விட்டது என்பதை நான் ஒத்துக்கொள்கிறேன். ஆனால், அதற்காக திடீரென்று நாம் இதை எடுத்துவிட்டாலும் என்ன நிலைமை உண்டாகும் என்பதையும் நாம் யோசிக்கவேண்டும். கடன் கொடுக்கிறவர்கள், இவர்கள் பூரா சட்டத்தையும் எடுத்துவிட்டாலும், அடுத்து கடன் கொடுக்க மாட்டார்கள் என்று நான் நம்புகிறேன்.

“தலைவர் அவர்களே, நான் அதிகமாகப் பேசவேண்டியிருக்கவில்லை. ஆனால், இன்று எங்கள் ஊரிலேயே லோயர் பவானி வாய்க்கால் வந்து ஆங்காங்கு தண்ணீர் பாய்ந்துகொண்டு வருகிறது. அப்படித் தண்ணீர் பாய்கின்ற நேரத்திலே நாங்கள் ஒவ்வொரு தினமும் மாஜி பிரதமர் அவர்களையும், கனம் ஸ்ரீ பக்தவத்சலம் அவர்களையும் நினைத்துக்கொண்டு தான் இருக்கிறோம். இந்தத் திட்டமானது அவர்கள் காலத்தில் ஏற்பட்டது; அவர்களுடைய முயற்சியினால் இது வந்தது என்பது ஒவ்வொரு சிறு பட்டிக்காட்டிலுள்ள ஜனங்களுக்கும் தெரியும். இது யாருடைய மந்திரி தலைமைப் பதவியில் வந்தது, எந்த மந்திரி இதற்காக முயற்சி எடுத்துக்கொண்டு ஏற்படுத்தினார்கள் என்பது அவர்களுக்குத் தெரியும். இது ரொம்பப் பாராட்டத்தக்க விஷயம். நமது மாஜி பிரதமர் அவர்கள் சொன்னார்கள்: ‘நெய்வேலிக்குப் பக்கத்தில் ஆசை

4th December 1954] [Sri N. Nallasenapathi Sarkarai Manradiar]

சியின் கிணறுகள் போட்டு, அதிலிருந்து வரும் தண்ணீரில்கூட ஒரு விதமான மருந்துச் சத்து இருக்கிறது; களர் பூமியில் இரண்டு வருஷம், முன்று வருஷம் அந்தத் தண்ணீர் பாய்ச்சப்பட்டால், அந்தக் களர் தானாகவே நீங்கவிடும். நானும் அவருடன் நேரில் சென்று பார்த்திருக்கின்றேன். ஆனால், எங்களது லோயர் பவானித் தண்ணீரிலே ஒரு விதமான சத்தும் இல்லை. அந்தத் தண்ணீரை விட்டு மேடு காடுகளில் வெள்ளாமை செய்ய நினைத்தால், ஏற்கெனவே ஒரு மழையினால் ஓரளவு வெள்ளாமை வந்திருந்தாலும்கூட, இந்தத் தண்ணீரைப் பாய்ச்சி வெள்ளாமை எடுக்கமுடிவதில்லை. அதையும் நான் சர்க்காருடைய கவனத்திற்குக் கொண்டுவர விரும்புகிறேன். நான் பயப்படுகிறேன்: தண்ணீர் விட்டாய்விட்டது. அபிவிருத்தி வரி போடுங்கள். விவசாய வரி போடுங்கள். அதை நன்றாக மாஜிப் பிரதமர் அவர்கள் விளக்கிச் சொன்னார்கள். அதைப் போல எண்ணவேண்டாமென்று நான் கேட்டுக்கொள்கிறேன். குறைந்தது ஐந்து வருஷத்திற்காவது இந்த அபிவிருத்தி வரி தொந்தரவே இல்லாமல் விவசாயிகளைக் காப்பாற்ற வேண்டுமென்று விவசாயிகளின் சார்பாக கேட்டுக்கொண்டு, கவர்னர் அவர்களுடைய உரையை மறு முறையும் வரவேற்று, என்னுடைய உரையை முடித்துக்கொள்கின்றேன்.”

* DR. V. K. JOHN :—“ Mr. Deputy Chairman, Sir, I rise to support the amendment moved by the Opposition which runs as follows :—

“ Add the following at the end, viz. :—

“ but regret to note that there is no indication in the Address of steps to be taken to solve the pressing problems of the State. ”

Last year when the Governor gave his address, a stalwart champion of Government was found in the person of Sir Mohamed Usman who moved the motion of thanks to the Governor. He did it with feeling, emotion, enthusiasm and conviction. But this time the motion of thanks to the Governor has been moved by the Chief Whip, Sri T. Purushothama Mudaliar. After hearing his speech I found that while he had supplied flesh, sinews, and blood to the rather uninspiring address by the Governor, he was also a critic and at the end of his speech I thought he would have done better if he had sat on this side of the House. The motion was seconded by Mr. Parameswaran, who after seconding the motion of thanks criticized the Government so harshly for their step-motherly treatment of the teachers. I agree with him in everything he said about teachers. The grievances of the teachers, I may say incidentally here, have been rightly put forth by the representatives of the teachers in this Council, viz., Mr. G. Krishnamoorthi and Mr. Alexander Gnanamuttu. The Opposition supports every criticism they made in support of the teachers. The attitude of the Government towards teachers for a very long time has been very bad indeed.

“ Among those who started as critics of Government I must also say that many members belonging to the Congress party and particularly the former Chief Minister of Madras have been severe critics, besides those of us in the Opposition. In fact the former Chief Minister Sri O. P. Ramaswamy Reddiar has been the most severe critic of Government. I am pleased that this time the Governor's Address has been discussed irrespective of party affiliations. Members have come forward irrespective of party

[Dr. V. K. John] [4th December 1954]

affiliations with their criticisms and suggestions because this is the most suitable occasion when the Government should be criticized on their policies and programmes and Government must receive those criticisms and suggestions in the spirit in which they are offered.

"We are not unmindful of the achievements of this Government. Particularly after the present Chief Minister took charge, I should say that friction in the party has been liquidated and there is smooth work going on. He has been able to run this Government with eight Ministers instead of twelve Ministers in the previous Government. (Sri K. Balasubramanya Ayyar: 'It is because of partition.') No, even after partition, the Rajaji Government consisted of twelve Ministers. I am glad that the present Chief Minister has taken into his Cabinet many of the Ministers in the old Cabinet. After all what is needed is efficient and smooth administration. I am particularly pleased that Sri Parameswaran has also joined the Cabinet because he rightly represents the Scheduled Castes. The one result of the functioning of the Cabinet with eight Ministers is that routine administration has been left to the civil servants to whom it must be properly left. One must have heard of the many changes, rather frequent changes, in the Cabinet in France. But the French administration is supposed to be the best administration in the world. Do you know why? It is because its civil servants carry on the administration without interference. So also in Britain. I believe—I think my belief is correct—that Ministers do not interfere with the routine administration of Government, now. That is very good. So far this Government has done exceedingly well.

"I should pay another compliment to this Government. After Sri Kamaraj took charge of office as Chief Minister of Madras, an atmosphere of goodwill and friendship has been created between the Andhra State and Madras State. I do hope that that atmosphere will continue. Many Andhras have been given prominent positions in the public service. We have treated them well irrespective of the fact that their mother-tongue is Telugu. I think that such goodwill should be reciprocated by the Andhra State also although there is a feeling prevalent that in Andhra State only Andhras are appointed and continued in service and not Tamilians or Malayalees. I am not quite sure of it. I do feel that the atmosphere of goodwill prevalent between the two States is a happy augury for the future. We should not mind and agitate if a few Tamilians are there in the border areas belonging to Andhra. Do we not have a large number of Andhras in Madras State?

"Another most important matter for which Mr. Kamaraj's Government can take credit is that we have been able to liquidate the French possessions in South India. This Government encouraged the liberation movement in those possessions. The personality of the Chief Minister counted a lot in the liberation of the foreign possessions. I am pleased we have been successful and I do hope that the Bombay Government will take a lesson from us

[4th December 1954] [Dr. V. K. John]

and see that encouragement is given to the freedom movement in the Portuguese possessions near the Bombay State. Let the Bombay Government try to liberate and liquidate those foreign possessions within a short period.

"I must also pay a compliment to the Government maintaining on law and order during the last one year. It was a great shock to me when I read in the papers the day before yesterday that there was such a great commotion, riot and disturbance in Madurai in connexion with a drama. Sir, I feel and I feel very strongly that the Government should prevent the staging of such dramas which insult and offend the religious feelings of the large majority of the public. I do not know why the staging of the drama was not prevented in spite of a petition. Should the Magistrate wait to see whether a riot takes place? Can't he have the anticipation that riot would take place and could he have not refused permission for the staging of the drama? I am glad that Government have banned all those dramas. I ask the Government to keep the fair name of the State by not allowing the staging of those dramas, vilifying great personalities in our puranas, not only in Madurai but in other places also. Otherwise it will lead to riot in other places also. Having said that Government have done well in a few matters I regret to say that they have not done well in other matters. I took particular care to read the Governor's Address delivered in February this year and also to read through once, twice and over again the reply given to the criticisms and suggestions of hon. Members by the Leader of the House, Mr. Bhaktavatsalam. I have always believed and I still believe that Mr. Bhaktavatsalam is a very sincere gentleman. But he had made promises, I would not say insincere promises, but callous promises which Government never thought of fulfilling. Sir, if the hon. Members read his speech, they will find that when he spoke in February this year he said that the Government proposed to appoint a committee which will go into the whole question of local bodies. He repeated that more than once in his speech. Have the Government ever appointed a committee to go into the whole question of local bodies? To-day we find an appeal in the Governor's Address to the Members to give suggestions regarding local bodies. Why should the Hon. Minister give an undertaking and then take no steps to fulfil that undertaking? I have not myself heard of any committee having been appointed to go into the question nor was any attempt made to appoint a committee.

"Then, the Hon. the Leader of the House said with regard to the need for controlling money-lending referred to by the hon. Members 'I give the assurance that the proposed Bill to control money-lending is under preparation and is under the active consideration of the Government'. Sir, these are sincere promises made by the Hon. the Leader of the House. Was a Bill to control money-lending under the active consideration of the Government? Member after Member, while being sympathetic to the poor agriculturists and at the same time against the moratorium which is like an atom bomb that has indiscriminately destroyed the

[Dr. V. K. John] [4th December 1954]

economy of the countryside, have pressed upon the Government the necessity of enacting a legislation against usurious money-lending. The Government said that it was under their active consideration. A year has now passed and nothing is mentioned about it in the present Address. It is not proper that a responsible Minister like the Hon. the Leader of the House should give an undertaking to this House and through this House to the public that it is under the active consideration of the Government. Nothing is said and nothing is known until it is to-day a forgotten oblivion buried fathoms deep. It is not fair on the part of Ministers to make such promises and then do nothing at all. I do not know what reply the Hon. the Leader of the House is going to give.

"While speaking on the last occasion, the Hon. the Leader of the House said that he was actively considering the problem of unemployment including the beggar problem. What is it that the Government have done to solve this problem of unemployment? Sri Govinda Menon has rightly pointed out that this particular matter is conspicuously absent in the Governor's Address. The beggar problem and the unemployment problem are becoming more and more acute. The Hon. the Minister for Finance has pointed out in his speech made on the last occasion that the Government are quite serious as to how to solve the problem of unemployment.

"Then, the Hon. the Leader of the House, in answering me and other hon. Members on the land problem, said 'We do not lag behind the hon. the Deputy Leader of the Opposition in solving the land problem'. Have we heard anything from the Government in this matter, though they have been trying to solve the land problem during the last year itself? These are solemn promises made not with the intention of fulfilling them but with the intention of just giving an assurance to escape criticism. With all the credit for sincerity which I give to the Hon. the Leader of the House, I think that his promises have been callous.

"Let me refer to another matter. The Hon. the Leader of the House spoke about the revision of the Rent Control Act. He has forgotten about it now and he is looking at me. (Laughter.) He said that the Government would certainly consider whether the Rent Control Act should still continue to be on the Statute Book. Have we heard anything about this up to this time? Nothing whatsoever.

"There is yet another and most important matter. I regret to note that having given promises the Government did not do anything in the matter for the last one year. Member after Member has spoken about the report of the Secondary Education Commission. The Commission was appointed in September 1952 and the report was submitted in June 1953. An assurance was given last time that the Government proposed to implement the recommendations of the Commission and it was stated that the matter was under the active consideration of the Government. But the present Address says: 'The report of the Secondary Education Commission is now under the consideration of the Government'.

[Dr. V. K. John] 4th December 1954]

When the Government say that a matter is under their active consideration, they mean that it is under 'red tape' and when it is under 'red tape' nothing is done for years to come. The fact of the matter is that the Government do not want to consider seriously the question of giving effect to the recommendations of the Secondary Education Commission. They will go on from year to year and during the next year when the Governor's Address is delivered, they will say that the matter is under the active consideration of the Government. That is how matters move.

"The last year's Address itself gave many promises. The Governor said on 22nd February last: 'The Cattle Trespass Act has become inadequate under present-day conditions. Some amendments to make it more effective have become essential. The necessary Bill will be brought in this session'. Nothing has been done so far. Curiously enough, it is not mentioned in the Governor's Address now. Last time it was stated that the Government are 'now' considering. The word 'now' is most important. When they say 'now', it continues to be so for many years.

"Again, it was stated that the Government were considering what steps ought to be taken to make it possible to speed up the grant of assistance to municipalities for the implementation of urban water-supply and drainage schemes. Even now, it is under their active consideration."

SRI M. P. GOVINDA MENON :—"We must be happy that something is announced."

* DR. V. K. JOHN :—"The announcement is always there. Now let me refer to the scheme of Separation of the Judiciary from the Executive. I do not say that it is implemented, but we do not know far it has been implemented. When the Governor in his Address tells us that a particular matter is under the consideration of the Government at a particular time, it is for the Government to say what has happened to it and whether and how it has been implemented. The author of the Address has certainly looked into the previous Address, because I find in both Addresses the very same sentence, namely, 'The Bhavani Project is nearing completion'.

"In his Address delivered on the 22nd February 1954, he, 5-10 p.m. uttered the words, 'The Bhavani Project is nearing completion'. In the present Address the very words are there. Regarding Harijan welfare also, the very same wording is used. In the last Address it was stated, 'The welfare of Harijans and Backward Classes continues to receive high priority on the resources of the State'. In the present Address it is stated 'Our State continues to be in the forefront in the matter of amelioration of the condition of Harijans and Backward classes'. But what is being done? How is the sum of one crore of rupees being spent? The House is being kept in ignorance. I say, Sir, that many undertakings have been given by the Hon. the Leader of the House. They have not been implemented. We do not know anything

[Dr. V. K. John] [4th December 1954]

about them. This is the kind of Address which is delivered by a Governor under, I suppose, Article 176 of the Constitution of India. We discuss the Address, and then forget all about it. Next year hon. Members may not read what the previous Address mentioned. I hope that the Hon. the Leader of the House when he replies will give many more undertakings, and next year we will not hear anything about them, and how they have been implemented. We may not know anything more about them. In order to implement the Directive Principles of State Policy in our Constitution, which are as fundamental as Fundamental Rights in the Constitution are, the Government must do certain elementary things. The first thing in my opinion is the introduction of an agrarian reform, a reform which will enable every family to be settled on land. The Government must start with waste lands first. They must settle people on land not by expropriating landlords but by paying them the price in instalments. They must pay them the market value and settle everybody on land. As I have said many times before, this Government will not bring in an agrarian reform, because they have a mixed economy. They cannot move right or left or forward or backward. They have been considering for long what reforms are to be introduced. Many committees have been set up. They may appoint as many committees as possible. But no agrarian reform will come out. The mother is sterile and hence no child. It is very unfortunate that in an agricultural country we should not have agrarian reforms which will settle every family on land. Thousands of people can be settled on land by paying the market value of the lands. Why this is not being done is a thing which I cannot understand. The Government ought to do this if they want to create a Welfare State.

"Sir, we are asked to give constructive suggestions. The suggestion that I would make is that we must have local self-governing bodies. It is one of the Articles of the Constitution that we must have local self-governing panchayats. When the Britishers were here, the so-called local self-governing institutions looked after roads and lighting. But I should like this Government to have really local self-governing bodies. The Government must have belief in the genius of our people. There will always be complaints that there are factions in local bodies. I ask, Sir, whether there are no factions at State level and at the Union level. Factions are everywhere. But I would suggest to Government that they create local bodies of various types like Type A, Type B, Type C and Type D. A-type should be fully self-governing body, B type should be a less self-governing body, and C and D types should be still less self-governing bodies. D type can be promoted to C type, C type to B type, and B type to A type. My friends here spoke at length on self-governing institutions. The Government want suggestions from us. Sir, I am not enamoured of taluk boards or district boards. What the Government should do is to have really self-governing bodies. In 1950 an Act was passed, called the Madras Village Panchayats Act. Section 71 of that Act provides that 12½ per cent of the total land revenue,

[Dr. V. K. John] [4th December 1954]

including water-cess, should be set apart and distributed to B Class panchayats, that is, panchayats not having a revenue of Rs. 10,000 a year and not having a population of 5,000. What is being done now? The Government have not set apart this 12½ per cent, nor have they formed the panchayats. The Government keep that money to themselves. Because the Government do not want to decentralise power. They want all power to themselves. They do not want to decentralise power and administration. This is the one great mistake in our State. The Government do not now give the panchayats that 12½ per cent of the revenue. They passed an Amendment Act in 1951 by which the word 'distribute' was taken away. I ask whether the Government have ever implemented that Act at any time? Have the Government created the panchayats in accordance with the Panchayats Act of 1950? How then do the Government ask the Members of this House to give suggestions about local self-governing bodies? Let Government have faith in the people. A child must first fall before it walks. There may be factions in the village, but let Government first create self-governing bodies. If any one panchayat is found to be working quite satisfactorily, give it as much power as possible and as many functions as it can take, e.g., elementary education, cottage industries, agriculture, sanitation, water-supply, and a host of other things. In a panchayat there can be honorary ministers for education, for cottage industries, for agriculture, for health, and for other departments. That panchayat will easily become the training ground for leaders. Can the Government tell the public or this House that there is not even a single centre in the State in which there can be local self-governing body? The Government may have taluk boards or district boards. But they must have panchayats. Local self-governing bodies can be divided into four categories. I ask the Government to create panchayats as soon as possible. The Government can give local bodies power to look after various things within their jurisdiction. It should be their responsibility, their concern, and their privilege to look after the things in their areas and they should try to create and promote the Welfare State within their jurisdiction. A Welfare State is one in which no man should go with a begging bowl, nobody should be without employment, without food, without clothing, without shelter, without medical assistance, without education, without recreation, and without those social securities which they have in the West, namely, provision for unemployment, for sickness, for widows, for orphans, and for others in need. It is these local bodies who ought to create and promote that Welfare State. So, the first thing is the introduction of the agrarian reform and the second thing is the creation of self-governing local bodies. Have the Government any estimate of people who are unemployed in this State? If the Government simply tom-tom and ask the unemployed people to come to Government House, they will find hundreds of unemployed graduates coming to them. I do not want to exaggerate. They will find thousands of under-graduates and tens of thousands of able-bodied men who are unemployed. In so many offices we find 'No

[Dr. V. K. John] [4th December 1954]

5-20 p.m. vacancy' boards. In Western Europe, they have always statistics of the unemployed people. They have statistics of skilled workers, industrial labourers, educated and uneducated classes unemployed in the country. It is a pity that thousands and thousands of graduates, young men, leaders of the nation in whom there must be energy, youth, life, are unemployed and wander about from place to place in search of employment. Have the Government any statistics of these unemployed men? They say they have a Employment Exchange. It is the most unpopular body existing. It is unable to find any employment for these men. I say Government must have statistics first so that they can use these exchanges properly.

"Therefore, Sir, the first thing that Government should do is to introduce agrarian reforms. Secondly they must create local self-governing bodies. Thirdly they must collect statistics regarding the unemployed. In collecting statistics of the unemployed, Government must divide them into various categories, such as, skilled, unskilled and so on. The fourth thing is, Government must have an idea of the production in this country as well as in this State. We must have data as to what will make us self-sufficient, what increase we must have in agricultural production, what increase we must have in industrial production, what raw materials we must have, what finished products we must have, what is it that we are importing and what is it that we are exporting, etc. A railway official told me that we import $1\frac{1}{2}$ million tons every month from other States in India but we are sending away the wagons empty without exporting anything more than half a million tons. He said his great problem was that wagons returned empty. We are importing many things from outside. Have the Government any statistics of the productive capacity of this State, the articles that we can produce and export? I say, we are even importing pins. I ask you, collect statistics and increase production.

"The next thing I would like to suggest is, keep living costs down. The living costs are very high. In keeping the living costs down, Government must also keep the transport costs down. The Hon. Minister for Transport is also here now. We are taxing too much the poor people who are accustomed to travel by buses. They pay the highest fares in the whole world, not only in India but the whole world. Are not we ashamed of it? Is that the way of keeping down the cost of living?"

* SRI T. PURUSHOTHAM :—" May I interrupt the hon. Member to inform him that the Hon. Minister for Transport travelled in a motor bus to-day from Mount Road to Fort St. George just now."

* DR. V. K. JOHN :—" How is that relevant to my point? Did he pay the fare? (Laughter.) Let the hon. Member answer that."

4th December 1954]

* SRI T. PURUSHOTHAM :—" I only want to point out that the Hon. Minister is used to travelling in buses."

* DR. V. K. JOHN :—" Therefore he must know the difficulty of the poor who travel in buses. In Paris if you pay the equivalent of one anna you can travel as you please the whole day covering a distance of about 200 miles. Still the trams are running there. But you will not have the trams running here. Those who were running the tram here, Englishmen, sold it away and in spite of the great interest shown and the great efforts made by the Hon. the Chief Minister, it was impossible to run the trams, the poorman's vehicle. But I say buses can be run at fares of one anna for ten miles, provided they are managed well. But the unfortunate thing is that the taxation is very very high. The Government think they are taxing the operator. But really they are taxing the poorman that travels in the bus or tram. Therefore my request to the Government is to keep the costs down.

"The last suggestion I would like to make is, the Government must engage themselves in rehabilitating all poor families. They must be employed in production with the help of the richer and the welfare-minded neighbour. This is being done in America. People here think that America is a rich country. The other day I was reading a book entitled 'Ten years of Rural Rehabilitation in America'. I gave a copy of the book to the hon. Member Sri Ramaswami Reddiar last year. The welfare-minded neighbour ought to rehabilitate the poor neighbour not by charity but by loans. It is rehabilitation and not relief. It is not charity but self-help. The poor people can be rehabilitated in many ways. The Hon. Minister Sri Bhaktavatsalam knows the efforts which some people made in Kodaikanal to settle 800 families on 800 acres of land belonging to Government. The matter is pending for the last three years because some clerk in the Collector's office puts up some note and the matter is held up. The suggestion was made that the lands might be conveyed and allotted to a co-operative society which in turn will be financed by rich men by raising loans and the poor people rehabilitated by granting cash loans for settling on those lands. But the Government are not moving. Somebody put an obstruction in the way and nothing has been done up to this time. Rehabilitate the poor families in productive employment with the help of the richer neighbours. Then only we can create a Welfare State.

(At this stage Mr. Chairman resumed the Chair.)

"Sir, the Governor's Address ought to deal with various problems which are pressing. I do not say every problem should be there. I say this Address is uninspiring in spite of the efforts of the framers of the Address. Important problems have not been tackled or referred to. Therefore I say, Sir, that the Opposition amendment that this Address does not contain reference to many of the pressing problems of the day should be passed as it is. Then only, Sir, we will be doing justice to the Address which we are

[4th December 1954]

MR. CHAIRMAN :—“ As there are very many speakers on the list I request hon. Members who are going to speak to make their speeches as short as possible.”

* DR. A. SREENIVASAN :—“ Mr. Chairman, Sir, I shall not take much of the time of the House. I rather wish to be businesslike in the matter. The first point is that the Governor's Address reflects only the bankruptcy of thought of the Ministry. It is complacent. Everybody seems to be content with the present state of affairs which is absolutely deplorable from every point of view. We always talk about a Welfare State. Is it a Welfare State that we are having now? It is a phrase that we use without understanding the meaning of it. Most people who utter it, do not understand what it is. It is mere verbal diarrhoea, if I may put it in that way. There are no businesslike blue prints, to satisfy the requirements of a Welfare State. It is repeated only with the idea of catching votes and not with the idea of doing anything tangible. Promises are made, but never respected. That is the present state of affairs.

“ Sir, let me confine myself to one or two points referred to in the Address. Regarding irrigation, the Address states that we are almost at the ‘ end of the tether ’. I ask : ‘ Have the technical advisers of the Government ever thought it fit to examine whether there are other sources available outside the State? It is well known that most of the water from Coorg is going waste into the Arabian Sea. One Engineer was of the view that that water could be diverted into the Madras State, in addition to providing facilities for a big hydro-electric scheme. Did the Government ever think about it or care to examine that scheme? Perhaps they were advised that it was impracticable. Everything is impracticable so far as Madras Government experts are concerned. They are lotus eaters. They are only armchair experts. They won't strain either their physical or mental capacities. Any man with a new idea is given the cold douche straightway so that he may not show his head for the rest of his life. That should never be the case in a democratic Government. If the Government mean well, if they have the interests of the people at heart, they must get out of this rut of the red tape and bring fresh blood wherever possible, if at all they want to tone up the administration. I do not think they will risk that position because they have always got an eye on vote catching only.

5-30 p.m. “ Sir, in this respect, in other countries, they get outside experts in order to advise them because the local men are always bent upon ‘ do nothing ’. The local man does not want to do anything new and I do not see any reason why our Government should not requisition the help of experts from outside the State. In order to substantiate my statement that the local officers are lethargic, I would like to recall what happened to Sir Seshadri's scheme of ‘ Sivasamudram ’ in the first instance. The technical advisers of the Government turned it down saying that it was impracticable. Sir Seshadri had to go outside to get technical

[4th December 1954] [Dr. A. Sreenivasan]

experts and now we know what ‘ Sivasamudram ’ is. I would seriously suggest to the Government, if at all they are receptive to ideas that they must go outside the State, however expensive the proposal may be, and get technical advice. They should not take the advice tendered by the technical experts who believe in cooling their heels in the administrative chair.

“ Now I come to the industrial labour medical benefit scheme to which His Excellency has made a reference in his Address. It looks very good and very nice. It is an excellent method of catching the labour vote. What is it? Do we not know that prevention is better than cure? There is absolutely no meaning in treating a disease, when it could be prevented. The modern tendency is ‘ prevention of disease ’. What is the environment in which the labourers are working and living? So long as we do not improve the environment in which labourers work and live, all the money that we spend on supplying them medicines will be a complete waste. Priority must be given to the question of improving the environment of labour and not to the question of giving labour free medicines. We know what sort of medicines is supplied to these people and with what benefit.

“ Next, I come to the most vexed question of drinking water-supply. The Address says that large sums of money have been earmarked for this purpose. Ever since 1937, when the Rural Water-Supply Fund was first created, there has been an accumulation of funds. I have been trying to find out whether anything has been done in the direction of providing water-supply. I am yet to get information on this point. I wanted to know categorically the number of wells that were sunk in each district, what sort of wells they were, whether they yielded any drinkable water and how many wells were actually used by the people and so on. The Committee on Rural Water-supply also attempted to get the statistics from the respective Collectors but as usual, the attempt was in vain. The Government might say that they have spent large sums of money on this but spending money is no charm. How it is spent and what is the result of spending—these are the points on which attention should be focussed.

“ Then the Address says that an engineering staff has been given to the Collectors. Well, there is one fact to be remembered in undertaking these widely scattered programmes. That is, centralised technical direction and decentralised execution. If these two factors do not govern such schemes, then any rural water-supply programme will be a veritable failure, as it has always been in the past. Tapping underground water resources is not an easy matter. It is a specialist's job. There is no use of consulting water diviners and sooth-sayers. One could as well consult the planets on the subject. The only method by which this problem can be solved is, we must have proper technical direction before we spend money. There must be a definite programme. We have heard the cry of ‘ sink more wells ’. We have sunk lots of money into the pockets of so many people. The people have not been benefited.

[Dr. A. Sreenivasan] [4th December 1954]

"There is mention made about 'priority being given to water-supply schemes'. It is said that only when villagers come forward with contributions, priority will be given. The very fact that some villagers come forward with contributions shows that they have got some money with them and that their circumstances are better. Of course, thirsty they are. Thirst is common for all and must be quenched. Is it a sin to be thirsty without economic prosperity? You call this a Welfare State? If a man is poor and if a whole community is poor, are they to go without water to drink? People who come forward with contribution will have priority of supply—what is this rule? It is absolutely inhuman to stipulate such a condition. In programming, the human aspect has not been given due consideration.

"The Governor's Address then refers to water-supply in the Madras City. It is in a very bad state indeed. People who have gone into the history of the Madras City water-supply will be very much ashamed at the way in which this problem is attempted to be solved. Every time, the question was taken up, it was the vested interests that showed their head and public interests were always subordinated. While I shall not take the time of the House in referring at present to 'distribution system'—I shall take up this subject some time later on another occasion—I would just like to refer to what are called 'mechanical filters'. The Government say that they have given about fifty lakhs of rupees for the installation of these filters. This is a thing which is absolutely expensive and more prohibitively expensive to maintain. You have to purchase coagulents to the tune of twenty to thirty lakhs of rupees every year. The Government are trying to put the cart before the horse. First and foremost we must ensure copious supply at the source. What is the quantity of water to be filtered and what is the quantity of water that is necessary for rewashing the mechanical filters? I understand rewashing needs one-eighth or one-tenth of the total quantity of water filtered. Have we got so much water in the Red Hills lake to be drained to waste? We know that water-supply to the Madras City depends on the north-east monsoon which is notorious for its failure. Only in the last one or two years, we have had some rains and have now water that is enough to keep us just going. Very often the amount of rainfall that we have is very little. We are living as it were from hand to mouth. We cannot afford enough water even for rewashing the filters. This is a white elephant that has been given to the Madras Corporation. I honestly feel that public interests have been subordinated to commercial interests. There are various simple, effective and economic ways of purifying Madras water. From Pandit Jawaharlal Nehru downwards, everybody says that engineers must be nationalistic in their outlook, they must be of a 'self-sacrificing type' and must produce economic and efficient schemes. The 'mechanical filter scheme' is not a cheap scheme by any means for a poor country like ours. There are ever so many simple methods by which water can be purified. For instance, there was once a proposal to have a porous bund round Jones Tower to ensure

4th December 1954] [Dr. A. Sreenivasan]

uniformity of quality of water irrespective of the quality of water in the reservoir itself. The experts of the Government thought it was a good proposal but it was sabotaged. The Heads of Departments did not have the guts or the intelligence or honesty to stand by what specialists in the field advised. The principle of a porous bund has been introduced in Guntur water-supply scheme. In another case, Berhampore, I think the water was clear after passage through a porous bund. One engineer suggested that mud might be added to the water so that a filter skin in the filters may be formed readily. So it has been found cheap and effective. Why then this method was not adopted here in Madras? The answer is that it did not suit vested interests.

"Again, there was a proposal to instal a micromesh strainer'. Here again, the proposal was successfully sabotaged by vested interests. There was a big conference of all concerned including the former Chief Minister Sri Kumaraswami Raja and the then Public Health Minister Dr. T. S. S. Rajan. Government, as a result of that conference at the highest level went to the extent of offering to meet the cost of a pilot plant of micromesh strainer. The pilot plant ought to have been installed. Why was it not done? God knows who was responsible for it. We can only take the horse to the water but cannot make it drink. Government approved of the pilot plant. Why then was it not installed?"

5-40
p.m.

MR. CHAIRMAN :—"Even though I am not supposed to interfere, I might inform the hon. Member that 'micromesh strainer' is most unsuitable for Madras water-supply system."

* DR. A. SREENIVASAN :—"Of course, there are opinions and opinions. There are scientific opinions and commercial opinions. I say on very reliable authority that the samples of Madras water were sent to the London firm of micromesh manufacturers. The expert there only after testing the water gave his opinion that it was amenable to micromesh straining. It was on that basis that he sent quotations to the P.W.D. Chief Engineer and even stipulated the time for acceptance of the quotation. It is not therefore true to say that Madras water is unsuitable for such treatment.

"I may also bring to your notice that an independent engineer was in communication with that London authority. The London expert had written a letter to this engineer reaffirming the opinion he had given to the Chief Engineer. It so happened that a commercial man contacted this engineer and somehow managed to get from him the original letter, which he *would not* return despite reminders. That's our commercial honesty!

"There is a long story—a nauseating story at that—behind it all. In the case of micromesh, the first cost is the *last* cost. It has proved its efficiency in many a case. But it would not suit commercial interests. Therefore a conspiracy of circumstances helped to sabotage this economic and efficient method. If the facts of the case are ever examined by an independent authority, if

[Dr. A. Sreenivasan] [4th December 1954]

would be revealing to find that there has been a conspiracy all along the line to sacrifice public interests at the altar of commercial interests.

"It is true I admit, even horses cannot drink the water supplied at present from Red Hills."

DR. V. K. JOHN :—"Are we horses?"

* DR. A. SREENIVASAN :—"There are human horses also. (Laughter.) Let me now come to the subject of B.C.G. vaccination. This is a subject in which I have measured swords with many. Professor Calmette of the Pasteur Institute, Paris, cultured the tubercle bacilli 230 times in the course of 13 years and ultimately got an organism that was not lethal to experimental animals. The organism retained its acid-fast nature. This is called 'B.C.G.' Then, he thought this attenuated organism might be usefully used in those children, who came in contact with tuberculous people. It is also injected into people who do not have any tuberculous infection. I shall explain to you, Sir, in a few words, how tuberculosis develops in humans.

"It is well known that about 90 per cent of the people who live in urban areas have tubercle bacilli in their body. Only about 20 per cent of them actually develop the disease. Why? Those who develop the disease are susceptible to the disease. The term 'susceptibility' cannot be explained clearly in scientific terms. But the meaning of the word is well understood by all immunologists. It has not been correctly defined by any expert so far. How then, are we to judge who are those susceptible to tuberculosis? Tuberculosis is produced in humans by inhalation of tubercle bacilli. Most of the people get over this infection. This is called primary infection. When these people get a reinfection from outside, some of them develop tuberculosis. The development of the disease is determined by very many factors like individual susceptibility, age, dose and virulence of the bacilli. To those who do not have any tuberculous infection, B.C.G. vaccination may be given; thereby, we produce a primary infection in them in an artificial manner. These people also may expose themselves to reinfection. All of them need not necessarily suffer from the disease. It will depend on the points which I just mentioned. If the absence of susceptibility is not present in most of us, many of us must have died by now. It is said that a primary infection produced by B.C.G. vaccination is better than primary infection caused by natural causes. It is a very doubtful point. Price Medicine states: 'One great objection to the method—that is the possibility that the organism itself may be capable of becoming virulent in the human body.' B.C.G. vaccination could be compared to ordinary graft mango tree that is kept in a pot for a long time in its stunted growth. So long as it remains in the pot, it may live for a number of years in the pot, without further growth. The moment you plant it in the soil, it sprouts depending on the soil in which it is planted. Therefore, we

4th December 1954] [Dr. A. Sreenivasan]

see that it is not so innocuous as it is made out to be by some interested people. Instead of going slowly in the matter of B.C.G. vaccination, the Government rush with the programme of mass vaccination. It was said by the Hon. Minister for Public Health that only two people in Madras were against B.C.G. vaccination; thereby he meant me and Dr. Guruswami. He even went to the extent of saying like Brutus we were 'honourable men.' I am glad to note that the Hon. Minister is keeping himself conversant with English literature even in these days of Hindi or linguistic fanaticism. It is bad taste on his part to have made such a remark. The reason why other doctors have not come out with their honest opinion is most of them are either in Government service or retired Government servants. They dare not express their honest opinion to the public. If they do that, the bread is likely to be taken out of their mouths and there are also people who would lick the boot of the powers that be even for two pies! They are not interested in the general health of our countrymen. For vindicating my stand the Hon. Minister had the cheek to say that I am like 'Brutus, the hon. Man'. I am glad that the Hon. Minister knows English literature and remembers Shakespeare. It is bad on his part to have offered such a remark."

THE HON. SRI C. SUBRAMANIAM :—"You need not convince us. Convince the experts that B.C.G. vaccination is no good."

* DR. A. SREENIVASAN :—"I can quote several authorities for saying that B.C.G. vaccination is bad. As a research student I have studied the experiment conducted by Prof. Calmette. I know how potentially harmful B.C.G. vaccination is. I have practical knowledge of it. I do not want any favour from the Government. I honestly feel before God and man that what I say is for the good of the people. I cannot convince those who refuse to be convinced. With these words, I resume my seat."

* SRI P. P. UMMER KOYA :—"Mr. Chairman, Sir, I take this opportunity to pay my humble tributes to the Government for their efficient work and excellent achievements. I am glad to say that at this very critical time in the history of our country, our Government are carrying on with nation-building activities and development works. The irrigation programme is going on according to schedule. More acreage has been brought under cultivation. Rural electrification is receiving top priority. More development blocks have been started. The Medical Benefit Scheme is going to be implemented. These are things, which any Government can be proud of, and this Government must be congratulated on these achievements.

5.50
p.m.

"Regarding my district of Malabar, let me tell you, Sir, that I do not share the views expressed very vehemently by the hon. Member Sri Govinda Menon that the interests of Malabar are being neglected by the present Government. Though unfortunately Malabar is not represented in the Cabinet as was the custom

[Sri P. P. Ummer Koya] [4th December 1954]

and convention till recently, I do believe that this Congress Government will never fail in their duties to my district. Recently, when the Hon. the Chief Minister came to our place, some people asked him: 'Sir, why have you not taken one Malayalee into the Cabinet?'. The Hon. the Chief Minister then said 'நான் தான் மலையாள மந்திரி'. We are grateful to him and it is gratifying to note that he is taking keen interest in matters pertaining to Malabar. Still there is an impression among large sections of people in our district that the interests of our district are not properly looked after. As we have seen recently, Periyar Ramaswami Naicker has started an anti-Malayalee campaign in Madras. This will naturally upset the people in my district, but I am not alarmed at these things, because I believe that we have in our Hon. the Chief Minister, a great leader and patriot who is broadminded and sympathetic towards the people of Malabar. But still I am not satisfied with what the Government have done for us. I am not satisfied with the treatment meted out to our place. We want more attention to be paid by the Government."

DR. V. K. JOHN :—"Then you seem to agree with the hon. Member Sri Govinda Menon!" (Laughter.)

* SRI P. P. UMMER KOYA :—"We want more attention to be paid by the Government because our district has become a district of problems. Our problems and conditions are very different from those elsewhere. There, unfortunately, the anti-national and anti-social elements are playing havoc. There the communal organizations are gaining strength. There the philosophy of hatred and violence is being propagated among the people. There the Government officials who are corrupt and inefficient are harassing the people and dragging the Government into disrepute. Most unfortunately, communal harmony is being replaced by communal tension and hatred. The democratic forces in our country, instead of joining together to fight the common enemy, are divided among themselves. They are fighting each other and are thus paying the way for the easy victory of undesirable elements. We are a part of this State until we are separated from it. So, the administration of our districts will be the responsibility of this Government. Therefore, we want more attention to be paid by the Government. Unless the growing menace of communalism and communism is curbed at the earliest opportunity, Malabar may become a headache even to the whole country. Therefore, I request the Government to act quickly and do the needful to ameliorate the conditions of the people, to punish inefficient and corrupt officials, and save the people from them, and put down lawlessness and anti-national and anti-social elements. I hope our Chief Minister will take more interest in our affairs. I am glad to say that he has promised to visit our parts again in February next and I hope he will study the conditions better and do everything possible to help us out of the plight in which we are. Thank you, Sir, for having allowed me to speak." (Cheers.)

4th December 1954]

* SRI K. GOPALAN :—"Mr. Chairman, Sir, His Excellency the Governor in his Address has presented a graphic picture of the all-round development our State could make within the last few months. It is really gratifying to note that steadily we are marching forward towards the ideal of establishing a Welfare State. Though there are vital and urgent problems yet to be solved, the progress so far made in the various spheres of Governmental activities deserves our appreciation. Sir, I would like to make a few observations pertaining mainly to my district. Consequent upon the improvement of the food situation and the lifting of control of foodgrains, the Producer-cum-Consumer Co-operative Societies in Malabar numbering about 107 have been left on the verge of ruin. These societies have rendered valuable service as distributing agencies of rationed articles at a very critical period. It is true that discrepancies and malpractices were noticed in the working of some of these societies, but most of them were functioning properly and efficiently. Between the State management and private enterprise institutions of this nature have an important role to play in evolving a healthy economic set up in our country. The societies have been doing good to the people in general by way of setting apart huge amounts in the shape of Common Good Fund. By all means, these societies deserve to be saved from destruction, but nothing has been done hitherto in this direction. If the present situation is allowed to continue, these societies built by the people with huge share capital and reserve fund may perish. Apart from this, there are nearly 12,000 employees attached to these societies. They are completely thrown out of their jobs. This has made the already appalling unemployment situation in Malabar more acute. I would appeal to the Government to pay more attention to this very serious problem and request them to set up a Committee of experts to go into the question and suggest ways and means for the proper functioning of these societies. The possibility of reviving some industrial concerns in our district, which have been closed down, by consolidating the reserve fund of the societies may also be considered.

"Very considered opinions have been expressed by hon. Members regarding the extension of the Agriculturists' Relief Act of 1954. I do perfectly agree with members who are favouring the proposal of not giving further life to this Act. Of course, agriculturists are to be protected, but this is not to be done by mere patch work. We have to bring about fundamental changes, changes envisaged in the Five-Year Plan. As the Hon. the Deputy Leader of the Opposition remarked, the question of agrarian reforms should be taken up forthwith. Big and unlimited holdings should be reduced to economic holdings, and uneconomic holdings should be brought under co-operative farming. Landless tillers and tenants should be given chances for becoming the actual owners of the land they cultivate. Without these reforms, there will be no meaning for the democracy which we have. The question of fixing the ceiling should be taken up in all earnestness. This land reform is also important from another

[Sri K. Gopalan] [4th December 1954]

aspect. Minimizing the existing differences between the 'haves' and 'have-nots' is one of the guiding principles of our national planning. So long as land reform is delayed, this cherished object cannot be achieved. I would, therefore, request the Government to hasten the proposed comprehensive land legislation on the lines envisaged by the Planning Commission.

"Coming to the irrigation programme, Sir, I may say that the work in Malabar is focussed mainly on one taluk. Minor irrigation programme is practically neglected as far as Malabar is concerned. There is ample scope for effectively carrying out this programme in Ernad, Walluvanad and other taluks. I would appeal to the Government to look into the matter and also to extend the National Extension Service Scheme to more villages in Malabar.

"The proposed scheme for converting two of the handloom factories into Industrial co-operatives, to be run by the workers with assistance from the Cess-Fund, is indeed a desirable move. I would request the Government to consider the possibility of including two other handloom factories of Kozhikode in this scheme.

"Sir, the Governor in the course of his Address has appealed to the Members of the Legislature to go around the countryside and explain to our countrymen the implication of the National Extension Services and other Local Development Programmes. Of course Members can do a lot in the matter. But propaganda under-rating the values of these schemes is being carried on vigorously by persons who are opposed to Government. Therefore, effective propaganda should be carried on by Government to counteract the hostile propaganda. I would request Government to make their Publicity Department more agile. Without the co-operation of the people, no programme can be successfully implemented.

"Sir, with reference to the statement made by Sri M. P. Govinda Menon regarding the agitation that was going on in Malabar, I would like to say that Congressmen have taken up the issue not to side with the vested interests. Nearly one and a half lakhs of workers are involved in the timber business. Ordinarily the Collector was issuing permits. The refusal of the permits has created much confusion among the people, and we have requested the Government to consider the question again.

"With these words, Sir, I support the motion." (Cheers.)

SRI MOHAMED RAZA KHAN:—"Mr. Chairman, Sir, three days of debate is now coming to a close. I am very proud to say that it is not the achievements of the Government alone but the contributions made by Members of the Opposition that have brought to the notice of the Government what they ought to do or what they have failed to do. As was stated by the Deputy Leader of the Opposition and other Members, we have been doing our best to find out defects and help Government to rectify them so that there may be improvement all round. But of course the ways of

[Sri Mohamed Raza Khan] 4th December 1954]

our Government are peculiar, and things go on as usual. The Deputy Leader of the Opposition made out a good case in his speech in pointing out how the Government have not been fulfilling their promises. Several suggestions have been made by Members on both sides of the House. We will get the usual replies of the Ministers promising to do this or that or promising to set up enquiry committees and so on. Afterwards they do not implement these promises. Without taking much of the time of the House, I may say that if some one with patience sits down and tries to make out a catalogue of all the promises made by the Ministers in the course of the last eight years, one will see that it becomes a big volume. (Dr. V. K. John: 'Will it be sold?') It will have a very good sale. Because if a Minister makes a promise, it has got all the implications of the Government making a promise. Once a promise is made, it should be implemented. (Interruption.) There is a move on the part of the Central Government to appoint a committee to go through the proceedings of Parliament and to find out what promises were made by Ministers and how many were acted upon. Whatever may be the past, I am sure at least in future the Ministers will see that they fulfil the promises they make. It is not good to make promises without fulfilling them. When Hon. Ministers go outside this Legislature, they, in their enthusiasm, make huge promises before large gatherings. They can do so. But when a promise is made in this House, it has got the Government sanction behind it. Because people will surely ask the Hon. Ministers why they made such and such a promise, and why they did not implement it. For example, Sir, two definite promises were made by the former Minister for Local Self-Government that the Government would appoint a committee of enquiry to find out whether district boards should be retained or taluk boards should be brought into existence. It is more than nine months now. Though Ministers may have changed, the party administering this State is the same. Nothing has been done after the promise was made. It is strange indeed that the Governor should ask for our views. What is the use of giving our opinions when the Government are not prepared to accept our opinions or the opinions of the members of their own party?"

DR. V. K. JOHN:—"Who will read this book of Ministers' promises? Is it the Congress party or others?"

SRI MOHAMED RAZA KHAN:—"It is possible that everybody will read it. Sir, it is very good on the part of the Government to have shifted the Governor's Address to the far end of the year. The Government will be free for the preparation of the budget and to formulate their policies. The Government have to adjust their finances. The suggestions made here will surely go a long way to help them in formulating their policies. The Finance Minister will do well to see that he takes the views of the Members of both Houses into consideration.

"Sir, I was really astounded at the heavy incidence of taxation prevailing in our State. No doubt the Finance Minister will say that this is not the time for one to dilate on the taxation question

[Sri Mohamed Raza Khan] [4th December 1954]

6-10
p.m.

and that it is very easy for one to argue on the taxation measures. But might I say, Sir, that if we just see the Statute Book and if we see the proceedings of this House, and if we take the whole period of the Congress administration for the last eight years in our State into consideration, we will see that new taxes have been introduced and existing taxes have been doubled and trebled with the result our people are finding them too heavy a burden to bear. I do say with all sense of responsibility which I command that the very heavy incidence of taxation has fallen so much on our people, businessmen and others, that the economy of our State has become shattered. We are really glad to note that there is no reference in the Address to any new measures of taxation. We may therefore take it that the Government are not contemplating any new measures of taxation though they may have proposals for increasing the existing taxation. I take it in that light because there is mention in the Address that the Government are anxiously awaiting the recommendations of the Central Taxation Enquiry Committee. Before taking any such step, I think the Government would do well to examine the whole question and see whether there is scope for reducing the existing taxation. If there is, they must reduce such of those taxes that they can conveniently reduce. It was said that the State Government are awaiting the report of the Taxation Enquiry Committee. The various State Governments of the Indian Union are of the view that the sphere of taxation between the Centre and the States has not been properly divided. The field for taxation for the States is very limited, and is not elastic. Therefore the Hon. the Finance Minister is anxiously awaiting that report as he appears to feel that that would possibly give him some help. In view of all these facts I feel there is a case for the Government to go into the whole question and reduce such of those taxes that work great hardship on the general public. When I make this suggestion, the Finance Minister may turn round and ask: 'How are we to adjust our finances if the taxes are reduced.' I may tell him that people who can talk with authority on financial matters feel there is scope for effecting savings in expenditure not by retrenching the staff but by reducing expenditure on the various administrative departments. There is a way of doing it and the Government must find out that way.

"Sir, I do not want to take too much of the time of the House in discussing the methods adopted by the Government in raising money. I can tell the House that in the course of the last two or three years taxes on cigarettes have been increased without any justification whatsoever. What was the result of this increase? I think the Hon. the Revenue Minister should be able to give facts and figures. Government thought that they might get many lakhs of rupees by way of this tax. But they could realize only a few lakhs. The most important thing that happened was, people had to change their habits. People accustomed to a particular type of cigarette had to give it up and take to very ordinary cheap cigarettes with the result that on the one hand Government did not get the money they expected from this tax and on the other, Government were responsible in shattering the health of the general public. I

4th December 1954] [Sri Mohamed Raza Khan]

think, Mr. Chairman, you are a better authority to speak on this subject. The Government without making any enquiry (and without any need for it) imposed this tax and increased it simply because they wanted more finance. They thought they could levy some tax on cigarettes and they did it. That is not the method of taxation. Before imposing any tax Government must make a thorough enquiry into the matter and find out whether there was scope for taxation in that particular field.

"Sir, this Government on the pretext of helping the handloom industry imposed an additional tax of one anna three pies in the rupee on fine mill-made cloth. I believe the other measure passed by the Government to help that industry is still awaiting assent by the President of the Indian Republic and I am sure that the day will not come when that measure would be placed on the Statute Book. I am told on reliable authority that since the time that tax was imposed the business has gone over to other parts of India. Madras is placed in a very difficult position. In the case of the mill-cloth, already for every rupee we pay a tax of 2 to 3 annas is collected, e.g., the cess, the sales tax and various other things. To demand another tax of an anna and three pies in the rupee is really a thing beyond the comprehension of any thinking person. All our protests and all our objections to this fresh imposition were in vain. They imposed this tax on the ground that they were going to help the handloom industry. But the fact is that tax has not helped the handloom industry to the extent they thought it would. They wanted to make only a few lakhs of rupees and they have got it. But they have not realized to what extent business has been crippled in this State because of the imposition of this tax.

"Sir, when that measure of taxation was under discussion in this House, the Hon. Minister replied in detail to the various points raised by hon. Members, and said that they were imposing this tax to help the handloom industry. Now the Government are collecting lakhs and lakhs of rupees by way of this tax. They are also getting lakhs and lakhs of rupees from the Central Government from the cess fund. May I ask the Hon. the Leader of the House—he happens to be the Minister in charge of Industries and Mills—whether the money spent on these co-operative societies is really helping the poor weavers for whose benefit this tax was imposed? For the past twenty years these co-operative societies, if they are run at all, are run on the grants made by the Government. But for this help, they would have been wiped out of existence. Government are paying lakhs and lakhs of rupees for their faults and defaults. The time is now come for the Government to go into the whole matter. Branches of these co-operative societies are being opened at Aden, Singapore and other foreign centres. But I may tell the Government that in spite of having all these luxurious shows, the handloom industry cannot be made to flourish as they expect.

"Again, Sir, the concern of the Government is not to help the top men of the co-operative societies. Their concern is to help

[Sri Mohamed Raza Khan] [4th December 1954]

the poor weavers in the villages. These poor weavers are not getting any help out of all these measures. On a previous occasion when I spoke to the Hon. the Finance Minister, he said that the help rendered by Government reached only 20 per cent of the weavers because only 20 per cent of them were members of these societies and the rest were not members. They are outside the fold of these societies and therefore no help reaches them. If we ask what is to happen to this 80 per cent of the weavers, Government might say: 'Well we cannot help them. They do not come within the fold of the co-operative societies'. I would like to ask: 'Did the Government make any efforts to bring them within the fold of the co-operative societies? Without that how do they expect them to come in?' Therefore I would request the Government to examine the whole question thoroughly. After all the object of the Government is to help the majority of people. That being so I cannot understand Government helping only 20 per cent of the weavers and leaving the rest to their fate. The Provincial Handloom Board thought over this problem and a prominent member of that Board who can speak with authority on this question formulated a scheme. I myself do not know the details of the scheme. I am not also an expert in this line. But from what little I know of this subject, I would like to tell the Hon. Minister for Industries that he would do well to go into the matter thoroughly and see that the money spent on these societies benefits the majority of the weavers and not only a limited few.

"Then, Sir, I wish to refer to the question of levying sales tax on hides and skins. In North Arcot district there was a good deal of agitation about it. At first I did not want to talk about it but leave it to Government to deal with it as they pleased. But as the Deputy Leader of the Opposition was referring in his speech to the development of industries and export and import trade, I am tempted to say a few words on this question. After all the Government should be anxious to encourage trade and industry. Otherwise our State will not develop. There is scope in this State for improvement as was rightly pointed out by the hon. the Deputy Leader of the Opposition. But the fact is, industrially our State is backward. We are importing more and exporting less. Industrially we are far behind other States. After all what is it that we produce? We have only a few cement factories and weaving factories. These are not sufficient. In respect of various other things also we are backward State. I know it is the anxiety of the Government to help industries grow. But here is a case—I am tempted to deal with it because of the replies given by the Hon. the Revenue Minister to my questions—in which Government could help. For the last three or four years Government thought that they were not entitled to collect the tax from these merchants. For the past four years, there was no collection made by Government. One fine morning the Government woke up and said they must pay because they were exporting hides and skins outside this State. Hon. Members can just imagine the amount of sales tax

4th December 1954] [Sri Mohamed Raza Khan]

because of this decision of the Government. If the Government insist on collecting this amount the whole tanning industry would perish, because many of them are small tanners and the labourers engaged in that industry would be thrown out of employment. Though the Government are now prepared to take payment in three or four instalments instead of demanding it in a lumpsum, the point is they are not able to pay this amount—the tax for the past four years. Therefore, I feel that the Hon. the Minister for Revenue should examine this question. I do not say Government should leave off everything. It is too much to ask for or to expect. But Government must show some concession so that the trade might live and thrive, because if the trade lives and thrives, Government will be getting more and more not only in the form of sales tax but in some other forms also. Who knows the trade might improve to a great extent and increase our exports to other places and also earn us the much valuable foreign exchange. I do not wish to dilate any further on this subject. I only request the Hon. the Revenue Minister to go into the whole question thoroughly and extend some concession to these small traders.

"Another point to which I wish to make a passing reference is this. Yesterday, I was happy to learn that the Hon. the Minister for Law and Finance stated in the other House that the Government of Madras had recommended to the Central Government the banning of crossword puzzles. People who are not conversant with the language and who cannot understand things are asked to fill in entry forms, 1-2, 2-1 and so on. Even if the Hon. the Deputy Leader of the Opposition and people like him are asked to solve these clues, I am sure they will not succeed. All sorts of promises are made in newspapers—one lakh, two lakhs and fifteen lakhs of rupees—and the poor folk, who cannot afford to spend even one or two annas, develop a tendency to try their luck at these puzzles and also at betting on 'American cotton prices.' Thus their suffering has increased in these days of economic distress. I hope that the Government will see to it that these crossword puzzles and betting on American cotton prices are banned as early as possible. Then there is another thing which the Government of Madras themselves can put a stop to. I refer to raffles and lotteries promoted by private agencies. There is a large scope in these for fraud and we do not know how much money has gone to the promoters of these. We do not know whether the prize money is paid properly and we do not know how much money is collected.

"Sir, I shall not take much time of the House in dealing with certain other points I have in mind. Speaking generally, I am proud of the achievements of the Government of Madras in certain fields. We should not underrate the value of these achievements. In the matter of food, we have really achieved something we can be proud of. But yet something more remains to be done. The prices of rice and other commodities remain at the same level as they did before. We must consult some economic experts to find why prices do not come down.

[Sri Mohamed Raza Khan] [4th December 1954]

"In the fields of irrigation and electrification of rural areas we have done much and I am particularly glad that the Hon. the Minister for Industries is taking an abiding interest in the exploitation of lignite deposits in South Arcot. It offers great hopes to our State to develop to the level of other industrially forward States.

"Sir, the hon. Member, Mr. Govinda Menon, made certain references to the Hon. the Chief Minister yesterday and I am glad that the Chief Minister is not here now, because it will be embarrassing for him if I say anything complimentary about him in his presence. I do not hold any brief for him or the Ministers in his Government. They are very strong men and can defend themselves. Yet, I feel it is very uncharitable on the part of Mr. Govinda Menon to say anything against the inclusion of two non-Congressmen in the Cabinet. There is nothing wrong or surprising in that. After all the Chief Minister has repeated what the great leader Mr. Rajagopalachari did in taking into his Cabinet Mr. Manickavelu Naicker. The present Chief Minister has retained Mr. Manickavelu Naicker and taken in another from a backward community. Whether you believe it or not, an important section of the Hindu community has been feeling it is backward. It is really backward and has been putting forth its grievances before the members of the other sections of the community. They were not looked after in the past. I know how Mr. Salem Subramaniam was voicing forth the grievances of his community in the last Assembly. I admired his courage and capacity to put forth his case. If such a party had been taken into the Congress party, it meant only the stability of the Government, which also incidentally benefited me and Mr. Govinda Menon, because there is no 'Andhra politics' here. (Laughter.) When we do not know where we stand, it is not fair on our part to level charges of 'unholy alliances.' After all, where was Mr. Govinda Menon first? He was in the United Democratic Front, a conglomeration of various parties and individuals, dominated by the Communist Party. Unfortunately for him and fortunately for us, the Front failed and failed miserably. But that is another matter. When we attack others we must be on sure ground.

"Sir, since the present Chief Minister assumed office, he has created a very good feeling of security in the minds of the people in the State—especially the different sub-sections of the community which form a minority. They look to him with an air of confidence that he will do justice by them. I really admired and appreciated the speech of the hon. Member Mr. Ummier Koya, who said that though a Malayalee Minister was not there, the Malayalees looked to the Chief Minister for justice and good treatment. The Chief Minister, Sir, on every occasion that he got has said that justice will be done to the minorities, whether here communal politics. Far from it. He is our own man and his notice our difficulties and problems? Minorities cannot help themselves placed as they are now. Therefore, Sir, we shall

[Sri Mohamed Raza Khan] [4th December 1954]

always have a sense of gratitude for what the Government have done us and hope they will continue to do justice in times to come. Madras is famous for having given the lead to other States in various fields of administration. I hope in the treatment of minorities and they will give a lead to others."

MR. CHAIRMAN :—"There are a few more members to speak. I call them on the promise that they will speak only for five minutes."

* SRI N. ANNAMALAI PILLAI :—"கனம் தலைவர் அவர்களே, மேன்மை தங்கிய கவர்னர் அவர்களுடைய பிரசங்கத்தை ஆதரித்து சில வார்த்தைகள் சொல்ல நின்று கொண்டிருக்கின்றேன். ஐந்து நிமிஷங்களுக்குள் நான் பேசியாக வேண்டுமென்பது சேர்மன் அவர்களுடைய உத்தரவு. இந்த ஐந்து நிமிஷத்திற்குள் எதைச் சொல்வது எதைச் சொல்லக்கூடாது என்பது எனக்கு விளங்கவில்லை. ஒரு பாட்டை மட்டும் சொல்லி விடுகிறேன் :

'அட கெடுவாய், பல தொழிலும் இருக்க தமிழக கல்வி அதிகமென்று கற்று விட்டோம் அறிவில்லாமல்

.....
சனியான தமிழைக் கற்று தவிக்கின்றோமே.'

என்று ஒரு வித்வான் பாடினார். அதைப்போல, இந்தச் சபையில் ஆங்கிலம் படித்திருந்தவர்களுக்கு ஆதிக்கம் இருக்குமேதவிர, தமிழனுக்கு ஆதிக்கம் இருக்கவே இருக்காது. ஆங்கிலம் இந்தச் சபையிலிருந்து அழிந்து போகட்டும். இனி ஆங்கிலம் இந்த நாட்டில் இந்தச் சபையில் இருக்க நான் பார்க்கப்போவதில்லை. இந்தச் சபையை தமிழில் நடத்துவதில் என் உயிர் உள்ளவரை கவனம் செலுத்தப்போகின்றேன்.

"பாஷாவாரி மாகாணங்கள் ஏற்படுத்தவேண்டுமென்று அரசியல் சட்டத்தில் ஜீவாதார உரிமை வழங்கப்பட்டிருக்கிறது. (Interruption.) கனம் டாக்டர் ஜான் அவர்களுக்குத் தமிழ் புரியாது. ஆனால், அவர்களைப் போல் இருக்கிறவர்கள் நாலேந்து பேர்கள். இரண்டு மலையாளிகளும் ஒரு கன்னடியரும் தான் இருக்கிறார்கள். அவர்களுக்காக நாங்களெல்லோரும் படும் வேதனை சகிக்க முடியவில்லை. அதனாலே நாங்கள் எங்களுடைய கருத்துக்களை எடுத்துச் சொல்வதற்கு இடமில்லாமலிருக்கிறது. ஆந்திரர்கள் இருந்தார்கள். அவர்கள் இப்பொழுது போய் விட்டார்கள். அவர்கள் போன பிறகாவது ஏதாவது சரியாயிருக்குமென்று டார்கள். அவர்கள் போன பிறகாவது இன்னும் விட்டபாடில்ல. அன்பார்த்தோம். ஆனால், ஆங்கிலப் பிசாசு இன்னும் விட்டபாடில்ல. அன்னிய ஆட்சி இந்த நாட்டில் இருந்த காலத்தில் 'ஆங்கில பாஷை இருக்கக் கூடாது, தமிழில் தான் பேசுவேன்' என்று ஸ்ரீ பி. வி. நரசிம்மய்யர், முன்னாள் சட்டசபை மெம்பர், தமிழிலேயே பேசினார். அப்பொழுது சபையிலிருந்த அத்தனை மெம்பர்களும் எழுந்து போய்விட்டார்கள். அந்தக் காலத்தில் கனம் நண்பர் ஸ்ரீ நாராயணசாமி பிள்ளை மெம்பராக இருந்தார்களோ இல்லையோ தெரியாது; அவர் இருந்திருக்க மெம்பராக என்று நினைக்கிறேன். எல்லா மெம்பர்களும் எழுந்து போய் விட்டார்கள். ஆனால், சேர்மன் மாத்திரம் இருந்தார். ஸ்ரீ பி. வி. நரசிம்மய்யர் பேசிக்கொண்டே இருந்தார். அவர் பேசி முடிப்பார், பிறகு உள்ளே வந்து உட்காரலாம் என்று எல்லோரும் நினைத்து வெளியே இருந்தார்கள். ஆனால், அவர் பேச்சை நிறுத்தவில்லை. வெளியே சென்ற எல்லா அங்கத்தினர்களும் உள்ளே வந்து அமர்ந்தார்கள். பிறகு தான் அவர் பேச்சை நிறுத்தினார். அந்தச் சம்பவம்தான் எனக்கு இப்பொழுது ஞாபகத்திற்கு வருகிறது. ஆங்கிலத்தில் பேசுவவர்களுக்கு அரை மணி, மூக்கால் மணி வரையில் அவகாசம் கொடுத்துவிட்டு நான் பேச வருகிறேன். ஐந்து நிமிஷம்தான் பேசவேண்டுமென்று சொல்லப்படுகிறது. இந்த நிலைமையில் நான் எதைப் பேசப் போகின்றேன்?"

[Sri N. Annamalai Pillai]

[4th December 1954]

‘எந்நன்றி கொன்றார்க்கும் உய்வுண்டாம் உய்வில்லை’
செய்ந்நன்றி கொன்ற மகர்க்கு

என்ற முறையில் நான் வடாற்காடு ஜில்லாவைப்பற்றி ஒரு சில வார்த்தைகள் சொல்ல விரும்புகிறேன். வடாற்காடு ஜில்லா பஞ்சத்தில் மூழ்கிப் போய் தரித்திரத்தில் ஆழ்ந்திருக்கிறது. அந்த ஜில்லாவில் குடிப்பதற்குத் தண்ணீர்கூட இல்லை. அந்த வரண்ட பிரதேசத்தில் பிறந்த நான்.

DR. V. K. JOHN :—“லோக் சபையில் நீங்கள் என்ன பாஷையில் பேசுவீர்கள்?”

* SRI N. ANNAMALAI PILLAI :—“முதலில் இந்த சபையைப் பற்றி கவனிப்போம். பிறகு அந்தச் சங்கதியைப் பார்த்துக்கொள்ளலாம். இங்கேயே இந்த மாதிரி நிலை இருக்கிறது. டாக்டர் ஜான் அதற்கு இடம் கொடுக்கவில்லை. ஆனால் இடம் கொடுக்கும்படிச் செய்வதற்கு நாங்கள் பிரயத்தனம் செய்துகொண்டிருக்கிறோம். ஸ்ரீ கெஜபதி நாயகர் அவர்களுக்கு ஆங்கிலம் தெரிந்திருந்தாலும் தமிழிலே பேசுகிறார். தமிழிலேயே இந்தச் சட்டசபை நடவடிக்கைகளை நடத்த வேண்டுமென்று ஆவலுடன் பேசி வருகின்றார். ஆனதினால் அதனுடைய பலன் என்னவென்பதை இன்று தெரிந்துகொள்வதற்கு சந்தர்ப்பம் கிடைத்துவிட்டது.

“வடாற்காடு ஜில்லாவில் சாத்தனூர் அணைக்கட்டு வேலை ஆரம்பித்து வேலை செய்து வருகிறார்கள். கனம் மந்திரி ஸ்ரீ பக்தவத்சலம் மராமத்து மந்திரியாக இருந்த போது அவர் பிரயத்தனம் எடுத்துக்கொண்டார். ஸ்ரீ ஓம்நாதர் ராமசாமி ரெட்டியார் முதலமைச்சராக இருந்த காலத்தில் தான் இதை ஆரம்பித்தார். ஆரம்பித்த வேலையைச் செய்வதற்காக ஸ்ரீ ஓ. பி. ரெட்டியாரே திட்டம் போட்டார். ஆனால், அவர் இன்று பேசும்போது அவருக்கே சந்தேகம் வந்து விட்டது. வழ வழா என்று அவர் இதைப்பற்றி பேசிவிட்டார். அவரே திட்டத்தை வகுத்தார். ஆனால், இப்பொழுது அது சரியா, தண்ணீர் போகுமா, போகாதா, கீழே இருக்கிற 60 ஆயிரம் ஏக்கருக்குப் பாயுமா, பாயாதா என்று பேசுவதற்கு ஆரம்பித்துவிட்டார்கள். ஆனால், நமது இன்ஜினீர்கள் அப்படி மட்டும் இன்ஜினீர்கள் அல்ல. ஒரு முறைக்குப் பல முறைகள் நன்றாக ஆராய்ந்து பார்த்த பிறகு சேதாரமாகப் போகும் தண்ணீரைத் தேக்குவது என்று முடிவு செய்து, பல தகராறுகளுக்கு எல்லாம் ஜவாப் சொன்ன பிறகு தான் வேலையை ஆரம்பித்தார்கள். கனம் ஸ்ரீ ராமசாமி ரெட்டியார் காலத்தில் ஆரம்பிக்க உத்தேசிக்கப்பட்ட வேலை அசிகங்கமாகப் போகக்கூடாது. வேலை நடந்து முடிந்தால் அவருக்கு நல்ல பெயர். அதை ஆரம்பிப்பதற்குக் காரணபூதராக இருந்த கனம் ஸ்ரீ பக்தவத்சலம் அவர்களுக்கும் நல்ல ஒரு பலனை உண்டுபண்ணும். என்னுடைய ஜில்லாவில் அந்த வேலை ஆரம்பிக்கப்பட்டதினால் இன்றைக்கு ஆயிரம் பேர்கள் அங்கு வேலை செய்து பிழைக்கிறார்கள். ‘கஞ்சி வரதப்பா’ என்றால் ‘எங்கே வரதப்பா’ என்று கஞ்சிக்கு எங்கிக்கொண்டிருக்கும் வடாற்காடு மக்கள் இந்த வேலைத்திட்டத்தின் காரணமாக ஆயிரம் பேர்கள் வரையில் வேலை அய்யர் அவர்கள் பேசும்போது, ‘எல்லாத் திட்டங்களையும் ஒரேயடியாக எடுத்துக் கொண்டு குழப்புகிறார்கள்; ஒவ்வொன்றாக எடுத்துக்கொள்ளுங்கள்’ என்ற முறையில் பேசுகிறார்கள். அவர் இப்படித்தான் பேச ஆடுகிறது, கிளி கொஞ்சுகிறது. அவர் அப்படிப் பேசுவதில் ஆச்சரியம் ஒன்றுமில்லை. பஞ்சப் பிரதேசமாகிய எங்கள் வடாற்காடு ஜில்லா மக்கள் எப்படிப்போனால் அவருக்கு என்ன? பஞ்சத்தால் வாடுகிறவர்கள் பட்டினி தினால் நல்ல பலன் உண்டாகும். ஆகவே இதை நான் வரவேற்கிறேன். இந்தத் திட்ட வேலை சீக்கிரமாக முடியவேண்டுமென்றும் நான் கேட்டுக் கொள்கின்றேன்.

“தேற்றைய தினம் ஸ்ரீ கெஜபதி நாயகர் அவர்கள், நாடகங்களைக் கவனித்துவது சம்பந்தமாக ஒரு மசோதா வந்திருப்பது பற்றி கணினி அலுவலர் குறிப்பிட்டுப்பதையொட்டி சில வார்த்தைகள் பேசினார். ஸ்ரீமான்

[4th December 1954]

[Sri N. Annamalai Pillai]

ஈ. வைத்யநாதய்யர், மற்றும் ஆர்.எஸ்.எஸ்., இந்து மகாசபை ஆகியவர்கள் தான் மதுரையில் நடந்த சம்பவத்திற்குக் காரணம். அவர்கள் தான் கலகம் செய்கிறார்கள் என்ற முறையில் சபையிலே ஸ்ரீ நாயகர் பேசுகிறார்கள். நான் அவருக்குச் சொல்கிறேன், என்னைப்போன்றவர்களை உடைய உணர்வும் எரிந்துகொண்டும், கொதித்துக்கொண்டும் இருப்பதை அவர்கள் உணராமல் இருக்கிறார்கள். ராமர், கிருஷ்ணர் போன்ற தெய்வங்களை நம்மவர்கள் உள்ளத்தில் இருத்தி பக்தி சிரத்தையுடன் போற்றி வருகின்றார்கள். அப்படிப்பட்ட இஷ்ட தெய்வங்களைப்பற்றி இழிவாகப் பேசுவதைப்பற்றி மக்கள் பொறுத்துக்கொண்டிருக்கிறார்கள். இது ஒரு நாளைக்கு எப்படி ஆகும் என்று சொல்ல முடியாத நிலைமை ஏற்பட்டுவிடும். அரசாங்கம் இதில் ஜாக்கிரதையாக இருக்கவேண்டும். முன் ஜாக்கிரதையுடன் காரியங்களைச் செய்யவேண்டும். முன்னொரு காலத்தில் மதுரைமாயுடன் காரியங்களைச் செய்யவேண்டும். முன்னொரு காலத்தில் மதுரைமாயுடன் நகர் பற்றி எரிந்த வரலாற்றை நாம் மறந்து விடக்கூடாது. சரித்திரம் படித்தவர்களுக்கு அது தெரியும். கனம் ஸ்ரீ கெஜபதி நாயகர் ஒருவேளை கோவலன் சரித்திரத்தை படித்திருக்கவில்லை என்று நான் நினைக்கிறேன். மத விஷயத்தில் யாரும் குறுக்கிடுவது கூடாது.”

SRI A. GAJAPATHY NAYAGAR :—“‘ஹிந்து’ பத்திரிகையிலே ஆர்.எஸ்.எஸ். அங்கு இன்ன வேலை செய்திருக்கிறது என்ற விவரம் வந்திருந்தது. அதைத்தான் நான் குறிப்பிட்டேன்.”

* SRI N. ANNAMALAI PILLAI :—“‘ஹிந்து’ பத்திரிகையிலோ, ‘தினத்தந்தி’ பத்திரிகையிலோ பார்த்த விஷயங்களைக்கொண்டு மாதிரம் சட்டசபையில் விவகாரத்தை நடத்துவது என்று சொன்னால் எல்லோருடைய தலைகளும் எகிறிவிடும். பத்திரிகையில் இருக்கிறதை எடுத்துக்கொண்டு இங்கு பேசி குழப்பத்தையோ ஜனங்களிடையே வெறுப்பையோ ஏற்படுத்தக் கூடாது. அபாயகரமான வார்த்தைகளை வெளியே சொல்வது ரொம்ப பொறுக்க முடியாததாகும். எந்த விஷயத்தைப்பற்றியும் பொறுமையாகச் சொல்லவேண்டும்.

‘ஆக்கமுங் கேடு மதனால் வருதலாற்
காததோம்பல் சொல்லின்கட் சோர்வு’

என்பது திருக்குறள். திரு. கஜபதி நாயகர் இந்தக் குறளை அறிவார் என்று நினைக்கிறேன். இந்தச் சபையானது எல்லோருடைய ஜீவநாடி. உயிர்களையும் சொத்துகளையும் காப்பாற்றுவதற்காக அங்கத்தினர்களும், மந்திரிமார்களும், அதற்குத் தலைவராக சபாநாயகரும் இருக்கிறார்கள். இப்படிப்பட்ட இடத்தில் மிக ஜாக்கிரதையாக வார்த்தையை உபயோகிக்க வேண்டும். நாம் இந்த இடத்தில் இருந்துகொண்டு இந்து மகாசபையின் பேரிலோ, ஆர்.எஸ்.எஸ். ஸ்தாபனத்தின் பேரிலோ, ஸ்ரீவைத்யநாதய்யர் பேரிலோ பழியைத் தட்டிக் கழித்துவிட்டுப் போய்விட்டால் நம்முடைய வார்த்தைகளினாலே ஆயிரக்கணக்கான மக்கள் துன்பப்படுவார்கள், அழிந்து போவார்கள். அதை மனதில் வைத்துக்கொண்டு ஜாக்கிரதை யாக சபையில் வார்த்தையை விடவேண்டுமென்று அவருக்கு நான் தெரிவித்துக்கொள்கிறேன். இந்த விஷயங்களையெல்லாம் நான் இந்த சந்தர்ப்பத்தில் சொல்லாமல் இருக்கமுடியவில்லை.

“எனக்குக் கொடுக்கப்பட்ட ஐந்து நிமிஷத்தில் எதைப்பேசுவது என்று தெரியவில்லை. கடன் நிவாரணச்சட்டம், சாத்தனூர் அணைக்கட்டு, கூட்டுறவு பிராஞ்சு போன்ற இன்னும் பல விஷயங்களைப்பற்றி நான் பேசவேண்டுமென்று உத்தேசித்து இருந்தேன். அவைகளைப்பற்றி சொல்லுவதற்கு நேரம் இல்லையாகையால் இப்பொழுது நான் பேசப்போவதில்லை.

“அரிசி பற்றாக்குறை தீர்ந்துவிட்டது அதனால் பஞ்சம் போய்விட்டது என்று நாம் நினைப்பதற்கில்லை. ஒரு படி அரிசி பதினான்கு அணு முதல் ரூ. 1-2-0 வரையில் இன்னமும் விற்பனையாகிவருவதால் இரக்கத்தோடு விலைவாசிகள் குறைந்தபாடிட்டலை. குமாஸ்தாக்களும், சிப்பந்திகளும், ரோட்டிகள் பிச்சை எடுப்பவர்களும் அரிசியின் விலை குறையாமலிருப்பதால் தித்தித்துக்கொண்டிருக்கிறார்கள். மழை பெய்துவிட்டால் நாட்டில் சுபீட சம்பவங்களும் என்று அர்த்தம் இல்லை. கொள்ளை லாபம் அடிக்கிற

[Sri N. Annamalai Pillai]

[4th December 1954]

வர்களைக் கண்டுபிடித்து விலைவாசிகளைக் குறைக்கவேண்டியிருக்கிறது ஆகையால், பேசுவதற்கு வேண்டிய சந்தர்ப்பத்தை எல்லோருக்கும் கொடுத்து அவரவர்கள் மனதில் உள்ளதை இங்கு தெரிவிக்கும்படி செய்தால்தான் அவைகளையெல்லாம் அரசாங்கம் கவனித்து மக்களுக்கு வேண்டிய காரியங்களைச் செய்வதற்கு முடியும். அந்த முறையில்தான் நான் பேசுவதற்கு அவகாசம் வேண்டுமென்று கேட்டேன். அவகாசம் கிடைக்காமற்போனாலும், இந்த சந்தர்ப்பத்தையாவது எனக்குக் கொடுத்ததற்காக தலைவர் அவர்களுக்கு என்னுடைய நன்றியைச் செலுத்திக்கொண்டு என்னுடைய வார்த்தையை முடித்துக்கொள்கின்றேன்.”

MR. CHAIRMAN :—“ I would like to inform hon. Members that the House will sit from 12-30 p.m. to 2 p.m. on Monday.

“ I now adjourn the House to meet again at 12-30 p.m. on Monday, the 6th December 1954.”

The House then adjourned.

4th December 1954]

APPENDIX I.

[Vide answer to starred question No. 31 asked by Sri T. Purushothaman at the meeting of the Legislative Council held on 4th December 1954, page 119 supra.]

EXTRACTS FROM THE SCHEDULE TO THE GENERAL RULES FOR THE MADRAS STATE AND SUBORDINATE SERVICES.

Minimum General Educational Qualification.

A candidate must—

(a) either have obtained a completed Secondary School-Leaving Certificate issued under the authority of the Government of Madras; and

(1) if such certificate was obtained in pursuance of the revised Secondary School-Leaving Certificate Scheme introduced by G.O. No. 1636, Law (Education), dated the 3rd August 1929, the certificate must show that the candidate has obtained at the Public Examination not less than the percentage of marks specified below in the subjects under Group “A” and not less than 35 per cent in one of the subjects in Group “C” :—

Group “A”.

	PER CENT.
English	40
A language	40
Elementary Mathematics	35
Elementary Science	30
Outlines of History of England and India and Geography.	30

Provided that a candidate belonging to the Scheduled Castes or Scheduled Tribes shall, if he has obtained not less than 35 per cent in English and in the language in Group “A” and not less than the per centage of marks specified above in the other subjects under that group and 35 per cent in one of the subjects under Group “C”, be eligible for appointment to any subordinate service;

(2) if such certificate was obtained in pursuance of the Secondary School-Leaving Certificate Scheme which was in operation before the revised scheme referred to in sub-clause (1), the certificate must show that the candidate has obtained at the Public Examination not less than 35 per cent of the marks in each of the subjects in Group “A” and in each of two subjects in Group “C”; and

(3) if such certificate was obtained in pursuance of the scheme for the re-organization of the Secondary Education introduced by G.O. No. 1394, Education, dated the 29th May 1948, the certificate must show that the candidate has obtained

[4th December 1954]

at the Public Examination not less than the percentage of marks specified in column (2) of the table below against the subjects referred to in column (1) thereof:—

TABLE.

I. Academic Course.			II. Secretarial Courses.		
(1)		(2) PER CENT.	(1)		(2) PER CENT.
1 First Language	..	40	1 First Language	..	40
2 English	..	40	2 English	..	40
3 Mathematics	..	30	3 Commercial Arithmetic.	..	30
4 Social Studies	..	35	4 Social Studies	..	35
5 General Science	..	35	5 (a) Drafting, Precise-writing and typewriting.	..	30
			(b) Two of the following three subjects:—		
			(i) Commercial practice	}	30
			(ii) Shorthand		
			(iii) Book-keeping		
III. Pre-technological Courses.			IV. Aesthetic Courses (the course consists of three parts).		
(1)		(2) PER CENT.	(1)		(2) PER CENT.
A. Engineering—			Part I—First Language		
1 First Language	..	40	Part II—English		
2 English	..	40	In each of the other two		
3 Mathematics	..	30	subjects under Part II.		
4 Social Studies	..	35	If Social Studies is taken		
5 (a) Science and drawing.	..	30	as a subject under this		
(b) Engineering Subjects.	..	30	part, 35 per cent		
B. Agriculture or any other			should be obtained in		
subject—			that subject.		
1 First Language	..	40	Part III—Any one subject		
2 English	..	40	under this part.		
3 Mathematics	..	30			30
4 Social Studies	..	35			
Special Subjects—					
5 (a) Elementary Science.	..	30			
(b) Agriculture or any	..	30			
other subject.					

Provided that a candidate belonging to the Scheduled Castes or Scheduled Tribes shall, if he has obtained not less than 35 per cent in English and in the First Language, and not less than the percentage of marks specified in the table above in the other subjects, be eligible for appointment to any subordinate service.

NOTE—(i) The certificates of pupils who have been exempted from Vernacular Composition and Translation in Group "A" will not be considered incomplete because they contain no entry under that subject.

(ii) A pass in a Government Technical Examination will be regarded as equivalent to obtaining 35 per cent of the marks in the corresponding subjects in the Secondary School-Leaving Certificate Public Examination; for this purpose wherein the latter examination, the technical subject comprises two subjects in the Government Technical Examination, passes in at least the lower grade are required in both the subjects in the Government Technical Examination.

4th December 1954]

(iii) A pass in a Part of the Intermediate Examination in Arts and Science of the Madras or Annamalai University shall be regarded as equivalent to obtaining the minimum number of marks prescribed for the corresponding subject or subjects in the Secondary School-Leaving Certificate Public Examination.

(iv) A candidate who appeared for the Secondary School-Leaving Certificate Examination under the 1929 scheme and failed to obtain the minimum marks prescribed for the minimum general educational qualification in sub-clause (1) of clause (a) can appear for the Secondary School-Leaving Certificate Examination under the Re-organized Scheme of Secondary Education in the corresponding subjects in the Academic Course given below and obtain the minimum marks prescribed against each subject in the table above:—

Old Scheme.	New Scheme (Academic Course).
(1)	(2)
1. Language	1. First language.
2. English	2. English.
3. Elementary Mathematics.	3. Mathematics.
4. Elementary Science ..	4. General Science.
5. History and Geography.	5. Social Studies.
6. Optional subject ..	6. No corresponding subject.

He shall be deemed to possess the minimum general educational qualification if he has obtained the minimum percentage of marks prescribed for the first five subjects in the old scheme or the minimum percentage of marks prescribed for the corresponding subjects specified above in the new scheme and in lieu of the prescribed percentages in the optional subject in the old scheme has obtained the minimum number of marks in Composite Mathematics under the new scheme or a pass in any one of the subjects for Government Technical Examinations by the lower grade which need not necessarily be a corresponding subject; or

(b) have obtained a Completed European School-Leaving Certificate issued under the authority of the Government of Madras, with either Tamil, Telugu, Malayalam, Kannada, Hindustani or Hindi as his compulsory Second language and secured at the European High School Examination not less than the percentage of the marks specified below in the subjects in Group "A" and not less than 35 per cent in each of three subjects in Group "B":—

Group "A".

English	40
Elementary Mathematics ..	35
A language	30; or

(c) have passed the Matriculation Examination of the Madras or Annamalai University.

[4th December 1954]

APPENDIX II.

[Vide answer to starred question No. 35 asked by Sri T. Purushotham at the meeting of the Legislative Council held on 6th December 1954, page 123 supra.]

G.O No. 1250, Education, dated 31st August 1954.

[Adult Education—Modified Scheme—Orders issued.]

READ—the following paper :—

From the Director of Public Instruction, dated 16th June 1954,
No. 64-A-4/54.

Order—No. 1250, Education, dated 31st August 1954.

The Government recently reviewed the policy and procedure in regard to Adult Education and instructed the Director of Public Instruction to submit a Modified Scheme of Adult Education. They approve the proposals submitted by the Director. The details of the scheme are briefly given in the Annexure below.

2. Six-hundred and fifty Adult Schools will be opened in the areas covered by the Community Projects and 1,000 Adult Schools in the areas covered by the National Extension Service. As new blocks of National Extension Service are taken up, the scheme will be extended to those areas also so that it will cover the entire State when National Extension Service becomes a State-wide scheme.

3. The expenditure in respect of the Adult Schools in the Community Project areas will be debited to "63-B. Community Development Projects—h. Social Education". The expenditure after the Community Project Scheme comes to a close will be borne from the State funds under "37 Education". The expenditure in the National Extension Service areas will be debited to "37. Education—t. Development Schemes—I Schemes included in the Five-Year Plan—D. General—Grant for adult education class and night schools".

4. No grants from Government funds will be disbursed in future to the Adult Schools outside the Community Project and the National Extension Service areas. The Director of Public Instruction is requested to issue necessary instructions in the matter.

5. A pamphlet containing the salient features of the new scheme of Adult Education should be prepared and distributed to the villages covered by the Community Project and the National Extension Service so as to enable the villagers to understand the scheme and co-operate in implementing it successfully.

6. The radio sets which were purchased for distribution to Adult Schools may be distributed to the Adult Schools in the National Extension Service Blocks in consultation with the Director of Rural Welfare. Other materials like drama, bhajana and recreational materials may also be distributed to schools in the Community Project and the National Extension Service areas if those materials have not already been distributed to the Adult Schools by the concerned Inspecting Officers.

[4th December 1954]

7. The Director of Public Instruction is requested to send proposals for the preparation of books to be used in the Adult Schools.

8. The Director of Public Instruction should examine the question of continuing the clerks sanctioned for Adult Education work in the offices of the District Educational Officers and submit necessary proposals in the matter.

9. The Director of Public Instruction is also requested to submit proposals for opening Training Schools for Adult School teachers.

10. The Government have decided that an Advisory Committee at State level should be constituted for advising Government on all matters relating to Adult Education. The Director of Public Instruction is requested to submit necessary proposals in this regard.

(By order of the Governor)

C. S. RAMACHANDRAN,
Secretary to Government.

To the Director of Public Instruction.
.. the Accountant-General, (through Finance).
.. the Director of Community Projects.
.. the Director of Rural Welfare.
.. all Collectors.
.. the Special Officers of District Boards.
.. the Executive Officers of Municipalities (through the Chairmen).
.. the Inspector of Municipal Councils and Local Boards (with copies to panchayats).
.. the Examiner of Local Fund Accounts.
.. the Public (R.D.P.)
.. the Public (Information and Publicity).
Copy to the South Indian Adult Education Association.

ANNEXURE.

Details of the Scheme.

1. Adult Education effort by the Government will be confined to the areas covered by the Community Projects and the National Extension Service. Adult Education effort outside these areas will be given up for the present.

2. Persons between the ages of 8 and 18 alone may be admitted to the adult schools.

3. The school session will consist of 2 hours. The school may be conducted at any time in the evening after 5-30 p.m. It is enough if the school works for 6 days in a week and for 200 days in a year. The school may be conducted in any available building preferably in the elementary school in the locality.

4. The duration of the course of instruction will be three years and the existing syllabus for adult schools may be followed for the present.

5. The following will be the rates of remuneration to the teachers of adult schools:—

Rs. 90 per mensem. Secondary Grade trained teacher who is also trained in adult education methods.

[4th December 1954]

Rs. 15 per mensem.	Elementary grade trained teacher who is also trained in adult education methods.
Rs. 15 per mensem.	Holder of passed III Form or E.S.L.C. who is trained in adult education methods.
Rs. 15 per mensem.	Secondary grade trained teacher who is not trained in Adult Education methods.
Rs. 12 per mensem.	Elementary grade trained teacher who is not trained in Adult Education methods.

6. No teacher will be entitled to remuneration if the average attendance in a month falls below 10; if the average attendance exceeds 25, then a second teacher may be allowed.

7. The following will be the items of contingent expenditure allowed for a school :—

(a) The cost of one gallon of kerosene oil per month for every hurricane lantern used in the school;

(b) An amount of Rs. 4 per mensem for stationery and for refreshments to be distributed to the students periodically during the month.

8. The following items of equipment, etc., will be supplied free to every school :—

(a) one hurricane lantern for every 5 pupils in a school;

(b) Books, charts, etc., at a cost not exceeding Rs. 15 per school per annum; and

(c) Newspapers and journals at a cost not exceeding Rs. 42 per annum.

9. An examination will be held at the end of every year during the 3-year course and a certificate will be issued at the end of the third year.

10. The administrative control of the schools will vest in the Education Department; permission to open schools and admission to recognition and aid will be granted by the District Educational Officer on the recommendation of the Deputy Inspector of Schools; the Deputy Inspector of Schools will visit every school ordinarily three times a year and inspect the school once in every year. The services of the Social Education Organizers and the Grama Sevaks will be utilized to supplement the supervision work of the Education Department. In addition to the Inspection Book for the use of the Education Department each school shall have a Visitors' Book in which the Social Education Organizers and the Grama Sevaks and others will record their remarks.

11. In the matter of opening schools in the areas covered by the Community Projects and the National Extension Service, preference will be given to places where there are no schools at present and to places where a large percentage of the children of school-going age are not at present attending any school.

12. The existing schools in these areas should be merged in the new scheme.

[4th December 1954]

APPENDIX III.

[Vide answer to starred question No. 43 asked by Sri T. Purushotham at the meeting of the Legislative Council held on 4th December 1954, page 130 supra.]

(a) The strength of teaching staff and number of students in each section as it stood on 1st October 1954 are given below :—

Name of course.	Present strength of staff.	Strength of students.
(1)	(2)	(3)
Cinematography and Sound Engineering.	1 Superintendent, Sound Engineering. 1 Special Officer for Outdoor filming. 1 Cinema Assistant .. 1 Radio Demonstrator .. 1 Cinema Operator .. 2 Demonstrators .. 1 Instructor ..	21
Electrical Engineering (part-time and full-time).	1 Head of Section .. 1 Lecturer .. 5 Assistant Lecturers .. 2 Instructors .. 2 Demonstrators ..	285
Mechanical Engineering (part-time and full-time).	1 Head of Section .. 1 Lecturer .. 5 Assistant Lecturers .. 2 Instructors .. 2 Demonstrators ..	302
Civil Engineering ..	1 Head of Section .. 2 Lecturers .. 1 Assistant Lecturer .. 1 Demonstrator ..	258
Sanitary Engineering ..	1 Head of Section .. 1 Lecturer .. 1 Demonstrator ..	71
Printing Technology (full-time and part-time).	1 Head of Section .. 1 Lecturer .. 3 Assistant Lecturers .. 2 Instructors .. 2 Demonstrators ..	169
Fisheries Technology and Navigation.	1 Head of Section .. 1 Lecturer .. 2 Assistant Lecturers .. 2 Demonstrators ..	31
Common to all courses	1 Principal .. 1 Senior Lecturer .. 1 Lecturer .. 1 Physical Director .. 2 Mathematics Lecturers .. 1 Mechanic .. 1 Electrician .. 1 Instrument Mechanic .. 1 Superintendent .. 2 Assistant Lecturers .. 5 Instructors ..	316
Industrial School Section		

[4th December 1954]

(b) The posts which are vacant at present and the dates from which they are vacant are given below:—

Courses. (1)	Post. (2)	Date from which vacant. (2)
Civil Engineering	2 Assistant Lecturers	17th February 1954 and 16th March 1954.
	1 Demonstrator	28th July 1948.
Sanitary Engineering	2 Assistant Lecturers	2nd March 1954 and 9th January 1954.
	1 Instructor	28th July 1954.
	1 Demonstrator	Do.
Fisheries Technology	1 Instructor	Do.
Common to all courses	1 Senior Lecturer (Gazetted).	23rd July 1954.

APPENDIX IV.

[Vide answer to starred question No. 46 asked by Sri G. Krishnamoorthi at the meeting of the Legislative Council held on 4th December 1954, page 132 supra.]

Grade of Physical Training Instructors.	Qualifications.	Scale of pay in Government schools.	Scale of pay in non-Government schools, both under local bodies and private managements.
Grade I ..	Holders of a diploma in Physical Education or holder of the Higher Grade Certificate in Physical Education.	RS. 50—2—70— 2½—95.	RS. 50—2—70— 2½—95.
Grade II ..	Holders of the Lower Grade Certificate in Physical Education or holders of certificate of Physical Training after undergoing one year's training in the Y.M.C.A. College of Physical Education, Saidapet, before 1937-38.	45—2—75	45—2—75
Grade III—			
Category 1.	Persons who do not possess the qualifications prescribed for Grade I or II but possess the old Gymnastics Teachers' Certificate in Physical Training.	40—1—60	40—1—60
Category 2. Others *			30—1—50

* These are not employed in schools under Government.

[4th December 1954]

APPENDIX V.

[Vide answer to starred question No. 48 asked by Sri T. Purushotham at the meeting of the Legislative Council held on 4th December 1954, page 133 supra.]

LIST SHOWING THE DUTIES ASSIGNED TO THE MEMBERS OF THE BOARD OF REVENUE.

I. SUBJECTS RESERVED FOR DISPOSAL BY THE FULL BOARD.

1. Acts and Bills.
2. Deputy Collectors—selection—periodical reports—promotion and retirement.
3. Creation and re-distribution of districts, divisions and taluks.
4. Proposals involving any fundamental change in policy and administration.

II. SUBJECTS ASSIGNED FOR DISPOSAL BY COLLECTIVE BOARD.

1. Conduct of Gazetted Officers other than officers of the Excise Department.
2. Commercial Tax Officers—selection—periodical reports—promotion and retirement or punishment.
3. Grant of dry remissions.
4. Court of Wards (matters of special importance).
5. Licences for the use of lands and buildings within the limits prescribed for the collective Board in Board's Standing Order No. 24-A.
6. Placing of lands—Buildings at the disposal of local bodies or private institutions and exemption of land revenue within the limits prescribed for the exercise of powers by the collective Board in Board's Standing Order Nos. 24 (11) and 24 (17).
7. Irrecoverable losses of public stores, public money and irrecoverable costs in civil suits or appeals within the limits prescribed for the exercise of powers by the Full Board in Appendix 23 to the Madras Financial Code, Volume II—unprofitable outlay over well works and consequent write off.
8. Jamabandi Administration Reports.

III. SUBJECTS ASSIGNED FOR DISPOSAL BY TWO MEMBERS.

Commissioner of Land Revenue and Development and
Commissioner of Commercial Taxes.

1. Conduct of public servants of the grade of Tahsildars and Deputy Tahsildars of the Revenue Department and Deputy Commercial Tax Officers and Assistant Commercial Tax Officers of the Commercial Taxes Department.

[4th December 1954]

2. (i) Petitions or memorials against appointments and appeals against termination of probation and punishments from public servants of the grade of Tahsildars and Deputy Tahsildars of the Revenue Department and Deputy Commercial Tax Officers and Assistant Commercial Tax Officers of the Commercial Taxes Department.

(ii) Appeals against termination of probation and punishment (except censure and stoppage of increments) from the Superintendents working in the office of the Board of Revenue including the Excise and Commercial Tax Branches.

3. Standing orders relating to Land Revenue and Irrigation subjects.

4. Lists of approved candidates for appointment to posts of Tahsildars and Deputy Tahsildars.

5. Kistbandi.

6. Lists of approved candidates for appointment to posts of Assistant and Deputy Commercial Tax Officers.

IV. SUBJECTS ASSIGNED FOR DISPOSAL BY A SINGLE MEMBER.

(A) *Commissioner of Land Revenue and Development.*

1. General control and administration of Land Revenue and Village Establishment.

2. Land revenue and cess collections; revenue sales and irrecoverable arrears.

3. Special funds (other than irrigation cess fund), copyists and examiners and process establishment.

4. Placing of lands at the disposal of the local bodies or private institutions and exemption of land revenue other than cases referred for disposal by the collective Board. Transfer of lands from one department to another and from State Government to Central Government and *vice versa*.

5. Religious and charitable endowments, yeomials, beriz deduction, money allowances, assignments of land revenue and political pension.

6. Village officers, appeals and petitions relating to claims to office, appointments and punishments.

7. Office procedure (District Office Manual), office inspections and custody of records.

8. Loans under the Land Improvement Loans Act XIX of 1883 (Central) and Agriculturists' Loans Act XII of 1844 (Central) and XVI of 1935 (Madras Amendment Act).

9. Rural water-supply scheme, budget and control of expenditure.

APPENDIX

[4th December 1954]

10. General control and administration of Minor Irrigation establishments.

11. Irrigation—maintenance of minor irrigation sources and kudimaramath irrigation cess fund, irrigation panchayats.

12. Land acquisition and allied matters.

13. Miscellaneous—

(a) Transfer of villages from one taluk to another.

(b) Administration of Cattle Pounds and Cattle Trespass Act.

(c) Public buildings.

(d) Establishment of telegraph offices and telephones.

(e) Fisheries.

(f) Ferries.

14. Budget estimates and control of expenditure under—

Receipts—

(1) Land revenue.

(2) Pound fund receipts.

(3) Other miscellaneous heads.

(4) Irrigation works—works for which neither Capital nor Revenue accounts are kept—Minor Irrigation.

(5) Interest on loans and advances by State Government—advances to cultivators.

(6) Loans and advances—Land Improvement Loans and Agriculturists' Loans Act—recoveries.

Charges—

(1) Land Revenue.

(2) Board of Revenue (Land Revenue Branch).

(3) District Administration.

(4) Cattle pounds.

(5) Other miscellaneous heads.

(6) Irrigation works—works for which neither Revenue nor Capital accounts are kept—Minor Irrigation.

(7) Discretionary grants by Collectors.

(8) Irrecoverable temporary loans written off—loans and advances by State Government—Advances to cultivators.

(9) Loans and advances by State Government—Advance under the Land Improvement Loans and Agriculturists' Loans Acts.

(10) Cost of demarcation of boundaries.

(11) Stationery and Printing—printing at private presses.

[4th December 1964]

15. Forest panchayats—Administration including budget estimates and control of expenditure under Forest Panchayat and assignments and compensations (Receipts and Charges).
16. The Madras Preservation of Private Forests Act.
17. Destruction of wild animals and grant of rewards.
18. Merger of States.
19. Vital statistics, vaccination and cattle diseases.
20. Fodder and grazing.
21. Soil conservation and contour bunding.
22. Wynaad Colonization Scheme and other schemes.
23. Separation of judiciary.
24. Planning and development including Community Projects and National Extension Service.
25. Contributory Provident Fund-Pension Scheme.
26. Civil Service Regulations.
27. Alphabetical list of villages.
28. Railway Protection Act, 1886—tanks affecting railways—repairs.
29. Board's Standing Order No. 7—use of water for irrigation from works not controlled by Government.
30. Use of water for industrial purposes.
31. The Tanjore Tenants and Pannaiyal Protection Act.
32. The Madras Indebted Agriculturists (Temporary Relief) Act, 1954.
33. Agricultural Pests and Diseases Act.
34. Treasuries and the custody of public money.
35. Food production.
36. Famine.
37. Vanamahotsava (National tree planting).
38. Suspension and remission of land revenue under Boards Standing Order Nos. 13 and 14—appeals and miscellaneous petition relating to remission.
39. Fire accidents, floods and epidemics.

(B) *Commissioner of Land Revenue (Civil Supplies) and Settlement.*

1. Village and taluk accounts.
2. Assignment, leases and disposal of land.
3. Relinquishments.
4. Encroachments.
5. Court of Wards—General control and adminis

APPENDIX

197

4th December 1964]

6. Appeals under rule 5 of the rules framed under sub-section (4) of section 4 of the Madras Impartible Estates Act, 1904 (Madras Act II of 1904), as amended by Madras Act III of 1934.
7. Settlement and Resettlement of ryotwari tracts.
8. Maintenance of frontier boundaries and settlement of frontier disputes.
9. Maintenance of revenue records and registration.
10. Cowles and tree pattas.
11. Appeals under the Limited Proprietor's Act.
12. Inams (Inam Commissioner)—
 - (a) Questions relating to the inam settlement.
 - (b) Maintenance of records of the inam settlement.

Civil Supplies—

- (i) Direction, co-ordination and enforcement of measures for the distribution of foodgrains and for the control of prices in the State in accordance with the policy laid down by the Central and State Government from time to time.
- (ii) Regulation of storage and movements of foodgrains within the State and their exports to places outside the State, subject to any general orders of the Government in this behalf.
- (iii) Watching the state of supplies of foodgrains and trend of prices by close liaison with the trade, the public, the railway, shipping and other authorities and heads of departments concerned and taking such action as may be considered necessary for distribution or control.
- (iv) Advising the Government on any matters connected with supplies of foodgrains and prices and transport in relation thereto.
- (v) Administration of Foodgrains Control Orders and other orders relating to Civil Supplies issued by the Central and State Governments.
- (vi) Guiding and directing the Collectors and other district officers in respect of the matter referred to above.
- (vii) Administration of State Trading Schemes.
- (viii) Petitions against appointments, and appeals, against termination of appointments and punishments from the Civil Supplies employees in the Board of Revenue (Civil Supplies) and the subordinate offices.

Settlement of Estates—

- (1) Act XXX of 1947—Rent Reduction Act.
- (2) Act XXVI of 1948—Estates Abolition Act.
- (3) Act I of 1908—Estates Land Act.
- (4) Act XIV of 1947—The Madras Estates Communal, Forest and Private Lands (Prohibition of Alienation) Act.

[4th December 1954]

(5) Act XXIV of 1949—Madras Tenants and Ryots Protection Act, 1949.

(6) Act XVIII of 1943—Madras Irrigation Works (Repairs, Improvement and Construction) Act.

(7) General control and administration of the Survey and Settlement establishments.

(8) Surveys, resurveys and revision surveys.

(9) Record of Rights and Settlements of rents in estates and (appeals and revision petitions) under Chapter XI of the Estates Land Act.

(C) *Commissioner of Commercial Taxes.*

1. Petition or memorials against appointment and appeals against censure and stoppage of increments from the Superintendents, Board of Revenue (Land Revenue and Irrigation).

2. Petitions or memorials against appointments and appeals against termination of probation and punishments from clerks and typists of the Board of Revenue (Land Revenue).

3. Escheats.

4. Municipal and Local Boards and Town-Planning Acts.

5. Matters relating to aboriginal and backward tribes.

6. Cantonments, Cantonment rules, Troops and camping grounds.

7. Village and panchayat courts.

8. Laccadives and Amindivis.

9. Treasure trove.

10. Elections—General, Municipal, Local Boards, Panchayat Boards and Electoral Rolls.

11. Irrigation—Projects—Water-rates—Control of irrigation and statistics—General questions relating to irrigation.

12. Suits and legal matters relating to any subject under his control.

13. Budget Estimates and control of expenditure under—
Receipts—

(i) Weights and measures—Fees for stamping and sale proceeds.

(ii) XIII—Other Taxes and duties—

*Receipts under—*Madras General Sales Tax, Madras Entertainments Tax, Madras Betting Tax, Madras Sales of Motor Spirit Taxation and Madras Tobacco (Taxation of Sales and Registration) Acts.

[4th December 1954]

Charges—

(i) Establishments for stamping weights and measures.

(ii) Thirteen other Taxes and Duties, charges relating to Madras General Sales Tax Act, 1939—Madras Entertainments Tax Act and Madras Betting Tax Act.

14. Officers of the Excise Department, including gazetted officers, conduct, selection, periodical reports, promotion and retirement.

15. Petitions or memorials against appointments from the Superintendents (Excise and Commercial Tax Branches) and appeals against termination of probation and punishments from clerks, Board of Revenue (Excise and Commercial Tax Branches) and appeals or revision petitions against the orders of the Deputy Commissioners (Commercial Taxes) in regard to the staff working under them.

16. Abkari revenue—Administration and control.

17. Opium revenue.

18. Dangerous drugs—Administration under the Dangerous Drugs Act.

19. The Madras Prohibition Act (Act X of 1937).

20. Stamp Act and Court Fees Act including court-fees in pauper suits.

21. Appeals under the Indian Arms Act and Rules, Explosives Act and Madras Motor Vehicles Taxation Act.

22. Administration of Evacuee Property Act.

23. Appeals relating to licences granted under the Petroleum Rules.

24. Miscellaneous—Madras Travelling Allowance Rules—General questions, tolls, advances, boats, motor vehicles, emigration and weights and measures.

25. The Madras Betting Tax Act, 1935.

26. The Madras Sales of Motor Spirit Taxation Act, 1939.

27. The Madras Tobacco (Taxation of Sales and Registration) Act, 1953.

28. The Madras General Sales Tax Act, 1939.

29. The Madras Entertainments Tax Act, 1939.

30. Revisional powers under the Madras General Sales Tax Act, 1939. The Madras Sales of Motor Spirit Taxation Act, 1939, the Madras Tobacco (Taxation of Sales and Registration) Act, 1953 and the Madras Entertainments Tax Act, 1939.

[4th December 1954]

31. Debt Conciliation Boards (Act XI of 1936 and G.O. No. 3692, Home, dated 17th December 1936). The Madras Agriculturists' Relief Act, 1938.

32. Appeals and revision petitions under the Madras Estates Land Act in respect of the estates under the management of the Court of Wards.

33. Appellate and revisional jurisdiction conferred on the Board of Revenue under section 45 (3) and the rules under section 45 of the Madras Court of Wards Act I of 1902.

NOTE.—(1) Routine papers in any "two members" subject will be disposed of by a single Member.

(2) When the collective Board has decided that dry remissions should be granted in any area all further details may be arranged by the Commissioner of Land Revenue and Development acting alone.

(3) When a paper which under the foregoing notification would go before a single Member is an appeal against the decision previously passed by that individual Member in any other capacity, such paper will be disposed of by a Colleague whom he may designate.

APPENDIX VI.

[Vide answer to clause (a) of starred question No. 49 asked by Sri T. Purushotham at the meeting of the Legislative Council held on 4th December 1954, pages 133-134 supra.]

Statement showing the duties and functions of the Transport Commissioner and the Joint Transport Commissioner.

A. Transport Commissioner—

CENTRAL ROAD TRAFFIC BOARD.

1. All statutory duties of the Transport Commissioner.
2. Amendments to the Principal Acts and Rules, their interpretation and the issue of Standing Orders and general circulars relating to them.

NOTE.—Principal Acts and Rules mean Motor Vehicles Act and Rules, Motor Vehicles Taxation Act and Madras Motor Vehicles (Taxation of Passengers and Goods) Act and Rules.

3. Correspondence with neighbouring State Transport Authorities, except on routine matters.
4. Sanction of prosecutions.
5. Questions in Legislature.
6. Reports for Press conference.
7. Old Provincial Motor Transport Controller's Branch.

GOVERNMENT BUS SERVICE.

Administrative Branch.

1. All appeals.
2. Overall control of all branches.

[4th December 1954]

3. Purchases of furniture, indents for stationery articles, forms, etc.
4. Representation from Labour Unions and recognition of Unions.
5. Functions as Head of the Department.
6. Recruitment of all posts in all the units of the organization and all establishment matters (viz., Committee, etc.).
7. Passing of Travelling Allowance Bills of Gazetted Officers.

Accounts Branch.

8. Passing of purchase orders for vehicles, machinery, stores, spare parts, accessories, lubricants, tyres, batteries, etc.
9. Passing of bills in respect of all purchases.

Traffic Branch.

10. Disciplinary cases falling under the provisions of the Motor Vehicles Act and Rules framed thereunder.

B. Joint Transport Commissioner—

CENTRAL ROAD TRAFFIC BOARD.

1. Administration of Motor Vehicles Taxation Act and Madras Motor Vehicles (Taxation of Passengers and Goods) Act. [Subject to item (2) under A.]
2. Statistics and Periodical Returns (all branches).
3. Personal Files and Service Questions—Gazetted Officers.
4. Enforcement of Principal Acts and Rules.
5. Regional Transport Officers' Diaries and reviews thereon.
6. Regional Transport Officers' Travelling Allowance Bills.
7. Writ Petitions.

GOVERNMENT BUS SERVICE.

Administrative Branch.

1. Routine correspondence with neighbouring States.
2. Questions involving Factories Act, Payment of Wages Act, Workmen's Compensation Act and Minimum Wages Act.
3. Study of daily returns of collections, buses on line and breakdowns.
4. Review of weekly reports from Government Bus Service, Government Automobile Workshop and Government Coach Building Factory relating to the progress of work.
5. Maintenance of service records and registers and confidential records for all staff including work-charged staff.
6. Library.
7. Annual inspections of all the Units of Nationalization Branch.

[4th December 1954]

Administrative Branch—cont.

8. Departmental meetings.
- 8-A. Office procedure, efficiency and promptness in the despatch of office work.
9. Stock verification reports.
10. Compilation of Manual for Drivers and Conductors and keeping up-to-date the same.
11. Scrutiny of financial statistics and figures.

Traffic Branch.

12. Advertisement on buses and back of tickets.
13. Accidents.
14. Petrol pumps and petrol purchases.
15. Stitching and supply of uniforms to all workers (Traffic, Stores, Tickets and Cash sections).
16. Printing of Tickets, Bus Guides and Maps.
17. Maintenance of vehicles log books.
18. Sending bills to and collection of dues from other departments.
19. Study of daily returns of collections, buses on line and breakdowns.
20. Review of weekly reports from Government Bus Service relating to the progress of work.
21. Maintenance of service records and registers and confidential records for all staff including work-charged staff.

Engineering Branch.

- 22 Execution of Civil Works including maintenance of buildings, Civil Engineering Stores.
23. Maintenance, breakdown, etc., sections.
24. Review of weekly reports from Government Bus Service, Government Automobile Workshop and Government Coach Building Factory relating to the progress of work.
25. Maintenance of service records and registers and confidential records for all staff including work-charged staff.

Labour Welfare Officer's Branch.

26. All matters relating to Labour Welfare.
27. Co-operative Canteen—laying down policies.
28. Recreation Club—laying down policies.
29. Dispensary.
30. Sanitation.
31. Miscellaneous.

[4th December 1954]

C. Transport Commissioner through the Joint Transport Commissioner—

*GOVERNMENT BUS SERVICE.**Administrative Branch.*

1. Implementation of the Scheme of Nationalization.
2. Distribution of work amongst officers.
3. Press reports.
4. Questions from Legislature.
5. Compliance with Statutory or Financial Rules.
6. Sanctions relating to the establishment.
7. Sanction of compensation covering third party risks and Payment of Wages Act.
8. Co-ordination of work between all branches and units.
9. Committees like Enquiry Committee, Works Committee, Transport Committee, Transport Advisory Committee.
10. Public Relations and Publicity.
11. Administration Reports, monthly, quarterly and annual.
12. Government Transport Central Workshop, Chromepet—Reorganization proposals.
13. Payment of all allowances like night duty allowance and uniform allowance.
14. Legal questions.
15. Service questions of all kinds, service conditions for workers.
16. Maintenance of personal files and review of periodical confidential reports.
17. All policy questions.
18. Audit objections.
19. Training.
20. Any other subjects.

Accounts Branch.

21. Budget Estimate.
22. Pro-forma accounts.
23. Monthly returns (accounts).
24. Scrutiny of contracts and agreements thereto.
25. Compilation of Service Rules for Department; amendments thereto.
26. Opinion on financial matters.
27. Compliance with Statutory or Financial Rules.
28. Sanctions relating to the establishment.

[4th December 1954]

Traffic Branch.

29. Opening of new routes, extension, cancellation of routes, schedules of services.
30. Sanctions relating to the establishment.
31. Sanction of compensation covering third party risks and Payment of Wages Act.
32. Committees like Enquiry Committee, Works Committee, Transport Committee, Transport Advisory Committee.

Engineering Branch.

33. Licensing and taxation programming.
34. Replacement and disposal of vehicles.
35. Maintenance and accounting of tools and plant.
36. Disposals of unserviceable stores in auction.
37. Planning and development relating to purchase of vehicles, major renovation, special works, improvements to existing vehicles, etc.
38. Purchase of vehicles, machinery, stores, spare parts, accessories, lubricants, tyres, batteries, etc., execution of contracts and agreements.
39. Sanction relating to the establishment.

J. SUBBUSWAMI,
Deputy Secretary to Government, Home Department.

APPENDIX VII.

Which answer to starred question No. 50 asked by Sri T. Parushotham at the meeting of the Legislative Council held on 4th December 1954, page 134 supra.]

Resolutions passed by the Chamber of District Boards at its last conference held on 24th May 1953 and the orders passed thereon by Government.

Resolutions passed by the Chamber.

Resolution 3.—Read Circular, dated 15th April 1953, of the Director of Public Instruction, Madras, regarding the Elementary Education Modified Scheme for work and training of pupils and out-lines of the scheme.

Resolution.—The Chamber is of opinion that the Elementary Education Modified Scheme does not give the desired effect and so it should not be implemented.

Resolution 5.—Read the following :—

Resolution Nos. 13 and 14, dated 31st December 1952, passed at the General Body Meeting of the Chamber of District Boards requesting Government (i) to apportion the entire income from the proceeds of Petrol Duty in proportion to the mileages of roads maintained by the Government and District Boards; and (ii) the surcharge amount realised on the selling of Motor Tickets in proportion to the mileages of roads maintained by the District Boards and Government.

Orders passed by Government.

(G.O. Ms. No. 703, Education, dated 20th May 1954.)

In view of the representations made regarding the Modified Scheme of Elementary Education in the State Legislature and outside, the Government have decided that this scheme should be discontinued and that the scheme of Elementary Education, which had been in force prior to the introduction of the former scheme should be revived with effect from 1954-55.

(Memorandum No. 13191/Tr. III/53-3, Home, dated 22nd April 1953.)

The Secretary, Chamber of District Boards, is informed that the question of revision of the maximum toll compensation payable to local bodies is engaging the attention of the Government.

2. As regards resolutions Nos. 13 and 14 passed at the General Body Meeting of the Chamber held on 31st December 1952 the Government regret that they are unable to comply with the requests.

Resolutions passed by the Chamber.
Resolution.—Press the resolution again.

Resolution 10.—Read the following :—

(i) Resolution No. 17, dated 3rd March 1953, passed at the Executive Committee Meeting of the Chamber of District Boards requesting Government to bear the contribution towards pay, leave allowances and pensionary contributions which the District Boards are now to pay to the Assistant District Health Officers as in the view of the Chamber, there is no sufficient justification to demand this contribution when the District Boards are not asked to pay similar contribution in the case of Health Inspectors.

(ii) Government Memorandum No. 20055-L/53-1, Health, dated 4th May 1953, negating the proposals of the Chamber.

Resolution.—Pressed.

Resolution 11.—Read the following :—

(i) Resolution No. 18, dated 3rd March 1953, passed at the Executive Committee Meeting of the Chamber of District Boards requesting the Government to sanction the same scales of pay to Local Fund Medical Officers which are paid to Medical Officers working in Government Medical Institutions.

(ii) Government Memorandum No. 20055-L/53-1, Health, dated 4th May 1953, disagreeing with the views of the Chamber.

Orders passed by Government.
(Memorandum No. 120427/Tr. IV/53-2, Home, dated 29th June 1953.)

The Secretary, Chamber of District Boards, is informed that the Government decline to reconsider their decision communicated to him in paragraph 2 of Memorandum No. 13191/Tr. III/53-3, Home, dated 22nd April 1953.

(Memorandum No. 31477-L/53-1, Health, dated 3rd July 1953.)

The Government issue the following orders on the three resolutions passed at the Special General Body Meeting of the Chamber held on 24th May 1953 :—

(1) *Resolution No. 10.—Payment of contribution by Government towards pay, leave allowances and pension in respect of Assistant District Health Officers.*—The Government regret that they are unable to reconsider their decision in the matter communicated in Memorandum No. 20055-L/53-1, Health, dated 4th May 1953

(2) *Resolution No. 11.—Enhancement of scale of pay of Local Fund Medical Officers—*

(Memorandum No. 31477-L/53-1, Health, dated 3rd July 1953.)

The proposal for enhancing the scale of pay of Local Fund Medical Officers to the level of Government Medical Officers involves heavy additional expenditure both to the local bodies and also to Government which in the present financial conditions cannot be borne by them. Further, the

[4th December 1954]

Resolution.—Pressed.

Resolution 13.—Read the following :—

(i) Resolution No. 12, dated 3rd March 1953, passed at the Executive Committee, requesting Government to entrust to District Boards the powers to sink wells as before and transfer the water-supply fund to District Boards.

(ii) Government Memorandum No. 20055-L/53-1, Health, dated 4th May 1953, regretting their inability to change the existing procedure.

Resolution.—Pressed again.

Resolution 14.—Resolved to request Government to publish the report and implement the recommendations of the Committee constituted for the reorganization of District Boards as early as possible.

4th December 1954]

proposal is not feasible, as there are two separate cadres, i.e., Sub-Assistant Surgeons and Assistant Surgeons, in local board service, whereas there is only one cadre of Assistant Medical Officers in Government service. For financial reasons, unification of cadres in local board service is not expedient at present. The proposal is therefore not acceptable.

(Memorandum No. 31477-L/53-1, Health, dated 3rd July 1953.)

(3) *Resolution No. 13.—Sinking of wells and transfer of water-supply funds to District Boards.*—The Government see no justification to reconsider their decision communicated in Memorandum No. 20055-L/53-1, Health, dated 4th May 1953.

(G. O. No. 1445, L.A., dated 3rd July 1953.)

The recommendations of the Committee are under active consideration of Government, but the committee's report cannot be published, as it is of a confidential nature.

[4th December 1954]

APPENDIX VIII.

[Vide answer to starred question No. 53 asked by Sri G. Krishnamoorthi at the meeting of the Legislative Council, held on 4th December 1954, page 136 supra.]

List of authorized medical attendants in the mufassal.

District. (1)	Class of officers. (2)	Designation of the authorized medical attendant. (3)
District Headquarters.	(i) Gazetted Officers and Non-Gazetted Officers drawing a salary of Rs. 250 or more.	<i>Men.</i> —District Medical Officer. <i>Women.</i> —District Medical Officer. If the District Medical Officer is a male the senior Woman Medical Officer will act as the authorized medical attendant.
	(ii) Other Non-Gazetted Officers.	<i>Men.</i> —One or more Civil Assistant Surgeons to be nominated by the District Medical Officer according to requirements, each being assigned to specific divisions. <i>Women.</i> —One or more Women Assistant Surgeons to be nominated by the District Medical Officer according to requirements, each being assigned to specific divisions.
Taluk Headquarters and other places.	(i) Gazetted Officers and Non-Gazetted Officers drawing a salary of Rs. 250 or more.	<i>Men.</i> —Senior Medical Officer in the place. <i>Women.</i> —Senior Woman Medical Officer in the place.
	(ii) Other Non-Gazetted Officers.	<i>Men.</i> —Medical Officer in the place or if there is more than one Medical Officer, the senior or other Medical Officer, who may be nominated by the District Medical Officer of the District. <i>Women.</i> —Woman Medical Officer in the place; or, if there is more than one Woman Medical Officer, the Senior Woman or other Woman Medical Officer, who may be nominated by the District Medical Officer of the District.

[4th December 1954]

APPENDIX IX.

[Vide answer to starred question No. 58 asked by Sri G. Krishnamoorthi at the meeting of the Legislative Council, held on 4th December 1954, page 140 supra.]

I

G.O. No. 1250, Education, dated 31st May 1952.

[Education—Educational concessions to children of non-gazetted officers and others—Orders issued.]

Order—No. 1250, Education, dated 31st May 1952.

The Government direct that with effect from the school-year 1952-53, certain educational concessions as laid down in this order, be granted to the children of all non-gazetted employees of the State Government, all employees of local bodies drawing pay not exceeding Rs. 300 per mensem and all teachers employed in aided elementary schools and aided secondary schools. The concessions will be restricted to the sons and daughters of the classes of employees mentioned above and will not be extended to their relatives or dependants. Pensioners, village officers or casual workers, who are paid wages at current market rates, and who are not employed regularly, will not be included in the scope of the concessions.

2. The concessions in the case of the children of these employees will be by way of the remission of full tuition fees in the case of those studying in elementary schools and in secondary schools up to and inclusive of Form III and by way of the remission of one half of such fees in the case of those studying in the high school classes (Forms IV to VI of a secondary school).

3. The concessions will not apply to any of the special fees levied for specific purposes, such as, medical inspection, library, games, laboratory, etc.

4. Children already enjoying educational concessions up to the extent specified above, either as members of Backward communities or on grounds of poverty or for any other reasons, will not be given further concessions.

5. The fee income lost by the managements of aided elementary schools and aided secondary schools as a result of the concessions in this order, will be made good to them in full.

6. One half of the fee income lost by the local bodies will be made good to them and the other half should be borne by local bodies.

7. The reduction in the fee income of local bodies should not be taken as an item of cost in reckoning the Government grant due to the local bodies.

[4th December 1954]

8. The production of a certificate that the person claiming the concession is a non-gazetted employee of the Government or an employee of a local body or a teacher in an aided elementary or secondary school, should be insisted on, in all cases of grants of concession. In the case of employees of local bodies, the certificate should contain information about their monthly salary. The certificate shall be issued by the head of the office or institution in which the person concerned is employed.

(By order of His Excellency the Governor)

K. M. UNNITHAN,
Secretary to Government.

To all Commissioners of Municipalities (through the Chairmen of Municipal Councils).
 „ all Presidents of District Boards.
 „ all Executive Authorities of Panchayat Boards (through the Presidents of Panchayat Boards).
 „ all Collectors of Districts.
 „ all Heads of Departments.
 „ the Commissioner, Corporation of Madras (through the Mayor).
 „ the Examiner of Local Fund Accounts.
 „ the Accountant-General (through Finance Department).
 „ the Director of Information and Publicity.
 „ all Departments of Secretariat.
 Copy to the Government of India, Ministry of Education.

II

G.O. No. 2518, Education, dated 1st November 1952.

[Education—Educational concessions to children of non-gazetted officers and others—Not applicable to detained pupils—Orders issued.]

READ—the following paper :—

G.O. No. 1250, Education, dated 31st May 1952.

Order—No. 2518, Education, dated 1st November 1952.

In G.O. No. 1250, Education, dated 31st May 1952, the Government sanctioned certain educational concessions to the children of non-gazetted officers and others. No mention was made therein about the admissibility or otherwise of the concessions to detained pupils. A number of representations have been received by Government requesting that detained pupils also may be declared eligible for the concessions. The Government after careful consideration direct that the concession shall be withheld from a pupil, who remains for more than one year in one and the same class or form. Pupils who were detained last year and who are continuing in the

[4th December 1954]

same class this year will not be eligible for the concession. The concession thus withdrawn shall be revived when the pupil is promoted to the next higher class or form.

(By order of His Excellency the Governor)

K. M. UNNITHAN,
Secretary to Government.

To all Commissioners of Municipalities (through the Chairmen of Municipal Councils).
 „ all Presidents of District Boards.
 „ all Executive Authorities of Panchayat Boards (through the District Panchayat Officers).
 „ all Collectors of Districts.
 „ all Heads of Departments.
 „ the Commissioner, Corporation of Madras (through the Mayor).
 „ the Examiner of Local Fund Accounts.
 „ the Accountant-General (through the Finance Department).
 „ the Director of Information and Publicity.
 „ all Departments of the Secretariat.
 Copy to the Government of India, Ministry of Education.

III

Memorandum No. 27566 B-D/52-4, Education,
dated 24th April 1953.

[Education—Educational concessions to children of non-gazetted officers and others—Clarifications, etc.—Orders issued.]

READ—the following paper :—

From the Director of Public Instruction, dated 18th August 1952,
No. 1161-E-4/52.

Memorandum—No. 27566-B-D/52-4, Education, dated 24th April 1953.

In G.O. No. 1250, Education, dated 31st May 1952, the Government sanctioned a scheme of educational concessions to the children of non-gazetted officers and others. The Director of Public Instruction has raised several points for clarification in this connexion. Representations have also been received from a number of individuals seeking clarification and also requesting for the extension of the concessions to the children of certain categories of employees. The Government have examined all these points in detail and pass the following orders :—

Point (1).—Whether the educational concession will continue till the end of the school-year in the cases of (i) children of Government servants, employees of local bodies or school teachers, who are ousted from service for want of a vacancy or dismissed from service or die in the course of the year, and (ii) children of local body servants, whose pay is increased over the monetary limit during the middle of the school-year.

[4th December 1954]

The concession will continue till the end of the respective term and not till the end of the school-year. Where the salary is increased over the monetary limit during a term in respect of those, who are governed by pay limit, full fee should be collected for the next term.

Point (2).—Whether the educational concession will continue till the end of the school-year in the case of children of non-gazetted officers who are promoted as Gazetted Officers in the course of the year and *vice versa*.

If a person is appointed as gazetted officer in the long term, the concessions should be withdrawn for the short term. Even if he is reverted in the short term, the concessions need not be revived, as he had the benefit during the long term. If he is reverted in the long term itself the concession will be continued during the short term also.

Point (3).—Whether the educational concessions will continue till the end of the school-year in the case of children of Government servants, employees of local bodies or school teachers, who retire in the course of the year.

Stoppage of the concession in such cases will be with effect from the term following the retirement.

Point (4).—Who is the authority competent to grant the fee concession contemplated in G.O. No. 1250, Education, dated 31st May 1952.

Orders on this point will be issued separately.

Point (5).—Whether the educational concessions can be granted to the children of non-gazetted officers and others studying in nursery schools, viz., A.L.W.C. School, Government House, Mount Road, and Montessori Schools.

The children studying in these special schools need not be given the educational concession.

Point (6).—Whether the educational concessions can be granted to the children of non-gazetted officers and others studying in unaided schools, viz., (1) Ewart School, Vepery, (2) Good Shepherd Convent, Nungambakkam, and (3) C.S.M. Preparatory School, Kilpauk.

The children studying in schools recognized by the Education department only should be given the concession. These institutions are not recognized by the department and the children studying in them should not be given the benefit of the concession.

Point (7).—Whether the children of non-gazetted officers, who are on other duty in a gazetted post under emergency provisions in the rules, and are on extraordinary leave are eligible for the concessions.

Children of such persons on extraordinary leave need not be granted the concession. When they actually begin to draw the pay and allowances after returning from leave, their children will get

[4th December 1954]

the concession provided they continue as non-gazetted officers. As regards duty in a Gazetted post, the procedure indicated in point (2) above will be followed.

Point (8).—Whether the educational concession can be granted to the children of non-gazetted officers and others in other States like Orissa, Mysore, Hyderabad, etc., which border Madras State.

The concessions should not be granted to the children of non-gazetted officers and others studying in other States.

Point (9).—Whether the fee income lost by aided secondary schools will be calculated on the existing rates of fees in the schools.

The existing rates of fees in the schools will be taken into account for calculating the fee income lost by the aided schools.

Point (10).—Whether concessions may be granted to a pupil, one of whose parents is a gazetted officer and the other alone is eligible for the concession.

A pupil, one of whose parents is a gazetted officer, and the other is a non-gazetted employee, is not eligible for the concession.

Point (11).—Whether the concession is applicable to the children of all non-gazetted officers irrespective of the salary drawn.

The concession is applicable to the children of all non-gazetted officers, irrespective of the salary drawn.

Point (12).—Whether the parents can be dealt with separately if for any reason they are living apart.

The nature of the employment of both the parents should be enquired into and each case dealt with on its merits. Such cases should be brought to the notice of Government.

Point (13).—Whether children of Government servants, employees of local bodies or school teachers who are under suspension are eligible for the educational concession.

They may be allowed the benefit of the concession pending the result of the enquiry against the employees concerned.

Point (14).—Whether the concession can be granted to the wives of non-gazetted officers and to those who study Hindi up to Praveena Standard.

The concessions cannot be extended to the wives of non-gazetted officers and others. It cannot be extended for the study of Hindi.

Point (15).—Whether children of non-gazetted officers and others who are not in permanent service may be granted the concession.

All those who are appointed regularly, i.e., not under 9 (a) (i), will be granted the concessions. Those who are not in service for the full year for any reason will be governed by orders under point (1) above.

[4th December 1954]

Point (16).—Whether the concessions are to be withdrawn in the case of children of teachers when they are discharged from service in a school and are re-employed in another school only after some time.

The concession will be restricted to the respective term as in point (1) above.

Point (17).—Whether the children of part-time teachers, servants of local bodies are eligible for the concessions.

The children of these employees should not be allowed the concession.

Point (18).—Whether children of teacher-managers are eligible for the concessions.

They are eligible for the concession because they are also teachers. Children of managers who are not teachers are not eligible for the concession.

Point (19).—Whether the children of untrained teachers are eligible for the concessions.

They are eligible for the concession provided the appointments of untrained teachers have the approval of the competent authority when such approval is necessary, and if the appointment is for the full school year.

Point (20).—Whether the children of Government servants in inferior service are eligible for the concessions.

Inferior servants come under "The Madras Inferior Service" and their children are eligible for the educational concessions.

Point (21).—Whether children of Central Government employees are eligible for the concession.

They are not eligible for the concession.

Point (22).—Whether the pay limit of Rs. 300 includes dearness allowance and other such allowances.

The pay limit excludes dearness allowance and other allowances. Special pay, if any, should be included.

Point (23).—Whether the children of head teachers of aided schools drawing more than Rs. 300 per mensem (including dearness allowance and other allowances) are eligible for the concessions.

The pay limit of Rs. 300 excluding dearness allowance will be made applicable in the case of teachers in aided schools also.

Point (24).—Whether the children of retired non-gazetted officers, teachers and others, who are re-employed are eligible for the concession.

They are not eligible for the concession as the appointments of re-employed persons are not regular after superannuation.

[4th December 1954]

Point (25).—Whether the children of whole-time servants (under the employ of Government or local body) who are paid from contingencies are eligible for the concessions.

The children of employees paid from contingencies at current market rates are not eligible for the concession, though they are employed on monthly basis and are not casual workers.

Point (26).—Whether the total amount of salaries of both the parents when both of them are employed, should be taken into consideration.

Where pay limit is prescribed, the total of salaries of both the parents, when both of them are employed should be taken into account.

Point (27).—Whether concessions may be granted to the children of parents when the father is employed under Central Government and the mother under Madras State Government.

Fee concession need not be given to those children whose father or mother is employed in the Central Government. When either of the parents is a pensioner of the State Government or the Central Government and the other parent continues to be an N.G.O., the concession will be available to their children notwithstanding the fact that one of the parents is a pensioner and not a Gazetted Government servant.

Point (28).—Whether the concessions may be granted to children of parents when the father is a local board employee earning more than Rs. 300 and the mother is a teacher or Non-Gazetted Officer.

No concession need be granted in such cases.

Point (29).—Whether the children of teachers employed in the Southern Railway Anglo-Indian middle schools may be allowed the benefit of the concessions.

No concession need be given in such cases as the teachers are reported to be treated (for all purposes such as pay and allowances) on a par with the Central Government employees.

Point (30).—Whether the fee concession should be at half the standard rate or at half the actual rate in force in the institution.

Where half-fee concession is contemplated, it should be at half the actual rate of fees in force in the school.

Point (31).—When a pupil produces the concession certificate in the short-term of the school year, whether fees paid by the pupil during the long-term has to be refunded.

Concession may be allowed only from the beginning of the term in which the certificate is produced. This is on the analogy of the concessions granted under rule 92 of the Madras Educational Rules, and other concessions.

[4th December 1954]

Point (32).—From what date should the concession be given in the case of children of non-gazetted officers and others who become eligible for the concession and apply for it during the middle of the school-year.

Concessions will be allowed in such cases from the commencement of the same month.

Point (33).—May the fees paid by a pupil prior to the production of the concession certificate be refunded or adjusted towards further instalments of fees due.

This does not arise in view of item (32) above.

Point (34).—Whether the Government concession (half-fees) will continue to be allowed in cases, where the managements bear the other half, which is a concession given by the managements to children of teachers employed in institutions under their control.

There is no objection to the grant of concessions in such cases as the Department's concession has nothing to do with the management's concession.

Point (35).—Whether the concession may be allowed to children who get scholarship from private funds, i.e., Saraswat Poor Students' Fund, Mangalore.

No concession need be given in such cases, if it is a source of profit. The concession will be limited to the difference between the fee payable and the amount of scholarship.

Point (36).—What rate should be taken as tuition fee for the purpose of the concession in the case of Vidyodaya Girls' High School, Thyagarayanagar, Madras, where the fees prescribed by Government includes special fees for Games, Library, etc.

The children studying in this school will be allowed the concession of half the tuition fees, special fees being excluded. The parent may produce the fee receipt and get refund at the end of the year from the Inspectress.

Point (37).—Whether scholarship-holders and others in receipt of half-fee or full concessions under rule 32 of the Grant-in-aid Code are eligible for the concession.

Scholarship-holders and others who are in receipt of financial help from this or other departments need not be given the concession as this may be a source of profit. It will be open to any student to give up the scholarship or other special concession and then become eligible for the fee concession based on his parent's status, etc.

Point (38).—Whether in the case of a pupil who is not entitled to fee concession under rule 92 of the Madras Educational Rules, on account of his failure in a class, the concession in question may be sanctioned during the current year.

The concession need not be allowed to pupils who are entitled to fee concession under rule 92 of the Madras Educational

[4th December 1954]

Rules, and who became ineligible for the concession temporarily on account of their detention in the same class. The students who failed last year are required to pay the school fees with effect from the short-term of the current year and orders in this regard have already been issued in Government Memorandum No. 52298-D/52-4, Education, dated 31st January 1953.

Point (39).—By whom the certificate referred to in paragraph 8 of the Government Order is to be granted in the case of headmasters of aided elementary and secondary schools.

In the cases of headmasters of aided elementary schools, the certificates should be given by the Deputy Inspectors; and in the case of headmasters of aided secondary schools the certificates may be given by the District Educational Officers concerned.

Point (40).—Whether the Department should insist on a particular form of application for the concession.

The Department need not insist on a particular form of application for the concession.

Point (41).—Whether in respect of non-gazetted officers who are themselves the head of the office, they can certify about their appointment in Government service.

In cases where the non-gazetted employee himself is the head of the office, certificate should be issued by his immediate superior departmental head.

Point (42).—Whether the office seal of the certifying officer, wherever available, should be insisted on.

The office seal of the certifying officer is not necessary. The designation of the officer giving the certificate should be clearly indicated.

Point (43).—Whether the certificate prescribed in paragraph 8 of the Government Order, should be obtained every school-year and whether the head of the office can use his facsimile for signing the copies.

The production of certificate every term should be insisted upon as the eligibility for the concession will vary from time to time. The facsimile should not be used for signing the copies.

Point (44).—Whether managers of elementary schools as heads of institution may sign the certificate.

If he is a teacher-manager and also the head of the institution, he can issue the certificate.

Point (45).—Whether in the case of an applicant who hails from a village in a distant district, the certificate should not be countersigned by the inspecting officers.

In cases of doubt, and wherever necessary, the applicants should be asked to get their certificates countersigned by Deputy Inspector of Schools, in the case of teachers in elementary schools and District Educational Officers in the case of teachers in secondary schools.

[4th December 1954]

Point (46).—Whether children of teachers employed in aided institutions other than elementary and secondary schools, viz., colleges, training schools, training colleges, Advanced Sanskrit Schools, Anglo-Indian schools, nursery schools, Montessori schools, Pre-Basic schools, Schools for the Blind, Art Industrial School, Nazareth, etc., are eligible for the concession.

Children of teachers employed in aided colleges and aided training colleges are not eligible for the fee concessions. The concessions will be given to children of all teachers employed in schools recognized by the department.

Point (47).—Whether municipal commissioners who are not Government servants should be treated as employees of local bodies for purposes of educational concessions.

Municipal Commissioners who are not Government servants should be treated as employees of local bodies for purposes of educational concessions. The pay limit of Rs. 300 is applicable to them.

Point (48).—Who is the granting authority for issuing certificates to the executive officers and staff of panchayats.

The executive officers may obtain the certificates from the Deputy Panchayat Officer or from the District Panchayat Officer concerned, where there is no Deputy Panchayat Officer. The executive officer of the panchayat is empowered to issue certificates to the remaining staff of the panchayat.

Point (49).—Whether the children of non-gazetted officers going on leave on loss of pay in the middle of the year owing to domestic reasons are eligible for the educational concessions.

When a Non-Gazetted Officer proceeds on leave without allowances the concession to his children should be continued and should not be withdrawn.

Point (50).—Whether children of Junior Assistant State Prosecutors are eligible for the concession.

The children of the Grade II Officers who are non-gazetted are eligible for the fee concessions. The children of Grade I (Gazetted) Officers are not eligible for the fee concession.

Point (51).—Whether the children of sweepers and conductresses and public health mazdoors employed in elementary schools, high schools, hospitals and dispensaries under local bodies are eligible for the fee concessions.

These are all contingent establishment, though some of them are treated as full-time workers and paid at monthly rates. Their children are not therefore eligible for the fee concession.

Point (52).—Whether there is any restriction in the number of children of an employee for the grant of educational concessions.

There is no such restriction. The concession should be granted to all the children.

4th December 1954]

Point (53).—Whether the step-son of a woman teacher is eligible for the education concession.

The step-son of a woman-teacher is not entitled to the fee concession.

Point (54).—Whether adopted children of non-gazetted officers and others are eligible for the concession.

They are not eligible for the concession.

Point (55).—Whether the word 'teachers' in aided elementary and secondary schools could be interpreted to mean all staff including clerks, peons, etc.

Orders have since been issued extending the concession to the children of permanently employed clerks shown in the accounts of the aided secondary and elementary schools. 'Other non-teaching staff' in aided schools will not be included in the scope of the concessions. (Memorandum No. 32023-D/52-5, Education, dated 5th February 1953.)

Point (56).—Whether the children of a non-gazetted officer of the Madras State whose services are temporarily lent to Central Government are eligible for the concession—pay being less than Rs. 300 in either case.

They are not eligible for the concession during their deputation.

Point (57).—Whether Rural Medical Practitioners and Maternity Assistants who receive subsidies from the District Board Funds or from Government can be considered as district board employees, for the purpose of the concession.

Their children are eligible for the concession. (Memorandum No. 34613-D/52-4, Education, dated 11th October 1952.)

Point (58).—Whether pupils who have been detained in a class are eligible for the concession.

Orders in this matter have been issued in G.O. No. 2518, Education, dated 1st November 1952.

2. The Government direct that the educational concessions granted to the children of non-gazetted employees of this State Government in G.O. No. 1250, Education, dated 31st May 1952, be extended to the children of the following categories:—

(1) Staff of the District Soldiers', Sailors' and Airmen's Board,

(2) full-time copyists on a monthly salary employed in the Revenue Department, and

(3) salaried stamp-vendors in the City of Madras.

[4th December 1954]

Copyists who are job workers or piece-workers and licensed stamp-vendors of the Revenue Department will be excluded from the purview of the concessions.

K. M. UNNITHAN,
Secretary to Government.

To the Director of Public Instruction.

- „ the Deputy Director of Resettlement and Employment and ex-officio Secretary, Madras State Soldiers', Sailors' and Airmen's Board, Madras.
- „ the Honorary Secretary, Doveton Corrie Protestant School's Association, Madras.
- „ the Board of Revenue.
- „ the General Secretary, Non-Gazetted Government Officers' Association, Madras.
- „ all Commissioners of Municipalities (through the Chairmen of Municipal Councils).
- „ all Presidents of District Boards.
- „ all Executive Authorities of Panchayat Boards (through the District Panchayat Officers).
- „ all Collectors of districts.
- „ all Heads of Departments.
- „ the Commissioner, Corporation of Madras (through the Mayor).
- „ the Examiner of Local Fund Accounts.
- „ the Accountant-General (through the Finance Department).
- „ all Departments of the Secretariat.

Copy for Andhra Government.

„ Mysore Government.

THE MADRAS LEGISLATIVE COUNCIL.

Monday, the 6th December 1954.

The House met in the Council Chamber, Fort St. George at half-past twelve 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.)

DISCUSSION ON THE GOVERNOR'S ADDRESS—cont. (LAST DAY.)

MR. CHAIRMAN:—“ We will continue the discussion on the Governor's Address. Mr. Allapichai will now speak.”

* SRI A. M. ALLAPICHAJ:—“ Mr. Chairman, Sir, we are all glad to know that there has been all round improvement effected by the Congress Government not only in our State but in all other States also and that they have done their best to improve the condition of our people. In spite of the best of endeavours, sometimes everything is not done to our satisfaction. Take for instance the Police Administration Report. What does it show? It shows that the crimes are on the increase. That is a thing about which we are not happy. The increase in crimes may be due to several causes and perhaps the most important cause may be unemployment.

“ Ours is a Welfare State. Perhaps in course of time the position of the Government may become that of a parent whose object will be to look after the interests of every citizen in the State. Murder and dacoity are very serious crimes. Dacoity is one step below murder. Dacoity, theft and criminal breach of trust—all these offences relate to property. These offences are committed with reference to property. When a large number of fellows, quite healthy fellows without sufficient education, suffer from unemployment it is natural that they resort to crimes. These crimes are perpetrated due to want of employment and poverty. Let Government analyse the reasons why these crimes are committed. Take the instance of some women who go astray. Do they voluntarily go astray? No. Because they suffer from poverty and have no food to eat, many women become prostitutes. That is why they fall a prey to the evil. Therefore Government should try to reduce unemployment among our men and women and try to eradicate their poverty. If once poverty and unemployment disappear, automatically crimes also will go down. Government should tackle these problems in a serious manner.

“ One hon. Member remarked that jail life had become so comfortable nowadays that there was no respect for law and order. As a result of lot of endeavours on the part of civilised countries all over the world, I think life in the jails has been made comfortable. The object of the Government must be to improve the criminal. It must be more or less something like the reformation of the criminal. The object should not be punishing the criminal.

[Sri A. M. Allapichai] [6th December 1954]

still more in jails. With the object of improving the criminals, I mean, the prisoners, Government have made some improvements in jails. There is nothing more than that. It is not as if Government want to increase the number of prisoners.

"I shall say a word or two about the recent district board elections. In the majority of districts, the Congress Party members have been returned with a good majority. We have to bear in mind one thing in the district board elections, viz., that a large number of votes which were exercised was declared invalid. That shows that our people do not know where to put even a cross mark. That shows how our people are uneducated. Therefore I want to submit that 'Adult Education' is a very important thing. We have a democratic form of Government. If democracy is to flourish, if it is to progress, our voters must be educated and must be able to exercise their votes carefully. We must ourselves feel ashamed if a large number of our men continue to remain uneducated and do not know even to put a cross mark. There is also the other point, i.e., that many of our people did not exercise their votes also. That shows how utterly careless they are, and how indifferent they are to elections. If democracy is to succeed in our country and flourish, we on this side, hon. Members on the Opposition and the Government—all combined—should see that our people are made to realise the duties of citizens. Our people should be made to understand that as citizens they should not fail to exercise their votes. If people do not exercise their votes, the result will be dictatorship. Let not our people allow our country to come under a dictatorship. Let them be educated and exercise their votes properly.

"Government are doing their best as far as irrigation schemes are concerned. The irrigation schemes which they have undertaken are proceeding well. Some friends have said that major irrigation schemes should not be taken up. Major irrigation schemes should be taken up. That does not mean that minor irrigation schemes should not be launched upon.

"Let me now come to the subject of 'Harijan Uplift'. Government are spending Rs. 1,00,00,000 every year on 'Harijan uplift'. We may have to continue to spend that amount for some more years to come till the Harijans come to the forefront. I shall make one suggestion. Let us suppose that Government is spending on a Harijan student Rs. 5,000 by way of his tuition fees, scholarship and the like. Let that student be made to realize that when he has finished his education and enters his career, he should repay that amount, viz., Rs. 5,000 to the Government in some shape or other so that that amount may be further utilised for the upliftment or some more Harijans. Many more Harijans may come up if each Harijan student were to repay, after he has begun to earn, the amount that Government had spent on his education. If Government were to do what I have suggested, I am sure that besides being an addition to their coffers, they could spend that money on the upliftment of many more Harijans.

[Sri A. M. Allapichai] [6th December 1954]

"It is very gratifying to note that our Government have opened a number of schools. Almost every village has a school now. That is a gratifying picture.

"I am grateful to you, Mr. Chairman, for the opportunity given to me to speak."

* SRI V. V. RAMASWAMI :—"தலைவர் அவர்களே, வழக்கமாக 12-40 p.m. நிகழ்த்தப்படும் கவர்னர் அவர்களின் உரையானது, கடந்த மாதங்களிலே அரசாங்கத்தார் என்ன செய்திருக்கிறார்கள் என்பதைப்பற்றியும் யாது செய்ய உத்தேசித்திருக்கிறார்கள் என்பதைப்பற்றியும் மறைமுகமாக இந்த சபை மெம்பர்களுக்குத் தெரிவிப்பதற்காக ஏற்படுத்தப்பட்ட சம்பிரதாயம் என்று நான் கருதுகின்றேன். ஆகவே, அப்படி சொல்லப்படுகிற விஷயங்களிலே மக்களுக்குப் பயன்படக்கூடிய காரியங்கள் என்ன இருக்கின்றன என்பதை ஆலோசித்துப் பார்த்து, என்ன காரியங்களை எந்த விதமான செய்திருக்கவேண்டும் அல்லது செய்யலாம் என்பதை அமைச்சர் மாகச் செய்திருக்கவேண்டும் அல்லது செய்யலாம் என்பதை அமைச்சர் களுக்கு எடுத்துரைப்பதற்கு இது ஒரு வாய்ப்பாக இருக்கிறது. ஆகவே, அமைச்சர் அவையானது இந்த மாதிரி சட்டசபை உறுப்பினர்கள் என்ன கருத்துக்களைச் சொல்கிறார்கள் என்பதைக் கேட்பதற்குத் தயாராய் இருக்கிறார்கள் என்று வெளிப்படையாகத் தெரிகிறது.

"ஜில்லா போர்டு நிர்வாகத்தைப்பற்றி பொதுவாகக் கூறுமிடத்து, உறுப்பினர்களுடைய அபிப்பிராயத்தைத் தெரிந்துகொள்ள விரும்பப்படுகிறது என்று அரசினர் கூறியிருக்கிறார்கள். அப்படி கூறும்போது, இந்த மாவட்டக் கழக நிர்வாகமானது மிகவும் பெரிதாக இருக்கிறது. நிர்வாகம் பண்ணுவதற்கு சலபமாக இல்லை, பெரியதான எல்லைக்குட்பட்டதாக இருக்கிறது. ஆகவே, எப்படி அவைகளைத் திருத்தியமைக்கலாம் என்ற கருத்தைப்பற்றி சொல்லவேண்டுமென்று கேட்டிருக்கிறார்கள். அரசாங்கத்தாரால் ஏற்படுத்தப்பட்ட கிராமப் பஞ்சாயத்துச் சட்டத்தின் கீழ், அநேகமாக 500 மக்களுக்குக் குறையாமல் இருக்கிற கிராமங்களெல்லாம் போகவேண்டியதாக இருக்கிறது. அப்படி ஒவ்வொரு கிராமமும் பஞ்சாயத்தாய் ஏற்பட்டுவிட்டால் அந்தந்த ஸ்தலத்தைச் சுற்றி இருக்கும் நிர்வாகங்கள் அனைத்தும், அதற்கு மேற்பட்ட அதிகாரங்கள் கூட பஞ்சாயத்துக்களுக்கு வழங்கப்பட்டிருக்கின்றன. ஆகவே, குறிப்பிட்ட பிரதேசத்தில் இருக்கின்ற முக்கிய காரியங்களைக் கவனிப்பதற்கு இந்தப் பஞ்சாயத்துக்கள் ஏற்படப்போவதால், இதற்கு மேலே இருக்கின்ற ஜில்லா போர்டுக்கு என்ன வேலை இருக்கப்போகிறதென்பதைச் சிந்தித்துப் பார்க்கவேண்டும். இப்பொழுது இருக்கிற நிலையில் உயர்தரப் பாடசாலைகளை நடத்துவதிலும், மருத்துவ நிலையங்களை நடத்துவதிலும் அங்கங்கே சாலைகளைப் போடுவதிலும் ஜில்லா போர்டுகளுக்குப் பொறுப்பு இருக்கிறதே தவிர, வேறு அதிகாரமோ, பொறுப்போ ஜில்லா போர்டு களுக்கு இருப்பதாகத் தெரியவேயில்லை. அந்தமாதிரி நிர்வாகம் பண்ணவும், கவனம் செலுத்தவும் அவர்களுக்குப் பூரண சுதந்திரம் கொடுக்கப்படவில்லை. உபாத்தியாயர்களை நீக்குவதற்கும் தண்டிப்பதற்கும் கூட ஜில்லா கல்வி அதிகாரியைக் கேட்டுக்கொண்டுதான் அவர்கள் செய்ய வேண்டும். அதேபோல மருத்துவ நிலையங்களுக்குக்கூட வேண்டிய நியமனங்களும் சர்க்கார் மருத்துவ அதிகாரியைக் கலந்துகொண்டுதான் செய்யவேண்டிய நிலைமையில் ஜில்லா போர்டு இருக்கிறது. சாலையை நிர்வகிப்பது சம்பந்தமாகவும் சர்க்கார் P.W.D. அதிகாரியைக் கலந்துகொண்டுதான் செய்யவேண்டுமேதவிர, தங்களுக்கு வேண்டிய ஆட்களை வைத்து நிர்வகிக்கக்கூடிய நிலைமையில் அவர்கள் இல்லவே இல்லை. ஆகவே சிறுக்கச் சிறுக்க அவர்களுக்கு இருந்த அதிகாரத்தையும் பொறுப்புகளையும், ஒவ்வொன்றாக நீக்கிவிட்டு இனிமேல் இந்த ஜில்லா போர்டுகள் இருக்கவேண்டுமா என்று ஆராயவேண்டிய அவசியம் இப்பொழுது ஏற்பட்டிருக்கிறது. குறிப்பிட்ட அளவு கிராமப் பஞ்சாயத்து போர்டு வேலை செய்யும்போது, அவர்களுக்குப் பூராவும் உரிமையைக் கொடுத்திருக்கும் போது, மாவட்டக் கழகங்கள் தேவை இல்லை என்பதே என்னுடைய அபிப்பிராயமாக இருக்கிறது.

[Sri V. V. Ramaswami] [6th December 1954]

“சிறு சிறு பஞ்சாயத்து போர்டுகளாக இருந்தால் கூட்டிப்பிடித்து நிர்வகிக்க ஒரு நிர்வாகம் வேண்டுமா என்ற ஐயப்படும் கிளம்பலாம். தாலுகா போர்டு பழையபடி ஏற்படுத்தலாமென்று சொல்லப்படுகிறது. ஒரு தாலுகா போர்டைக் காட்டிலும் ஒரு ரெவினியூ டிவிஷன் போர்டை ஏற்படுத்தலாம் என்பது என்னுடைய அபிப்பிராயம். எல்லா ரெவினியூ டிவிஷன் போர்டுகளும் தங்கள் தங்கள் பிரதிநிதிகளைத் தேர்ந்தெடுக்க ஏற்பாடு செய்து ஒரு ஆலோசனை சபையாக ஒவ்வொரு ஜில்லாவுக்கு வைத்துக் கொண்டால், ஜில்லாவிலே சம்பந்தப்பட்ட சகல காரியங்களைப்பற்றியும் யோசனை சொல்லலாம். ஆலோசனை போர்டிலே ஜில்லா கலெக்டரும் மற்ற ஜில்லா அதிகாரிகளும் உறுப்பினர்களாக இருக்கவேண்டும். அங்கு இருக்கின்ற பிரதிநிதிகளை வைத்துக்கொண்டு தீர்மானம் உருவாக்கிவிட்டால் அதை நிறைவேற்றித் தீர்வேண்டும். சட்டத்திற்குப் புறம்பாகவும் சட்டத்திற்கு இடம் இல்லாமலும் இருந்தால், நிதிப் பிரச்சனை வந்தால்தான் அவர்கள் சென்னையில் இருக்கின்ற உயர்தர அதிகாரிகளுக்கு எழுதி சிக்கல்களை நீக்கிக்கொள்ளலாம். ஜில்லா போர்டுகளுக்குத் தேர்தல்கள் நடத்தி முடித்திருக்கிறோம். பழையபடி கலைத்துவிட்டால் பெரிய தர்ம சங்கடமான நிலைமை ஏற்படும் என்று யோசிக்கலாம். தேர்ந்தெடுக்கப் பட்டிருக்கிற உறுப்பினர்களையே அந்தந்த டிவிஷன்கள் போர்டிலும் உறுப்பினர்களாக ஆக்கிவிடலாம். நான் சொல்லிய ஆலோசனை போர்டுக்கு தற்சமயம் ஜில்லா போர்டு தலைவர்களே தலைவர்களாக இருக்கலாம். ஆலோசனை போர்டுக்கு நிர்வாகப் பொறுப்பு இல்லாமல் யோசனை சொல்லக்கூடிய பொறுப்பையெல்லாம் கொடுத்துவிடவேண்டும். கலெக்டர், ஜில்லா சுகாதார அதிகாரி, ஜில்லா வைத்திய அதிகாரி, இஞ்சினியர் ஆகிய ஜில்லாத் தலைமை உத்தியோகஸ்தர் அந்தக் குழுவில் வந்து அந்தந்த இலாக்காக்களைப்பற்றி சொல்லும்படிச் செய்தால் மக்களுடைய பிரதிநிதிகளாக இருக்கின்றவர்கள் ஆலோசனை பண்ணி ஏதாவது ஒரு தீர்மானம் செய்வார்கள். அந்தத் தீர்மானத்தை நிறைவேற்றவேண்டிய பொறுப்பை கலெக்டருக்கும் மற்ற ஜில்லாத் தலைமை அதிகாரிகளுக்கும் விட்டுவிடவேண்டும். கலெக்டருக்கு பொறுப்பும் உரிமையும் கொடுப்பது நல்லது என்று நான் அபிப்பிராயப்படுகிறேன்.

“இம்மாதிரி ஆலோசனை போர்டுகளை ஏற்படுத்திவிட்டால், ஜில்லா அதிகாரிகளின் உதவியால் இந்தக் குழுவின் உறுப்பினர்கள் காரியங்களை ஆராய்ந்து பார்த்து ஒரு முடிவுக்கு வருவதற்கு சலபமாக இருக்குமென்று நான் கருதுகின்றேன்.

“கல்வி விஷயமாக நிபுணத்துவம் வாய்ந்த அநேக அங்கத்தினர்கள் பேசிவிட்டார்கள். இருந்தபோதிலும் நான் ஒன்றிரண்டு விஷயங்களைப் பற்றி குறிப்பிட விரும்புகிறேன். ஆரம்பக் கல்வியைப்பற்றி ஆராய்ந்து பார்த்து யோசனை சொல்வதற்காக ஒரு சிறிய கமிட்டியை அரசினர் ஏற்படுத்தியிருக்கிறார்கள். அதில் இருக்கும் தனிப்பட்ட உறுப்பினர்களைப் பற்றி நான் சொல்லத் தயாராயில்லை. ஆனால், மாகாணத்தில் இருக்கின்ற ஆரம்பக் கல்வித் திட்டத்தைப்பற்றி பூராவும் ஆராய்ந்து பார்த்து அபிப்பிராயம் சொல்வதற்கு ஏற்படுத்தப்பட்ட கமிட்டியாகும். அவர்கள் என்னென்ன விஷயங்களைப்பற்றியெல்லாம் ஆராய்ந்து பார்த்து யோசனை அங்கத்தினர் ஸ்ரீ தெய்வசிகாமணி ஆச்சாரியார் சொல்லியபடி பாடப் புத்தகங்கள் எப்படி மாற்றியமைக்கப்படவேண்டும், பாடப் புத்தகங்களை எழுதுவதற்கு யார் பொறுப்பு ஆகிய விஷயங்களைப்பற்றியும் அந்தக் கமிட்டி ஆராய்ந்து பார்த்து யோசனை சொல்வார்களா என்பது தெரியவேண்டும்.

“கல்லூரிகளை ஏற்படுத்துவதற்கும், உயர்நிலைப் பள்ளிக்கூடங்களை ஆரம்பிப்பதற்கும் சில சட்ட திட்டங்களை வகுத்திருக்கிறார்கள். சில கட்டு திட்டங்களுக்குப்போது அவைகளுக்கு அனுமதி கொடுக்கிறார்கள். ஆனால், கிராமாந்திரங்களில் இருக்கின்ற ஒருவர் ஆரம்பப் பள்ளியொன்றை ஆரம்பிக்கும் விஷயத்தில் போதுமான கட்டுதிட்டங்கள் இருப்பதாகத் தெரியவில்லை. ஒருவருடைய செல்வாக்கைப் பொறுத்திருக்கிறது ஆரம்பக் கல்விப் பள்ளியைத் திறந்து நடத்துவதற்கு. தனிப்பட்ட ஒருவர் ஆரம்ப

[Sri V. V. Ramaswami] [6th December 1954]

பப்பள்ளியொன்றை கிராமத்தில் ஏற்படுத்துவதற்கு முன் அந்தப் பள்ளிக் கட்டிடமானது சரியான காற்றோட்டமுள்ளதாக இருக்கிறதா, பிள்ளைகளுக்கு வேண்டிய வசதிகளெல்லாம் இருக்கிறதா, சுகாதார முறைக்கு உபப்டு இருக்கிறதா என்பதைப்பற்றியெல்லாம் கவனித்துத்தான் அனுமதி கொடுக்கப்படவேண்டும். ஒரு பள்ளிக்கூடத்தை நான் பார்த்தேன். அதில் காற்றோட்டம் என்பதே இல்லை. அதில் பிள்ளைகள் எப்படித்தான் இருக்கிறார்களோ என்று நான் வியந்தேன். ஆகவே, இந்தமாதிரி கட்டிடங்கள் கட்டுவதற்கும் மற்ற வசதிகளுக்கும் ஏதாவது நிபந்தனை போட முடியுமா என்று பார்க்கவேண்டும்.

“இந்தக் கமிட்டியானது அதன் முழு அறிக்கையைச் சமர்ப்பிக்கும் போது ஒன்றைக் கவனத்தில் வைத்துக்கொள்ளவேண்டும். அதாவது, சென்னை மாகாணத்தில் ஏற்படுத்தப்பட்ட இந்தக் கமிட்டியானது சம்பந்தப்பட்ட எல்லா விஷயங்களையும் தீர் ஆராய்ந்துபார்த்து நல்லதொரு அறிக்கையை தயார் பண்ணியிருக்கிறார்கள் என்று மற்ற மாகாணங்களும் மத்திய சர்க்காரும் சொல்லக்கூடிய முறையிலே, அந்தப் பெருமையை ஏற்படுத்தக்கூடிய முறையிலே அறிக்கை இருக்குமா என்பதை அரசியலார் யோசனைசெய்து பார்க்கவேண்டும். இந்தக் கமிட்டிக்கு நியமித்திருக்கின்ற உறுப்பினர்களைப் பார்க்கும்போது, அந்தமாதிரி பிரமாதமான முறையிலே இவர்கள் செய்வார்களா என்பது எனக்கு ஐயப்படாது இருக்கிறது.

“கடன் ஒத்திவைப்புச் சட்டத்தைப்பற்றி பலவாறான அபிப்பிராயங்கள் இந்தச் சபையில் தெரிவிக்கப்பட்டன. ஏழை விவசாய மக்கள் ரொம்பவும் துன்பப்படுகிறார்கள். கடன் ஒரு ஆண்டுக்கு ஒத்திவைக்கப்பட்டதனால் யார் பலன் அடைந்தார்கள்? யாராவது ஒரு பெரிய வியாபாரியோ நிலச் சுவான்தார்களோ மற்றும் விவசாயத்தில் நேரடியாக ஈடுபடாமல் இருப்பவர்களுக்கூட ஆயிரக்கணக்காக பணம் கடன் வாங்கியிருந்தால், இரண்டு மூன்று ஏக்கர் நிலத்தை வைத்துக்கொண்டிருப்பதைக்காட்டி, அதனால் விவசாயிகள் என்று சொல்லி, வாங்கிய கடனைத் திருப்பிக் கொடுக்காமல் இந்தச் சட்டத்தின்மூலம் பலன் அடைந்திருக்கிறார்கள். கோர்ட்டு நடவடிக்கைகளை ஒரு ஆண்டுக்கு ஒத்திவைத்திருக்கிறார்கள். ஏழைகளுடைய நன்மைக்காக ஏற்படுத்தப்பட்ட இந்தச் சட்டமானது அவர்களுக்கு எந்த வழியிலும் பயன்படக்கூடியமுறையிலே இதைத் திருத்தியமைக்கவேண்டும். ஏழைகள் எதற்காகப் பணத்தைக் கடன் வாங்கி செலவு செய்கிறார்கள்? அவர்களுக்கு எதற்குப் பணம் தேவைப்படுகிறது? காலா காலத்தில் பயிர் செய்யும்போது விதைகள் வாங்குவதற்கும், உழுவதற்கு வேண்டிய ஏர், கலப்பை, முதலிய கருவிகள் வாங்குவதற்கும், பயிராக வந்தாலுங்கூட பயிராகிவந்த தானியங்களை வீட்டுக்குக்கொண்டு வந்து சேர்ப்பதற்கும் பலவிதமான செலவினங்கள் ஏற்படுகின்றன. அவ்வப்போது ஏழை விவசாயிக்குப் பணம் தேவைப்படும்போது, அந்தக் கிராமத்தின் அருகில் உள்ளவர்களைத்தான் அவர்கள் நாடுவார்களேதவிர, வேறு எங்கும் போகமுடியாது. மற்றவர்கள் கொடுப்பதற்குத் தயாராயில்லை. தவணைகளில் வாங்கிக்கொள்வதற்கும் தயாராயில்லை. ஆகவே, இந்த மாதிரியான சங்கடங்களையெல்லாம் ஆராய்ந்துபார்த்து ஏழை விவசாயிகளுக்கு உடனுக்குடனே கடன்தொகை கிடைக்கும் வண்ணம் வகைசெய்யவேண்டும்.

“விவசாயிகள் கடன் வாங்கும்போது முக்கியமாக நிலத்தை அட 12-50 மானம் வைத்து வாங்கவேண்டியிருக்கிறது. ஜமீன் ஒழிப்பு, இனம் ப.ம. ஒழிப்பு ஏற்பட்டு ரயத்துவாரி நிலமாகப் போய்விட்டபடியால் நிலத்தை அடமானம் வைத்து கடன் வாங்க முடியாத நிலைமையில் யாரும் கடன் கொடுக்க மறுக்கின்றார்கள். நிலங்கள் சர்வே செய்யப்பட்டு, பட்டா ஒழுங்காக இல்லை என்ற காரணத்தினால் நில அடமான பாங்குகளும் கடன் கொடுப்பதற்குத் தயாராயில்லை. ஆகவே, இனம் நிலங்களையெல்லாம் சீக்கிரம் சர்வே பண்ணுவதற்கு வேண்டிய ஏற்பாட்டை உடனடியாகச் செய்யவேண்டும்.

“சமூக நலத் திட்டங்கள், தேசிய விஸ்தரிப்புத் திட்டங்கள் போன்ற திட்டங்களைப்பெல்லாம் நிறைவேற்றுவதற்கு பெரும் பொறுப்பு எடுத்து

[Sri V. V. Ramaswami] [6th December 1954]

அமைச்சர்கள் வேலை செய்துகொண்டிருக்கிறார்கள். அந்தமாதிரி செய்துவரும் போது சீக்கிரமாக ஒவ்வொரு காரியமும் நடைபெறுவதற்கு இப்பொழுது தனியாக உத்தியோகஸ்தர்கள் தேர்த்தெடுக்கப்படுவதுதான், உடனுக்குடனே காரியம் நடைபெறாமலிருப்பதற்குக் காரணம் என்று நான் நினைக்கின்றேன். ஒவ்வொரு ஜில்லாவிலும் ரெவினியூ இலாகா அதிகாரிகள் பொறுப்பாக இருந்து காரியங்களைச் செய்கிறார்கள். ஒவ்வொரு இடத்திலும் ரெவினியூ இலாகா அதிகாரிகள் இருக்கும்போது, இம்மாதிரித் திட்டங்களுக்கென பிளாக் டெவலப்மெண்டு அதிகாரியென தனியாக ஒருவர் இருப்பதால் ஒற்றுமையான முறையில் காரியங்கள் சீக்கிரம் நடக்காமல் இருக்கின்றன. இப்பொழுது ஒவ்வொரு தாலுகாவுக்கும் ரெவினியூ விஷயங்களைச் கவனிப்பதற்காக ஒரு தாசில்தார் இருக்கிறார். ஒரு தாசில்தார் இருக்கும் இடத்தில் இரண்டு தாசில்தார்களாகப் போட்டு, இருவர்களுக்கும் ஏற்கனவே உள்ள ரெவினியூ அதிகாரங்களையும், பொறுப்பையும் கொடுத்து, பிளாக் டெவலப்மெண்டு அதிகாரிகளாகப் போட்டு விட்டால் காரியங்கள் தோதாக நடைபெறுவதற்கு வசதியாக இருக்கும். இந்தமாதிரி திட்டங்களை நன்கு ஆராய்ந்து யோசனை செய்வதற்கு ஒரு பொதுவான ஆலோசனை சபை ஏற்படுத்தியிருந்தால் வருகிற திட்டங்களை உத்தியோகஸ்தர்களும், வெளியில் அனுபவம் இருக்கிறவர்களும் யோசனை சொல்வதற்குப் பிரயோஜனமாக இருக்கும் என்று கருதுகின்றேன்.

“நாட்டிலே வேலையில்லாத திண்டாட்டத்தின் காரணமாக ரொம்ப கஷ்டம் ஏற்பட்டிருக்கிறது. நெய்வேலி பழுப்புநிலக்கரிச் சுரங்கமானது நல்ல பலன் கொடுக்கக்கூடும் என்று அமைச்சர் அவர்கள் ஒரு முறைக்குப் பல முறையாக சொல்லியிருக்கிறார்கள். நல்ல பலன் ஏற்படும் போது அங்கேயிருந்து மின்சாரம் உற்பத்தி செய்வதற்கும், செயற்கை உரம் தயாரிப்பதற்கும், வீடுகளில் உபயோகப்படுத்தப்படும் மரக் கரிக்குப் பதிலாக இந்தக் கரியை உபயோகப்படுத்தும் செளகரியமான முறையிலே நல்ல திட்டங்களை வகுக்கவேண்டுமென்று கேட்டுக்கொள்ளுகின்றேன்.

“மதுரையில் நடந்த சம்பவத்தைப்பற்றி அனேக அங்கத்தினர்கள் பேசினார்கள். எந்தக் காரணத்தினால் இந்தச் சம்பவம் ஏற்பட்டிருந்தாலும் அதை நாம் அறியவேண்டியதில்லை. ஆனால், எந்தக் கட்சிக் காரர்களாக இருந்தாலும் தாங்களாகவே தங்கள் இஷ்டப்படி சட்டத்தை கையாளுவதற்கு இடம் உண்டு என்பதை மாத்திரம் இந்த காமராஜ் மந்திரி சபை இடம் கொடுக்கக்கூடாதென்று வேண்டிக்கொள்கின்றேன். எந்தக் கட்சிக்காரர்களும் சட்டத்தின்படி நடக்கிறதற்கு முன்வரவேண்டுமே தவிர, யாராவது தங்களுடைய பலத்தால் தாங்களாகவே காரியங்களைச் செய்து தில் இப்பொழுது தென்னாட்டிலே, தமிழ்நாட்டிலே, சென்னை ராஜ்யத்திலே இருக்கும்படியான அமைதி குன்றிவிடும். சென்னை ராஜ்யத் பூராவும் ஸ்ரீ காமராஜ் அவர்கள் தலைமையின் கீழ் நடக்கும் காரியங்களைப் போற்றிவருகிறார்கள். சென்னை ராஜ்யத்தில் நல்ல நிலைமை ஏற்பட்டுக்கொண்டு வருகிறதென்பதை வடநாட்டாரும் தெரிந்துகொண்டிருக்கும் நிலைமையைப் பங்கப்படுத்துவதற்காகச் சிலர், உண்மையாகவே இயற்கையாகக் கெடுமதி உள்ளவர்களும், முதலமைச்சர்பால் பொறுமைப்படுகிறவர்களும் முன்வந்திருக்கிறார்கள். எந்தக் கட்சியைச் சேர்ந்தவர்களாக இருந்தாலும் எந்த ஜாதியைச் சேர்ந்தவர்களாக இருந்தாலும் சட்டத்தை மீறக்கூடிய தெம்பு மட்டும் ஏற்படும்படியாக விடக்கூடாது என்பதை அரசாங்கம் அறிவுறுத்தும்படிச் செய்யவேண்டுமென்று கேட்டுக்கொண்டு என்னுடைய உரையை முடித்துக்கொள்கின்றேன்.”

MR. CHAIRMAN :—“The Hon. the Leader of the House will speak at 1-15 p.m. Three more speakers will have to speak within that time.”

* **SRI M. ETHIRAJULU :—**“கனம் சபாநாயகர் அவர்களே, முதல் தேதியன்று கவர்னர் அவர்கள் நிகழ்த்திய பிரசங்கத்திற்காக எனது மனமார்ந்த நன்றியையும் வணக்கத்தையும் அவருக்குத் தெரிவித்துக்கொண்டு சில வார்த்தைகள் சொல்ல விரும்புகிறேன்.

[6th December 1954] [Sri M. Ethirajulu]

“முன்னாள் முதலமைச்சர் ஓய்வு எடுத்துக்கொள்ளப்போகிறேனென்று தெரிவித்த மாதிரித்திலே இந்த சென்னை மாகாணத்தில் முதல் மந்திரிப் பொறுப்பை வகிக்கக்கூடியவர் யார் இருக்கின்றார் என்று மாகாணத்து பொது ஜனங்கள் எதிர்பார்த்துக்கொண்டிருந்த சமயத்தில் இப்பொழுது இருக்கக்கூடிய முதலமைச்சர் ஸ்ரீ காமராஜ் துணிவுடன் இப்பொறுப்பை ஏற்றுக்கொண்டு மேலும் தேர்ச்சி பெற்ற, அனுபவம் வாய்ந்த மந்திரி களைக்கொண்டு, மந்திரி சபை ஏற்படுத்தி இந்த மாகாணத்தில் பத்து மாத காலமாக நல்லதோர் ஆட்சியை நிறுவியிருப்பதற்காக அவருக்கும் என்னுடைய மனமார்ந்த நன்றியையும் வந்தனத்தையும் இரண்டாவதாக தெரிவித்துக்கொள்ள விரும்புகிறேன்.

“நாட்டின் முன்னேற்றத்திற்கு அடிப்படையாக இருக்கக்கூடியது கிராமங்கள். கிராம மக்களுக்கு வசதி செய்துகொடுத்தால்தான் நாடு செழிப்படையும். ஆகவே கிராம மக்கள் சுகவாழ்வு பெற கிராமத்தில் மின்சார வசதி ஏற்படுத்தவேண்டுமென்று தெரிந்து அதற்கு உதவியாக மத்திய சர்க்கார் மூன்று கோடி ரூபாயை சென்னை சர்க்காருக்கு கடனாக உதவி அளித்து, மின்சார வசதியை கிராமங்களுக்கு விஸ்தரிக்கவேண்டுமென்று சொல்லியிருப்பதற்கு மத்திய சர்க்காருக்கும் என்னுடைய நன்றியை மூன்றாவதாக தெரிவித்துக்கொள்கிறேன்.

“எல்லா அங்கத்தினர்களும் கவர்னர் பிரசங்கத்திலுள்ள விஷயங்களைப்பற்றி அலசிப் பேசிவிட்டார்கள். ஆனாலும், நான் சில முக்கியமான விஷயங்களைப்பற்றி இந்தச் சந்தர்ப்பத்தில் குறிப்பிடக் கடமைப்பட்டிருக்கிறேன். பிற்பட்ட இனத்தவர்களுக்காக 25 லட்ச ரூபாய் வரையில் உபகாரச் சம்பளம் இவ்வருஷம் பிற்பகுதியில் கொடுக்க முன்வந்திருக்கிறார்கள். அந்தச் சலுகையை எமாற்றி உண்மையிலேயே யார் பயனடைகிறார்கள் என்பதைப்பற்றி நான் ஏற்கெனவே இந்தச் சபையிலே சொல்லியிருக்கிறேன். பிற்பட்ட இனத்தவர்கள் என்று சொல்லிக்கொண்டு, பொய் அத்தாட்சிப் பத்திரங்களை ரெவினியூ அதிகாரிகளிடமிருந்து பெற்று, ஜாதியை மாற்றிக்கொண்டு சலுகையைப் பெறுகிறார்கள். பணம் இருப்பவர்கள் பணமில்லாத ஏழைகள் என்று சொல்லிக்கொண்டும், உண்மையிலேயே பிற்பட்ட இனத்தவர்களைச் சேர்ந்தவர்களாக இல்லாமலிருப்பவர்கள், பிற்பட்ட இனத்தவர்கள் என்று சொல்லிக்கொண்டும் பொய் அத்தாட்சிப் பத்திரத்தின் மூலமாக சலுகையையெல்லாம் பெற்றுக்கொண்டு வருகிறார்கள். உபகாரச் சம்பளத்தைக் கொடுத்தபிறகு பரிசோதனை செய்ய நாம் ஒரு தனிக் கமிட்டியை நியமித்து, யார் யார் உண்மையில் பிற்பட்ட ஜாதியைச் சேர்ந்தவர்கள், யார் யாருக்குப் போதுமான சொத்து இருக்கிறது, பணம் படைத்தவர்களும் இந்த உபகாரச் சம்பளத்தைப் பெறுகிறார்களா என்பதைப்பற்றியெல்லாம் பரிசீலனை செய்யச் சொல்ல வேண்டுமென்று நான் இந்தச் சபையில் பல தடவைகள் சொல்லியிருக்கிறேன். ஆனால், அரசாங்கம் இன்னும் அதைக் கவனிக்கவில்லையென்பதை நான் வருத்தத்துடன் தெரிவித்துக்கொள்கிறேன். ஆகவே இனி யாவது உடனடியாகக் கமிட்டியை நியமிக்காவிட்டாலும், இந்த ராஜ்யத்தில் பதினாறு மெம்பர்கள் பிற்பட்ட இனத்தவர்களின் குறைகளைச் சொல்லவேண்டுமென்ற முறையில் சர்க்கார் நியமித்திருக்கிறது. அந்த மெம்பர்களுக்காவது ஒவ்வொரு ஜில்லாவிலும் கொடுக்கப்படும் உபகாரச் சம்பளம் உண்மையிலேயே பிற்பட்ட இனத்தவர்களுக்குப் போய்ச் சேருகிறதா, அல்லது முற்போக்கு அடைந்து சகல வசதியுள்ளவர்களுக்கும் போகின்றதா என்பதைப்பற்றியெல்லாம் அவர்களை ரகசியமாக விசாரணை செய்யச் சொல்லி, சர்க்காருக்குத் தகவல் அனுப்பும்படிச் சொன்னால், அதே போதுமானது எனக் கருதுகிறேன். ஆகவே, இம்மாதிரியான ஒரு கமிட்டியை நிறுவவேண்டுமென்று நான் சர்க்காரைக் மீண்டும் வற்புறுத்தி கேட்டுக்கொள்கிறேன்.

“ரூபாய் 25 லட்சம் வரையில் இதற்கென ஒதுக்கியும், இன்னும் எவ்வளவோ பணம் செலவழித்தாலும்கூட உண்மையாக பிற்பட்ட இனத்தவர்களுக்கு இந்த உபகாரச் சம்பளம் போய்ச் சேருவதில்லை. சர்க்காருக்கு இது தெரிந்தும் தெரியாதவர்களபோல் இருந்து வருகிறார்கள். பிற்பட்ட இனத்தவர்கள் யார் என்பதைத் தெரிந்துகொள்வதில் கஷ்டம்

[Sri M. Ethirajulu] [6th December 1954]

1 p.m. இருக்கமுடியாது, பார்க்கும்போதே யார் பிற்பட்டவர்கள் என்று நன்றாக தெரிகிறது. பொது மக்கள் துணிகளை சலவை செய்பவர்கள், கூலவரம் செய்பவர்கள், மீன் பிடிப்போர் போன்றவர்களெல்லாம் மிக மிக பிற்பட்ட நிலையில் இருக்கிறார்கள் என்று சொல்லத் தேவையில்லை. அப்படிப்பட்டவர்களுக்கு உபகாரச் சம்பளம் போயிருக்கிறதா என்று நீங்கள் கணக்கெடுத்துப் பார்த்தால் உண்மை விளங்கும். அவர்களைப் பார்க்கும்போதே பிற்பட்டவர்கள் என்று நன்றாகத் தெரியும்பொழுது ஏன் அவர்களுக்குத் தனிச் சலுகை கொடுக்கக்கூடாதென்று நான் கேட்கின்றேன்.

“பொதுவாக ரூ. 25 லட்சம் கொடுத்தால் போதுமா? அவர்களுக்கு முதல் சலுகை கொடுங்கள் என்று சர்க்கார் உத்தரவிட்டால், அவர்களுக்குக் கிடைத்ததுபோக மீதியை மற்ற இனத்தவர்களுக்குக் கொடுத்தால் இந்த சமூகங்கள் நன்றாக படிக்க முன்வருவார்கள். அதைத்தான் சர்க்கார் செய்யவேண்டும். ஆகவே, உண்மையிலேயே பிற்பட்ட நிலையில் உள்ளவர்களுக்கு, குறிப்பாக சலவைத் தொழிலாளர்கள் போன்றவர்களுக்கு, அந்தச் சலுகைகள் போய்ச் சேரும்படியாக சர்க்கார் பார்த்துக்கொள்ள வேண்டும். சலவைத் தொழிலாளர்களைப் போன்றவர்கள் பிற்பட்ட நிலையில் இருப்பதைப்பார்த்தும், இன்னும் அவர்களைப்போலுள்ள பல பிற்பட்ட இனத்தவர்கள் பின்தங்கிய நிலையில் இருப்பதை பார்த்தும், யார் யார் பிற்பட்டவர்கள் என்று சர்க்காருக்கு நன்றாகத் தெரிந்துகூட, இன்னுர்தான் பிற்பட்டவர்கள் என்று மத்திய சர்க்கார் உத்தரவுவர வேண்டுமென்று கார்த்துக்கொண்டிருப்பது சரியா என்று நான் கேட்கிறேன். இவர்களுக்கு உத்தியோகம் வழங்கும் முறையிலும் சர்வீஸ் கமிஷன் மூலமாகக்கூடாது. தகுதியையும், திறமையையும் பார்த்து உத்தியோகம் கொடுக்கப்படவேண்டுமென்று சொல்லப்படுகிறது. சமூகத்திலேயே இன்னும் முன்னேற்றப்படாமல் இருக்கின்ற இந்த ஜாதியினருக்கு முற்போக்கு ஜாதியினரைப்போன்ற அளவுக்கு தகுதியும் திறமையும் எப்படி உண்டாகிவிடும் என்று கேட்கின்றேன். ஒருவாறு அவர்களுக்குத் திறமையும் தகுதியும் இருந்தாலுங்கூட அவர்கள் சர்வீஸ் கமிஷன் மூலமாக உத்தியோகத்தைப் பெறமுடியாது. ஆகவே, சர்வீஸ் கமிஷன் மூலமாக உத்தியோகத்திற்கு ஆட்களைத் தேர்ந்தெடுப்பதற்கென்று பெரும்பான்மையான விசிதாசாரத்தைக் கொடுத்துவிட்டு, அதுபோக ஐந்து சதவிகிதம் அல்லது 10 சதவிகிதம் உத்தியோகங்களை சர்க்காருடைய கையி் வைத்துக்கொண்டு, இம்மாதிரி சமூகத்தினரில் படித்தவர்களுக்குக் கொடுக்கலாம். இம்மாதிரி பிற்பட்ட இனத்தவர்களுடைய மனுக்களை சர்க்கார் நேரடியாக வரவழைத்து, அவர்களில் தகுதியானவர்களைப் பொறுக்கி எடுத்து உத்தியோகங்களை வழங்கினால்தான் பிற்பட்ட இனத்தவர்கள் முன்னுக்கு வரமுடியுமென்பதையே உத்தியோக சலுகை பூராவும் சர்வீஸ் கமிஷன் மூலமாக இருக்கும்வரையில் இவர்கள் முன்னேற்றமுடியாது என்று நான் இந்த சபையில் தெரிவித்துக்கொள்ள ஆசைப்படுகிறேன். அடுத்த படியாக, வன்னியகுலக்ஷத்திரிய சமூகத்தினருக்கு நான்கு ஜில்லாக்களில் கல்விச் சலுகைகள் சர்க்கார் வழங்கியிருக்கிறார்கள். சலவைத் தொழிலாளர்களும், கூலவரம் செய்பவர்களும், மீன் பிடிப்போர்களும் வன்னிய குலக்ஷத்திரிய வகுப்பினரைவிட சமூகநிலையில் முன்னேறியவர்களா என்று நான் கேட்கின்றேன். இவைகளையெல்லாம் அரசாங்கம் தீர்பரிசீலனை செய்யவேண்டும். இவர்களுக்குப்போதிய சலுகை கொடுக்கவேண்டுமென்று நான் கேட்டுக்கொள்கின்றேன்.

“மின்சார விஷயமாக பல திட்டங்களை சர்க்கார் போட்டுக்கொண்டு வருகிறார்கள். பவானி, மணிமுத்தாறு போன்ற திட்டங்களில் வேலை நடந்துகொண்டிருக்கிறது. இம்மாதிரி நடந்துகொண்டிருக்கின்ற சமயத்தில் அதிகமான மழையின் காரணமாக வெள்ளம் வந்து, கிராமங்களிலும் நகரங்களிலும் ஏழை மக்கள், பெரும்பாலும் ஹரிஜன மக்கள் குடியிருக்கும் இடங்களில் ஜலம் புகுந்து கேடு விளைவிக்கின்றது. ஆகவே, வெள்ளத்தடுப்புச் சவர்களை (flood banks) கட்ட வேண்டும். இம்மாதிரியான திட்டங்களை கனம் விவசாய மந்திரி அவர்கள் இரண்டாவது ஐந்து வருஷத் திட்டத்திலாவது கட்டாயமாகச் சேர்ப்பதற்கு ஏற்படும்படியே வேண்டுமென்று கேட்டுக்கொள்கின்றேன்.

[Sri M. Ethirajulu] [6th December 1954]

“மின்சாரத் திட்டங்களை வகுத்து கிராமங்களுக்கு மின்சாரம் சப்ளை செய்யப் போகிறோம் என்று கவர்னர் பிரசங்கத்தில் சொல்லியிருக்கிறார். இன்னும் அநேக நகரப் பகுதிகளுக்கும் தாலாகாத் தலைநகரங்களுக்குக்கூட மின்சாரம் கிடைக்கவில்லை. தனிப்பட்ட முதலாளிகளின்கீழ் மின்சார விநியோகம் செய்யும் பொறுப்பு இருப்பதால் அவர்கள் இதில் போதிய கவனம் செலுத்தவில்லை. லட்சக்கணக்கான ரூபாய் கடன் கொடுத்தால் மின்சாரம் சப்ளை செய்கிறோம் என்று மின்சாரங்களுக்கான விண்ணப்பங்கள் திருப்பியனுப்பப்படுகின்றன. ஆகவே தனிப்பட்டவர்களிடமிருந்து இந்தப் பொறுப்பு நீக்கப்படவேண்டும். அடுத்தபடியாக நாடகங்களைக் கட்டுப்படுத்துவதற்கான ஒரு சட்டத்தைக் கொண்டுவரப்போவதாக கவர்னர் உரையில் குறிப்பிட்டிருக்கிறது. அதை நான் வரவேற்கின்றேன். நாடகக் கலையினால் சமுதாய வளர்ச்சி ஏற்படுகிறதென்று சொல்கிறார்கள். அதே நேரத்தில் சமுதாயத் திலுள்ள ஒரு சில வகுப்பாரை புறக்கணிக்கக் கூடிய முறையில் இருக்கிறது. ஒரு உதாரணம் கூற விரும்புகிறேன். கூண்டுக்கிளி என்ற சினிமாப்படத்தில் ஒரு சாரங்கபாணி என்ற சினிமா நடிகர் வண்ணாழக நடிக்கிறார். அதில் பொதுஜனங்களுடைய துணியை எடுத்துச் சலவை செய்து ஷே வண்ணான் தன்மனைவியுடன் அணிந்து கொண்டு சினிமா பார்க்கப்போகிறார். சினிமா பார்க்கும் சமயம் துணியைப் போட்டவர் உட்கார்ந்துகொண்டிருப்பதை வண்ணான் வண்ணாத்தி இந்த இருவரும் பார்த்து பயப்படுகிறார்கள். இப்படி ஒரு நாடகம் ஒரு சமூகத்தாரைக் கேலி செய்வதாகவும் அவமானப் படுத்துவதாகவும் இருந்தால் அந்த சமுதாயத்தில் உள்ளவர்கள் மனக் கொதிப்பு அடைவதுடன் சமூக கிளர்ச்சி உண்டாகும் என எச்சரிக்க விரும்புகிறேன். ஆகவே, இந்த நாடகக் கட்டுப்பாட்டுச் சட்டம் மிக அவசியம். நாடகங்களிலும் சினிமாக்களிலும் பல கட்டங்கள் சீரழிந்துவிட்டன என்பதை நாம் நன்றாகப் பார்த்துக் கொண்டிருக்கிறோம். ஆகவே நாடகச்சட்டத்தை அவசியம் கொண்டுவரவேண்டும்.

“முனிசிபல் நிர்வாகத்தில் நல்ல மாறுதல் வேண்டுமென்று சொல்கிறார்கள். பல விஷயங்களைச் சொல்லவேண்டுமென்று இருக்கும்போது என்னைப்போன்றவர்களுக்கு அதிக நேரம் பேச இல்லாத நிலையில் நான் குறிப்பாக ஒன்றை மட்டும் சொல்லவிரும்புகிறேன். முனிசிபாலிட்யில் இருக்கிற உத்தியோகஸ்தர்களை, சர்க்கார் உத்தியோகஸ்தர்களை மாற்றுதல் செய்வதுபோல், மாற்றுதல் செய்தாலொழிய இந்த யுகத்தில் முனிசிபல் நிர்வாகம் முன்னேறாது என்று திடமாகச் சொல்லமுடியும். முனிசிபாலிடிகளுக்கு அதிக உரிமைகளும், அதிகாரங்களும் வழங்கப்படுவதற்கேற்ப அங்குள்ள குமஸ்தாக்களையும் மாற்றுதல் செய்யவேண்டுமென்று கேட்டுக் கொண்டு என்னுடைய உரையை இத்துடன் முடித்துக்கொள்கின்றேன்.”

* SRI T. S. SANKARANARAYANA PILLAI:—“Mr. Chairman, Sir, in supporting the motion moved by my hon. Friend Sri T. Purushotham, I wish to make a few observations with a view to invite the attention of the Government to certain prime needs felt by our people living in rural parts of the State. The Governor has in his Address referred with satisfaction to the favourable monsoon conditions prevailing in the State this year, but I am afraid he has drawn far too rosy a picture which is not borne out by conditions in my own district of Tirunelveli. The rainfall there has been very scarce and particularly two taluks, Nanguneri and Sankarankoil, are practically dry and crops are withering for want of water. My own taluk of Tenkasi, which lies alongside of Western Ghats, has fared no better. Apart from the Tambraparni basin, the whole district is studded with innumerable, though incredible, small tanks whose storage capacity has been sadly crippled by accumulation of silt for long ages past. I request Government to give their immediate attention to the work of

[Sri T. S. Sankaranarayana Pillai] [6th December 1954]

renovating and improving irrigation tanks and keeping them in a state of good repair which is necessary in the interests of greater food production.

"The Governor has rightly taken credit for the improved food situation in the State, though owing to lack of purchasing power the great mass of people are unable to take full advantage of the position. Though money is becoming more and more scarce, the level of the prices of foodgrains has not come down to any appreciable extent. It is only for economic pundits to say whether with such scarcity conditions for money and want of purchasing power of the people we are in for an economic depression comparable to the one which rocked the world some years ago. The object of the first and Second Five-Year Plans and the plans that are to follow is obviously to create a socialistic Welfare State, but a Welfare State, Mr. Chairman, is hardly possible unless certain essential, elementary amenities are made available to the people. One such amenity is the provision of good drinking water for the people. The Government deserve our thanks for the generous contribution they have made towards the inauguration of water schemes for the Municipal towns of Tirunelveli, Palayamkottai and Melappalayam, but not less urgent and not less important is the need to provide good drinking water in Panchayat areas, particularly Koilpatti and Tenkasi. Tenkasi is a big and growing town situated at the foot of the hills near the famous Courtallam waterfalls. Though a lot of plentiful water is rolling down the hills, our people have to be content with merely looking at it with philosophic detachment and admiring the beauty and majesty of the fall of the water and crying with the Ancient mariner 'Water, water everywhere, nor any drop to drink.' The panchayat has been levying for the past ten years a water tax and has accumulated a large and substantial fund. I request the Government to take up this matter and do the needful in supplying Tenkasi with water."

"Another amenity which people in rural areas want is a system of rural roads. India is a land of villages; India lives in her villages, and most villages in the interior are inaccessible for want of good roads connecting them with the highways."

"The other day the Hon. the Leader of the House made a statement on the floor of the House referring to certain incidents at Madurai. That statement, Mr. Chairman, reveals a distressing and disquieting state of affairs. It passes one's understanding why certain people, who pride themselves on being unbelievers, should start a violent crusade against religious beliefs and worship of God, which people hold dear."

MR. CHAIRMAN :—"The statement made by the Hon. the Leader of the House is not under discussion now."

* SRI T. S. SANKARANARAYANA PILLAI :—"The Constitution guarantees liberty of conscience and freedom of

6th December 1954] [Sri T. S. Sankaranarayana Pillai]

worship. All people, professing any religion or no religion, can live in peace and harmony. Therefore, it is up to the Government to take firm action to put down rioting of this kind.

"On the whole, I consider that the Address is a record of good achievements, high purposes fulfilled, and also high expectations for the future. I heartily support the motion of thanks. I thank you, Mr. Chairman, for the opportunity given to me to speak."

* SRI A. SUBRAMANYAM :—"தலைவர் அவர்களே, கவர்னர் அவர்களின் பேருரையை ஆதரித்துப் பேசும்வகையில் அதில் சில குறைகள் இருக்கின்றன என்பதையும் எடுத்துக்காட்டி அதை ஆதரித்துப்பேச நான் முன்வந்துள்ளேன்.

"குறிப்பாக, நாடகத்துறையில் இந்த நாட்டில் பெரிய கொதிப்பு ஏற்பட்டிருக்கிறதென்பது சமீபகால நிகழ்ச்சிகளிலிருந்து நாம் அறிந்திருக்கிறோம். இம்மாதிரியான சட்டங்கள் முன்பே செய்திருக்கவேண்டும்; தடைகளையும் விதித்திருக்கவேண்டும். ஏனெனில் ஒவ்வொருவருக்கும் ஒவ்வொரு விஷயத்தைச் செய்வதற்கோ, அதைப்பற்றி கூறுவதற்கோ உரிமை உண்டு. சுதந்திர நாட்டில் பேச்சு சுதந்திரம், எழுத்து சுதந்திரம் யாவும் இருக்கவேண்டியது வாஸ்தவந்தான். ஆனால், அந்த சுதந்திரம் எந்த அளவுக்கு இருக்கவேண்டும் என்பதற்கு ஒரு உதாரணத்தைச் சுட்டிக் காட்டி விளக்க விரும்புகிறேன். ஒருவர் தெருவில் சென்று கொண்டிருக்கிறார்; தன் கையிலிருக்கும் கைத்தடியைச் சுழிற்றிக்கொண்டு போகிறார்; அப்படிச் செய்ய அவருக்குச் சுதந்திரம் இருக்கிறது என்பதை ஒத்துக் கொள்கிறேன். ஆனால், அந்தத் தடியானது நடைப்பாதையில் நடந்து கொண்டிருக்கும் பிறர் தலை மீது பட்டால் அப்பொழுது அப்படிப்பட்ட சுதந்திரத்திற்கு எல்லை உண்டா, இல்லையா. அடிபட்டவன் சும்மா இருக்க முடியுமா என்பதைப் பார்க்கவேண்டும். பிறர் தலைமேல் அடிபட்டால் ஒருவன் கைத்தடியை தெருவில் சுழிற்றிக்கொண்டுபோனால் அந்த அளவுக்கு அவனுக்குச் சுதந்திரம் இருக்கலாம்; பிறர் தலைமீது அடிபடும் அளவுக்கு சுதந்திரம் இருக்கமுடியுமா? இருக்கக்கூடாது. அதே போல, இந்து மதம் என்பது ஒரு பெரிய மதம். எந்த மதமாக இருந்தால் என்ன? எந்த மதத்திற்கும் பங்கம் வரக்கூடாது. மதம் என்றால் என்ன அர்த்தம்? உண்மை, சத்தியம், அன்பு இவைகள்தான் மதமாகும். சந்தேகம் இருந்தால் அகராதியைப் புரட்டிப் பாருங்கள். ஆனால், மதம் என்னும் பதத்திற்கு 'கொழுப்பு', 'பயித்தியம்' என்ற பொருளும் இருக்கிறது. அம் மாதிரியாக கொழுப்பு-பயித்தியக்காரத்தனமாக மதம் பிடித்துத் திரியக்கூடாது என்பதுதான் என்னுடைய கோரிக்கையாகும்.

"ராமாயணத்தைப்பற்றி சற்று கவனிப்போம். ராமனை உண்மையான கடவுளாக வைத்துக்கொண்டாலும் சரி, புனிதமான புருஷர் என்று வைத்துக்கொண்டாலும் சரி, நல்ல காரியங்களை மக்கள் நலனுக்காக இந்த நாட்டிலே செய்து காட்டியிருக்கிறார்கள் மகான்கள். மக்களுக்கு வழிகாட்டியாக சில காரியங்கள் ராமாயணத்தில் எடுத்துக்காட்டப்பட்டிருக்கின்றன. ஆகவே, ராமரை நாம் கடவுளாக நினைக்கிறோம். காந்தி கடவுள் அல்ல; ஆனால், நல்ல மனிதர்; சத்தியசீலர்; உண்மையாகவே அவர் பேசியதைச் செயலிலே காட்டினார்; கர்ம வீரர்; அவரைத் தெய்வமாகப் போற்றுகிறோம். அதேபோல ராமர் கடவுளாக அல்ல; காரியங்களை எடுத்துக் காட்டியிருக்கிறார். சகோதரத் தன்மையைக் காட்டினார்; சகோதரர்கள் எப்படி ஒற்றுமையாக இருக்கவேண்டுமென்று நடத்திக்காட்டியிருக்கிறார். பிறருடைய மனைவியை இச்சிக்கக்கூடாதென்று அறிவுறுத்தியிருக்கிறார். அதிலுள்ள நல்ல அம்சங்களை எடுத்துக்கொள்ளாமல் ராமனை தூஷிக்கும் வகையில் வேறுவிதமாக நாடகங்கள் நடப்பதும், அதை ஒரு சிலர் பார்ப்பதுமாக இருக்கிறது. இந்த நாடகத்தையும் பார்க்கின்றார்களே என்று சொல்லிவிட்டோம். பயித்தியக்காரனைக்கூடத்தான் பத்துப்பேர் சுற்றி நின்று

[Sri A. Subramanyam] [6th December 1954]

பார்க்கிறார்கள். ஒரு நாடகத்தைப் பத்து பேர்கள் விரும்புகிறார்கள் என்பதற்காக அதற்கு அனுமதிக்கொடுப்பது அரசாங்கத்தின் கடமையா, நீதியா என்று நான் கேட்கிறேன்.”

MR. CHAIRMAN :—“ This subject is under investigation and enquiry. The hon. Member cannot speak on this. ”

* **SRI A. SUBRAMANYAM :—**“ மதுரை பற்றி எரியும் என்று ஒரு நண்பர் குறிப்பிட்டார். இதற்கு ஒரு சட்டத்தை ஏற்படுத்தி அந்த நாடகத்தைத் தடைசெய்யாவிட்டால் தமிழ்நாடே பற்றியெரியும் என்று நான் கூறுகின்றேன். ”

MR. CHAIRMAN :—“ The hon. Member cannot talk on this subject. ”

* **SRI A. SUBRAMANYAM :—**“ பற்றி எரியும் என்று சொல்லும் போது ஜனங்களுடைய மனதிலே கொதித்து எழுகிற எழுச்சியைத்தான் குறிப்பிடுகிறேன். அவர்கள் செய்யும் அக்கிரமங்களைப் பார்க்கமுடியவில்லை என்பதை நான் சுட்டிக்காட்ட விரும்புகிறேன். ”

“ பிற்பட்ட சமூகங்கள் விஷயங்களைப்பற்றி ஒன்றிரண்டு வார்த்தைகள் குறிப்பிட்டிருப்பதற்கு, அதிகமாகக் கூறுவிட்டாலுங்கூட பிற்பட்ட சமூக கத்தினரை முன்னேற்றுவதற்கான முறைகளைப்பற்றி நான் 1937-ம் ஆண்டிலிருந்து கீழ்சட்டசபையிலும் மேல்சபையிலும் வாதாடிக்கொண்டு வந்திருக்கின்றேன். குறிப்பாக வன்னியகுல மக்களை முன்னேற்றுவது மட்டுமல்லாமல் இந்த மாகாணத்தில் இருக்கக்கூடிய எல்லா பிற்பட்ட மக்களையும் உயர்த்தவேண்டும் என்பதுதான் என்னுடைய இடைவிடாத ஆசை. அதுதான் காங்கிரசினுடைய முக்கியமான கொள்கையும் ஆகும். ஹரிஜன மக்கள் உட்பட சமூகத்தின் கீழ்வரிசையில் இருக்கின்ற அத்தனை மக்களையும் கல்வி, செல்வம், சமூகத்தில் பொருளாதாரம் ஆகிய எல்லாத் துறையிலும் முன்னேற்றவேண்டும். அப்படிச் செய்துவிட்டால் நாட்டு மக்களிடையே காணப்படும் ஏற்றத்தாழ்வு நாளடையில் மறைந்துவிடும் என்று சொல்லத்தேவையில்லை. காங்கிரஸ் கட்சியின் கொள்கை அந்த முறையில் இருக்க, அதை அவர்கள் சரிவரச் செய்யவில்லையே என்பதுதான் என்னுடைய குறையாகும். அது இன்னும் கைகூடுவதாகக் காணோம். பிற்பட்ட இனத்தவர்கள் மற்றவர்களின் நிலைமைக்கு முன்னேறி வரவேண்டுமென்பது என்னுடைய விருப்பம். அதுவே எனது கனவும் நிலைவும் ஆகும். பிராமமணரல்லாதார் என்ற பெயரில் ஒரு சில முக்கிய வகுப்பார்கள் பதவிகளை அடைந்தார்களே தவிர, பிற்பட்ட இனத்தவர்கள் நல்ல நிலைமைக்கு வரக்கூடிய நிலைமை ஏற்படவில்லை. அந்த நிலைமையை இப்பொழுது ஏற்படுத்தவேண்டும். கனம் ஸ்ரீ ராமசாமி பட்டையாச்சி, கனம் ஸ்ரீ எம். எ. மாணிக்கவேலு நாயக்கர் இவர்கள் இருவர் மந்திரி சபையில் இருந்தால் மட்டும் அந்தச் சமூகம் முன்னேறிவிடாது. அவர்கள் கூறும் திட்டங்களையும் அரசாங்கம் நிறைவேற்றிவைக்கவேண்டும். பிற்பட்ட இனத்தவர்கள் அத்தனை பேர்களையும் முன்னுக்குக் கொண்டுவர சர்க்கார் பாடுபடவேண்டும். ஒவ்வொரு டிபார்ட்மெண்டிலும் இந்த வகுப்பாளர்களும், இதர பிற்பட்டவர்களும் உத்தியோக உயர்வு இல்லாமல் மங்கிக்கொண்டிருக்கிறார்கள். 10, 15, 20 வருஷங்கள் சர்வீஸ் ஆகியும் கூட உயர்ந்த பதவிகளை அடைய முடியாமல் இருக்கிறார்கள். இதைப் பற்றி சர்க்கார் கவனித்து அவர்களுடைய நிலையை உயர்த்துவதற்கு முன்வரவேண்டும். எந்தெந்த டிபார்ட்மெண்டில் பிற்பட்டவர்கள் இருக்கிறார்கள் என்று கவனித்து நேரடியான ரெக்யூட்மெண்ட் வைத்து அவர்களுக்கு உயர்ந்த உத்தியோகங்கள் கொடுக்க முன் வரவேண்டுமென்று கேட்டுக்கொள்கின்றேன். ”

“ மலையாள ஜில்லாவிலிருந்து வந்த நண்பர் அவர்கள் சொன்னார்கள், மலையாளிகளை ஸ்ரீ ராமசாமி நாயக்கர் வெறுக்கிறார்கள் என்று. வெறுக்க வேண்டியதுதான். அவர்கள் எங்கும் எல்லா உத்தியோகங்களிலும்

[Sri A. Subramanyam] 6th December 1954]

நிறைந்திருக்கிறார்கள். மலையாளிகளைமட்டும் நான் சொல்லவில்லை. அரசாங்கத்தில் முன்னணியில் நிற்குகொண்டிருக்கும் அத்தனை பேர்களையும் நான் கேட்டுக்கொள்கின்றேன். ‘கொஞ்ச காலத்திற்கு பிற்பட்டவர்களுக்காக விட்டுக்கொடுங்கள்’ அதாவது பத்து வருட காலத்திற்கு மட்டும். 1937-லேயே இதை ஆரம்பித்திருந்தால், இதற்குள் பிற்பட்டவர்கள் முன்னுக்குவந்து மற்ற இனத்தவர்களுடன் சரிநிகர் சமானமாக வாழ்ந்து கொண்டிருப்பார்கள். மேலும் சலுகைகளைக் கேட்காமலிருப்பார்கள். அதைச் சர்க்கார் செய்யவில்லை. ஐந்து வருஷங்களுக்கு முன்னுடியாவது இதைச் செய்திருந்தால் இப்பொழுது ஓரளவு இவர்கள் முன்னேற்ற மடைந்திருப்பார்கள். ஆகவே, எவ்வளவு குறுகிய காலத்தில் அவர்களை முன்னேற்றமுடியுமோ அதைச் செய்து தீரவேண்டும். ஜனத்தொகை விசு தாசாரத்திற்குத் தகுந்தபடி இவர்களுக்குச் சலுகை அளிக்கப்படவேண்டும். மூன்று கோடி ஜனத்தொகையில் வன்னியர்கள் ஒரு கோடி வரையும் இருக்கும்போது, அவர்களைக் கவனிக்காமல் இருக்கலாமா என்று கேட்கிறேன். கள்ளர், மறவர், அகமுடையர் இவர்கள்மட்டும் சுமார் ஒரு கோடி வரையில் இருக்கிறார்கள். மீதி இருக்கும் ஒரு கோடி மக்களைப்பற்றிப் பேசினால் மாத்திரம் போதாது. ”

“ படையாட்சி வகுப்பினருக்கு முழு சம்பளச் சலுகை கொடுக்கப்பட்டது என்று சொல்லப்படுகிறது. இது சுத்தப்பொய். சென்னை, செங்கற்பட்டு, வட ஆற்காடு, கோயமுத்தூர், மதுரை, இராமநாதபுரம், திருநெல்வேலி ஆகிய ஜில்லாக்களில் கொடுக்கப்பட்டிருக்கிறதா? சலுகை யாருக்குக் கொடுக்கப்பட்டிருக்கிறது என்று தெரியாமல் பேசிக்கொண்டிருக்கிறார்கள். வன்னியர்களுக்கு சேலம், தஞ்சாவூர், தென்னாற்காடு, திருச்சிமுப்பள்ளி ஆகிய ஜில்லாக்களில் முழுச் சம்பளச் சலுகை கொடுக்கப்படுகிறது. சில ஜில்லாக்களுக்கு மட்டும் தவறான முறையிலே செய்யப்பட்டு வருகிறது. சரியானபடி ஜனங்களுக்கு விவரித்துச் சொல்லவில்லை இந்த திட்டம். திருத்தியமைக்கப்படும் என்று சொல்லப்படுகிறது. எப்படித் திருத்தியமைக்கப்போகின்றார்கள் என்று தெரியவில்லை. பெரும்பான்மையான பிற்பட்ட இனத்துப் பிள்ளைகள் ஒன்றும் அறியாதவர்களாக இருந்தால் சுதந்திர நாட்டில் அவர்கள் சுபீட்சமாக இருப்பதற்கு அறிகுறியாக இருக்குமா? ஆயிரக்கணக்கான ஜனங்களைக் கொண்டவர்களாக இருக்கின்ற ஒரு சமூகத்தைப்பற்றி, அரசாங்கத்தார் கவனம் செலுத்தியிருக்கலாம். கள்ளர், மறவர் அகமுடையர் ஆகிய வகுப்பினர்கள் மிகவும் ஏழைகள். தஞ்சாவூரில் ஸ்ரீ நாடிமுத்துப்பிள்ளை போன்றவர்களுக்குச் சலுகை வேண்டாம். மதுரை, ராமநாதபுரம், திருநெல்வேலி ஜில்லாக்களிலிருக்கும் கள்ளர், மறவர், அகமுடையர்களுக்குச் சலுகை வேண்டும். அவர்களுக்கு முழுச் சலுகைகள் கொடுக்கப்படவேண்டும். வண்ணார், அம்பட்டர், செம்படவர் ஆகியவர்களுக்கும் அரசாங்கம் நியாயமான முறையில் முழு சம்பளச் சலுகை செய்திருக்கவேண்டும். அப்படிச் செய்யாமல் நான்கு ஜில்லாக்களுக்கு மட்டும் கொடுத்துவிட்டு, கிளர்ச்சி செய்யுங்கள் என்று அவதூறு ஏற்படும்படியான நிலைமையில் அரசாங்கம் ஏற்படுத்தமேயானால் அதை யாரும் ஒப்புக்கொள்ளமுடியாது; இது நியாயமாகவும் இருக்க முடியாது. ஆகையால், சலுகைகள் வழங்கும் விஷயத்தில் சில கட்டுப்பாட்டை வகுக்கவேண்டும். இவ்வளவு நில வருமானம் பெறுகின்றவர்கள், உத்தியோகத்தில் இருப்பவர்கள், சொந்த வீடு வைத்துக்கொண்டு வாடகைக்கு விடுகிறவர்கள் ஆகியவர்களுக்கு இவ்வளவு வருமானத்திற்கு மேல் வருவாய் வந்தால் இந்தச் சலுகை வழங்கக்கூடாது. ஸ்ரீ எதிராஜ் அவர்கள் சொல்லியது போல் செய்வதுதான் நியாயம். சில ஜில்லாக்களிலுள்ள படையாட்சிகளுக்குச் சலுகை அளிப்பதும் நியாயம் தான். கனம் ஸ்ரீ ராமசாமிப் படையாட்சி அவர்களுடைய மகனுக்குச் சம்பளம் இல்லை; கனம் ஸ்ரீ மாணிக்கவேலு நாயக்கர் மகனுக்குச் சம்பளம் இல்லை என்று சிலர் அறியாததனமாகச் சொல்லுகிறார்கள். ஸ்ரீ மாணிக்கவேலு நாயக்கர் மகனுக்குச் சம்பளம் உண்டு. ஏனென்றால் வடாற்காடு ஜில்லாவிற்கு இந்தச் சலுகை கிடையாது. இது தெரிவித்தல். தெரியாமற்படிக்கு பேசுகிறார்கள். பெருவாரியான ஜில்லாக்களிலே இவர்கள் தான் இருக்கிறார்கள். சில சலுகைகள் அவசியம் செய்ய வேண்டும் என்ற நிலைமை ஏற்பட்டது. அதை அரசாங்கம் செய்திருக்கிறார்கள். ”

[Sri A. Subramanyam] [6th December 1954]

னியர்கள் என்ற படையாட்சிகளுக்கு குற்றப்பரம்பரையினர் என்று சட்டம் போட்டால் அதனால் பெரும் கிளர்ச்சி ஏற்படும். அரசாங்கம் திருத்தம் ஏதாவது செய்தால் பிற்பட்ட இனத்தவர்களிடையே எழுச்சி ஏற்படும் என்பதையும் இப்போதே சொல்லிக்கொள்ள ஆசைப்படுகிறேன். ஆகையால், இப்பொழுது இருக்கும்படியான திருத்தத்தை சரியான முறையில் செய்து எல்லா மக்களுக்கும் பயன்தரும் வகையில் இந்தப் பெரிய ஜனத்தொகையைக்கொண்டவர்களுக்கு சலுகை அளிக்க வேண்டுமென்று கேட்டுக்கொள்கின்றேன்.

“உத்தியோக விஷயத்திலும் இப்போதாவது அவர்களுக்குச் சில சலுகைகளைச் செய்து நாளடைவில் அவர்களை முன்னேற்றச் செய்து பிற்பட்டவர்கள் என்ற நிலையிலிருந்து மாற்றி மற்ற சமூகத்தாரோடு எல்லாத்துறையிலும் சரியாக இருக்கும்படியான நிலைமையை ஏற்படுத்த வேண்டுமென்பது என்னுடைய ஆசை. அதைச் சர்க்கார் செய்யவேண்டுமென்று கேட்டுக் கொள்கின்றேன்.

“ஜில்லா போர்டுகளுக்கு தேர்தல் நடத்துவதற்கு முன்னால் நான் இந்தச் சபையில் பேசும்போது ஒரு விஷயத்தைக் குறிப்பிட்டேன். தேர்தலின்போது ஜனங்கள் ஒட்டுப்போடுவதற்கு சரியாகப் புரிந்துகொள்ளாமல் தவறான வழியில் செய்து விடுவார்கள் என்று அப்பொழுது சொன்னேன். கனம் மந்திரி அவர்கள் பதில் கொடுக்கையில், அம்மாதிரியெல்லாம் நடக்காது என்றும், ரொம்ப அழகாகவும், நேர்மையாகவும் நடக்கும் என்றும் சொன்னார்கள். அப்பொழுது நான் சொன்னதைப் புரிந்து கொள்ளவில்லை என்று நினைக்கிறேன். லட்சக்கணக்கான வோட்டுகள் தள்ளப்படிக் கொடுக்கப் போய்விட்டன. ஏனென்றால், மக்கள் அந்த வோட்டு முறையைப் புரிந்துகொள்ள முடியவில்லை. இரண்டாயிரம் வோட்டுச் சீட்டுகளில் 1,500 வோட்டுகள் வரையில் தள்ளப்படிக் செய்யப்பட்டிருக்கிறது. அப்படியிருக்கும்போது தேர்தல்கள் நியாயமான முறையில் நடந்தது என்று சொல்லமுடியுமா என்பதை யோசித்துப் பார்க்கவேண்டும். ஜில்லா போர்டுகளுக்கு நடத்தும் தேர்தல் முறையை இனி மாற்றித் திருத்தியமைக்கவேண்டும்.

“இதனை உடனடியாகவும் செய்யவேண்டும். ஜில்லா போர்டினால் கிராமங்களுக்கு ரோடு வசதிகளோ, விளக்கு வசதிகளோ, மற்ற வசதிகளோ கிடைப்பதில்லை. சிலர் சாதாரணமாக வாயாடியாக உள்ள அங்கத்தினர்கள் காரசாரமாகப் பேசி தங்களுக்கு வேண்டிய கிராமங்களுக்கு சில வசதிகளைச் செய்து கொள்ள முடிகிறதென்பதையே நியாயமாக இருக்கக்கூடியவர்களால் செய்து கொள்ளமுடியவில்லை. தாலுகா போர்டுகளை ஏற்படுத்தவேண்டிய வேலையை அரசாங்கம் உடனடியாகச் செய்யவேண்டும். அதைச் செய்தால் அந்தந்த தாலுகாக்களுக்கு வேண்டிய வசதிகளைச் செய்துகொள்ள முடியும். ஸ்ரீ வி. வி. ராமசாமி அவர்கள் சொன்னதுபோல, பஞ்சாயத்து போர்டுகளுக்கு அதிக அதிகாரங்களைக் கொடுத்து, ரெவினியூ ஆபீசர்களையும் கொண்ட ஆலோசனை சபையை அமைத்து, அதற்கு வேண்டிய பரிசாரத்தைச் செய்தால் மிக நன்றாக இருக்கும்.

“ஒரு குறிப்பிட்ட நாடகத்தை நடத்தக்கூடாது என்று 15 நாட்களுக்கு தடை விதிக்கப்பட்டிருக்கிறது. எப்பொழுதும் இம்மாதிரியான நாடகங்கள் நடைபெறுவண்ணம் தடை செய்யப்படவேண்டிய நிலைமையை ஏற்படுத்திக் கொள்ளவேண்டும். காங்கிரசிலேயே இம்மாதிரி செய்கின்றார்கள். வேலியே பயிரை மேயக்கூடிய முறையில் இருக்கக்கூடாது. எனக்கு உடல் நலம் சரியாக இருந்தால் நானே தலைமை தாங்கி சத்தியாக்கிரகத்தை நடத்துவேன். இம்மாதிரி சம்பவங்களுக்கு இடங்கொடுக்கக்கூடாது. ஆயிரக்கணக்கான தொண்டர்களைச் சேர்த்துக்கொண்டு சாத்வீக முறையில் இம்மாதிரியான நாடகங்களைத் தடை செய்திருப்பேன். ஆகவே, உடனடியாக நாடகச் சட்டத்தை அமுலுக்குக் கொண்டுவரவேண்டும். நாட்டிலே அமைதியைக் குலைக்கக்கூடிய நாடகங்களைத் தடை செய்யவேண்டுமென்று கேட்டுக்கொள்கின்றேன்.

“ஸ்ரீ கஜபதி நாயகர் அவர்கள் சொல்லும்போது, ஸ்ரீ வைத்தியநாதய்யர் வீட்டிலிருந்து ஊர்வலம் சென்றது என்று குறிப்பிட்டார்கள். அதை ஒப்புக்கொள்ள முடியாது. ஊர்வலம் ஸ்ரீ ஏ. சுப்ரமணியம் வீட்டிலிருந்து

[Sri A. Subramanyam] [6th December 1954]

சென்றால் என்ன? ஸ்ரீ வி. வி. ராமசாமி நாடார் வீட்டிலிருந்து சென்றால் என்ன? எங்கிருந்து சென்றாலும் நியாயமாக ஒருவர் செய்திருக்கிறாரா என்று அரசாங்கம் கவனித்து, அப்படியிருந்தால் அதை ஆதரித்து, அதற்கான விதிகளைச் செய்யவேண்டுமென்று கேட்டுக்கொள்கின்றேன். ஆர். எஸ். எஸ். காரர்களென்றோ, இந்து மகா சபைக்காரர்களென்றோ விட்டு விடக்கூடாதென்றும் கேட்டுக்கொள்கின்றேன்.”

DR. V. K. JOHN :—“Sir, with your permission I want to elicit some information from the Hon. the Leader of the House. It is stated here in the Governor's Address, 'There is a stock of over a lakh of tons of rice in Government godowns, which the Government of India have agreed to take over and this will be available for use in any emergency'. Why this over a lakh of tons was kept here? How much of it is worth using? Why the Government of India should take over this stock? I want information on all these.”

* THE HON. SRI M. BHAKTAVATSALAM :—“Sir, there was control then, and we were stocking rice. Suddenly control was lifted, and there was no off-take from the various fair price shops, and there was no need for any supply of rice by Government depots. Therefore, this stock was taken on hand. We discussed the matter with the Government of India, and they have been good enough to take over the stock so that they can supply us whenever any emergency arises.”

MR. CHAIRMAN :—“The Hon. the Leader of the House will now reply to the debate.”

* THE HON. SRI M. BHAKTAVATSALAM :—“Mr. Chairman, Sir, before expressing my appreciation of the valuable contribution made by hon. Members of the Opposition in the course of the debate, as is claimed particularly by the Leader of the Opposition, I would like to congratulate the two young Members from Malabar in this house of elders on their fine maiden speeches. I am indeed grateful to the Members of this House for the constructive criticisms they have made about the administration. Of course, there was not the expected vehemence during the debate. Even the Deputy Leader of the Opposition was not as vehement as he wanted to be, and as he was expected to be. There were attempts at exhibiting vehemence and bitterness, and some Members have indulged in it. On the whole we have had a very pleasant debate during these four days. Some of the hon. Members who deliberately sought to express bitterness against either the Congress party or the Congress Government could not do so successfully. There was no statutory obligation cast on the part of the Governor to come to the legislature and address the legislature as he did this time. But still the Governor was good enough to continue his close contact with the legislature and, therefore, he chose to address the House. But I would like to point out that a distinction should be made between a discussion on the Governor's Address and a discussion on the budget proposals and the Finance Minister's speech. In the course of the discussion of the budget proposals, hon. Members are expected to cover the entire field of administration.

[Sri M. Bhaktavatsalam] [6th December 1954]

1-30
p.m.

"The Budget covers the entire field of administration and, therefore, hon. Members are naturally expected to speak on it. But, Sir, in an address to the Legislature, the Governor makes a brief review of the administration and refers to the programme of work that will be placed before the Legislature. Of course, hon. Members can refer to omissions in the address. But it will not be proper if hon. Members refer to every detail of the administration as they would do during a debate on the Budget. For instance, Mr. Raza Khan referred to the incidence of sales tax. It would be more appropriate if that subject was taken up during the Budget session when the concerned Demand was taken up for consideration. Some hon. Members referred to the urgent need for providing supply of water to this area or to that area. Here again, I feel that such references would be more appropriate when the particular Demand was taken up during the discussion of the Budget and not of an address by the Governor.

"Sir, we do welcome criticisms and constructive criticisms. We welcome hon. Members to point out defects in the Administration and failures on the part of the Administration. The hon. the Deputy Leader of the Opposition expressed surprise at some of the hon. Members on this side of the House indulging in certain criticisms about the Administration. I do not think there is anything extraordinary about it when hon. Members on the other side of the House could express appreciation of certain aspects of our administration. If hon. Members on this side of the House should point out the need for immediate attention to certain conditions in which people live in certain areas, Government do welcome the suggestions they make for remedying that situation. Several hon. Members offer very valuable suggestions and the Government can very well accept them.

"I said a little while ago that the Deputy Leader of the Opposition was not as vehement this time as he used to be. But he indulged in some rhetoric in order to create an effect, not on the Government, but on the House. He referred to a series of promises made by the Government and broken by them, according to him. The hon. the Deputy Leader of the Opposition is a distinguished lawyer and a very learned man. He is learned in English also. What is the promise, I wonder, that he referred to as having been made by the Government and particularly by me in reply to a debate on the Governor's Address last year. He referred to six promises on the part of the Government, all made by me, which were ultimately not implemented. Now, taking one of the 'promises' that I had made—viz., constitution of a committee for examining the structure of local bodies, what is it I said? What I said last year was that the Government proposed to appoint a committee to examine the future of the district boards and local bodies. The Government did propose to constitute a Committee. But as hon. Members will recall, there was the impending election to district boards. Therefore, the Government further considered the position and felt that as the elections were to take place shortly thereafter, it would be better to put off

6th December 1954] [Sri M. Bhaktavatsalam]

the constitution of the committee for some time. The Government may propose to do certain things but they are not precluded from reconsidering their decisions. The elections have now taken place and as pointed out by the Governor in his Address, it would be better if hon. Members express themselves on the future of these institutions. That will facilitate the examination by any committee that may be constituted by the Government of the existing set-up of these institutions. Then, there was the fear—I think Mr. Ramaswami Nadar expressed it—that since the district boards had come into existence, their working might be seriously interfered with if a committee was now constituted. He had another fear also. He asked: 'What will happen to these Boards, should any committee appointed by the Government recommend and should the Government accept that recommendation that district boards should go and some other bodies should come into existence?' This is a very pertinent question raised by him. Government did consider this aspect of the question also and feel that there should not be any hurry in reorganizing local bodies. District boards have just now come into existence and there is no particular hurry for effecting reorganization now. Government would like to consider the entire question thoroughly and decide once and for all what is to be the future of local bodies. Government expect that it will take a few years before any committee can examine the question and make suitable recommendations for the Government to accept them, undertake legislation, get it passed and make rules in pursuance thereof for the implementation of the various provisions of the Act. Then only a new set-up can come about. Therefore, the Government want to see that the present district boards run their full term. Meanwhile, we can examine the question leisurely and take a decision."

DR. V. K. JOHN :—"Why leisurely?"

* THE HON. SRI M. BHAKTAVATSALAM :—"Because there is no hurry. District boards are there. Just now, they have been reconstituted. If the Government had taken a decision to postpone elections in order to reorganize local bodies in such circumstances, the Deputy Leader of the Opposition would have come down on us more vehemently, but very legitimately, and charged us we had broken a promise.

"The Government had kept to their promise of holding elections. The elections to district boards have been completed. That is why we have put off the constitution of the committee. (Dr. V. K. John: 'Is not 3 years a long period?') I do not necessarily mean three years. We have had so many amendments to the Local Boards Act. We are particular that this question should be thoroughly examined this time. We are anxious to take a decision about these local boards once and for all.

"The hon. the Deputy Leader of the Opposition referred to another broken promise of mine, viz., that Government would take measures for controlling money-lending. Of course it was mentioned in the last Governor's Address that Government were

1-40
p.m.

[Sri M. Bhaktavatsalam] [6th December 1954]

contemplating measures to control money-lending. Government did take some time in examining the problem before they could introduce any Bill. Government had to consult not only local opinion but also the Government of India. Therefore it took some time. Government have not kept quiet. I would like to tell the House now that the draft Bill has been finalized. That the same has not been referred to by the Governor in his Address now was due to its having been referred to in his last Address. Once it is said in one Address that Government are contemplating legislation for controlling money-lending, I do not think it is necessary that the same should be referred to in the succeeding Address of the Governor. I do not think hon. Members want the Governor to repeat what he had said on a previous occasion.

"Another 'broken promise' of mine referred to by the Deputy Leader of the Opposition refers to the 'unemployment problem'. Unemployment is there all over the country and everywhere in the world. The Deputy Leader of the Opposition thinks as though I gave a promise on the last occasion that I would root out unemployment in this land by one stroke. I do not think even the Deputy Leader of the Opposition with all his resourcefulness could offer us a solution so as to liquidate unemployment in this country by one measure. Every proposal of us is intended to solve the unemployment problem, not only the unemployment of the educated few but also the general unemployment in the State. Whether it is some scheme for industrial development, whether it is a scheme for the reorganization of village industries, whether it is a scheme for agricultural development so as to step up production—all these schemes do tend towards solving the unemployment problem. Therefore I am surprised to listen to the criticism about the Governor not touching upon the unemployment problem. Whatever scheme the Government adumbrate is intended to solve the question of unemployment. I do not think that the Deputy Leader of the Opposition wants that every proposal of us should have a preamble that that proposal is intended to solve unemployment. It is obvious.

"The Deputy Leader of the Opposition again referred to the land problem. I did say and many of my Hon. Colleagues did refer to Government's anxiety to bring forward measures to meet the situation. We should thoroughly examine all aspects of the problem before we come forward with a finalized draft Bill. I do not think the Deputy Leader of the Opposition has given any satisfactory solution to solve the land problem. He does make some suggestions and if the Government could not accept them, he levels charges against us. For instance he referred to some rehabilitation scheme which he submitted to Government for assigning some lands in Kodaikanal to certain landless people. I have myself discussed with him on that subject and if Government did not find it a practicable scheme, it does not mean that Government are not anxious about giving lands to the landless. The Deputy Leader of the Opposition thinks that we should pay the market price for the lands we should acquire and then distribute

[6th December 1954] [Sri M. Bhaktavatsalam]

them. Where are we to get the necessary finance for purchasing the lands at market price? How are we to recover the high cost of the land from those landless poor to whom the lands are assigned? How much loss would we incur? This is not a simple question. We cannot distribute all the lands to the landless. The acreage of lands is small when compared to the large number of landless. Perhaps hon. Members may be aware that the provincial organization of the Congress has set up a committee to study this question. That committee has been seriously going through the problem and visiting each district and taking evidence not only from the cultivating tenants but also from the landlords. They are collecting valuable evidence and they are expected to present their report very shortly. I have no doubt that that report should be very valuable to the Government in taking a decision on the solution of the land problem. We are awaiting that report. Meanwhile we have been drafting necessary legislation. I have no doubt, Sir, that perhaps before the end of this session we shall be able to come to the legislature with our proposals.

"The Deputy Leader of the Opposition referred to the non-implementation of the report of the Secondary Education Commission. Government have appointed a committee to study that question and the Chairman of the Secondary Education Commission is also the Chairman of that committee. That committee would study how far the report of the Secondary Education Commission could be implemented by Government. We have to take several steps before implementing any particular recommendation of the Secondary Education Commission. We are proceeding slowly. We are not keeping quiet. Therefore there is no question of our going back on assurances and undertaking that were given in this House or in the other House.

"Another broken promise of mine as alleged by the Deputy Leader of the Opposition refers to what I said last year regarding the House Rent Control Act. The Deputy Leader of the Opposition was good enough to read what I had said at that time from the reports. I said Government would examine whether there was any need for the continuance of the House Rent Control Act in the City and other urban areas. I may tell the House that Government did examine this question and Government were advised that this Act must continue for some little time. I ask the Deputy Leader of the Opposition to see, whether he could with satisfaction advise this Government now, that the House Rent Control Act be repealed immediately and at once. The leader of the Praja-Socialist Party, who is unfortunately not here, indulged in another type of attack. He first started by saying that the present Ministry was not a Congress Ministry. His justification for this conclusion is that this Ministry does not consist of Congress members exclusively. The very next day he came round and said that there were non-Congress members in the Cabinet and that the two members and their parties had merged themselves with the Congress and therefore instead of attacking the Government he indulged in an attack on the Congress Party. He said that because those who were outside and those who had their own parties had merged themselves

[Sri M. Bhaktavatsalam] [6th December 1954]

with the Congress, the Congress party is not a Congress organisation. It is not years long that he left the Congress. He is so bitter against the Congress and it is not for Congress people to learn lessons from him and imbibe his ideas. The Congress keeps its doors wide open not only for those who have left the organisation for some reason or other but also for those who would join it with faith in the ideals and programme of the Congress organisation. The Congress does not indulge in any unholy alliance with any other party as the hon. Member and his party have indulged in. As pointed out by the hon. Member Sri Mohamed Raza Khan, the hon. Member Sri M. P. Govinda Menon is a distinguished member of the Praja-Socialist Party and only a year ago this Praja-Socialist Party got into the United Front which they call democratic. They joined hands with the Communists, not only with those who had communalism as the basis of their party ideal. The Praja-Socialist Party joined hands with every other party except the Congress in order to capture power from the Congress. Again, some months back, there was a bye-election to this House from the Legislative Assembly. Sir, an hon. Member of this House, the lady member who adorned the Chair in your absence for a few minutes the other day, was a candidate and because she happened to be a Congress candidate, this Praja-Socialist Party gave its support to an independent candidate who came forward to oppose it because the Congress was taxing the rich people. This is the performance of the Praja-Socialist Party of which the hon. Member Sri Govinda Menon is a distinguished member. But the Congress is not indulging in any such unholy alliances. The Congress keeps its ideals aloft and it has no narrow exclusive outlook. It welcomes everyone who would join it with full faith in the ideals of the organisation.

"References were made to certain disturbances in Madurai and the attitude of the Congress Government in this regard. You have very rightly pointed out, Sir, that when an enquiry is going on, it is not proper on our part to discuss those incidents. But I would like to state categorically that the Government would and could not tolerate any kind of incitement to violence. I agree with the hon. Member Sri A. Subramanyam that liberty that is guaranteed in the Constitution does not mean licence. I entirely agree that drama and other arts should not be abused even to the extent of doing violence and injuring the sentiments of any section of the people. We do want good dramas which will instil in us good ideas. Everyone may have his ideas of social reform. There should be no difficulty in emphasising those ideas in the people through dramas, but there is no need for parodying a thing if in the bargain there are people who seek to rouse and exploit communal feeling. I would like to reiterate, Sir, that Government would not tolerate communalism wherever it exists and by whomsoever it is sought to be exploited. You are aware, Sir, that Government have drafted a Bill and they propose to bring it before the Legislature because the Government have found that the existing

DISCUSSION ON THE GOVERNOR'S ADDRESS

241

[6th December 1954] [Sri M. Bhaktavatsalam]

law is not adequate to deal with the new situation that has sprung up. I am therefore unable to understand criticisms directed against the Government relating to this and charges that the Government have failed to do this or that thing. The Government have to act within the four corners of the law, but when the Government find that the law is not adequate, they do come before the Legislature which is good enough to appreciate the situation and arm the Government with the necessary powers.

"The other hon. Member who was really vehement, Sri A. Gajapathy Nayagar, is unfortunately not here. I do appreciate his sincerity and earnestness. He gets himself excited over Tamil . . ."

* SRI V. CHAKKARAI CHETTY :—"Excited for Tamil, Sir."

* THE HON. SRI M. BHAKTAVATSALAM :—"The hon. Member may have it in any way. But I would like to tell him (Sri Gajapathy Nayagar) and others that even good things are spoiled by making a fetish of them. (Interruption by Sri N. Annamalai Pillai.) Yes, Sir, I am coming to this hon. Member who attempted to be even more vehement than the hon. Member Sri Gajapathy Nayagar so that when I was listening to his speech, I was reminded of our jail days. He and I were in the same jail. He took a fancy for learning English and wanted me to teach English and took my life out. Apart from the other worries of jail life, he used to come to me daily and ask me to teach him English. To teach him English was a very difficult thing. I could now say that I am qualified to be a teacher. But then I asked him, Sir, 'Why do you want to learn English? You are in the thick of a movement and you are expecting the dawn of freedom, within a few years'. He told me, 'I want to speak in English in the Assembly'. In fact, in the jail there were so many farewell functions. When any one of the prisoners was released, there used to be a farewell function. On one such occasion he had the audacity to speak in English (loud laughter). Now, he became so vehement about Tamil being the official language in this House. I ask, who is against Tamil? I may claim on behalf of the Congress that it was the Congress that made so many beautiful, fine and eloquent speakers in Tamil, like the hon. Member Sri Annamalai Pillai. But for the Congress, from the beginning Sri Annamalai Pillai would have started making speeches in English. (Hear, hear.) The Congress has made hundreds and thousands of beautiful Tamil speakers. It is Congress men who created a new awakening in favour of Tamil, in favour of the mother-tongue, and in favour of our languages. So far as I am concerned—and that will be the case with other colleagues of mine—I can say that nobody is prevented from addressing the Government in Tamil in his own language. When hon. Members speak in their mother-tongue, we reply to their speeches. There are difficulties to express my appreciation of the very moderate manner in which the hon. Member from South Arcot, Sri O. P. Ramasami Reddiar, referred to this agitation. I have no doubt

2
p.m.

[Sri M. Bhaktavatsalam] [6th December 1954]

that the hon. Member Sri A. Gajapathy Nayagar cannot claim to be a greater lover of Tamil than the hon. Member Sri Reddhar. But he did not get excited. He also pleaded for having Tamil as the official language in our State. He said even when he was the Chief Minister this experiment of carrying on the administration in the districts in Tamil and Telugu was tried in certain districts. The hon. Member from South Arcot said that that could be worked well and extended to certain other districts. That is a practical proposal, which the Government could examine. Here hon. Members are free to speak in their own language. They can easily follow the proceedings here. I would like to point out that even in the Andhra legislature, the proposal that the official language should be Telugu, has not been practicable for the Government to accept. Therefore, it is no good getting eloquent over it as if the Government are against Tamil. The hon. Member Sri A. Gajapathy Nayagar pointed out that Tamil must be accepted as the official language. This means that he maintains that Tamil is not the official language now. Tamil is an official language. This cannot be denied. He says that if his Bill for making Tamil the official language had been accepted, that would have been the panacea for all the ills, there would have been no communalism and no sectarianism, and that everything would be all right. That I say is only an aberration. It is an obsession. I would like to maintain that the Government do not lag a whit behind hon. Members who plead fervently for Tamil. They do not lag behind hon. Members in their love for Tamil and in their realisation that a democratic Government like ours should be carried on in the language of the people."

DR. V. K. JOHN :—" May we pass a resolution that we shall speak in Tamil and not in any other language? "

SRI N. ANNAMALAI PILLAI :—" தமிழில்தான் பேசுங்களுடன் .

* THE HON. SRI M. BHAKTAVATSALAM :—" Several hon. Members while speaking on the Address referred to certain omissions in it. Of course, hon. Members may deal with omissions in the Governor's Address. But, Sir, they should not expect the Governor's Address to be a complete and exhaustive review of the entire administration of the State, as was pointed out some time ago. One criticism was that the Address did not refer to the unemployment problem. These are all large problems, and the Governor should not be expected to refer to them. The Hon. the Minister for Finance is not expected to refer to these problems. It is all good for propaganda outside this House to say that the unemployment problem has not been referred to and that the Government have failed to deal with the unemployment problem. But the Governor, the Finance Minister, and other Ministers are not expected to pay only lip sympathy. We are only as anxious as hon. Members are in this matter.

" In the same way one hon. Member said that there was no reference to Prohibition. What is the reference that he wanted the Governor to make? Prohibition is there. Like that so many

[6th December 1954] [Sri M. Bhaktavatsalam]

things are going on. I am unable to understand how the Governor should be expected to deal with every problem on the face of the earth when he chooses to address the legislature. The hon. Member from Coimbatore, the Pattagar of Palayakottai, particularly referred to the need for adequate education on the subject of cattle development. Our livestock wealth is really very poor, and more than that, he has focussed attention on the need for promoting and preserving the necessary fodder resources for the cattle. I welcome the suggestion made by that hon. Member who has experience in the line, and he must explore the possibilities of securing artificial fodder resources for the cattle in view of the paucity of natural fodder resources in our State.

" The hon. Member Sri O. P. Ramaswami Reddhar was very constructive in his criticism. He referred to certain deficiencies. He referred to the need for paying more attention to some of the problems of the people in the villages. He particularly referred to the need for greater attention being paid to the renovation of small tanks which are innumerable in our State. He referred to the suspension of the implementation of this programme of small irrigation works. More than a year ago, the Government had to suspend further implementation of the works, because they could not get the support which they had been deriving from the Government of India. The Government of India have since come forward to our aid, and I may tell the House that we have been going ahead with the renovation of tanks, particularly in the dry lands of our State. The hon. Member from South Arcot particularly referred to the Sathanur scheme which has been sanctioned. The hon. Member Sri Annamalai Pillai also referred to his criticism. I may tell the House that no one need have any apprehension that the existing rights of any one would be affected by the taking up of new schemes. All aspects of the question are fully examined before a scheme is finally sanctioned. If the Sathanur and the Krishnagiri reservoir schemes are taken up for exploiting the water resources of Pennar river, it will not mean that those ryots who have been using the waters of Pennar will be affected.

2-10
p.m.

" The hon. Member also referred to the drying up of the artesian wells. Government are examining the question. Of course, there is now a ban on sanctioning the sinking of artesian wells.

" He referred to the notification issued by the Government with reference to the exploitation of the lignite mines. He made particular mention of the Vadalur temple in this connection. Sir, the notification has been issued with a view to avoiding speculation. When a big project is coming up and when it affords fine prospects—indeed I said the other day that the expert firm working this project had given a very bright picture of it—there is naturally speculation and it is in order to avoid speculation in the purchase of lands that the notification has been issued. If, however, there are specific cases wherein there is legitimate grievance, then certainly Government will look into the matter.

[Sri M. Bhaktavatsalam] [6th December 1954]

"Next Sir, the hon. Member referred to the delay in the acquisition of land for formation of roads. Government are examining that question and they are equally anxious that the formation of roads should be taken up expeditiously. If difficulties stand in the way of acquisition of lands, Government will even amend the existing law in order to facilitate the early formation of roads; particularly when people come forward with large extents of land, Government will not tolerate one person standing in the way.

"Sir, several hon. Members referred to the Moratorium Act that is due to expire in February next. Views were expressed on both sides of the House on the various aspects of the question. I know there is anxiety on the part of a large section of the ryots that even this year the monsoon has failed in several areas, and that they will be put to several kinds of hardship. In several places, people are very anxious about the future of this Act. At the same time, if the life of the Act is simply to be extended, then, as pointed out by some hon. Members, the burden on the ryot will increase. I would like to point out that it is entirely an 'extension' Act and not a 'relief' Act. One should not mix up the two. This is only a Moratorium. If its life is extended, the interest will accrue and the burden will be greater on the poor ryots when the time of repayment comes. All these aspects of the question have to be taken into account and the Government have been very carefully examining these. When they take a decision and, if necessary, they come before the House for the ratification of that decision, I hope the Legislature will give its wholehearted support in enacting a new law.

"Sir, while hon. Member after hon. Member used to plead—particularly during the discussion on the Budget—for this irrigation scheme or that, I was surprised to find that one hon. Member, Mr. Balasubramania Ayyar, pleaded for a 'go slow' policy in the matter. He has lands in Tanjore district. Perhaps he is not quite aware of the anxiety of the people in districts like North Arcot, about which the hon. Member from that district spoke so vehemently. I would like to tell Mr. Balasubramania Ayyar that even in the Tanjore district, there are so many demands, persistent demands, for the development of irrigation. So far as these areas are concerned, we must tap new water resources and provide people with water. If they are not helped and if at some other place we execute a scheme—say costing ten crores of rupees—they will not remain quiet. It has been the policy of the Government all along that they should explore the possibilities in every district of developing irrigation resources which are economically feasible. To examine this, the Government have their own canons. People will not be satisfied if we incur expenditure on small works alone. We must have both just as in the matter of industrial development we have to organise both village industries and big industry on a thorough and effective basis. Agricultural development depends upon irrigation. Although our water resources are poor and although most of these have been tapped—

[6th December 1954] [Sri M. Bhaktavatsalam]

the Governor has pointed out—there are still some more which we cannot ignore or whose exploitation we cannot put off. While on the one hand, we are trying to exploit all our water resources, we are trying on the other to concentrate our attention on stepping up production of food through improved methods of agriculture.

"Then, Sir, Mr. Balasubramania Ayyar referred to jail laws and pleaded they should be made a little harder. His plea cannot be accepted. In any country in the world it will not be accepted. For several years and years ago, I remember even before Congressmen entered jails, there had been an agitation for an improvement in jail life. There were pioneers who were pleading for jail reform and who had devoted their lifetime to this work. If offences are on the increase, the solution is not to make jail life harder. The solution lies elsewhere. (Dr. V. K. John: 'Where?') That is for the Deputy Leader of the Opposition to find out. He can give as many schemes as he likes. We will examine them, if he gives any, and adopt the feasible one. I know he is so very resourceful that he can give any number of schemes. But only he must not have self-interest in the matter. He must completely set aside his self-interest and come forward with constructive schemes. We will certainly examine them.

"Sir, the hon. Member, Mr. Narayanaswami Pillai, referred to local bodies and their working. He said that while there could be party system in the administration of the country's affairs, there should be no party alignments in the matter of elections to local bodies. He said that this was the British model. But I am afraid that that is not the British model. I remember that even in the United Kingdom, elections to local bodies are contested on a party basis. It is quite an ideal to talk of 'no parties' in local administration. I would certainly welcome if it is feasible. But we cannot avoid politics. If one tries to avoid politics another takes to it. Then the one that did not like to enter it is dragged into it. That is the difficulty. But as far as the administration is concerned, it never gets into party politics and that is the policy this Government are pursuing.

"Hon. Members Sri T. Purushotham and Sri Sarkarai Manradar referred to works that are being carried out under the National Extension Service and Community Projects. They pertinently referred to the problem of maintenance of works that are now undertaken with people's contribution under the National Extension Service and Community Projects. That is a very pertinent observation. I am myself concerned about it and Government are proposing to convene a meeting of the presidents of district boards some time in February when we do hope to discuss with the presidents of district boards and see what we can do for effectively maintaining institutions that are springing up and have sprung up with the co-operation of the people under the National Extension Service and Community Projects.

"The hon. Member representing teachers referred to in great detail and other hon. Members also did refer to the conditions of

2.20
P.m.

[Sri M. Bhaktavatsalam] [6th December 1954]

service of the teachers. They also criticised the composition of the committee appointed for the purpose of reform of elementary education in the State. In whatever manner the committee is constituted, it is quite easy to find fault with the composition of the committee. It is quite easy to say that some other people could have been put in place of some who constitute the committee. It is quite easy to say that some others if they had been put would have proved better. It is not merely teachers that could contribute much in the matter of reform of elementary education. Sometimes it is better to carry on with the experts. Sometimes it is useful to take a commonsense point of view which would reflect the feelings and aspirations of the people concerned. Therefore, Sir, I would plead for further co-operation of hon. Members of this House in helping the committee to devise a very proper scheme of elementary education which would be best suited to our State.

“Again a question was raised about the competence of district boards in the management of elementary schools and so on. We do welcome considered views from hon. Members. We are studying the question and we want to take a final decision and I do hope we shall be able to take a final decision in regard to the question of reform of local bodies.

“The hon. Member representing teachers referring to the paucity of pay of teachers said that the parent must pay so that that might contribute for the enhancement of salaries of the teacher. I would like to tell this House whatever might be the pay that a teacher receives, let us remember that we have a very large percentage of parents outside the student fold whose income is much less than that of the teachers. That fact should not be ignored. When that is the condition, how could we enforce the parents to pay more for paying the teachers more? I have said that improvement of the condition of teachers should depend only on the improvement of conditions in villages and we have been persistently trying to carry out schemes which would not only add to the importance of the villages but also improve the living conditions of the people in the villages.

“Hon. Members very earnestly pleaded for better attention to the backward communities. I need not again emphasise that Government are anxious to ameliorate the conditions of the backward classes and I may say in this connection that there are no differences of opinion between the Government and those hon. Members who pleaded for the amelioration of the backward classes and communities.

“I shall not take up much of your time, Mr. Chairman. I once again express my thanks to you and to those who have taken part in the debate for the manner in which this debate had been conducted and I do hope that amendments to the motion of thanks would be withdrawn and the main Motion of Thanks to the Governor would be passed unanimously.”

6th December 1954] [Sri M. Bhaktavatsalam]

MR. CHAIRMAN :—“Is the hon. Member Sri Raza Khan withdrawing his amendment?”

SRI MOHAMED RAZA KHAN :—“Yes, Sir.”

The amendment of Sri Mohamed Raza Khan was, by leave of the House, withdrawn.

MR. CHAIRMAN :—“Since the hon. Member Sri A. Gajapathy Nayagar is not in his place, his amendment is deemed to have been withdrawn.

“I shall now put the main motion to the vote of the House. The question is—

‘That an humble Address he presented to the Governor that the Members of the Madras Legislative Council thank him for the Address delivered to the Members of the Legislature on the 1st December 1954.’”

The motion was carried.

MR. CHAIRMAN :—“I now adjourn the House till 11 a.m. on Saturday, the 18th December 1954.”

The House then adjourned.

THE MADRAS LEGISLATIVE COUNCIL.

Saturday, the 18th December 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.

Medical College for Coimbatore.

* 61 Q.—SRI MOHAMED RAZA KHAN : Will the Hon. the Chief Minister be pleased to state whether the Government have any proposals to start a Medical College at Coimbatore, and if so, when?

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

SRI MOHAMED RAZA KHAN :—"Sir, is it not a fact that the Hon. the Finance Minister, while addressing a public meeting probably at Coimbatore, gave expression to the fact that there was a proposal before the Government to start a Medical College in Coimbatore?"

THE HON. SRI M. BHAKTAVATSALAM :—"The Hon. the Finance Minister did not say that there was any such proposal before the Government. But he said that a proposal was there to start a college in Coimbatore. There were citizens of Coimbatore who were interested in the matter."

SRI MOHAMED RAZA KHAN :—"Sir, if the citizens of Coimbatore can well afford to have a college in their place, is it going to be on the model of the Udipi College or on a different model?"

THE HON. SRI M. BHAKTAVATSALAM :—"There is no proposal to start a college in Coimbatore on the model of the Udipi College. There are so many proposals from many persons for starting colleges. But the Government have to find the ways and means to implement such proposals."

SRI MOHAMED RAZA KHAN :—"Sir, may I know what proposals are there before the Government to start a college or colleges in other districts than Coimbatore?"

THE HON. SRI M. BHAKTAVATSALAM :—"About the starting of medical college, there is yet no specific proposal before the Government except a proposal initiated by Dr. Alagappa Chettiar to start a medical college somewhere. In that connection, a committee has been appointed to go into the question and suggest a suitable venue for the college."

[18th December 1954]

SRI T. PURUSHOTHAM :—" Sir, may I know why the question is addressed to the Hon. the Chief Minister while the Hon. the Minister for Health is here? "

THE HON. SRI M. BHAKTAVATSALAM :—" This refers to a proposal of the Government. Therefore, perhaps, this was addressed to the Hon. the Chief Minister."

SRI T. M. NARAYANASWAMY PILLAI :—" Sir, has the Committee appointed to go into the whole question been asked to choose any specified place as the venue for the college? "

THE HON. SRI M. BHAKTAVATSALAM :—" I do not think the Committee has been asked to choose any specified place. It has been asked to suggest a suitable venue for the college."

SRI T. M. NARAYANASWAMY PILLAI :—" Sir, will the suitability of Tiruchirappalli be considered? "

THE HON. SRI M. BHAKTAVATSALAM :—" I should think so, Sir."

SRI V. V. RAMASWAMI :—" ஸார், யாராவது ஒரு தனி நபர் நல்ல தொகையைக் கொடுக்க முன்வந்து, ஒரு மருத்துவக் கல்லூரியை ஆரம்பிக்கவேண்டுமென்று சர்க்காருக்குச் சொன்னால், பொதுப்பணத்திலிருந்து எவ்வளவு பணம் அதற்காகக் கொடுக்க முடியும் என்ற விஷயங்களையெல்லாம் சர்க்கார் ஆராய்ந்து பாராமல் கல்லூரியை ஆரம்பித்துவிடுவார்களா? அல்லது இது விஷயமாக தீர ஆலோசனை செய்து அந்தக் கல்லூரியை ஆரம்பிப்பதற்கு முன் வருவார்களா? "

THE HON. SRI M. BHAKTAVATSALAM :—" நன்றாக ஆராய்ந்து பார்த்துத்தான் சர்க்கார் ஒரு முடிவுக்கு வருவார்கள். நிரந்தரமாக அந்தக் கல்லூரி எவ்வாறு நடைபெறும், அதற்கு அரசாங்கத்திலிருந்து எவ்வளவு உதவி கொடுக்கப்படும் என்பதையெல்லாம் ஆராய்ந்து பார்த்துத்தான் அதைப்பற்றி அரசாங்கம் முடிவு செய்கிறார்கள்."

SRI MOHAMED RAZA KHAN :—" Sir, is it not a fact that the medical students will prefer to have one more college located in the City of Madras rather than have one located in the districts? "

THE HON. SRI M. BHAKTAVATSALAM :—" I do not at all agree with the hon. Gentleman that all colleges should be located in the City of Madras."

Admissions to Middle and High Schools in the middle of the school-term.

* 62 Q.—SRI G. KRISHNAMOORTHY: Will the Hon. the Minister for Finance and Education be pleased to state—

(a) whether there are any instructions to Middle and High Schools in the State to admit in the middle of the school-term, children of State Government servants transferred from place to place without demanding school-fees for the full term; and

(b) if so, whether such instructions hold good in the case of children of Union (Central) Government servants also?

[18th December 1954]

THE HON. SRI C. SUBRAMANIAM :—" (a) Yes, Sir.

" (b) No, Sir."

SRI G. KRISHNAMOORTHY :—" Sir, will the Government kindly extend the concession to the children of Central Government servants also in view of the fact that the parents should not be penalized for *bona fide* transfers ordered by the Government? "

THE HON. SRI C. SUBRAMANIAM :—" It is not a question of penalizing the parents. Certain concessions are given. If the Government of India are prepared to bear the expenditure, certainly we shall consider the proposal."

SRI G. KRISHNAMOORTHY :—" May I submit to the Government, Sir, that this is a question of not charging the parent twice and not a question of concession? "

THE HON. SRI C. SUBRAMANIAM :—" It is not a question of charging the parent twice. The schools will have to lose if students leave in the middle of a term. Otherwise, they would have taken in some other student. Therefore, we will have to compensate the loss to the schools. If the Central Government would be prepared to compensate this loss, we shall certainly consider the proposal."

SRI G. KRISHNAMOORTHY :—" Will this Government kindly address the Central Government, Sir, on this matter as the difficulty is really felt by many parents in the vicinity of my area? "

THE HON. SRI C. SUBRAMANIAM :—" The Central Government are aware of their own responsibilities towards their officers. We need not remind them about the matter."

SRI E. H. PARAMESWARAN :—" Sir, is there any difficulty in recommending to the Central Government that this is a reasonable request? "

THE HON. SRI C. SUBRAMANIAM :—" I have already stated that the Central Government would certainly take into consideration the requirements of their own officers."

SRI T. PURUSHOTHAM :—" Sir, has any representation in this regard been received by the Government or has any communication been received from the Central Government on the subject? "

THE HON. SRI C. SUBRAMANIAM :—" Not anything, as far as I know."

SRI MOHAMED RAZA KHAN :—" The Central Government having to shoulder too many responsibilities, will not a reminder from the State Government expedite the issue, Sir? "

THE HON. SRI C. SUBRAMANIAM :—" They have got too many resources also to meet all those responsibilities."

[18th December 1954]

Scales of pay of Manual Training Instructors in aided secondary schools.

* 63 Q.—SRI G. KRISHNAMOORTHY: Will the Hon. the Minister for Finance and Education be pleased to state—

(a) whether Manual Training Instructors in aided secondary schools are eligible for Government scales of pay;

(b) whether such payment as per Government scales of pay is taken into account for purposes of grant; and

(c) if not, the reasons therefor?

THE HON. SRI C. SUBRAMANIAM:—“(a) & (b) Yes, Sir.
“(c) Does not arise.”

SRI G. KRISHNAMOORTHY:—“Is it a fact, Sir, that the Government have recently sent a printed statement of salaries to be taken into account for purposes of audit wherein the column relating to Government scales of pay for Manual Training Instructors has been left blank?”

THE HON. SRI C. SUBRAMANIAM:—“I am not aware of it. But as far as I know, the Government scale of pay is recognized for purposes of grant.”

SRI G. KRISHNAMOORTHY:—“Sir, are the Government aware of the fact that in many schools the auditors have disallowed the payment of Government scales of pay to Manual Training Instructors who were getting them as a result of which the pay of many instructors has been reduced by at least Rs. 10 per month?”

THE HON. SRI C. SUBRAMANIAM:—“If specific instances are brought to my notice, certainly I shall have the defect rectified.”

Collection from pupils in High Schools for scouting.

* 64 Q.—SRI G. KRISHNAMOORTHY: Will the Hon. the Minister for Finance and Education be pleased to state—

(a) whether any amount is collected from pupils in each High School for scouting; and

(b) if so, whether the amount is earmarked for scouting purposes?

THE HON. SRI C. SUBRAMANIAM:—“(a) & (b) A statement* is placed on the table of the House.”

SRI G. KRISHNAMOORTHY:—“Sir, am I to understand that a decent proportion is not specifically earmarked for scouting out of the funds collected jointly for scouting and excursions?”

THE HON. SRI C. SUBRAMANIAM:—“Sufficient expenditure for the purpose is being incurred by the various institutions.”

* Printed as Appendix I on page 222 infra.

[18th December 1954]

SRI G. KRISHNAMOORTHY:—“Sir, in view of the fact that excursion is a costly affair while scouting is not such an affair, will the Government kindly see that a decent percentage is earmarked for scouting alone out of the funds collected jointly for scouting and excursions?”

THE HON. SRI C. SUBRAMANIAM:—“It is for the various institutions to consider the proportion for purposes of earmarking or spending in whatever way they like.”

SRI G. KRISHNAMOORTHY:—“Sir, is it a fact that many schools have been expending more on excursion than on scouting? If so, will the Government kindly consider the question?”

THE HON. SRI C. SUBRAMANIAM:—“We should not interfere with the freedom of the institutions in this matter. They should be given wide discretion to spend the sum as they like.”

Appointment of secondary grade surplus teachers to higher grade vacancies.

* 65 Q.—SRI G. KRISHNAMOORTHY: Will the Hon. the Minister for Finance and Education be pleased to state—

(a) whether the Government have passed orders recently on the Tirunelveli District Board to post secondary grade surplus teachers to act in higher grade vacancies; and

(b) if so, how many secondary grade teachers have been affected by this order?

THE HON. SRI C. SUBRAMANIAM:—“(a) No, Sir. The Government have only ordered that the secondary grade teachers in lower elementary schools having no secondary grade posts should either be transferred to schools where there are secondary grade posts or, in the alternative, to refix their pay suitably.

“(b) None, Sir. All such secondary grade teachers have been provided for in higher elementary schools where there are secondary grade posts ousting the junior hands who have also been appointed either in leave vacancies or in single teacher schools under the scheme of relief to the educated unemployed.”

SRI G. KRISHNAMOORTHY:—“Sir, am I to understand that no secondary grade teacher has been posted in the vacancy of a higher grade teacher and is being given the salary of a higher grade teacher?”

THE HON. SRI C. SUBRAMANIAM:—“I have already stated that all the secondary grade teachers have been posted in higher elementary schools where there is provision or appointment in vacancies of secondary grade teachers. The hon. Member may infer from my answer whatever he chooses.”

[18th December 1954]

SRI T. PURUSHOTHAM :—“ Sir, the scales of pay of teachers are based on their respective qualifications. May I presume that they draw the same scale of pay whatever class they may be asked to teach? ”

THE HON. SRI C. SUBRAMANIAM :—“ No. It varies according to the institution in which they work.”

SRI T. PURUSHOTHAM :—“ Sir, is there any rule to the effect that a secondary grade teacher should not be asked to teach lower elementary classes? If not, why should not such teachers be allowed the scales of pay prescribed for secondary grade teachers? ”

THE HON. SRI C. SUBRAMANIAM :—“ There is no such prohibition. The entire matter is under the consideration of the Government and a committee has been appointed to go into the question.”

11-10 a.m. SRI G. KRISHNAMOORTHY :—“ Sir, who fixes the number of maximum posts for secondary grade and higher grade teachers in district boards and municipalities? ”

THE HON. SRI C. SUBRAMANIAM :—“ I want notice. I suppose it is being fixed in consultation with the Education Department.”

SRI T. PURUSHOTHAM :—“ Sir, in view of the difficulty experienced by the local board teachers, may I suggest to the Hon. Minister to consider the desirability of issuing clear instructions to the local bodies including the Corporation of Madras pointing out that the teachers should be given the prescribed scales of pay whatever class they may be required to take in the interests of the school arrangement.”

THE HON. SRI C. SUBRAMANIAM :—“ After considering the entire question of elementary education, I propose to issue comprehensive instructions to all the local bodies and municipalities.”

Treating of absence of local board teachers from headquarters on Saturdays as casual leave.

* 66 Q.—SRI G. KRISHNAMOORTHY : Will the Hon. the Minister for Finance and Education be pleased to state with reference to Starred Legislative Council Question No. 72 answered on 18th January 1954 whether the Government have considered the question of revising the recent orders in respect of teachers in the employ of local bodies that absence from headquarters on Saturdays would be treated as casual leave?

THE HON. SRI C. SUBRAMANIAM :—“ Yes, Sir. The Government have considered the question and decided that there is no need to revise or modify the existing rules in the matter, according to which Saturdays, other than penultimate

[18th December 1954]

Saturdays, are not holidays for the teaching staff in the regular sense, as on those days the teachers have to prepare for the class work on the following working day or attend to other school work such as teachers' meetings, Scout work, correction of test papers, etc.”

SRI G. KRISHNAMOORTHY :—Sir, with reference to the answer given on a previous occasion, may I request the Government to clarify the position as, under rule 68 of the Fundamental Rules, they are entitled to go out on penultimate Saturdays without taking casual leave? ”

THE HON. SRI C. SUBRAMANIAM :—“ I do not think any instruction is necessary.. Penultimate Saturday is a holiday in the regular sense.”

SRI G. KRISHNAMOORTHY :—“ Sir, as the general order does not make any reference to Fundamental Rule 68, will it not be better on the part of the Government to issue instructions to the local bodies that at least penultimate Saturdays should be exempted from the operation of this order? ”

THE HON. SRI C. SUBRAMANIAM :—“ I shall look into the matter and see whether any such instruction is necessary at all.”

Introduction of pass book for teachers' Savings Bank accounts of Provident Fund deposits.

* 67 Q.—SRI G. KRISHNAMOORTHY : Will the Hon. the Minister for Finance and Education be pleased to state with reference to Starred Legislative Council Question No. 71 answered on 31st July 1952 whether the Government have taken any steps to introduce Pass Book of 60 pages for teachers' Savings Bank accounts of Provident Fund deposits?

THE HON. SRI C. SUBRAMANIAM :—“ Yes. The question of opening a bigger pass book of sixty pages for Teachers Provident Fund accounts was considered and dropped as the Director-General of Posts and Telegraphs, New Delhi, declined to accept the proposal.”

SRI G. KRISHNAMOORTHY :—“ Sir, as much of the delay is due to the time taken in the tracing of used-up pass books, may I request the Hon. Minister to put up this point for the consideration of the Director-General of Posts and Telegraphs, New Delhi? ”

THE HON. SRI C. SUBRAMANIAM :—“ We appreciate the point put forward by the hon. Member. That is why we made a proposal to the Director-General of Posts and Telegraphs. Unfortunately, he has declined to accept that proposal? ”

[18th December 1954]

SRI K. BALASUBRAMANYA AYYAR :—“ Has he given any reason, Sir? ”

THE HON. SRI C. SUBRAMANIAM :—“ Financial implications, Sir? ”

Selection of students for various grades of teachers' training.

* 68 Q.—SRI G. KRISHNAMOORTHY : Will the Hon. the Minister for Finance and Education be pleased to state whether the Government have any proposal to give preference to sons and daughters of teachers in selecting students for various grades of teachers' training?

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

SRI G. KRISHNAMOORTHY :—“ Sir, other conditions being equal, may I know what the difficulty is in giving preference to the children of teachers? ”

THE HON. SRI C. SUBRAMANIAM :—“ I should think that all should be given equal opportunities. Already, there is some aversion to taking up ancestral avocation.”

SRI G. KRISHNAMOORTHY :—“ Sir, in view of the importance attached psychologically to heredity and environment, will the Government in the interest of education consider the question of giving preference to children of teachers who might wish to take it up as a hereditary profession? ”

THE HON. SRI C. SUBRAMANIAM :—“ It will have to be considered not only with reference to this profession but with reference to all other professions? ”

SRI T. PURUSHOTHAM :—“ Sir, if that principle is accepted, will it not be necessary to extend it also to the recruitment of candidates to all categories of public service? ”

THE HON. SRI C. SUBRAMANIAM :—“ That is the difficulty. That is why I said that we were not considering any such proposal.”

SRI E. H. PARAMESWARAN :—“ Sir, is the Hon. Minister aware that many of the teachers do not want any such preferential treatment? ”

THE HON. SRI C. SUBRAMANIAM :—“ I am glad to have this information.”

Acquisition of lands for house-plots for teachers in municipal areas.

* 69 Q.—SRI G. KRISHNAMOORTHY : Will the Hon. the Minister for Finance and Education be pleased to state—

(a) whether any representation has been received by the Government recently in the matter of acquisition of lands for house-plots for teachers in municipal areas; and

(b) if so, the steps taken thereon?

[18th December 1954]

THE HON. SRI C. SUBRAMANIAM :—“ (a) No, Sir.

“ (b) The question does not arise.”

SRI G. KRISHNAMOORTHY :—“ Sir, was not any representation made by the teachers in the Villupuram municipal area? ”

THE HON. SRI C. SUBRAMANIAM :—“ I already said, ‘ No, Sir ’.”

SRI G. KRISHNAMOORTHY :—“ Sir, will the Government consider the question if any representation from teachers in municipal areas is made? ”

THE HON. SRI C. SUBRAMANIAM :—“ Certainly, any representation, if properly made, will be considered by the Government.”

Running of meterless taxis in this State.

* 70 Q.—SRI T. PURUSHOTHAM : Will the Hon. the Minister for Registration, Endowments and Transport be pleased to state—

(a) whether the Government have considered any proposal for running as in Bombay of meterless taxis in this State; and

(b) whether any applications for licence have been received for running such meterless taxis in the City of Madras and outside and if so, the orders passed thereon?

THE HON. SRI B. PARAMESWARAN :—“ (a) & (b) At the instance of the Tourist Information Bureau of the Government of India, the Madras Government considered a proposal to maintain special taxis in Madras for the use of foreign tourists but dropped it in view of the very limited demand for such taxis in this State at present and no one being prepared to run such a ‘ super taxi ’.”

SRI T. PURUSHOTHAM :—“ Sir, are the Government aware that tourists, especially foreign tourists feel awkward when they have to travel in taxis fitted with meters and, if so, will the Government authorize the police authorities to issue licences to a few taxis without meters as an experimental measure and arrange them to be stationed at a few important centres? ”

THE HON. SRI B. PARAMESWARAN :—“ I don't think it is possible. It was not possible to maintain special taxis in Madras for the use of foreign tourists in view of the very small demand for such taxis, and if they so desired they might maintain special vehicles for tourists till the influx of foreign tourists became large and attractive enough for private firms to maintain such vehicles.”

[18th December 1954]

SRI MOHAMED RAZA KHAN :—“ Sir, what do they mean by super taxis? Are those taxis to be engaged for the whole day and paid nothing? ”

THE HON. SRI B. PARAMESWARAN :—“ The super taxis are well-equipped. They have to pay double the tax. But they wanted that the tax on those taxis should be reduced. All these concessions had got to be given if we were to comply with the request of the Government of India Tourist Information Bureau. In spite of our trying to ask some of the taxi owners to lend their taxis for the purpose, we were not able to do so as they will not be able to get the necessary number of tourists travelling in their taxis.”

SRI V. V. RAMASWAMI :—“ ஸார், வாடகை மோட்டார் வண்டிகளுக்கு அதிகமான தேவை இருப்பதால் சிறிய வாடகை மோட்டார் வண்டிகளை அதிகம் விடுவதற்கு சர்க்கார் வழி செய்வார்களா ? ”

THE HON. SRI B. PARAMESWARAN :—“ That is a different question. Yet, we have recently decided the question of giving permission for 72 small taxis.”

SRI A. GAJAPATHY NAYAGAR :—“ வாடகை மோட்டார் வண்டிகளில் பொருத்தப்பட்டிருக்கும் மீட்டர்கள் சரியானபடி வேலை செய்வதில்லை யாதலால், பிரயாணிகளுக்கும், டிரைவர்களுக்கும் அடிக்கடி தகராறுகள் உண்டாகின்றன என்பதை சர்க்கார் அறிவார்களா ? ”

THE HON. SRI B. PARAMESWARAN :—“ The question put by the hon. Member has no bearing on the main question.”

SRI A. GAJAPATHY NAYAGAR :—“ வாடகை மோட்டார் வண்டிகளில் உள்ள மீட்டர்கள் சரியாக வேலை செய்வதில்லை. இப்படிப்பட்ட புகார்கள் சர்க்காருக்கு வந்துகொண்டிருக்கின்றனவா ? ”

THE HON. SRI B. PARAMESWARAN :—“ There may be some defects in one or two taxis. But we cannot say that all the taxis are like that. If the hon. Member travelled in such a taxi where such defects were noticed, he may bring the matter to the notice of the Government and we will consider it.”

UNSTARRED QUESTIONS.

Retention of Andhra officers and subordinate officials in this State after the partition of the Andhra State.

8. Q.—**SRI T. PURUSHOTHAM :** Will the Hon. the Chief Minister be pleased—

(a) to lay on the table of the House a statement showing the names and designation of Andhra officers and subordinate officials retained in this State Service after the partition of the Andhra State and the reasons for such retention and to state—

(b) (i) the number of Tamilian officers; and (ii) the subordinate officials, transferred to the Andhra State on permanent basis and on foreign service rules?

[18th December 1954]

A.—(a) A statement* showing the relevant particulars (in two sections) is placed on the table of the House.

(b) Only in the case of the All-India Services, namely, I.C.S., I.A.S., etc., where the officers are liable to serve anywhere in India, that certain Tamilian officers have been permanently allocated for service in the Andhra State under the relevant provisions of the Andhra State Act, 1953.

In the case of the State and the Subordinate Services, 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 and embodied in section 63 of the Andhra State Act, 1953. As a rule, all Andhra officers belonging to these services were permanently allotted to the Andhra State and non-Andhra officers including Tamilian officers were taken to the Andhra State as ‘transferred officers’ only to the extent that was considered unavoidable by the Special Officer for the Andhra Affairs and his Committee. No Tamilian officer belonging to the State and the Subordinate Services has, therefore, been permanently allotted to the Andhra State except, however, in the case of certain members of the staff working in the district and regional offices in the Andhra area who stand permanently allotted to the Andhra State under the general order issued by the President under section 63 (1) of the Andhra State Act, 1953.

In the case of the ‘transferred officers’ the period for which they may be required to serve in connexion with the affairs of the State of Andhra shall be two years, but the Government of Andhra may return any such officer to the State of Madras at any time before the expiration of the said period after giving three months’ notice to the officer concerned and to the Government of Madras. The ‘transferred officers’ are eligible for deputation allowance at the rates prescribed by the President by an order under sub-section 7 (b) of section 63 of the Andhra State Act, 1953. These officers are thus governed by the special provisions in the Andhra State Act and not by the usual Foreign Service Rules. A statement* showing the relevant particulars (in section III) is also placed on the table of the House.

Use of radium in the Barnard Institute of Radiology.

9. Q.—**DR. A. SREENIVASAN :** Will the Hon. the Minister for Health be pleased to state—

(a) the quantity of radium used in the Barnard Institute of Radiology month by month, since the last consignment of radium was obtained;

* Printed as Appendix II on pages 323-347 infra.

[18th December 1954]

(b) the number of patients treated with radium during that period; and

(c) whether any record is maintained regarding the use of radium and, if so, who checks the record and how often?

A.—

1953.	MILLI GRAMS.	1954.	MILLI- GRAMS.
(a) February (21st to 28th)	1,164	January ..	3,031
March ..	4,949	February ..	3,213
April ..	5,741	March ..	6,597
May ..	4,795	April ..	5,157
June ..	5,697	May ..	5,930
July ..	8,085	June ..	2,898
August ..	7,743	July ..	5,184
September ..	6,050	August ..	4,633
October ..	4,556	September ..	3,526
November ..	2,380	October ..	3,697
December ..	3,784		

(b) 455.

(c) Yes. The registers are checked daily by the Dean, Government General Hospital, Madras.

Electricity extension schemes in Chingleput and North Arcot districts.

10. Q.—SRI T. PURUSHOTHAM: Will the Hon. the Minister for Public Works be pleased to lay on the table of the House a list of electricity extension schemes sanctioned for execution during the year 1954–55 in (1) Chingleput district and (2) North Arcot district showing the progress of the work against each item?

A.—A list of electricity extension schemes taken up and proposed to be taken up for execution during 1954–55 in Chingleput and North Arcot districts showing the progress of work on each scheme is placed* on the table of the House.

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

II.—INFORMATION RE PUTTING SUPPLEMENTARY QUESTIONS ON UNSTARRED QUESTIONS.

* SRI T. PURUSHOTHAM :—“ Sir, though under the rules one hour is set apart for putting questions and eliciting answers, we have finished all the questions put on the agenda for to-day within 15 minutes. May I request you, Mr. Chairman, to permit us to put supplementary questions on the unstarred questions as we have completed all the starred questions for the day so early? ”

* Printed as Appendix III on pages 348–349 infra.

[18th December 1954]

MR. CHAIRMAN :—“ There is no provision for allowing hon. Members to put supplementary questions on unstarred questions.”

* SRI T. PURUSHOTHAM :—“ As we are shortly going to take up the revision of the Council Rules, may I suggest that a suitable provision be incorporated therein by which we may be enabled to take up unstarred questions in case the starred questions for a particular day are completed much earlier than one hour? ”

MR. CHAIRMAN :—“ The hon. Member may raise this point when we discuss the revision of rules.”

III.—MESSAGE FROM THE GOVERNOR.

MR. CHAIRMAN :—“ I have to announce to the House that I have received the following message, dated the 7th December 1954, from the Governor of Madras :—

‘ I have received with great satisfaction your resolution of thanks for the address with which I opened the present Session of the Legislature ’.”

IV.—MESSAGES FROM THE ASSEMBLY.

MR. CHAIRMAN :—“ I have also to announce to the House that I have received the following messages, dated 13th, 14th, 16th and 17th December 1954, 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 Preservation of Private Forests (Third Amendment) Bill, 1954 (L.A. Bill No. 42 of 1954), as passed by the Assembly on the 13th December 1954 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 General Sales Tax (Third Amendment) Bill, 1954 (L.A. Bill No. 43 of 1954), as passed by the Assembly on the 14th December 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 199 of the Constitution of India.’

(3) ‘ In accordance with Rule 99 of the Madras Assembly Rules, I transmit a copy of the Mappilla Marumakkattayam (Amendment) Bill, 1954 (L.A. Bill No. 44 of 1954), as passed by the Assembly on the 14th December 1954 and signed by me, for the concurrence of the Council.’

(4) ‘ In accordance with Rule 99 of the Madras Assembly Rules, I transmit a copy of the Motor Vehicles (Madras Amendment) Bill, 1954 (L.A. Bill No. 45 of 1954), as passed by the Assembly on the 14th December 1954 and signed by me, for the concurrence of the Council.’

[Mr. Chairman] [18th December 1954]

(5) 'In accordance with Rule 99 of the Madras Assembly Rules, I transmit a copy of the Madras Estates (Abolition and Conversion into Ryotwari) Amendment Bill, 1954 (L.A. Bill No. 46 of 1954), as passed by the Assembly on the 14th December 1954 and signed by me, for the concurrence of the Council.'

(6) 'In accordance with Rule 99 of the Madras Assembly Rules, I transmit a copy of the Indian Bar Councils (Madras Amendment) Bill, 1954 (L.A. Bill No. 47 of 1954), as passed by the Assembly on the 14th December 1954 and signed by me, for the concurrence of the Council.'

(7) 'In accordance with Rule 114 of the Madras Assembly Rules, I transmit a copy of the Madras Tenants and Ryots Protection (Amendment) Bill, 1954 (L.A. Bill No. 48 of 1954), as passed by the Assembly on the 17th December 1954 and signed by me, for the concurrence of the Council.'

(8) 'In accordance with Rule 114 of the Madras Assembly Rules, I transmit a copy of the Madras Entertainments Tax (Amendment) Bill, 1954 (L.A. Bill No. 49 of 1954), as passed by the Assembly on the 17th December 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 199 of the Constitution of India.'

(9) 'In accordance with Rule 114 of the Madras Assembly Rules, I transmit a copy of the Madras Essential Articles Control and Requisitioning (Temporary Powers) Amendment Bill, 1954 (L.A. Bill No. 50 of 1954), as passed by the Assembly on the 17th December 1954 and signed by me, for the concurrence of the Council.' and

(10) 'In accordance with Rule 138 of the Madras Assembly Rules, I transmit a copy of the motion passed to-day by the Madras Legislative Assembly, desiring to obtain the concurrence of the Council in setting up a Joint Select Committee of the two Houses to consider the Madras Marumakkattayam (Amendment) Bill, 1954 (L.A. Bill No. 16 of 1954).

Motion.

'That the concurrence of the Legislative Council be obtained in setting up a Joint Select Committee of both the Houses consisting of 24 members (16 members from the Assembly and 8 members from the Council) to consider the Madras Marumakkattayam (Amendment) Bill, 1954 (L.A. Bill No. 16 of 1954), and that the following members of this House be selected to serve on such a Joint Select Committee:—

- 1 The Hon. Sri M. A. Manickavelu Naicker,
- 2 Sri T. C. Narayanan Nambiar,
- 3 Sri K. P. Gopalan,
- 4 Sri C. H. Kanaran,

18th December 1954] [Mr. Chairman]

- 5 Sri P. K. Gopalakrishnan,
- 6 Sri K. C. Gopalan Unni,
- 7 Sri M. Narayana Kurup,
- 8 Sri M. Narayanan Nambiar,
- 9 Sri V. Sankaranarayana Menon,
- 10 Dr. K. B. Menon,
- 11 Sri V. R. Krishna Ayyar,
- 12 Sri M. Chadayan,
- 13 Sri E. K. Sankara Varma Raja,
- 14 Sri K. P. Kuttikrishnan Nair,
- 15 Sri N. Gopala Menon and
- 16 Sri A. Appu."

V.—GOVERNMENT MOTION.

RESOLUTION REGARDING AMENDMENTS TO RULES UNDER THE
COTTON TRANSPORT ACT, 1923.

* THE HON. SRI M. BHAKTAVATSALAM :—“ Mr. Chair- 11-20
man, Sir, I move— a.m.

'This Council recommends to the State Government that the following notification 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.

'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 amendment to the rules published with Food and Agriculture Department notification published at pages 575-583 of the Rules Supplement to Part I of the Fort St. George Gazette, dated the 26th December 1950:—

Amendment.

In rule 11 of the said rules, for the word "Magistrate" the word "Court" shall be substituted.'

"Sir, hon. Members are aware of the objects of this enactment, the Cotton Transport Act of 1923. It is to preserve the quality and the reputation of cotton that is grown in particular areas. In order to preserve this quality the cotton that is grown outside this area is prohibited from being imported into this protected area. Those who infringed this prohibition were fined up to Rs. 500. But it has been found that the cotton that is smuggled into these areas is so costly that those people who infringe the rules do not mind this fine of Rs. 500. They get much more and they easily pay the fine and carry on. Therefore the rules have since been amended so as to raise the maximum fine to Rs. 10,000. But then under the present rules, the cases are to be tried by magistrates. First-class Magistrates, Second-class Magistrates and Third-class Magistrates are not empowered to fine up to

REGARDING AMENDMENTS TO RULES UNDER THE
COTTON TRANSPORT ACT, 1923

[Sri M. Bhaktavatsalam] [18th December 1954]

Rs. 10,000. Therefore the cases have to be taken to the Sessions Courts, if penalty as has been determined up to this limit has to be levied. Therefore, Sir, the word 'Magistrate' is removed and the word 'Court' is sought to be substituted in the place of the word 'Magistrate' under rule 11 of the said rules. That is all the amendment, Sir."

MR. CHAIRMAN :—" Motion moved—

'This Council recommends to the State Government that the following notification 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.

'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 amendment to the rules published with Food and Agriculture Department notification published at pages 575-583 of the Rules Supplement to Part I of the Fort St. George Gazette, dated the 26th December 1950 :—

AMENDMENT.

'In rule 11 of the said rules, for the word "Magistrate" the word "Court" shall be substituted.'"

SRI A. M. ALLAPICHAJ :—" Is it up to Rs. 10,000? "

* THE HON. SRI M. BHAKTAVATSALAM :—" The maximum fine is Rs. 10,000."

DR. V. K. JOHN :—" I support this measure, Sir."

MR. CHAIRMAN :—" The question is—

'This Council recommends to the State Government that the following notification 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.

'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 amendment to the rules published with Food and Agriculture Department notification published at pages 575-583 of the Rules Supplement to Part I of the Fort St. George Gazette, dated the 26th December 1950 :—

AMENDMENT.

'In rule 11 of the said rules, for the word "Magistrate" the word "Court" shall be substituted.'"

The motion was carried.

18th December 1954]

VI.—GOVERNMENT BILLS.

(1) THE MAPPILLA MARUMAKKATTAYAM (AMENDMENT) BILL, 1954
(L.A. BILL NO. 44 OF 1954)

THE HON. SRI C. SUBRAMANIAM :—" Mr. Chairman, Sir, I move—

'That the Mappilla Marumakkattayam (Amendment) Bill, 1954 (L.A. Bill No. 44 of 1954) *, as passed by the Assembly, be taken into consideration'.

"Sir, this Bill is intended to amend section 8 of the Mappilla Marumakkattayam Act, 1939, which corresponds to section 5 of the Nambudri Act, 1932, sections 32 and 33 of Marumakkattayam Act, 1932, and section 29 of the Aliyasanthana Act, 1949. Provisions of these sections as originally enacted sought to impose certain identical restrictions on the powers of the karnavan or yajaman to sell, mortgage or lease the immovable property of the ilom, tarwad or kutumba, as the case may be. The Malabar Tenancy (Amendment) Act of 1951 while amending section 5 of the Nambudri Act and sections 32 and 33 of the Marumakkattayam Act, 1932, and section 29 of the Aliyasanthana Act, 1949, so as to bring within their purview certain classes of leases conferring fixity of tenure on the lessee, omitted to make a similar amendment to section 8 of the Mappilla Marumakkattayam Act, 1939. That omission is sought to be rectified by this amending Bill. It is a simple Bill. I commend this measure to the acceptance of this House, Sir."

MR. CHAIRMAN :—" Motion moved—

'That the Mappilla Marumakkattayam (Amendment) Bill, 1954 (L.A. Bill No. 44 of 1954), as passed by the Assembly be taken into consideration'."

* SRI K. BHASHYAM :—" Mr. Chairman, Sir, I accept the principle of this Bill and the object for which it is brought here. It is stated in the Bill that : ' Nothing contained in sub-section (1) or sub-section (2) shall be deemed to affect the validity of any mortgage or lease executed on or before the date on which the Mappilla Marumakkattayam (Amendment) Act, 1954, comes into force, in accordance with the law in force at the time of such execution'. Any transaction effected between the coming into force of those Acts and the present day is not affected by this legislation. Is that fair, Sir? That is what I would like to know."

* DR. V. K. JOHN :—" Mr. Chairman, Sir, in speaking on this Bill I want to make only one observation. It is understandable why the Government forgot when they passed the 1951 Act that there was also the Mappilla Marumakkattayam Act of 1939 and that it required some amendment. But I am not saying that the Government are infallible. I have always felt that the Government do not have a good Drafting Department. Whenever Government draft something, they must see the effect of the provisions of the proposed law on other provisions contained in the laws already existing."

[Dr. V. K. John] [18th December 1954]

11-30
p.m.

"Sir, are this Government unable to have a good Drafting Section and see that these amendments are carried out in time and not carried out later on when somebody points out to them? I ask this Government to have a good Drafting Section and not to bring in an amending Bill like this which, I think, is a discredit to any efficient Government. I am not finding fault with any Hon. Ministers. They are not expected to read all the previous enactments which might have a bearing on something which is now being provided for and passed. But there must be a good Drafting Section which should know what the past law is, what the existing law is, and what amendments ought to be made. I suggest to the Government and suggest very seriously and very strongly that they must improve their Drafting Section so that an amending Bill like this is not brought before the House out of time and is also the time of the House not wasted. I say it is no credit to the Government that this amending Bill has been brought forward now.

"I wish to add one word more. I find in the provisions of this Bill reference to the Nambudri Act, the Mappilla Act and all kinds of Acts relating to communities, sub-communities and castes. It is high time that we have an emotional integration of the country and had one law for all people—Hindus, Muslims, Christians, Parsis and all castes and communities. In my opinion, this Government should bear in mind that while framing Bills hereafter, our object ought to be to have one law for all communities whether it is a law relating to property, movable property or immovable marriage or anything else. Let us have one Indian Nation and not many nations inside this country."

* SRI K. BALASUBRAMANYA AYYAR:—"Mr. Chairman, Sir, the Hon. Mover of the Bill has stated that this is a simple Bill. I think in this Bill there is one provision relating to the Malabar Tenancy Act. It reads as follows:—

... where the Malabar Tenancy Act, 1929, confers fixity of tenure on the lessee, ...

I think this is the change which the Government want to adopt in this Bill. Then in such cases no lease of any immovable property of a tarwad will be valid unless it is executed by the karnavan and unless also the written consent of the majority of the major members of the tarwad has been obtained to the lease. That is all right.

"But this Bill makes some other changes which require elucidation from the Hon. Minister. For example, section 8 (1) of the Mappilla Marumakkattayam Act, 1939, says—

Except for consideration and for tarwad necessity or benefit and with the written consent of the majority of the major members of the tarwad, no karnavan shall sell immovable property of the tarwad or mortgage with possession or lease with property for a period exceeding twelve years.

18th December 1954] [Sri K. Balasubramanya Ayyar]

Here section 8 (1) as amended says—

'No sale or mortgage of any immovable property of a tarwad and no lease of any such property either for a premium returnable wholly or in part or for a period exceeding twelve years shall be valid'

I have carefully looked into this sub-clause but I am not able to understand why the words 'mortgage with possession' have been substituted by the words 'no sale or mortgage of any immovable property of a tarwad and no lease of any such property'. (SRI K. BASHYAM:—"This is wider in scope".) If that is the intention then it is a different matter. So far as leases are concerned, I understand the scope of the Bill but the Government have made changes which I mentioned earlier. I am not acquainted with the conditions of Mappillas in Malabar. Perhaps hon. Members representing Mappillas may be able to enlighten this House on this point. Anyway I want to bring this matter to the notice of the Government. I want clarification from the Hon. Minister whether this change makes any difference."

* SRI K. BHASHYAM:—"Sir, as a matter of fact, the Government have widened the scope of the Bill. The scope of the Bill has been enlarged by merely mentioning the word 'mortgages'. 'Mortgage' naturally means 'mortgage with possession and without possession' as well. This Bill is not quite a simple Bill brought forward for the purpose of bringing it into line with other Acts but there is a certain addition to it. By amending section 8 (1) of the Mappilla Marumakkattayam Act, mortgages with possession and mortgages without possession have been brought within the purview of the amending Bill. This is the object of the Government but they have not made it clear. That is the point."

* SRI K. BALASUBRAMANYA AYYAR:—"Section 9 of the Act deals with mortgage without possession. It says—

'No debt contracted or mortgage without possession executed by a karnavan shall bind the tarwad unless the debt is contracted or the mortgage is executed for tarwad necessity.'

But those words are different."

THE HON. SRI C. SUBRAMANIAM:—"Mr. Chairman, Sir, I have looked into this aspect of the question even before this Bill has been brought before this House. I find that the other three Acts also have been amended only on similar lines and this Bill has not been amended on different lines. Evidently the intention seems to be to include every mortgage. When we say 'for a period exceeding twelve years' only 'mortgage with possession' can come under this category. If it remains as it is, the scope becomes a little greater. But it does not harm because mortgage without possession cannot be 'for a period exceeding twelve years. Therefore I do not think that this Bill in any way harms or takes away the effect of section 9 of the old Act. As a matter of fact, I asked the Law Department to

[Sri C. Subramaniam] [18th December 1954]

go into the entire question and see whether all the four Acts needed this amendment or some other amendment, in pursuance of the provision in the Malabar Tenancy Act or it should be deleted. But I thought that this amending Bill should be immediately brought forward so that it may be in conformity with the other Acts. The entire question of amending the four Acts will be considered and we will be able to take a decision with regard to that.

11.40 p.m. "With reference to the remarks made by the hon. Member Dr. V. K. John, certainly I agree with him that there should be a competent drafting department and that is what I think we are having now—quite a competent department. In spite of our having quite a competent department, sometimes we do commit mistakes especially with reference to laws relating to the district of Malabar. As the hon. Member Sri Balasubramania Ayyar was pleased to say, I must confess, I do not know much about Malabar institutions and laws relating to those institutions. In spite of my very best attempts to study those laws, I forget them immediately after the purpose for which I read them is over."

* DR. V. K. JOHN:—"I suggest that the Hon. Minister spends a few months every year in Malabar to acquaint himself with the laws and institutions prevailing there."

THE HON. SRI C. SUBRAMANIAM:—"If it could improve my knowledge, certainly I would do so; but by my going and staying there I certainly do not wish to forget the laws of my land."

MR. CHAIRMAN:—"The question is—

'That the Mappilla Marumakkattayam (Amendment) Bill, 1954 (L.A. Bill No. 44 of 1954), as passed by the Assembly, be taken into consideration.'

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

Clauses 2, 1 and the Preamble were put and carried.

THE HON. SRI C. SUBRAMANIAM:—"Sir, I move—

'That the Mappilla Marumakkattayam (Amendment) Bill, 1954 (L.A. Bill No. 44 of 1954) as passed by the Assembly, be passed.'

MR. CHAIRMAN:—"The question is—

'That the Mappilla Marumakkattayam (Amendment) Bill, 1954 (L.A. Bill No. 44 of 1954) as passed by the Assembly, be passed.'

The motion was carried and the Bill was passed.

18th December 1954]

VII.—MOTION UNDER RULE 22 (3) OF THE COUNCIL RULES.

* THE HON. SRI M. BHAKTAVATSALAM:—"Sir, I move—

'That under Rule 22 (3) of the Council Rules, the Indian Bar Councils (Madras Amendment) Bill, 1954 (L.A. Bill No. 47 of 1954) be taken up before the Motor Vehicles (Madras Amendment) Bill, 1954 (L.A. Bill No. 45 of 1954)'

SRI MOHAMED RAZA KHAN:—"Sir, may I know for what reasons the motion has been moved?"

* THE HON. SRI M. BHAKTAVATSALAM:—"Because it suits the convenience of the Hon. Minister for Education who is in charge of the Indian Bar Councils (Madras Amendment) Bill, 1954."

MR. CHAIRMAN:—"The question is—

'That under Rule 22 (3) of the Council Rules, the Indian Bar Councils (Madras Amendment) Bill, 1954 (L.A. Bill No. 47 of 1954) be taken up before the Motor Vehicles (Madras Amendment) Bill, 1954 (L.A. Bill No. 45 of 1954)'

The motion was carried.

VI.—GOVERNMENT BILLS—cont.

(2) THE INDIAN BAR COUNCILS (MADRAS AMENDMENT) BILL, 1954
(L.A. BILL NO. 47 OF 1954).

THE HON. SRI C. SUBRAMANIAM:—"Sir, I move—

'That the Indian Bar Councils (Madras Amendment) Bill, 1954 (L.A. Bill No. 47 of 1954), as passed by the Assembly, be taken into consideration.'

Sir, this is also a non-controversial Bill. This has been brought forward as a result of the constitution of a separate High Court for the Andhra State. After the constitution of the Andhra High Court, the Bar Councils Act, in its application to the State of Madras, has got to be amended so that elections to the Madras Bar Council may be held. According to the provisions of this Bill, only persons who are ordinarily resident in the State of Madras and practising in the Madras High Court will be entitled to vote in the elections to the Madras Bar Council. I am sure the Andhra Government also will be taking suitable action for the purpose of amending the Indian Bar Councils Act in its application to the State of Andhra so that all members who are ordinarily residing and practising in the Andhra High Court will be enabled to vote in the elections to the Bar Council there. I hope, Sir, the House will accept the Bill."

MR. CHAIRMAN:—"Motion moved—

'That the Indian Bar Councils (Madras Amendment) Bill, 1954 (L.A. Bill No. 47 of 1954), as passed by the Assembly, be taken into consideration.'

Printed as Appendix Y on page 351 infra.

[18th December 1954]

* SRI K. BHASHYAM :—“ Mr. Chairman, Sir, I submit that the Government have not considered fully all aspects of the question before bringing forward this Bill to amend the Indian Bar Councils Act in its application to the State of Madras. The Bill seeks to introduce a new section 4-A in the Central Act. On 5th July 1954, the Andhra High Court was established. Many advocates did not leave Madras on the 5th July, 1954. They went many days afterwards. Some advocates who are still remaining here have got clients in the Andhra State and they have got their offices both in Guntur and in Madras. Still some advocates are remaining in Madras and experimenting whether they can have sufficient practice here itself. These persons may go away if they find that their practice is not successful here. The new section 4-A states that all advocates ordinarily residing and practising in the State of Madras on or after 5th July 1954 shall be entitled to vote at any election for, or stand for election to, the Madras Bar Council. It should not be considered that all persons residing here on or after 5th July 1954 should be practising in this State's High Court. Many of them have gone to the Andhra State after this date. I have given notice of an amendment that only advocates entered in the roll of advocates of the Madras High Court who, on the day when the programme of dates for election is announced, are ordinarily residing and are also entitled to practise in courts in the State of Madras should be allowed to vote in the Bar Council elections. If we pass the Bill as it is, what will happen is this. There are many retired District Judges or District Munsifs residing in this State who are entitled to vote in the elections to the Madras Bar Council though they may not be practising in courts. There are a number of advocates who have been appointed as Members of the judiciary and of the various Tribunals set up by the Government. They are ordinarily not allowed to practise so long as they are members of the various Tribunals. But these people are now entitled to vote in the elections to the Bar Council. There are also some retired High Court Judges who have been practising in the Supreme Court and they are all residing in this State. Is it the intention of the Government that only advocates who are ordinarily residing and practising in courts in this State should be allowed to participate in the Bar Council elections? Is it the intention of the Government to exclude all District Judges, District Munsifs, advocates employed by the Government in some form or another who are not practising in courts in this State, from taking part in the Bar Council election?

“ Again, Sir, if the new section 4-A is approved, a number of persons who are not legitimately entitled to vote in the Bar Council elections will have to be allowed to vote. There are a number of Andhra advocates still residing in Madras and experimenting whether they can continue here or not. Some of them have got good practice both in the Madras High Court and in the Andhra High Court. They have got their offices both in Guntur and in Madras. The electoral roll of the Bar Council is not

18th December 1954] [Sri K. Bhashyam]

revised as is being done in the case of the electoral rolls relating to elections to the Legislative Assembly. Taking advantage of the wording of the new section, many advocates who are not ordinarily entitled to vote may say that they are ordinarily residing in the State of Madras and practising in the High Court and that, therefore, they are entitled to vote. It looks as if some advocates will have a ‘double domicile’ because they have got a voice both in the Andhra State and in the Madras State. It would be all right if it is stated that only advocates entered in the roll of advocates of the High Court who on the date when the programme of dates for election is announced are ordinarily residing and are also entitled to practise in courts in the State of Madras shall be entitled to participate in the Bar Council elections. As it is, the Bill is not acceptable and it has to be amended before it can be accepted.”

* SRI K. BALASUBRAMANYA AYYAR :—“ Mr. Chairman, Sir, may I say that the words used here are ‘on or after the 5th July 1954, is not ordinarily residing and practising in courts in the State of Madras,’ etc. The question is whether a person while ordinarily residing and practising in the State of Madras should be excluded. If Andhra Members who still appear in some cases here in Madras have offices both in Andhra and Madras, I do not see why they should be excluded. Let them also be entitled to vote. With regard to people who do not go to the court often, one cannot say they are not practising; I am not going to the court often. But some day somebody may ask me to appear for him and he may give me the fee and I may go there and appear. Simply because an advocate is not appearing often, you cannot exclude him. It is a very dangerous construction to put on the provision for it will hit many people. The clause only says ‘ordinarily residing and practising’. Let such people also be entitled to vote. Let us not circumscribe it and exclude a number of people who are entitled to vote. Only people who have gone out of Madras and who do not want to practise here ordinarily should be excluded. I do not think that we should debar people who want to remain here and vote. Let us have a liberal construction and that will obviate all difficulties.”

* SRI B. V. SUBRAHMANYAM :—“ Mr. Chairman, Sir, I wish to associate myself with the remarks of the hon. Member who spoke last. I am in a peculiar position with regard to this matter. For, while ordinarily resident in Madras for certain purposes, I have had to go to Andhra like some coolies and people who go to Rangoon for the purpose of earning their wages and come back and enrol myself in the Andhra High Court for the reason that most of my work comes from Andhra. The Andhra High Court has required that advocates who practise there should give their names to the Registrar of the Andhra High Court. Many gentlemen who ordinarily practise in Madras and who are residents in Madras have gone and given their names

[Sri B. V. Subrahmanyam] [18th December 1954]

there. There should be no rule made here refusing them a vote on the ground that they are not ordinarily residing and practising here.

"I also wish to associate myself with the remarks of the hon. Member Sri K. Balasubramanya Ayyar in his statement that practising does not mean actually having a number of cases. There are Supreme Court Judges, High Court Judges and others who are retired and who are ordinarily residing here. They should also be entitled to vote. These are things which could be ascertained and I do not think there will be any difficulty in this matter. I do not see any reason why any person should be disentitled to vote in the Bar Council elections provided he comes under any one of the categories. I also do not see there will be any difficulty like the one the hon. Member Sri K. Bhashyam is envisaging."

* Dr. V. K. JOHN :—"Mr. Chairman, Sir, the intention apparently is good. Government want to clarify certain things. But I do not know whether this has been properly drafted. This is a negative clause. The clause says, 'No person who is not ordinarily residing and practising in courts in the State of Madras shall be entitled to vote.' I wish that the Government had not put the words 'and practise in courts in the State of Madras'. If a person is not ordinarily resident here, let him be excluded. But the use of the words and practising in courts in the State of Madras' is not quite necessary. One may reside in any place and practise here. What they want is to exclude persons who are not ordinarily resident in Madras State. That would have been sufficient and it would have met the requirements or intention of the Government. As far as I can see, the objectionable words are 'not ordinarily practising in courts in the State of Madras'. That can be omitted and if one is not ordinarily residing here, one cannot have the right to vote. The word 'practising' has been defined in many cases and there cannot be much difficulty in interpreting it. I would rather say that in this negative clause, the words 'and practising in courts in the State of Madras' could have been omitted. If that is done, I think, there cannot be much objection. Otherwise, it is very objectionable to prevent from voting persons who may be in both places and who are practising here. We should not be very rigid in dealing with members of the profession and we should be very careful that persons who have a right to vote are not excluded."

THE HON. SRI C. SUBRAMANIAM :—"Sir, with regard to the remarks made by the Hon. the Deputy Leader of the Opposition that the drafting is bad, I may say, drafting depends upon what we want to do. He must first know what we wanted and then he may criticise it. If our intention is to have it this way, we cannot find fault with the draftsmen as such. You can criticise the idea behind it. But so far as the drafting is concerned, they (draftsmen) have brought out the idea we have got in mind."

18th December 1954] [Sri C. Subramaniam]

There is therefore absolutely no bad draftsmanship. I wish the Hon. the Deputy Leader of the Opposition gives up that obsession that our draftsmen are bad. They are the best draftsmen we can have anywhere in India and that is why our men are in very great demand as far as the Government of India is concerned. So, let us not go about repeating this that we do not have proper draftsmen here in our Secretariat. (Interruption.)

"May be, but it has become a habit with him and he has repeated that with reference to this Act also. He has been repeating it on every occasion and that is why I made it clear."

"The point is this. The very difficulties pointed out by the hon. Member Sri Bhashyam have made us think about them and try to arrive at a workable formula and not to have a hard and fast rule. Before 5th July 1954, it was a common High Court; many of the members of the profession have settled down here even though they belong to Andhra area, and they were practising here. Suddenly, another High Court was set up in Andhra. Many of the persons who were residing here permanently are shifting to Andhra area and that is the real difficulty. Now as far as our Bar Council is concerned, we have to arrive at a workable formula which will not create difficulties in respect of those persons who have not made up their minds. If hon. Members would read the phraseology of the clause, they would understand the intentions of the Government behind it. Then, they can criticise it."

"The first thing is, it is not on 5th July 1954, but 'on or after 5th July 1954'. The other thing is the date 5th July is not the crucial date, but on or after that date."

"A point was raised regarding 'practising in courts in the State of Madras'. Here is a case where a person who has set up an establishment here, who has been remaining here, who has got his residence here, who has his family here and whose children are in school here, does not want to break up his establishment. But he wants to practise only in the Andhra High Court in the Andhra State and he has got an establishment there also. For the purpose of 'ordinary residence', he can claim his residence here and he is also 'ordinarily resident' in the Andhra area. Therefore, as far as that person is concerned, even though for the purpose of law he may be a person ordinarily resident in Madras, if his intention is to ordinarily practise only in the Andhra High Court, he should not be entitled to vote here. That is the idea. But if a person is ordinarily resident here and his intention is to ordinarily practise here alone, there is no question of his not being entitled to vote. That is why this phraseology has been adopted, and I think it meets the requirements of the case owing to the peculiar circumstances. It is not bad draftsmanship at all. On the other hand I compliment the draftsman who has adopted this phraseology to suit the conditions and requirements of the present situation. I would request the House to accept this Bill."

12 noon.

[18th December 1954]

MR. CHAIRMAN :—“ The question is—

‘ That the Indian Bar Councils (Madras Amendment) Bill, 1954 (L.A. Bill No. 47 of 1954), as passed by the Assembly, be taken into consideration.’ ”

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

Clause 2.

MR. CHAIRMAN :—“ Motion moved—

‘ That clause 2 do stand part of the Bill.’ ”

The hon. Member Sri K. Bhashyam will move the amendment that he has given notice of.”

* SRI K. BHASHYAM :—“ Sir, in view of the explanation given by the Hon. Minister in charge of the Bill . . . ”

THE HON. SRI C. SUBRAMANIAM :—“ The hon. Member is not moving his amendment, Sir.”

* SRI K. BHASHYAM :—“ No, Sir. I am moving my amendment standing in my name, namely,—

‘ In the proposed section 4-A for the words “ no advocate entered in the roll of advocates of the Madras High Court who, on or after the 5th July 1954, is not ordinarily residing and practising in Courts in the State of Madras ” substitute the following :—

“ only advocates entered in the roll of advocates of the Madras High Court who, on the day when the programme of dates for election is announced, are ordinarily residing and are also entitled to practise in Courts in the State of Madras.” ’

Whether my amendment is seconded or not, it does not matter. In these election matters there must be a list which is accurate and determinative of the persons entitled to vote. This is absolutely necessary. Otherwise it will lead to election petitions even in the case of elections to Bar Councils. They may be very rare nowadays. I am anxious that the list of electors should be very clear and should definitely state who are the persons entitled to vote. The Government may come to the conclusion that all the persons on the Bar of India should go. I have no objection. But let them make that clear. It is clear that until now those persons being enrolled as advocates in the Madras High Court were entitled to vote. Now, advocates are sought to be excluded from the list because they have gone to Andhra to practise there. How are they to be excluded? If a person has got the opportunity to reside and practise in the Andhra High Court and also in the Madras High Court, will he be excluded or not? Let us make the position clear. If we are providing him with a double vote, let us make that clear. I have no objection to it. Let the Government state that they want to provide those people with double

18th December 1954] [Sri K. Bhashyam]

votes. But we should know where we stand. I would like to know whether the intention of the Government is to give votes to persons practising in the Andhra High Court but who have some sort of connexion with Madras and come here occasionally for purposes of looking after their cases. Will they be entitled to vote here? This is one point which I would like the Government to make clear. The next question is whether a list will be prepared of the persons who are entitled to vote in Andhra and also in Madras. The Government must have some sort of a list. Otherwise, there will be difficulties. They cannot leave the matter so vague as that. There are rules to be framed under this Bill. Whether the rules will include provisions dealing with the questions I have raised, I should like to know. I want to know whether a particular date or time will be fixed for the receipt of applications for enrolment in the electoral roll, just as in the case of the electoral roll for the Legislative Assembly and the Council. There is no such electoral roll for all these advocates. There is only a list of advocates. The present list was prepared for the purpose of determining the number of persons who are entitled to vote before the separation. Even if the Government intend to give double votes to some persons, they should call for the names of those persons so that they may include them in a list. Suppose a person goes away after the 5th August 1954 and resides there at the time of ballot. What is to be done? Let Government fix the time when the list is to be prepared. It must be a definite date. I say that it must be a date just before the elections. Because then only the question of residence can be determined. During elections persons may come here and after staying for some time, they may again go away. I want to fix the time when the man is supposed to be resident here. Therefore a list must be prepared showing not only the persons entitled to vote but also the qualification of persons to vote on a particular day. I request that the Government fix a day for the publication of the programme of the dates for election. If on that day, certain persons are not resident here, let them be excluded. Merely saying ‘ on or after the 5th July 1954 ’ will not do. It is very vague.

“ Another point I wish to say is this. There are persons who are residing here but are not practising. Are they or are they not entitled to vote? Are the Government going to deprive them of their votes? If the Government should say ‘ Yes ’, I am willing to agree with them. At present the District Judges and District Munsifs are entitled to vote. They are now on the list. Are they going to be deprived of their franchise? If the Government should decide that way, I bow to their decision. The one palliative will be, as suggested by the Deputy Leader of the Opposition, to omit the words ‘ not practising ’. Or the Government should make up their mind and say, ‘ We want to give double votes to persons who are already in the list of Andhra High Court and who are resident here ’. What about those who have declared publicly that they have retired from practice? Are

[Sri K. Bhashyam] [18th December 1954]

the Government going to give votes to these people who have retired from practice? Or do the Government intend depriving their own servants (who were employed as District Judges, District Munsifs and Members of Tribunals) from exercising their franchise? These are all points to be clarified. With a view to making clear all these points, I have moved my amendment. My amendment will, I think, meet the situation much better than the words used in the Bill. The Hon. Minister in charge of the Bill has given an explanation. I know the mind of the Government also. Whether this amendment is accepted or not, I do not mind. But in the rules at least they must provide that all persons who want to get the right to exercise their franchise must apply within a certain date so that the list may be complete and accurate. Otherwise there will be lot of confusion and trouble will start regarding persons who are entitled to vote and who are not entitled to vote. The ambiguities will land the Government in trouble and there will be plenty of election cases. Therefore, Sir, I move my amendment."

12-10 P.M. * DR. V. K. JOHN :—" Mr. Chairman, Sir, I second the amendment moved by the hon. Member Mr. Bhashyam and I congratulate him on moving it."

MR. CHAIRMAN :—" Amendment moved—

'In the proposed section 4-A for the words "no advocate entered in the roll of advocates of the Madras High Court who, on or after the 5th July 1954, is not ordinarily residing and practising in Courts in the State of Madras" substitute the following :—

"only advocates entered in the roll of advocates of the Madras High Court who, on the day when the programme of dates for election is announced, are ordinarily residing and are also entitled to practise in Courts in the State of Madras".

* SRI K. BHASHYAM :—" He need not congratulate me because I moved it. He may congratulate me if the amendment is good."

* DR. V. K. JOHN :—" I congratulate people only when they do something right. I hope that he will vote for his amendment when it is put to vote."

"Sir, the Hon. Minister said that the draftsmen carried out the intention of the Government. I have never credited them with bad intentions and I am pleased indeed to note that the draftsmen were correct. But I am sorry that the Government are wrong in trying to exclude persons 'not ordinarily practising in the courts'. What is the meaning of the term 'not ordinarily practising'? If a person is resident in Madras and practises in courts in the State of Madras now and then, why should he be

18th December 1954] [Dr. V. K. John]

excluded? It is a very hard thing for such persons to be excluded and not given the right to vote. The exact wording of this new section is :

... not ordinarily residing and practising in courts

So, the term 'ordinarily' applies to 'practising' also and I feel that it would be but generous and right to give a person who is ordinarily resident in Madras the right to vote. Such a person is entitled to vote. Let us not go about enquiring whether he is 'ordinarily practising'. It would be much better to have only one qualification prescribed, viz., 'ordinarily resident in Madras'. He might be entitled to practise all over India as the Supreme Court advocates are entitled to. Let us not investigate whether he is practising in Madras or in some other place. It may be that in some cases he may have a vote in the Andhra State also. What is the wrong in it? He is entitled to practise here or in Andhra or in Mysore or in Travancore-Cochin or in any other place as the Supreme Court lawyers do. Why deny him this privilege of voting? I have never said that either the Government or the draftsmen have any wrong intentions. I am glad that the Hon. the Minister came to the rescue of the draftsmen and admitted this mistake, the mistake of trying to exclude persons who are not ordinarily practising. The proper expression would be 'who is entitled to vote' and not 'ordinarily practising'."

* SRI K. BALASUBRAMANYA AYYAR :—" Sir, this is not a question of 'Government and Opposition'. All are interested in seeing that the proper thing is done. The fear of Mr. Bhashyam that the proposed provisions will lead to double voting will come to pass only if his amendment is accepted. If a person is ordinarily resident here and pays tax and his children study here, he is entitled to a vote here. If he ordinarily practises in Andhra High Court, he is entitled to a vote there also. So, it amounts to double voting."

* SRI K. BHASHYAM :—" I never wanted any double voting. I wanted that the Government should make their intention clear."

* SRI K. BALASUBRAMANYA AYYAR :—" That fear need not be there. I am not saying that Mr. Bhashyam is afraid of double voting but what I suggest is that if there is double voting, it would be on account of his amendment and not on account of the proposed new provisions. So far as the Bill is concerned, it will remove double voting. The term 'ordinarily practising' will have the same meaning 'as ordinarily residing' and there is sufficient room for dealing with exceptions while drawing up the final roll for election. When a person is practising there in the other High Court, he need not have a vote here. After all voting is not an easy affair and people vote only when they are asked by somebody to vote. Of course, it is a matter of privilege. If we are anxious to avoid double voting, the original Bill should be preferred."

[18th December 1954]

THE HON. SRI C. SUBRAMANIAM :—“ Sir, I may be permitted to explain the position because there seems to be some confusion in the minds of hon. Members. Hon. Members will be pleased to see that we are not replacing any of the existing sections of the Act. We propose an additional section to the Act—section 4-A. Who are all the persons qualified to vote are laid down in section 4 of the Bar Councils Act. This, hon. Members should bear in mind. Then, the very strong criticism which the Deputy Leader of the Opposition chose to level as usual against the Government would be found to be out of place. Section 4 of the Act says that ten shall be elected by the advocates of the High Court from amongst their number. The qualification is very clear. Any person who is an advocate of the High Court and who is entitled to practise therein, is entitled to vote under this Act. The present Bill does not affect their position. Under the new provision, apart from the fact that a person is ordinarily residing here, he shall not be entitled to vote if he just attends the court now and then. They are not entitled to vote unless they are on the Madras rolls. Similarly, in the Andhra State, unless they are on the Andhra rolls they will not be permitted to vote. If this point is kept in mind, I do not think hon. Members will say that our intentions are bad but will, on the contrary, say that our attitude is the just and the proper one to take. So, we are not barring anybody now entitled to vote from voting in future. It is not as if by the introduction of an omnibus clause, we are preventing any existing voter from voting. If these points are borne in mind, I am absolutely certain that the Deputy Leader of the Opposition will not persist in his usual practice of criticising the Government and the draftsmen without any reason whatever.”

* **DR. V. K. JOHN** :—“ May I know for information whether there were no advocates practising in Mysore who were on the rolls of the Madras High Court up to this time? Similarly, several advocates practise in the High Court of the Travancore-Cochin State also. Now we are excluding them also. That is the difficulty. The Government forget that this provision will affect persons who have gone over to the Andhra High Court and also others who have voted so far in elections.”

THE HON. SRI C. SUBRAMANIAM :—“ The intention of the Government is that double voting should be avoided. If hon. Members think we are adopting a wrong policy in this regard, that is a different matter. As far as we are concerned, the present policy is to allow all persons who are qualified to vote, to vote under the existing law except those who have gone over to the Andhra High Court on the partition of the State and in consequence are not ordinarily residing and practising here.”

* **SRI K. BALASUBRAMANYA AYYAR** :—“ The Andhra High Court has recently given a direction that advocates ordinarily practising or residing in that State alone should be enrolled as voters.”

18th December 1954]

* **SRI A. GAJAPATHY NAYAGAR** :—“ Sir, in order that 12-20 hon. Members may understand the subject clearly I am speaking p.m. in English. (Laughter.)

“ In my view the clause as it stands is all right. That is why I oppose the amendment. If the amendment is accepted, it will lead to a difficulty. Take my own case. I was enrolled as an advocate from 1922. Then I entered service in the Judiciary. I retired in 1952. Still I am in the rolls even though I may not have practised, but I have elected to practise. The words ‘ordinarily residing’ are quite clear. The meaning is obvious. It is a simple expression. By the term ‘ordinarily practising’ it is meant that the person practises ordinarily in that place. In the case of advocates who had gone to Andhra, they ordinarily practise only in the Andhra High Court. They come to Madras only on occasions when they are called upon to argue some specific cases. They come here only occasionally. They are therefore not ordinarily practising here. If an advocate were to practise in a particular High Court he has to be enrolled as such by the Bar Council of that particular court. His actual practice in that particular court is thus made known. Therefore in the case of those advocates who had gone to Andhra, their names will be on the rolls of the Andhra Bar Council. They will ordinarily practise only there. Therefore the words ‘ordinarily residing and practising’ are quite clear. If an advocate were to practise ordinarily in the Andhra High Court, he cannot have one leg there and one leg here in Madras. Therefore the clause, as it stands at present, wherein the power to vote at any election of the Madras Bar Council is given only to those who are ordinarily residing and practising in the courts in the State of Madras, is quite clear. As such I wish the clause to stand as it is at present. I oppose the amendment.”

* **SRI V. GURUNANDAN ROW** :—“ The Hon. Minister for Law has not really met the problem created by the present Bill. He has not clarified as to what is meant by the term ‘ordinarily residing and practising’. How is the Bar Council to decide whether a particular advocate is ordinarily practising in Andhra or Madras High Court? Is an electoral roll of advocates practising only in Madras Courts going to be prepared? That is the point we have to decide. Is it the intention of the Government that only those who are enrolled exclusively in the Courts of Andhra should have the power to vote at an election to the Andhra Bar Council and only those advocates exclusively practising in Madras Courts should have the power to vote at an election to the Madras Bar Council? What is the criterion by which it is going to be decided as to who are the advocates who are ordinarily practising in Madras High Court and as such are eligible to vote? Is it by the number of cases that the advocate has? If not, by what process could it be judged as to who is an advocate who is ordinarily practising in the Courts of Madras? All the advocates who are now enrolled as advocates

[Sri V. Gurunandan Row] [18th December 1954]

in the Andhra High Court were there on the rolls of the composite Bar Council of Madras, before the Andhra High Court was formed. On 5th July 1954 when the Andhra High Court was formed, certain advocates enrolled themselves as advocates in the Andhra High Court. Certain advocates practise in both the High Courts of Madras and Andhra. It all depends upon the number of cases they have to argue. The right to practise in Andhra High Court and the High Court at Madras is there for every advocate. When such is the case, how could we define the term 'ordinarily practising'? Are we to understand that those advocates who have a large number of cases in the Madras High Court alone are entitled to vote in an election to the Madras Bar Council? By what criterion are we to judge this? The criterion is not indicated in this Bill. That is the most important point and I want a clarification of the same to be made. Otherwise it would be impossible to clearly specify as to who are the advocates who ordinarily practise in Madras Courts and who are all those who ordinarily practise in Andhra Courts."

SRI MOHAMED RAZA KHAN :—" I do not propose to participate in the debate. I would only like the Hon. Minister for Law to let me know whether in this matter the legislation originated direct from Government or whether it originated at the instance of the Bar Council? Was the Bar Council consulted in this matter and their views incorporated in the present Bill? "

THE HON. SRI C. SUBRAMANIAM :—" I may inform the hon. Member that it was at the instance of the Bar Council that this Bill has been brought forward. They have been consulted and after consultation with them, this Bill has now been brought here."

* SRI K. BHASHYAM :—" Sir, I feel I must press my amendment. After all my amendment seeks to fulfil one important point. In the case of election to the Legislative Assembly, qualifications with regard to residence are correctly prescribed. Therefore it is necessary that in an election to the Bar Council also, we must prescribe a date which could be taken as the dead line. We can then say only advocates entered in the roll of advocates of the Madras High Court who, on the day when the programme of dates for election is announced, are ordinarily residing and are also entitled to practise in Courts in Madras, shall be entitled to vote. On the date of the election, we must see whether those advocates are ordinarily residing in Madras. We must also see whether they are entitled to practise in Courts in Madras. If the answer to these is in the affirmative, those advocates should be entitled to vote at an election to the Madras Bar Council. The present wording is too vague? Only if we fix a particular date, viz., the date of election, we can find out whether that person is ordinarily residing in Madras and is entered in the roll

18th December 1954] [Sri K. Bhashyam]

of advocates of the Madras High Court. Otherwise if we leave the present wording as it is, it will give room for double voting, which should not be encouraged. When you simply say 'ordinarily residing and practising', it does not convey any precise meaning? An advocate practising in Andhra High Court might have a case to argue in the Madras High Court and may ordinarily reside here for a few days and argue his case in Madras. By the present definition 'ordinarily residing', he can also claim to vote at an election to the Madras Bar Council. Mr. Gajapathy Nayagar has overlooked one point. So long as he was practising in the Madras High Court his right of voting was there. When he became a District Munsif or a Subordinate Judge, his right to vote was there so long as he remained enrolled as an advocate. But now, if he is made a District Judge today, he will not be allowed to vote because he is no longer 'ordinarily practising' in the Courts of Madras. His right of voting is taken away. Probably Mr. Gajapathy Nayagar has not realized this fact. That is why I say if my amendment is accepted, all those who are enrolled as advocates of the Madras High Court and who on the date of the election to the Bar Council are announced as ordinarily residing in Madras, shall be entitled to vote. That is why I want to press my amendment. In these days when tribunals and courts are multiplying, if we pass the Bill as it is, those who are adorning those tribunals and courts, even though they are enrolled as advocates of the Madras High Court, would not be entitled to vote at an election to the Bar Council, because they are no longer 'ordinarily practising' in the Courts of Madras. A large number of people would thus be deprived of their voting. It is not right to deprive their right. So I press my amendment."

THE HON. SRI C. SUBRAMANIAM :—" I have already explained the position. I am not accepting the amendment of Mr. Bhashyam. If Section 4 and the proposed Section 4-A to the Central Act XXXVIII of 1926 are read carefully, it will be seen there is no need for the amendment of Mr. Bhashyam."

* SRI K. BHASHYAM :—" I would make one appeal, Sir. In view of the defects in the statute, I appeal to Government to make a provision in the rules for preparing a list of persons who would be entitled to vote at an election to the Bar Council. The present wording is too vague. Unless a list of persons entitled to vote at an election is prepared, it will result in confusion due to the present vague wording."

THE HON. SRI C. SUBRAMANIAM :—" They may have the question examined in the Bar Council. After all the Bar Council consists of eminent men. Only after consulting the Bar Council, I have brought up this Bill. They may hold consultations and come to an agreed formula."

[18th December 1954]

MR. CHAIRMAN :—" The question is—

' In the proposed section 4-A, for the words " no advocate entered in the roll of advocates of the Madras High Court who, on or after the 5th July 1954, is not ordinarily residing and practising in Courts in the State of Madras " substitute the following :—

" Only advocates entered in the roll of advocates of the Madras High Court who, on the day when the programme of dates for election is announced, are ordinarily residing and are also entitled to practise in Courts in the State of Madras " ' "

The amendment was lost.

Clause 2 was put and carried.

DR. V. K. JOHN :—" I want to speak on Clause 2."

MR. CHAIRMAN :—" Not now, you can speak at the third reading stage of the Bill."

Clause 3 was put and carried.

Clause 1 was put and carried.

The Preamble was put and carried.

THE HON. SRI C. SUBRAMANIAM :—" Sir, I move—

' That the Indian Bar Councils (Madras Amendment) Bill, 1954 (L.A. Bill No. 47 of 1954) as passed by the Assembly, be passed '."

MR. CHAIRMAN :—" Motion moved—

' That the Indian Bar Councils (Madras Amendment) Bill, 1954 (L.A. Bill No. 47 of 1954), as passed by the Assembly, be passed '.

" Dr. John may now speak."

* DR. V. K. JOHN :—" I strongly hold the view that those who are on the rolls of the Madras High Court wherever they may be should be empowered to vote. That was the practice until to-day. A person may be practising in Mysore or Travancore-Cochin or any part of the world; but if he is on the rolls of the High Court of Madras as an advocate he will have the right to vote. But what are we trying to do to-day? We are trying to give the voting power only to those who are ordinarily residing and practising in the Courts at Madras, excluding those who practise in the Andhra Courts and others. If he is not in Madras, we exclude him. I say that is a narrow view to take regarding professional brethren. I hold the view that a person on the roll of Advocates of the Madras High Court, wherever he is, must have the right to vote at an election to the Bar Council. This amending Bill has unfortunately been introduced for the reason that the Andhra High Court has been constituted. But members entered in the roll of Advocates of the Travancore-Cochin and Mysore High Courts are

18th December 1954] [Dr. V. K. John]

exercising their franchise. Simply because the Andhra Government have passed a similar Act excluding the Advocates of the Madras High Court, we need not also adopt a ' tit-for-tat policy '. We must have stood aloof and held the view that any person entered in the roll of Advocates, wherever he is, should be entitled to vote at any election to the Bar Council."

THE HON. SRI C. SUBRAMANIAM :—" I request the hon. Member to have this question mooted in the Advocates' Association with which he is associated. I do not know whether they would be prepared to accept his formula, but if they are prepared to accept it, certainly the Government will consider the question. It is not as if the Government wanted to pass this Amending Bill merely because they are pleased to do so. It is only on the initiative of the Bar Council that I am taking action and I hope that the Bar Council represents the Advocates as well. If they have gone wrong, the hon. the Deputy Leader of the Opposition, who is an eminent member of that Association, may take it up, but I do not know what receptions he would have there. Anyhow, he may try his luck."

MR. CHAIRMAN :—" The question is—

' That the Indian Bar Councils (Madras Amendment) Bill, 1954 (L.A. Bill No. 47 of 1954), as passed by the Assembly, be passed.' "

The motion was carried and the Bill was passed.

(3) THE MOTOR VEHICLES (MADRAS AMENDMENT) BILL, 1954
(L.A. BILL NO. 45 OF 1954).

* THE HON. SRI B. PARAMESWARAN :—" Sir, I move—

' That the Motor Vehicles (Madras Amendment) Bill, 1954 (L.A. Bill No. 45 of 1954), as passed by the Assembly, be taken into consideration.'

While moving the Bill, I would like to state the objects and reasons of this Bill. Section 64-A of the Motor Vehicles Act, 1939, vests in the Government powers of revision over orders passed by Transport Authorities in the State. In actual practice, parties file applications before Government in all sorts of trivial cases. The time, labour and inconvenience involved in the Government themselves exercising the statutory power of revision are very considerable and experience has shown that it is not necessary that this function should be performed at Government level. The Government have therefore decided to repeal that section. Government, however, consider that provision is necessary for the exercise of revisional jurisdiction in respect of matters for which no appeal is now provided under Section 64 of the Act by the authority which hears appeals from the decisions of the Regional Transport Authorities

[Sri B. Parameswaran] [18th December 1954]

and the State Transport Authority, and that the Government should have the power in proper cases to issue directions to the Regional Transport Authorities or the State Transport Authority to open a new route or to extend an existing or to increase or decrease the number of buses on any specified route. The Bill is intended to achieve the above objects."

Mr. CHAIRMAN :—" Motion moved—

' That the Motor Vehicles (Madras Amendment) Bill, 1954 (L.A. Bill No. 45 of 1954), as passed by the Assembly, be taken into consideration.' "

* Dr. V. K. JOHN :—" Mr. Chairman, Sir, I am very pleased indeed that section 64-A of the Motor Vehicles Act, 1939, is being repealed. When the Bill for enacting section 64-A was introduced. I was one of those who vehemently opposed it. Section 64-A conferred wide powers on the Government. It runs as follows : 'The State Government may, of its own motion or on application made to it, call for the records of any order passed or proceeding taken under this Chapter by any authority or officer subordinate to it, for the purpose of satisfying itself as to the legality, regularity or propriety of such order or proceeding and after examining such records, may pass such order in reference thereto as it thinks fit.' After the advent of the Congress Government, they have followed two guiding principles. One is exercise of control and patronage and the other is resorting to taxation. Section 64-A gave them the power of exercising control and patronage. They could do anything with the Transport industry. A person who was given a permit was able to earn good lot of money. They exercised this patronage in favour of Congressmen who wore *khadi*, and persons who were non-Congress men thought that they would be out of the field. Now, to-day, they have reached such a stage that the Hon. the Minister for Transport has practically no time whatsoever except to receive representations so far as transport matters are concerned. He is bothered by his own party men who are to-day running this transport industry. Hardly any non-Congressman is in the field to-day because people thought that it would be worthwhile to become Congressmen if they were to do this business. Many persons approach the Hon. Minister with petitions under section 64-A and make all sorts of representations to him. Therefore the Government have come to realise that the advantages of control and patronage outweigh the trouble and nuisance caused to them now. If only a few years ago they had the commonsense, imagination and the vision to foresee that this would lead to such a state of affairs, they would not have passed section 64-A at all. I am however glad that the Government have now come to their senses—may be due to the nuisance caused to them—and want to repeal a section, which ought not to be in the Statute Book. Now they are repealing that section, but at the same time they are conferring powers on the Central Road Traffic Board and other authorities and that is a wrong thing to do. Personally I feel that there should be

18th December 1954] [Dr. V. K. John]

a provision for taking up the matter in revision to the High Court. The Government have provided for revision in matters coming under the Rent Control Act. Often legal questions of a complicated nature are involved in matters relating to transport business and it would have been much better if there was a provision for taking up the matter to the High Court in revision instead of moving the High Court by means of writ petitions. Nowadays hundreds of writ petitions are filed and many decisions of the Transport Authorities and the Government have been found to be illegal by the High Court. Probably one of the reasons for repealing Section 64-A is that the High Court has reversed the decisions of Government in a number of writ petitions. Of course, they do not want to mention that fact here, but if they wanted to do justice, the best thing would be to enable the people to take up the matter to the High Court in revision in cases where questions of law are involved. Such a remedy is available under the Rent Control Act. But I am concerned with the policy adopted by the Government in transport matters. I am quite sure that even now when this Bill is brought forward, the Government are not aware of a recent decision of the Supreme Court which is reported at page 728 of the December issue of the All-India Reporter. There the Supreme Court have considered the question of the right of an individual to put a vehicle or a bus or a lorry on the road. They have held there that the Uttar Pradesh Act giving the monopoly to the Government of that State was *ultra vires* of the Constitution. They have also held in that case that under Article 19 of the Constitution every citizen is entitled not only to run his private car on the road but also to run a bus or a lorry for profit. No distinction can be made in this matter. The Supreme Court have found that the right of a person to ply his vehicles on a public road is not granted by the Motor Vehicles Act but that it is a birth-right of each and every citizen. The Government have only to regulate the traffic. But, to-day, what are the Government doing? First of all, they have nationalized the Transport system in Madras City. Secondly, they limit the number of buses. The result is that the traveller is not being helped. What the Government should have done was to allow the people to put as many vehicles on the road as they could. If this had been done, the fares would have been the lowest in our State. But to-day, a bad name has been earned that the passenger fares in buses and other modes of traffic are the highest in Madras State. It is also said that the taxation on motor vehicles is the highest in Madras State. It is the highest not only in the whole of India but in the whole world. To-day, the Government charge on a vehicle about Rs. 10,000 as tax. That is made up of about Rs. 5,000 as surcharge and another Rs. 5,000 as tax. But it is the poor traveller who is bound or is accustomed to use the bus as his means of conveyance that suffers. Therefore, we ought to keep the bus fares very low. A person must be able to travel ten miles up and down with an one-anna ticket, and that is possible. But the present high fares are a heavy burden on the poor travelling public. This again is due entirely to two factors, namely, the high taxation and the

12-40
p.m.

[Dr. V. K. John] [18th December 1954]

control exercised by the Government. Why should the Government control the number of vehicles to be put on the roads? Why not they allow any number of vehicles to be put on the roads? The businessmen know what they should do. Do the Government say that there are too many cars and that there will be too much competition? Let the people be benefited. The only question is whether the road should not be kept in order and in good condition. I would suggest to the Government to revise their policy in respect of transport. They should collect from the transport operators only as much money as is required to repair and keep the roads in good condition and to regulate the traffic. They should not collect even one pie more than this from the transport operator. Let the transport operator be given a little freedom and let there be transport competition. Then we will find that the fares fall down perhaps to one-fourth or one-tenth of what they are to-day so that a person earning about Rs. 70 per mensem and going from Mylapore to George Town for his business may have to spend about Rs. 5 per mensem whereas to-day he has to spend about Rs. 15 per mensem on bus fare alone. This high fare is a heavy burden on the poor man who cannot afford to pay so much. I say the present taxation on motor vehicles is regressive. Let the Government revise their policy in this regard. Now, the Supreme Court has laid down that every citizen can put a transport vehicle on the road and charge fares, that he has a right to do so under Article 19 of the Constitution and that the Government can only regulate the traffic. Let the Government allow free competition. Of course, they must keep the roads in good condition. Let there not be control and permit system. Then the public will be benefited. I request the Government to allow free competition in the City of Madras. To-day, they are running a number of buses in the City of Madras. But they will never allow another person to ply a bus in the City. I do not know if at a future date, a writ petition in respect of bus transport in the City of Madras will be filed in the High Court by any person on the basis of the decision of the Supreme Court? The Government are now doing a very wrong thing. They have a monopoly over the bus transport system in Madras City, and they keep the bus fares very high. They do not run many buses because to run many buses is not to their advantage. It is a very wrong thing; very great injustice is done to the travelling public on this account. The Government must take the opportunity to revise their policy in respect of transport. They should give up the present monopoly system. Why do they not compete with private transport operators? If they cannot allow any competition, they should not also charge high fares which they are charging to-day. Let there be no piecemeal legislation in regard to this matter. Let the policy of the Government in respect of transport be revised completely on the basis of the decision of the Supreme Court that every person can put a bus or a lorry on the road. It is his right under Article 19 of the Constitution of India, which enables every man to carry on any business or any profession he likes. If the controls are lifted and if the Government do not also charge more than what

18th December 1954] [Dr. V. K. John]

will be required for maintenance of roads and for regulation of traffic, then there will be a Heaven on earth as far as transport with reference to the poor travelling public is concerned. One can travel even a hundred miles in a railway for about Re. 1-4-0 but one cannot do that in a bus. The bus operator is taxed heavily to the tune of Rs. 10,000. But the Government do not spend that money on the maintenance and improvement of roads. They collect about Rs. 44 lakhs from buses touching the City of Madras. Out of this sum they give about Rs. 4 lakhs to the Corporation who spend on the maintenance of roads about Rs. 10 lakhs a year. The balance is a waste. I submit that it is high time for the Government to bring the cost of living down. One material item which accounts for the cost of living with reference to an average man is the fare that he has to pay for transport from one place to another, whether he is employed or whether he has to carry goods from one place to another. To bring the cost of living down, the transport fares must be kept down and to keep the fares down free competition must be allowed. The Government should not tax the transport operators too much. They should allow free competition in the City of Madras. Then, there will be a world of difference in respect of the transport problem. If the Government allow a few transport operators to compete with them on the roads in Madras City, then they will find how much advantage the public derive thereby. Now, the Government are seeking to repeal section 64-A of the Motor Vehicles Act on account of the nuisance which they are having from their own Partymen and others because it was said that non-Congressmen were also engaged in the business. But while they are repealing section 64-A, they are taking more power by amending section 43-A. I would tell the Government, 'The sooner you give up controls, the sooner you give up the system of patronage, the better for you and the healthier for the Ministers.' Now, why do they want to take more power under section 43-A? When section 43-A was passed, it gave them a wide power of control. It was a wrong thing to do. Now, they want to amend section 43-A in order to take still more power. I say this is a wrong thing to do. The whole policy relating to the transport system should be changed. Though the Government are very regular in collecting the taxes, they do not take proper care in keeping the roads in perfect condition. The Government ought not to adopt such a policy."

THE HON. SRI M. BHAKTAVATSALAM :—" I would like to tell the hon. Gentleman that roughly we are spending on our roads more than three times the amount that we collect by way of motor vehicles tax."

* DR. V. K. JOHN :—" Motor vehicles are not the only vehicles which use the roads. Perhaps vehicles with pneumatic tyres cause little damage to the roads. But that is not the test that we should apply in this case. How does the tax imposed by the Madras Government compare with the tax imposed by the other Governments? Our tax is the highest not only in this country but also

[Dr. V. K. John] [18th December 1954]

in the world. The Government collect Rs. 10,000 from a motor bus. Who is paying this amount? Is the operator paying the money? No. It is the poor man who is travelling in the bus that pays the money. I say the whole policy must undergo a thorough change. I would like to ask the Hon. Minister whether he had gone through the decisions of the Supreme Court. Let him read them once, twice, thrice and over and over again to find out the right of an individual to put his vehicles on the road. Whenever the Government have any difficulty, let them not distrust courts. All difficulties and all questions of law that come up before them should be solved by independent and impartial tribunals. We have the High Court which enjoys the highest reputation for its impartiality and independence. I say, let the Government give the High Court the power and right to decide matters. The Government ought not to vest these powers in the Regional Transport Authority, State Transport Authority or the Central Road Traffic Board, whom the Government can very well indirectly influence.

"Now, coming to the Bill before us, I wish to draw the attention of the House to clause 5 dealing with 'Transitory provisions' which states—

"All proceedings pending with the State Government on the date on which this Act comes into force shall stand transferred to the prescribed authority referred to in section 64 of the principal Act and be proceeded with from the stage which had been reached immediately before such date."

Now, if there is a revision petition against the decision of the Central Road Traffic Board, to whom are we to present the petition? If you make a provision by which this petition has to be submitted to the same person against whom the complaint is made, can there be a more stupid provision in any Act? (Interruption.) I suggest that this power must vest in the High Court. The Government must introduce a provision to the effect that all revision petitions must lie to the High Court of Judicature at Madras so that the High Court may give a correct decision. Section 64-A was repealed as the authorities might go wrong. But then, what have the Government done? This power is now vested in the C.R.T.B. and not in the Courts. Though they have repealed Section 64-A, the Government reserve to themselves indirectly the power to entertain revision petitions. The Government seem to have completely forgotten the fact that 99 per cent of the petitions to the Government under Section 64-A were against the orders passed by the Central Road Traffic Board which is the appellate authority over the Regional Transport Authority. Now, to whom are we to prefer revision petitions? Are we to present this revision petition to the same authority against whom we make a complaint? That is why I say that the whole thing is misconceived. This is one of the most misconceived Bills that could have ever come before an intelligent Legislature. I am sorry that the Government taking advantage of the fact that they have a good majority in both the Houses have chosen to bring this Bill, which is not worth the paper on which it is written, before this House after it had been passed in

18th December 1954] [Dr. V. K. John]

the other House. I strongly protest against this Bill. I say that it is most inequitable, unjust, illogical and irrational to bring forward a Bill of this kind."

* SRI V. GURUNANDAN ROW :—"Mr. Chairman, Sir, first of all I have to welcome the repeal of section 64-A. But we find that there has been an attempt, a subtle attempt so to say, on the part of the Government to retain the revisionary power with them. Though they might have ostensibly repealed section 64-A, the very same power is sought to be exercised by them in an indirect way. As far as I could read the provisions contained in the present Bill, clause 3 says, 'the authority prescribed under sub-section (1) for the purpose of hearing appeals may either of its motion or on application made to it, call for the records of any Regional Transport Authority or the State Transport Authority, as the case may be.' Now, who is the authority prescribed under sub-section (1)? It is impossible to find who it is. Even according to section 64-A if a Regional or State Transport Authority passed an order, there was the right of appeal to the Government. So, it means that the Government will still have the revisionary powers. If this clause 3 is allowed to stand as it is, the parties will have no right of appeal, but, the Government will still have the same power which they had under section 64-A. In the Bill, it is not stated who the authority is that has been prescribed to hear the appeals. We will have to look to the rules to find out who this authority is. If it is put in the rules that the Government are the 'prescribed authority', that means that the revisionary powers which they pretend to have given up by the repeal of section 64-A are sought to be retained with them in some other indirect way. Clause 3, which is the most important clause, is unfortunately most unhappily worded. It says, 'the authority prescribed under sub-section (1)'. If we look at sub-section (1) we do not find who the authority is that has been prescribed. It merely states 'the authority prescribed'. So, we will have to look to the rules. I do not quite understand why the Government are not prepared to state clearly in the Bill itself who the prescribed authority is. Whatever authority they may like to prescribe, let them clearly state who that authority is in the Bill itself. That is one aspect of the Bill that I wish to bring to the notice of the House.

"Time and again the High Court has pointed out the fact that the Government are not having clear rules in the matter to guide the authorities under the Act, especially with reference to the issue of permits. Sometimes, possibly due to political considerations, the Government say that only fleet-owners must be preferred. Then, if it suits them at other times, they say that new-comers must be given a chance. The High Court has in many cases referred to this point and have said that the Government must have a consistent policy. We are not concerned with what their

[Sri V. Gurunandan Row] [18th December 1954]

policy ought to be. Let it be a policy of giving chance to new-comers or let it be a policy of encouraging fleet-owners. We do not mind. But what we want is that the Government must have a consistent policy. They should not be changing their policy quite often. They should not change their policy according to the person who applies for the permit. The authorities expected to issue permits must have general rules governing the issue of these permits. Again and again, we have been requesting the Government to frame clear rules for the guidance of the officers. But till now, I do not think the Government have framed any rules for the guidance of the Regional Transport Authority, the Central
1 p.m. Road Traffic Board and others. I know there are many cases in which Government have revised their own orders and that too on political considerations. I know of at least two cases. These are the Coimbatore Town Service and the Madurai Tiruchirappalli Service. Government first decided that there no variation was necessary in the route. On the intervention of some M.L.As. this very same Government went back on their own order and said: 'No, no, that variation is now necessary' and asked the authorities concerned to issue permits. This matter was taken to the High Court. So the whole question is this: Government should have nothing to do with the question of granting permits, whether it is revision, appeal or anything.

"Sir, Government are definitely a political party that is in power and therefore Government should not take upon themselves quasi-judicial functions. It is also the view of the High Court. But unfortunately this Government are exercising functions such as issuing permits for running buses and all that. These are quasi-judicial functions. I wish that a political party running the Government should not take upon themselves any quasi-official authority. Let them declare a policy and follow that. I will have no objection to that. Whether it is monopoly owners or whether it is new-comers, that are to be encouraged, let the Government declare their policy. The point is that the Government should not have anything to do with the question of deciding individual cases. They should have no voice in the matter. That is the important thing and I think it would be better to put that in the Bill itself. It is no use saying 'public interest'. Some principles on the basis of which the Road Transport Authority may act should be there. The Government may want to encourage new-comers or big men who have workshops necessary for running the service efficiently. After laying down the policy they should leave the rest to the Road Transport Authority. No pressure should be brought to bear upon them for issuing permits to X, Y or Z."

MR. CHAIRMAN:—"The House will now adjourn for lunch and meet again at 3 p.m."

18th December 1954]

(After lunch—3 p.m.)

IV.—MESSAGES FROM THE ASSEMBLY—cont.

MR. CHAIRMAN:—"I have to announce to the House that I have received the following message, dated the 17th December 1954, from the Hon. the Speaker, Madras Legislative Assembly:—

'In accordance with rule 114 of the Madras Assembly Rules, I transmit a copy of the Madras Indebted Agriculturists (Temporary Relief) Amendment Bill, 1954 (L.A. Bill No. 51 of 1954), as passed by the Assembly on the 17th December 1954 and signed by me, for the concurrence of the Council.'

VI.—GOVERNMENT BILLS—cont.

(4) THE MOTOR VEHICLES (MADRAS AMENDMENT) BILL, 1954
(L.A. BILL NO. 45 OF 1954)—cont.

MR. CHAIRMAN:—"We will now continue the discussion on the Motor Vehicles (Madras Amendment) Bill, 1954."

* SRI T. PURUSHOTHAM:—"Mr. Chairman, Sir, I welcome this measure. I am also glad that the hon. the Deputy Leader of the Opposition welcomed this Bill though he ended his speech with a vehement criticism of Government and expressing his strong protest against the entire Bill. I am sure that Government and also the hon. Members of this House would have been really glad to hear from such an eminent politician of the status of Dr. John much more constructive criticisms on this Bill instead of mere vehement opposition to the Bill. What I felt about his speech was this. There was no need to introduce party politics in discussing a measure like this or throw cheap gibes at Congress and Congressmen generally."

DR. V. K. JOHN:—"When did the hon. Member become a Congressman?"

* SRI T. PURUSHOTHAM:—"The hon. Member is quite aware of that. I ask what objection can there be to bus operators joining the ranks of the Congressmen. We would even welcome the hon. the Deputy Leader of the Opposition if he should decide to join the Congress. I am sure he will join the Congress one of these days."

DR. V. K. JOHN:—"I shall be the last."

* SRI T. PURUSHOTHAM:—"Sir, we are all glad that this section 64-A is proposed to be deleted. In fact in my Budget speech on the 30th July 1952, I said that after the expansion of the jurisdiction of the High Court, Government need not have powers under section 64-A of the Act. Straight from the Central Road Traffic Board, the aggrieved party may go to the court and Government need not come into the picture. I should like to say in this connexion that the jurisdiction under Article 226 of the Constitution is very limited and the High Court cannot exercise

[Sri T. Purushotham] [18th December 1954]

the powers under that Article even in cases where grave injustice has been caused. Having regard to the stakes involved in questions relating to grant of permits, I feel it is absolutely necessary that there should be a provision enabling the aggrieved party to have judicial review. The Central Road Traffic Board is proposed to be reconstituted now. Even after its reconstitution, it has not got the assistance of any judicially-trained member on the Board. Even the appointment of retired judges as Members of the Central Road Traffic Board may not yield the desired result or infuse complete confidence in the minds of the litigants. I therefore feel, as was suggested by the hon. the Deputy Leader of the Opposition, a provision similar to the one included in the Madras Buildings (Lease and Rent Control) Act, I refer to section 12 (b), should be introduced in this Bill also. Under that Act a revision lies to the High Court. Some sort of protection of the kind should be made in this Bill. The stake involved in the refusal of permits is obviously many times more in these cases than that involved in a rent control matter. So it is that I propose that in this case a provision is absolutely necessary investing the right of revision in the High Court."

* DR. V. K. JOHN :—" In many respects the hon. the Chief Whip of the Congress Party is supporting me. That being so, I would like to know why he started his speech criticising me."

* SRI T. PURUSHOTHAM :—" I will come to that presently. In the Budget speech of mine that I referred to, I distinctly pointed out that carrying on road transport business was a fundamental right guaranteed by the Constitution and that denial of permits should be based on valid grounds. Therefore it is necessary that Government should take up the question and lay down definite rules for the guidance of transport authorities in the light of the rulings of the High Court. This matter was also brought before the State Transport Advisory Committee and I hope the Government will take very early steps to issue definite rules and instructions to the transport authorities; now that the revisionary powers of Government will be taken away and unlimited power vested in the State Transport Authority it is urgently necessary that very definite rules are framed and communicated to these authorities for their guidance so that they may act on those instructions and not commit any of the irregularities which brought the revisionary powers of the Government into operation and also rendered revision by the High Court necessary in almost all cases."

" Sir, in the Bill before us, a sub-clause is proposed to be added to section 43 by which the State Government is empowered to direct any Regional Transport Authority or the State Transport Authority to open any new route or to extend an existing route or to permit additional stage carriages to be put, or to reduce the number of stage carriages, on any specified route. This addition of powers seems to be rather uncalled for and unnecessary. Under the existing section 43-A, the State Government is empowered to

18th December 1954] [Sri T. Purushotham]

give directions of a general character. There seems to be no need to assume power in regard to specific routes. In the statement of objects and reasons appended to the proposed Bill it is clearly stated that considerable time, labour and inconvenience is involved in exercising revisionary powers under section 64-A. The question naturally arises whether the opening of new routes, etc., should be done at Government level. So it is I would suggest that Government should consider this aspect deeply and leave it to the Transport Authority to exercise such powers. I think the Chairman of the Central Road Traffic Board is the controlling authority in this matter. Instead of making the Chairman the controlling authority over the Regional Transport Authority, we can make the Central Road Traffic Board the controlling authority. The Government need not take this power."

SRI MOHAMED RAZA KHAN :—" In what respects does the hon. Gentleman's view differs from that of the hon. the Deputy Leader of the Opposition? "

* SRI T. PURUSHOTHAM :—" The hon. the Deputy Leader of the Opposition did not make any such constructive proposals. I have put forward these suggestions for the consideration of the Government."

" Sir, I also feel that section 48-A should be deleted first, before enacting the proposed section 64 (2). Otherwise it will be taken that when the Regional Transport Officer is performing the functions of the Central Road Traffic Board under section 48-A he is doing only the duties of the Central Road Traffic Board and such orders can be revised only by the Government under the proposed section 64 (2)."

" Sir, I am placing these views of mine in the fullest hope that they would receive the fullest consideration of Government. I also wish to express my disappointment at the exclusion of the non-official element from the Road Transport Authority and the Central Road Traffic Board. I feel that there should be at least two non-officials on each of these bodies. One of them should be drawn from the legal profession. Now there is none. A retired sub-judge or a retired District Judge, as the case may be, on these bodies would be very much helpful. The Hon. the Minister for Transport told us the other day during question time that the question of re-organization of the Transport Department is under the active consideration of the Government. It is my humble submission that the points that I have made should be carefully considered by the Government."

* SRI K. BALASUBRAMANYA AYYAR :—" Mr. Chairman, 3-10 p.m.
Sir, I do not want to discuss the general question, whether nationalization of Transport must be undertaken in our country or not. The hon. Deputy Leader of the Opposition has already referred to it and I do not want to add anything more to what he said. But I

[Sri K. Balasubramanya Ayyar] [18th December 1954]

want to say something about the amendment of section 64-A by adding sub-section (2). The present section 64-A of the Motor Vehicles Act, 1939, which is sought to be repealed gives the Government ample powers of revision not only in regard to orders passed by the Regional Transport Authority or the State Transport Authority but also against any prescribed authority who may deal with the appeals from these two authorities. Section 64-A is very general and it states that the State Government may, of its own motion or on application made to it, call for the records of any order passed or proceedings taken under this Chapter by any authority or officer subordinate to it. I take it, Sir, that the prescribed authority is also subordinate to the Government. I do not know how the Government view it. I think it is an authority subordinate to the Government. If that is so, the order of the Central Road Traffic Board may also be questioned by the Government. (The Hon. Sri M. Bhaktavatsalam: 'It is being questioned even now.') But in that case if section 64-A is repealed, then what are we to do? That is the difficulty. Therefore, I feel that it would be better if the power of Government is given either to the District Court or the High Court. As the hon. Member Sri Bhashyam has proposed, if power is given to the District Court, there must be an appeal for revision to the High Court. Sir, section 64-A is a very comprehensive section which gives the Government full power in respect of all orders of all officers, even officers subordinate to it. But I find that in the proposed new section 64 (2) there is no reference to any 'officer subordinate to it'. Mention has been made only of 'the Regional Transport Authority or the State Transport Authority, as the case may be, for the purpose of satisfying itself as to the legality, regularity or propriety of any order made by such Transport Authority'. But in section 64-A there is mention of the words 'any officer subordinate to it'. After all, Sir, the Transport Authority may delegate some of his powers under the Motor Vehicles Act to any single officer or the Transport Authority itself may be a single officer. There may not be two or three officers appointed by the Government. Therefore, I say that the present section is defective and much narrower in scope and jurisdiction than section 64-A which gives authority to the Government to revise the orders of all authorities subordinate to it. That is a matter for consideration by the Government.

"As suggested by our Deputy Leader, I think power can very well be given in such cases to the District Court as the prescribed authority. That will obviate all these difficulties because the District Court is not in any way subordinate to the Government. Therefore, the question of any authority subordinate to the Government does not arise and the section will read all right. It will give powers to the District Court to call in question the legality, regularity or propriety of any order passed either by the Central Road Traffic Board or by the Regional Transport Authority or by the State Transport Authority.

"Now I come to the amendment of section 49-A which gives the State Government power to issue directions. With regard to

18th December 1954] [Sri K. Balasubramanya Ayyar]

that, the present judgment of the Supreme Court in respect of the Uttar Pradesh Transport Authority's order has to be carefully gone into by the Government. I am afraid by this section the Government take into their own hands all powers regarding the opening of new routes or extending existing routes or reducing the number of carriages and so on. All these powers may trench upon the rights of individuals. In this case it may not be confined to mere regulation or restriction of the powers of individual private bus owners but it may be 'deprivation of their authority'. So far as the question of 'deprivation of their authority' is concerned, the whole thing has to be reviewed and investigated from the point of view of the decision of the Supreme Court. Sir, our State Government have not yet passed any Act like the State Transport Act of Uttar Pradesh. They have not done so and that is a general question. We must also consider Article 19 (1) (g) of the Constitution which gives powers to the State Government to have monopoly in trade or business. That is a different matter and I am not on it now. But I want to submit that the Government may be exceeding their limits if they take powers to reduce the number of carriages on any specified route or open any new route or extend any existing route. It may be that larger powers are given to the Executive and that may really trench upon the principles which are contemplated in the decision of the Supreme Court."

SRI MOHAMED RAZA KHAN:—"Mr. Chairman, Sir, this amendment to the Madras Motor Vehicles Act of 1939 really provides an opportunity for hon. Members opposite to have a say in the matter and, I am sure, the Government and particularly the Hon. Minister for Transport will see that the very reasonable suggestions made by some of the hon. Members are accepted and carried into effect. My good friend Mr. Purushotham who tried his best to prove that the arguments advanced by the hon. Deputy Leader of the Opposition were incorrect really succumbed and he almost supported him, if not completely. After all, we, the people living in the City of Madras, have got much experience of how things work. Might I say on this occasion that if at all there was one setback in the past to the party in power it was the Transport scandal? I know the difficulties of the Hon. Minister being a politician or a partyman. Human nature being what it is, many a time he has had to yield to some political pressure. At least in future, I am sure, the Hon. Minister for Transport, in the light of the past experiences, will be careful in trying to propose amendments to the existing Act. In this connexion, I wish to draw the kind attention of the Government to what happened in the course of seven or eight years. When the Government constituted Regional Transport Authorities and the Central Road Traffic Board, at one time they selected anybody as the non-official representative apart from the Collector and the District Superintendent of Police. At another time they selected a particular M.L.A. of the district as the non-official representative. There was a good deal of comment in the districts why a particular M.L.A. alone was

[Sri K. Balasubramanya Ayyar] [18th December 1954]

want to say something about the amendment of section 64-A by adding sub-section (2). The present section 64-A of the Motor Vehicles Act, 1939, which is sought to be repealed gives the Government ample powers of revision not only in regard to orders passed by the Regional Transport Authority or the State Transport Authority but also against any prescribed authority who may deal with the appeals from these two authorities. Section 64-A is very general and it states that the State Government may, of its own motion or on application made to it, call for the records of any order passed or proceedings taken under this Chapter by any authority or officer subordinate to it. I take it, Sir, that the prescribed authority is also subordinate to the Government. I do not know how the Government view it. I think it is an authority subordinate to the Government. If that is so, the order of the Central Road Traffic Board may also be questioned by the Government. (The Hon. Sri M. Bhaktavatsalam: 'It is being questioned even now.') But in that case if section 64-A is repealed, then what are we to do? That is the difficulty. Therefore, I feel that it would be better if the power of Government is given either to the District Court or the High Court. As the hon. Member Sri Bhashyam has proposed, if power is given to the District Court, there must be an appeal for revision to the High Court. Sir, section 64-A is a very comprehensive section which gives the Government full power in respect of all orders of all officers, even officers subordinate to it. But I find that in the proposed new section 64 (2) there is no reference to any 'officer subordinate to it'. Mention has been made only of 'the Regional Transport Authority or the State Transport Authority, as the case may be, for the purpose of satisfying itself as to the legality, regularity or propriety of any order made by such Transport Authority'. But in section 64-A there is mention of the words 'any officer subordinate to it'. After all, Sir, the Transport Authority may delegate some of his powers under the Motor Vehicles Act to any single officer or the Transport Authority itself may be a single officer. There may not be two or three officers appointed by the Government. Therefore, I say that the present section is defective and much narrower in scope and jurisdiction than section 64-A which gives authority to the Government to revise the orders of all authorities subordinate to it. That is a matter for consideration by the Government.

"As suggested by our Deputy Leader, I think power can very well be given in such cases to the District Court as the prescribed authority. That will obviate all these difficulties because the District Court is not in any way subordinate to the Government. Therefore, the question of any authority subordinate to the Government does not arise and the section will read all right. It will give powers to the District Court to call in question the legality, regularity or propriety of any order passed either by the Central Road Traffic Board or by the Regional Transport Authority or by the State Transport Authority.

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18th December 1954] [Sri K. Balasubramanya Ayyar]

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[Sri Mohamed Raza Khan] [18th December 1954]

3-20
p. m.

selected. Speaking from the point of view of the public, I may say it was only in the year 1944 the bus business was started as a very lucrative business. There was keen competition among bus owners in getting licences and permits. At that time, there was no finality in the matter of issuing licences and permits. The aggrieved person had to go first to the Regional Transport Authority and their decision may be in his favour or it may be against him. Then, he had to go to the Central Road Traffic Board. Incidentally, without meaning any disrespect to lawyers, I must state that they too reaped a good harvest and particularly people from the Andhra areas were prepared to pay thousands of rupees if only they could appear either at the district level or at the Central Road Traffic Board level. Sometimes, they were even asked to appear at the Ministerial level. In many cases, lawyers were asked not to argue the fine legal points or on questions of fact. They were merely asked to use their personal influence to get things done. Therefore, in all these matters, there was no finality. The Hon. Minister for Transport himself states that too many petitions come to the Government on all sorts of trivial issues. It is very good that the Government have come to a decision that it is not necessary that they themselves should exercise the statutory power of revision. It is good that wisdom has at last dawned upon the Government and I am sure they will adopt this principle in other matters also. In some cases, Ministers were also to blame. Though they belong to a party, they must have the courage to say to people who come to them that there must be finality in all these matters and that they cannot interfere. Suppose I myself approach a particular Minister. It is good for the Minister to say, 'Well, the Central Road Traffic Board has decided this matter and there is no good in your coming and representing matters. There must be finality in all these matters and there is no use of spending Government money and time on them'. It is true some people may be displeased by such replies but Ministers should not mind that. Suppose a petition is presented to a Minister. It has got to be examined by the Department, and then it has got to be sent to the District officials for investigation and report and again on receipt of their report the Government have got to examine it and give a final reply. Ultimately, the reply of the Government may be that they see no reason to interfere. Just to send that one line reply, the Government have to waste a lot of money and time. It is good that in all these matters they had no need to exercise revisionary powers.

"Then, Sir, I wish to say a few words with regard to the constitution of Transport Boards at the district level and at the State level. Sometimes, Government appoint non-officials as Members of these Boards and sometimes they remove them saying that they are not the proper people to be relied on. Either the Government should feel that they can place their trust on them or they should say they cannot place their reliance on them. (Interruption.) There must be some finality in all these matters.

18th December 1954] [Sri Mohamed Raza Khan]

"Even in the case of granting routes, the Regional Transport Authorities should be the proper authority to decide questions like how many buses can be allowed to run on a particular route, how far that route can be extended, etc.

"Then, Sir, there is the Central Road Traffic Board. Whatever they say must be final. If there should be somebody to exercise the power of revision with regard to the orders issued by the Regional Transport Authorities and the State Transport Authority, it must be done by a judicial body. In this connexion, I support the point made by the hon. Deputy Leader of the Opposition and the hon. Member Sri T. Purushotham that powers of revision must be exercised by the High Court and that the Government need not have any revisionary powers at all. In the Statement of Objects and Reasons, it has been stated that the Government should have the power in proper cases to issue directions to the Regional Transport Authorities or the State Transport Authority to open a new route or to extend an existing route or to increase or decrease the number of buses on a particular route, etc. At another place in the same statement, they say that it is not necessary that they should exercise the statutory power of revision. It would indeed be very difficult for the Government to decide which new route they have to open or which existing route they have to extend and questions like that. As pointed out by the hon. Member Sri V. Gurunandan Row, sometimes Government reverse their own decisions taken earlier. The Government state that they must have the power to intervene 'in proper cases'. It would be very difficult for the Government to decide which are proper cases and which are not. The amending Bill would have served its purpose if this power had not been taken by the Government. The Hon. Minister for Transport should take an overall view in all these matters and see that there is finality in all these things. Many people take to this profession thinking that they can earn plenty of money. Some people take to this profession for fancy's sake. Big fleet-owners use their influence to see that small fleet-owners owning only a few buses do not thrive. The whole thing is really a gamble. I hope, Sir, the Hon. Minister will at least in the future adopt a definite policy in regard to these matters and see that litigation is not encouraged in this matter. Things should be decided at the district level and if necessary, they should be decided in revision by the Central Road Traffic Board. In this connexion, I wish to refer to another matter. Members of the Assembly or the Council should not be appointed as Members of these Boards because it will be in the interest of the Members themselves that they are not appointed. It is better that Members of the Legislature keep aloof from these bodies. The Government are now appointing retired District Judges as Members of the Central Road Traffic Board and if the Government feel that these retired officers have served well, they can continue the same policy."

[18th December 1954]

SRI A. GAJAPATHY NAYAGAR :—“ Mr. Chairman, Sir, the principle of nationalization of transport is not in question. The Government have not yet completely nationalized transport. It is, therefore, right that they should have reserved to themselves some powers to nationalize transport as and when necessary. There are so many complaints against the Government Motor Transport. Even though they have nationalized the motor transport industry in the City, still they are allowing buses to be run by private people. As a result of this arrangement, people are put to suffering. For example, I come from Ayyanavaram. Very few Government buses ply between the City and Ayyanavaram. Because of the policy of the Government to nationalize motor transport, the mufassal buses which ply via Ayyanavaram neglect to take passengers to the City. The Government must have enough powers with them, subject only to appeal by the High Court. With these words, Sir, I conclude my speech.”

3-30 p.m. * SRI K. BHASHYAM :—“ Mr. Chairman, Sir, on this very simple Bill, many questions about the policy which the Government should adopt towards this industry have been raised. My submission to the House is that we should nationalize all sorts of transport in the country. It is necessary to do so in the interests of the people. I know there may be some inefficiency in the management of the transport by the Government in the first instance. But it is much better that the Government manage it rather than the private people. In this connexion, mention was made about Article 19 (1) (g) which gives all the citizens the right to practise any profession, or to carry on any occupation, trade or business. If the Government want really to nationalize the whole transport industry, they can do it as a monopoly for themselves under the recent amendment. In this connexion, reference was made to the recent judgment of the Supreme Court regarding placing restrictions in the way of any person enjoying rights conferred under Article 19 (1) (g). Now, I submit to the House that the Supreme Court decisions which are cited are nothing new. They were already there, because the decision is based on the judgments of our courts. Mr. Justice Venkatarama Ayyar and others had already pronounced their judgments on the Fundamental Rights in the Madras High Court and they have been cited for supporting the decisions of the Supreme Court. Therefore, it is nothing new. Mr. Justice Venkatarama Ayyar did also hold that the Government had large discretion in the matter of regulation. I say it is necessary for the Government to have in their hands discretion; otherwise, there will be all sorts of buses plying right through the big streets, small streets and narrow streets to the utter inconvenience and annoyance of the public. Therefore, there must be some sort of control, some sort of regulation in these matters and there is no doubt about it. I can challenge any hon. Member of the Opposition on this issue. Therefore, I submit that, in the case of nationalization, there cannot be any doubt about the right to nationalize and in the case of regulation, that is, in the matter of regulating public transport, the power the Government should

18th December 1954] [Sri K. Bhashyam]

have is also clear. Till now, the Government have been interfering with the Transport Authorities' orders somewhat unnecessarily. In cases like these, where the business interests are involved, it is much better that an independent body is in charge of the regulation. That will save the Government from many a trouble and inconvenience and it will also save them from the calumny of supporting their own partymen. Political parties are there and patronage of partymen is there. Further, suspicion arises in all of their actions whenever they do a little help to their own partymen. Therefore, in matters like these, the Regional Transport Authority and the Central Road Traffic Board must be independent bodies and expert bodies for controlling and regulating public transport.

“ Let us see the constitution of both the Regional Transport Authority and the Central Road Traffic Board. They are composed of departmental men and they are not persons who are independent of Government departments. Therefore, it is necessary that in such cases as these, some experienced men, experienced in business outside the Government and public men with wide knowledge and experience, retired District Judges who can be said to be independent, may well be appointed to these bodies and left independent for doing this kind of work. If Government do a thing like this, I will welcome that.

“ From that point of view, I welcome this measure, because it is a step in that direction. Now under section 64-A of the Act as it stands, we see that all appeals from the original orders of the Regional Transport Authority lie to the Central Road Traffic Board—it is not final there—and a revision lies with the Government. Now an appeal from the original orders of the Central Road Traffic Board also lies to the Government under that section. We do not know whether the Government want to get rid of the revisional jurisdiction vested in them against the appellate orders of the Central Road Traffic Board. I am not sure whether the Government want to give up that also. Under section 64-A, in the case of unappealable orders of the Central Road Traffic Board and its Secretary, revision lies to the Government. From the tenor of the Bill, I am not sure whether they want to retain it or not. Under the Bill as it stands now, in case all power under section 64-A is taken away, you are taking away the revisionary power against unappealable orders of the Central Road Traffic Board and its Secretary, as also revisionary power against appealable orders of the Central Road Traffic Board and its Secretary. If this is done, the question arises as to what happens to the proceedings that are pending now before the Government in respect of both these revisions. I can understand if revision lying direct from the Regional Transport Authority is transferred to the Central Road Traffic Board. But if the revisionary power against the orders of the Central Road Traffic Board and its Secretary also is taken away, then, are they to be sent to the very same authority which dealt with the appeals? Under rules 147 and 148, it is said that

[Sri K. Bhashyam] [18th December 1954]

the prescribed authority under section 64 for purposes of appeals against original orders of the Central Road Traffic Board is the Government. Therefore while the Government have appellate jurisdiction over the original orders of the Central Road Traffic Board, a revision lies to them where the Central Road Traffic Board has appellate jurisdiction. Under this Bill, this question also will have to be referred to the Central Road Traffic Board once again and what was done by them in appeal will have to be dealt with by them again in revision also. This is very incongruous and this appealing will be like going from Caesar sober to Caesar drunk. Therefore . . ."

MR. CHAIRMAN :—" It is not Caesar, it is Phillip."

* SRI K. BHASHYAM :—" I thank you, Sir. Whether it is Caesar or Phillip, it does not matter. I thank you for the correction and I stand corrected. I am glad you corrected me, Sir."

DR. V. K. JOHN :—" The hon. Member is not drunk! "

* SRI K. BHASHYAM :—" I thank him. I suppose the compliment is made in good spirit."

DR. V. K. JOHN :—" The hon. Member can pursue that with the Government. They are confused and let not confusion be worse confounded."

* SRI K. BHASHYAM :—" I certainly am not doing that. I am not hiding anything . . ."

(Dr. V. K. John rose in his seat.)

* SRI K. BHASHYAM :—" I crave the leave of the House and the protection of the Chair not to be interrupted."

" Now, Sir, what I want to point out to the Government is that if the power to entertain revision petitions lying to them against the appellate orders of the Central Road Traffic Board is taken away, it will result in great difficulty, and therefore I say if section 64-A is repealed, then let them provide, for some authority for the purpose of hearing these revision petitions."

" One more thing I wish to mention. Under section 64-A, revision with regional authority is provided for. Why should there be a revision at all, I should like to know. Either we have not enough confidence in our own men, the Central Road Traffic Board, or I feel we have distrust of the authority and so appeals and revisions are provided for. Even in civil cases, because of the probable incompetency of the District Judge or the Sub-Judge, there is provision for appeals to the High Court—but I am not sure whether I am right or not; it is for learned members to say that. But that is how I feel. Therefore when a matter has gone before two authorities, why is at all a revision provided for? If this is unnecessary, then the power of revision should be taken

18th December 1954] [Sri K. Bhashyam]

away. But if revision is to take place, it should be made clear as to who is to revise. Apart from the inconvenience I have pointed out in this case where the Central Road Traffic Board has to revise the very same order it went into in exercise of its appellate jurisdiction, it is incongruous. Therefore, these revisional powers should be vested in an authority which is certainly not either the Government or the Central Road Traffic Board. Which should be that authority is the real thing which has to be determined in the present case.

" It may be a super authority, an authority which will be independent of the Government and independent of the Central Road Traffic Board. It may be such a super body or they may have the district courts for this purpose. I am mentioning the district courts because to-day in those courts work is easy and cases are few and far between and they are doing practically nothing. I have gone to the mufassal courts, and I know they are all idling away their time. They do not have much work at all because of the Moratorium Act. They may be allowed to do this work as the prescribed authority. The Government may ask the district courts to do this work, and later on if it is brought to the notice of the Government that district courts are overworked, they may be relieved of this work and the Government may prescribe some other authority for this purpose. My amendment seeks to achieve this object. The revising authority may be the district court or any other authority prescribed by the Government. I leave great latitude to the Government. In the first instance, it may be the district courts which have at present not much work. The district court can have this revisional power now. If at any future time it is said that district courts are overworked, the Government may appoint some other authority. So far as the last clause in the Bill is concerned, I do not know how to characterize it. I say it is merely absurd. We will have the ridiculous spectacle of the Central Road Traffic Board exercising the appellate jurisdiction now. Let this clause be dropped altogether. Revision petitions now pending before courts and before Government may be disposed of. In future cases, there may not be a revision, because these proceedings are to be transferred to the prescribed authority. The last clause has to be omitted."

" With these words, Sir, I welcome the Bill."

* SRI T. G. KRISHNAMOORTE :—" Mr. Chairman, the main purpose of the present Bill is to repeal section 64-A of the original Act. All other provisions there are the result of the move on the part of this Government. What was section 64-A? It is a section that conferred on the Government vast and unlimited powers of interference in the decisions of the Central Road Traffic Board or the Regional Transport Authority. What do the Government propose to do by this Bill? They are taking away their power. While all the world over the tendency of every Government is to usurp as much power as possible and leave only just

302 THE MOTOR VEHICLES (MADRAS AMENDMENT) BILL, 1954
(L.A. BILL NO. 45 OF 1954)

[Sri T. G. Krishnamoorthi] [18th December 1954]

enough material for courts to interfere with so as to maintain a semblance of democracy in the country, here is a Government that is willingly surrendering its powers. Not only that. Here is a party that has agreed to surrender power. Dr. John in his usual ill-conceived manner has indulged in vituperation and explosion. Of course most of them are innocuous, I know. But here is a party that is willing to surrender all its powers. Where is then the question of patronage? If the party in power had been hankering after patronage, it would not have allowed this section 64-A to be repealed."

DR. V. K. JOHN :—" Which party wanted this section 64-A? Is it the Congress Party or the Dravidian Party? "

* SRI T. G. KRISHNAMOORTHI :—" Because corruption was rampant lower down, the party took powers into its hands. It now gives up that power. Section 64-A was brought in because it was thought that there might be some difficulty in regard to nationalization. Therefore they restricted the number of buses and also the duration of the permits. Section 64-A was brought in not for the purpose of giving patronage but to restrict the period so that the scheme of nationalization may be worked. (Interruption by Dr. V. K. John.) Section 64-A was introduced then, and section 64-A is now being repealed. Dr. John says that because of the nuisance caused by the Members of the party, the Government gives up this power. It is not because of the nuisance committed by the Members of the party. It is because of the interference, as the hon. Member Sri Raza Khan pointed out, of the lawyers. If the Members of the party interfere, they will not take more than five minutes of the Minister's time, in respect of any private operator. But if lawyers interfere, they take very often half an hour. If by some misfortune that lawyer happens to be a lawyer like Dr. John with a fund of vituperative vocabulary, he may take more than half an hour. The Minister may not find time to attend to these matters. Here is a provision, and here is a move by Government to surrender power. Why? "

DR. V. K. JOHN :—" To whom are they surrendering their power? "

* SRI T. G. KRISHNAMOORTHI :—" To the authority to be created by Government. Some Members were insisting upon some appellate power so that a revision petition against the decision of the authority may be taken to the court. Of course, I do not mean any disrespect to lawyers in our country. But I have found to my chagrin and to the pleasure of most of the lawyers that no two courts have agreed on any point. The old saying goes that there are as many opinions as there are people here in our land. Unfortunately, there seem to be as many opinions as there are courts. If there is a court above the Supreme Court, that court may give its own decision. Why should Dr. John think that the Government may not do the right thing and on the contrary only

18th December 1954] [Sri T. G. Krishnamoorthi]

an individual will arrive at the right decision? Why should he think that an individual will be much better than Government? Here is a Government which has vast powers, and which has got to face public opinion. I maintain it is only a Government that will be careful. It is only a Government that is afraid of public opinion. It is not an official who is afraid of public opinion. A Government having powers in its hands is not a wrong thing at all. But the Government is giving up its powers because of the nuisance caused to the Ministers. Most of their time is taken away for hearing appeals, petitions, etc. We hope and trust that the authority we are going to create under the provisions of this Act will function properly and will leave no room for any complaint in the future."

DR. V. K. JOHN :—" May I know who is the authority to be created? "

* SRI T. G. KRISHNAMOORTHI :—" I tell you the Government will be afraid of public opinion. So much so, my submission is that the Bill as it stands is excellent and no amendment is necessary. The Government will appoint a proper authority. The Government are afraid of public opinion and they want to satisfy public opinion. Here is a Government under the leadership of our revered Chief Minister trying to build up healthy democratic institutions. It is only to build up proper democratic traditions that we are repealing section 64-A. I commend the Bill to the acceptance of the House."

DR. V. K. JOHN :—" Does the hon. Member differ from the Chief Whip and Mr. Bhashyam? "

* SRI T. G. KRISHNAMOORTHI :—" I do."

* SRI A. M. ALLAPICHAJ :—" Mr. Chairman, when I was hearing the speech of the hon. Member Dr. John, I was really feeling sorry. I was not sorry because of his bitter criticism of the Government. After all, the Government will take care of themselves. They are strong enough, and they can look after themselves. But what I want to say is that the effect of Dr. John's criticism is lost. I was feeling that if his criticisms were just, moderate, and convincing, the Government would then think about these criticisms a hundred times. But when the criticism is unconvincing and very extreme, that criticism gets lost in effect."

DR. V. K. JOHN :—" May I know whether the criticism was convincing to the hon. Member? "

* SRI A. M. ALLAPICHAJ :—" In his criticism, all Congressmen were painted as unfair and a very bad sort of people. With all the humility at my command, I can say that the Congress Party even to-day can command more number of honest men, straightforward men, and sincere men than any other party in

[Sri A. M. Allapichai] [18th December 1954]

3.50 P.M. the country. Once a charge has been levelled, we have to say something. I am not responsible for saying all this but it is Dr. John himself that is responsible for this statement of mine.

"Another point is, I do not know why Dr. John should be afraid of our Government. After all, it is our own Government. Some time ago, our country was ruled by foreigners. Then there was some justification for saying 'well, it is an Executive Government, a Government not responsible to the people; it has nothing to do with the people'. But to-day, we have a responsible Government, responsible to the Legislature and the Legislature is responsible to the people."

DR. V. K. JOHN :—"Does the hon. Member suggest that a Government responsible to the people should not be criticized at all?"

* SRI A. M. ALLAPICHAJ :—"Perhaps my friend does not seem to understand what I am saying. Why should he be afraid of our Government? If our Government go wrong, it is the duty, the imperative duty of the Members of this House to criticize them and correct them. But when Members say that the Government should not have any control at all and that the Government should not have even the power to put a limit to the number of buses that should ply on a particular route, well, that argument does not stand to reason and commonsense. Suppose there are five buses on a route and suppose also that only five can run to the advantage of the owners and to the safety of the public. If twenty buses are made to run on that route or complete freedom is given to operators to run as many buses as they like on that route, what will happen is, fifteen persons will be completely ruined, or probably the entire twenty will be ruined. So, we must leave it to the good sense of the Government to decide the question because they are in a more advantageous position to do things. If we consider the question in the light of these facts, the argument of the hon. Member falls to the ground. Hundred permits cannot be issued for a route wherein only five buses could be operated."

DR. V. K. JOHN :—"Does the hon. Member criticize the Supreme Court's judgment?"

* SRI A. M. ALLAPICHAJ :—"I am not criticizing anybody. I submit that there should be a limit set even to freedom. A man cannot have freedom to commit suicide."

DR. V. K. JOHN :—"May I ask whether running buses is tantamount to committing suicide?"

* SRI A. M. ALLAPICHAJ :—"Many owners are committing virtual suicide. The Government, I think, are doing the right thing and they want to rid themselves of unnecessary worry and trouble. They are moving in that direction. What I want

18th December 1954] [Sri A. M. Allapichai]

to submit is, Members, especially, Dr. John, should address convincing arguments. Merely because we are sitting on this side of the House and he is sitting on the opposite side, he should not indulge in criticism of everything."

DR. V. K. JOHN :—"Can anybody in the world convince the hon. Member?"

* SRI A. M. ALLAPICHAJ :—"I wish, Sir, I were in his position. If I were, I would put forth my views in a simple and convincing way and not express extreme views. Extreme views can create only bitterness and nothing else."

* SRI T. M. NARAYANASWAMY PILLAI :—"Mr. Chairman, Sir, I am not going to take much of the time of the House. In fact, I would not have risen to intervene in this debate but for certain remarks made by the hon. Gentleman, Mr. T. G. Krishnamurthi, against the Opposition. I have a feeling that we have travelled far beyond the issues raised in the Bill. The issues are simple; but I am afraid we have travelled far beyond and discussed things like composition of the Congress, respectability of the Congress, nationalization of transport and all that. I cannot understand all these references. I am one of those who respect the Congress Party and the Congress members but that is not the issue here. There are two issues here, if I may say so, and one is whether the Government should continue to have a power which they have been exercising under section 64-A of the existing Act. They feel that they ought not to have that power. With that view, however, everybody agrees and the Opposition goes a step further and asks: 'Why don't you follow it up?'. When the Government surrender their power under section 64-A why do they require the same power under section 43-A (2) though valid in some other form? If the Government are unfit or incompetent or do not have the time and patience necessary to discharge satisfactorily their duties and responsibilities under section 64-A of the Act, how do they think they are competent to discharge the same kind of duties thrown on them under section 43-A (2)? After all, the powers are not dissimilar. The Government may perhaps argue that the powers exercised under section 64-A relate to cases between competing individuals. But the powers are similar to those given under section 43-A (2). By this, the Government are trying to exercise powers, not revisionary powers to be exercised after providing an opportunity to the parties concerned to be heard, in an irresponsible way, if I may say so. They do not provide an opportunity for the two sides to be heard but want to dispose of cases arbitrarily. The hon. Member, Mr. Krishnamurthi, said that the Government wanted to surrender their powers. If that is so, retention of powers under section 43-A (2) seems to be inconsistent with the Government's policy."

[Sri T. M. Narayanaswamy Pillai] [18th December 1954]

"Then, Sir, Mr. Krishnamurthi seems to think that the Government are contemplating the creation of a new body to exercise the powers they are surrendering. There are already two bodies, the Regional Transport Authority and the Central Road Traffic Board. A lacuna was pointed out by the hon. Member, Mr. Bhashyam. In this connexion when he pointed out that while the Government were giving up their powers of revision, they had the powers of hearing appeals from the original orders of the Central Road Traffic Board, under rule 148 framed by the Government under the Act. I ask the Government: 'What are you going to do with these appeals? You cannot transfer them back to the same authority whose decision has been the subject-matter of the appeals.' If what Mr. Krishnamurthi says is correct, why should Government think of a machinery for hearing revision petitions when there is the High Court which is dealing with such cases satisfactorily. The Hon. the Minister says: 'Wait, and I shall tell you what the machinery is.' Sir, granting that that machinery would be an improvement on the existing one, is it not correct to have that mentioned in the statement of objects and reasons? Unless an authority as respectable as the High Court is created, the power of revision will fall on the same authority that decided the issue and that is not correct.

"I do not propose to take any more time of the House. The stand taken by the Government is inconsistent with their avowed policy."

4 p.m. * THE HON. SRI B. PARAMESWARAN :—"It is usual on the part of the Deputy Leader of the Opposition, Dr. John, to use adjectives aimed at the Government either at the beginning or at the end. This time he has used the adjectives at the end. 'Stupid' and other such words are not those which a person in the capacity of a Deputy Leader of the Opposition could use especially in this House. This House is here to act as a check over hasty legislation, if any, passed in the lower House. When such is the case, when the Members of this House have got to be restrained in their remarks, I am very sorry Dr. John has indulged in such attacks against the Government. I would request him not to repeat this hereafter. Every time he used to begin his speech with an attack on our legal department and the 'wrong drafting' of this Bill or that. This time, thanks to the forewarning of the Finance Minister, he has avoided that. But he has taken up other matters to attack the Government. He thinks perhaps this is a Budget debate and therefore he was taking the wrong end of the stick and was beating about the bush. What I expected was that being an eminent lawyer he would simply confine himself to the clauses that are in the Bill and that he would speak only on them. Unfortunately he went on speaking about rationalization and other extraneous things. It has become a fashion to criticise the City transport. Dr. John is indulging in that. He went on saying that it was because of Congressmen the Government are giving up these powers. Let me make the position clear. It

18th December 1954] [Sri B. Parameswaran]

is because several Members on the floor of the House have been going on insisting for the last so many years that the Government should give up this power and particularly because some Members in the Opposition have been attributing motives to Government that they were trying to get their purposes served by their lower authorities, Government are now giving up these powers. It is in accordance with the wishes of hon. Members of this House that this power is now being given up. While doing so, Government have to see that they do not all of a sudden give up their responsibilities. There are cases which come up before the Regional Transport Authority. There are cases which come up before the Central Road Traffic Board. There are cases wherein appeal to Government is allowed. Certain cases used to come up to Government in appeal which had been disposed of by the Central Road Traffic Board. Some hon. Members asked: 'While we are giving up power under section 64-A why should we take power under section 43-A?'. We are having the power under section 64-A from 1948. We found that there were certain defects in the decisions of the Regional Transport Authority and the Central Road Traffic Board not so much in individual cases but in cases which would benefit the general public. Suppose we want to see that a new route is opened. When a particular individual applies for licence for a new route, the Regional Transport Authority says it is unnecessary. When the Central Road Traffic Board is approached, it endorses the decision of the Regional Transport Authority. In those cases, when the Government consider that the opening of that route is essential in the interest of the public, unless they have the power they cannot pass orders over and above the decisions of the Central Road Traffic Board. That is why Government are now taking the power, viz., to issue directions to the Central Road Traffic Board and the Regional Transport Authority to open new routes, which are considered to be necessary in the interest of the public. It is not as if in individual cases we would issue directions to the Regional Transport Authority and the Central Road Traffic Board that such and such licence for such and such route should be given. It is only in matters wherein public interest is involved, we step in. Only where the interests of the general public demand that a particular route should be opened, we want to have the power to direct the Central Road Traffic Board or the Regional Transport Authority to give permission for opening that route. We will not interfere in individual cases. Hon. Members would see that only in very rare cases and only when the interest of the public is involved, we would be using that power. Ordinarily we will not enforce it in individual cases. At the same time Government cannot go on allowing monopolists to have their own way. Suppose there is a particular route wherein a particular operator has a monopoly. Suppose he takes more than the actual fare from the passenger. Suppose the Regional Transport Authority does not give the permit to anybody else, and the Central Road Traffic Board also endorses the decision of the Regional Transport Authority. That means the monopoly is given

[Sri B. Parameswaran] [18th December 1954]

to a particular individual. In those cases Government want to have the power to see that that monopoly is not continued to the detriment of public interests. Government want to see that only the actual fares are charged in the interest of the public. In those cases we want to have the power to issue general instructions to the Regional Transport Authority and the Central Road Traffic Board. We have specified those cases wherein Government may have to interfere. The power we are having (under section 43-A) will be exercised only in extraordinary cases wherein Government feel that the interests of the public demand it.

"I am very sorry that Dr. John has accused many bus operators also. I know many operators who belong to the Congress as well as other parties. I know that Dr. John has got good clients among the operators (laughter). It will not be in the interest of Dr. John himself to attribute motives to his own clients (laughter). I put it mildly. At least, the operators come to him for advice.

"The Supreme Court judgment has been quoted. It is being examined by the Legal Department and by the Government of India. In the last Central Transport Advisory Council meeting, they appointed a small committee to go into the question to find out how we should adjust our regional transport authorities in conformity with the decision of the Supreme Court. Our Transport Commissioner is also a member of that Committee. Therefore the matter is being looked into."

DR. V. K. JOHN :—"What about the suggestion of Mr. Bhashyam, never mind my suggestions?"

SRI K. BHASHYAM :—"I do not want to be associated with the bitter and worst remarks made by Dr. John."

DR. V. K. JOHN :—"They are compliments to you."

SRI K. BHASHYAM :—"I do not consider them as compliments."

MR. CHAIRMAN :—"When Sri Bhashyam protests, the hon. Member should not do that."

* THE HON. SRI B. PARAMESWARAN :—"Dr. John has said that this State is the highly taxed State in the matter of road transport. I may tell him that it is only in our State that the lowest fare is charged."

DR. V. K. JOHN :—"Can the Hon. Minister give comparative figures with regard to all the States?"

* THE HON. SRI B. PARAMESWARAN :—"If an interpellation is put, I shall certainly give the answer next time."

18th December 1954] [Sri B. Parameswaran]

"The Central Road Traffic Board and the Regional Transport Authority are powerful bodies. We attach importance to their decisions. What happens in most cases is, when a particular individual goes to the Regional Transport Authority for a permit and when it is refused, even before the refusal he appeals to the Central Road Traffic Board. Without waiting for the decision of the Central Road Traffic Board, he appeals to the Government. Without waiting for the decision of the Government, he puts in a (writ) application to the High Court. In one or two cases it has gone to the High Court also. Therefore, there will not be any end to this appealing business. Suppose an operator purchases one or two buses and spends nearly a lakh of rupees; suppose he is not able to get the permit from the Regional Transport Authority and the Central Road Traffic Board rejects his appeal. What is to happen in such a case? The man is stranded in the streets and he is not able to run his buses. If a revision petition is made to the Government, the Government may revise the orders of the Regional Transport Authority or the Central Road Traffic Board. That is why we want to see that operators are not unnecessarily put to a lot of trouble by these appeals. We want to see that the Central Road Traffic Board is made more weighty and impressive so that when the Government transfer their powers it would be in a position to exercise them. (Interruption.) The Central Road Traffic Board will look into those cases and there is provision for appeal to the High Court always. Before the Constitution came into force, it was confined to the City of Madras."

4-10
p.m.

SRI K. BALASUBRAMANYA AYYAR :—"What about the pending appeals from the Central Road Traffic Board to the Government?"

* THE HON. SRI B. PARAMESWARAN :—"The Government would see that they dispose of these pending papers. There may be one or two cases, but before we transfer them to the Central Road Traffic Board we will see that necessary changes are effected in the set-up of that Board so that the same person who disposed of the matter first did not deal with it once again."

"There is also another matter which has been referred to by the hon. Member Dr. V. K. John and some other members. The High Court also feels embarrassed to hear appeals from the decisions of the Government. If there are procedural defects, of course, the High Court goes into them and gives directions. The High Court remits certain cases to the Central Road Traffic Board and to the Government also, but it does not go into the merits of the case. Already the High Court feels that it is overburdened with this work and has suggested that rules might be framed. When rules are framed, these bodies will exercise their powers within the ambit of those rules. I do not think that there will be any cause for fear or any room for suspicion regarding the decisions of these bodies particularly after the Central Road Traffic Board is

[Sri B. Parameswaran] [18th December 1954]

re-constituted and the rules are framed. I do not think there will be sufficient grounds for anybody to be aggrieved and if anybody is aggrieved he can move the High Court."

* DR. V. K. JOHN :—"May I suggest to the Hon. Minister that even though the High Court wanted to frame the rules about two years ago, the Government have not yet framed them?"

* THE HON. SRI B. PARAMESWARAN :—"Sir, it is not so easy to frame the rules as Dr. V. K. John thinks. When we frame a set of rules, we have to revise them in conformity with the decisions given now and then by the High Court. The Government have almost finished this work of framing rules and they will come into force very soon. They may coincide with the coming into operation of this Act.

"It was pointed out that in Uttar Pradesh and Bihar these powers were given up some years ago and that they also felt that these powers must be surrendered. We have also to frame certain rules according to the decision arrived at by the Central Advisory Board at Delhi, and all these matters will be looked into. That is why we want some more time and after all these things are gone into, the date will be notified. I do not want to add anything further. I have sufficiently explained the Government's stand.

"The hon. Member Sri T. Purushotham referred to the question of associating non-officials in the Regional Transport Authority and the Central Road Traffic Board. I think that was done in deference to the wishes of the hon. Members. Though the Regional Transport Authority has removed the non-official element, the Central Road Traffic Board will certainly retain it. The suggestions made by the hon. Members will be borne in mind when we reconstitute these bodies. I request the hon. Member Sri K. Bhashyam to withdraw his objections."

MR. CHAIRMAN :—"The question is—

'That the Motor Vehicles (Madras Amendment) Bill, 1954 (L.A. Bill No. 45 of 1954), as passed by the Assembly, be taken into consideration.'

The motion was carried.

MR. CHAIRMAN :—"Now, we shall take up the 'clause by clause' consideration of the Bill."

Clause 2 was put and carried.

Clause 3.

MR. CHAIRMAN :—"Motion moved :—

'That Clause 3 do stand part of the Bill'.

Hon. Members Sri K. Bhashyam and Sri K. Balasubramanya Ayyar have given notice of amendments to this Clause. The hon. Member Sri K. Bhashyam will move his amendment first."

18th December 1954]

* SRI K. BHASHYAM :—"Mr. Chairman, Sir, so far as I can see, it is unfortunate that while the Government give up their power to get rid of these revision petitions, they should still take that power in some other form in respect of certain other matters."

MR. CHAIRMAN :—"The hon. Member will move his amendment first and then speak on it."

SRI K. BHASHYAM :—"Sir, I move the amendment standing in my name, namely,—

'In the proposed sub-section (2), for the words "The authority prescribed under sub-section (1) for the purpose of hearing the appeals", substitute the words "The District Court or any other authority as may be prescribed by the Government in this behalf".'

* SRI K. BALASUBRAMANYA AYYAR :—"Sir, I second the amendment."

MR. CHAIRMAN :—"Amendment moved—

'In the proposed sub-section (2), for the words "The authority prescribed under sub-section (1) for the purpose of hearing the appeals", substitute the words "The District Court or any other authority as may be prescribed by the Government in this behalf".'

* SRI K. BHASHYAM :—"Sir, I am moving this amendment not with a view to embarrass the Government at all but with a view to help them so that they may fulfil the object they have in view."

DR. V. K. JOHN :—"Why should the hon. Member apologize?"

* SRI K. BHASHYAM :—"I apologize to my friends. I don't apologize to my enemies." (Laughter.)

MR. CHAIRMAN :—"I do not like the hon. Members to continue this controversy."

* SRI K. BHASHYAM :—"Sir, it is for the purpose of making a useful suggestion that I have brought in this amendment so that the object the Government have got in view may be easily fulfilled. The first question is whether there should be a right of revision at all anywhere. If the right of revision is to be there, the next question is who is to exercise the power of revision. Till now the Government were exercising powers of revision over certain orders passed by Transport Authorities in the State. The Government in a mood of self-denial are giving up these powers, but they however consider that provision is necessary for the exercise of revisional jurisdiction in respect of matters for which no appeal is now provided under section 64 of the Act by the authority which hears appeals from the decisions of the Transport

[Sri K. Bhashyam] [18th December 1954]

Authorities. This is an inconvenient position for them to take. Thereby, they lay themselves open to the criticism of the Opposition, which may be wrong or uncharitable, but still they give room for this criticism which is not desirable. That is how I really put the case. It is not a question of the Government extending their patronage to their own partymen. If I were to make a calculation as to the persons who have secured permits, I am sure the non-Congressmen will form an overwhelming majority. Therefore I can assure my hon. Friends that it is not a question of favouring partymen. It is a deserving case . . ."

SRI T. M. NARAYANASWAMY PILLAI :—" How does this matter arise on this amendment? "

DR. V. K. JOHN :—" Almost all the motor operators have become Congressmen."

* SRI K. BHASHYAM :—" Sir, these are things which are facts only to the peculiar knowledge of the Deputy Leader of the Opposition and I am not really able to verify them. Let him satisfy himself if such claims will make him happy but others are not interested in these.

" What I ask the Government is, why should they have the power of revision at all? We have got the Regional Transport Authority and the Central Road Traffic Board, two well-defined and organized bodies. And at present, the question of revision is practically done by the High Court under Article 226 of the Constitution. It is the High Court that thrashes out the whole point whether it is proper or legal or just for the Government to do a certain thing. As such, why should there be an interposing body now to revise these decisions? I think it will all lead to litigation and delay. Sir, in this connection, with your permission, I would digress a little and refer to a remark made by the hon. Member, Mr. Krishnamurthi. Mr. Krishnamurthi said that lawyers made most money out of transport and were responsible for litigation and for delay. He also said that courts differed from one another very much. I want to reply to his charges because I am a lawyer appearing in courts. Though Mr. Krishnamurthi is my own partymen, I want to disabuse his mind of the misconception he has about lawyers and courts."

DR. V. K. JOHN :—" But you will not be successful in convincing him."

* SRI K. BHASHYAM :—" What I want to say here in the present case is lawyers of course make money out of these cases but does not everybody make money out of these? Now when the Moratorium Act is coming to the fag end of its life and when there are no other things, lawyers of course do try to make some money out of these cases. Again, why is it so? The motor owners are persons who are businessmen and make lot of money and pay a part thereof to lawyers."

18th December 1954]

DR. V. K. JOHN :—" No lawyers make money through motor owners."

* SRI K. BHASHYAM :—" The point is this. I am very sorry, Sir, that I am often interrupted. I am not used to such interruption, even in court. My point is that lawyers do make money out of this trade. But how? They get money from rich men. It is not as if the poor man pays it. If the motor owners are very rich, have invested lot of capital and hope to make lot of money in future, what is wrong in their paying something to the lawyer and engaging him?

" Why should this man feel jealous about all this? (Laughter.) If a neighbour of his sells his property at a low price, will he not go in for that property? (Sri T. G. Krishnamoorthi: I am not blaming lawyers.) He says he is not blaming the lawyers. I accept his apology. (Laughter.) If he has anything against the lawyers, let him do propaganda against them and let me see how far he succeeds. If anything goes wrong with him, he will at once run up to the lawyer. So, let him carry on propaganda against courts, that they differ from another and make for delay.

" Sir, my own experience is this. There are three bodies, the Road Traffic Authority, the Central Road Traffic Board and the Industrial Tribunal. If you look into the working of these bodies, you will find that one authority differs from another and so on."

* SRI T. G. KRISHNAMOORTHY :—" On a point of order, Sir, is it necessary for the hon. Member to refer to all this for the purpose of his amendment? "

* SRI K. BHASHYAM :—" It is, Sir, for you to decide. But my argument is that these are relevant because my amendment carries in it a provision which deals with the courts and I am entitled to defend the courts against the aspersions cast on their functioning. My amendment envisages the appointment, apart from judicial officers, of any other authority for looking into revision petitions. If someone speaks disparagingly about courts, it is my duty to defend them from such attacks. I want to put the courts higher than what the hon. Member thinks they are. Therefore, the references made by him to courts is absurd, undignified and unnecessary. At some stage or another, he has to go to a lawyer. Courts are being trusted by all the people. The Government have their industrial tribunals which are manned by retired judicial officers. Why should that be the case? Legally trained men are appointed to the tribunals because of their judicial experience. They have had the necessary judicial and other training necessary for such posts. They see both sides of a question and come to a decision. They cannot be influenced by one side to the detriment of the other side. The training that they have received, their patience, their industry, etc., make them eminently

[Sri K. Bhashyam] [18th December 1954]

qualified for the posts. So, it is really nonsense to say that courts and lawyers make only for delay. With these remarks, let me now read my amendment:—

‘In the proposed sub-section (2), for the words “The authority prescribed under sub-section (1) for the purpose of hearing the appeals” substitute the words “The District Court or any other authority as may be prescribed by the Government in this behalf.”’

I have said the Government can appoint any other authority than the District Court, if they have any compunction about having the District Court. Sir, when I say all this, I am not bound down by courts. I know the susceptibilities of my friends here

* SRI T. G. KRISHNAMOORTHY:—“Sir, my friend, Mr. Bhashyam is entirely mistaken. I did not mean to offend any District Judge or courts at all. I was only attempting to prove that the Government are more sensitive to public opinion than the court and as such the Members of this House can depend on the Government doing the right thing after hearing public opinion and having the interests of the public in view. I did not at all mean any disrespect to courts and lawyers. I know lawyers are necessary evils in this land.”

* SRI K. BHASHYAM:—“I am glad the hon. Member is slightly coming round. I am glad I have one convert to my view from the Government side. So far as my amendment goes, the power of revision has to be retained and it must go before either a District Judge or some other authority appointed by the Government. It may be some expert body.”

* DR. V. K. JOHN:—“I support the amendment so ably moved by the hon. Member, Mr. K. Bhashyam. I support it as a member of the Opposition and in doing so, it is not my hope that either Mr. Bhashyam or anybody else, including myself, will be able to convince the hon. Member, Mr. Allapichai or Mr. T. G. Krishnamoorthi. It is not my desire also to do it. At the same time, let me point out that this is a very serious thing that the Government are attempting to do. Why should they exclude the jurisdiction of the court in matters of dispute between two parties involving large sums of money and the rights of individual persons? Is it wrong to bring such matters before impartial tribunals like courts of justice? Why should they evade it? Why should they distrust the courts? I say the only way to show the *bona fides* of the Government that they will not interfere in this matter either directly or indirectly—I emphasize the word ‘indirectly’ because it is easy to interfere with subordinate bodies other than courts—is to leave this matter to the decision of impartial tribunals like Courts of Law. I support this amendment, Sir.”

* THE HON. SRI B. PARAMESWARAN:—“Sir, the hon. Member Sri Bhashyam and the hon. the Deputy Leader of the

18th December 1954] [Sri B. Parameswaran]

Opposition disbelieve the Boards. There is no need for disbelieving these Boards. These Boards will certainly do their duty properly. There must be some end to these appeals. Otherwise, these operators will be ruined in taking the matter in appeal to higher bodies. Only in order to help the operators we are creating confidence in these Boards by making them more impressive. If a High Court Judge retires and occupies the post of Chairman of the Central Road Traffic Board, then will not the hon. Member Dr. John believe that body? Therefore, no doubt need be entertained about these bodies. The Government do not propose to exercise their revisionary power except in the cases mentioned by me. Therefore, I request the hon. Member Sri Bhashyam to withdraw his amendment.”

* SRI K. BHASHYAM:—“Sir, I feel that the Hon. Minister has been arguing against himself. If, as a matter of fact, he is going to leave the whole thing in the hands of High Court Judges, then I need not have moved my amendment.”

THE HON. SRI B. PARAMESWARAN:—“I put it that way only for the sake of argument.”

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

‘In the proposed sub-section (2), for the words “The authority prescribed under sub-section (1) for the purpose of hearing the appeals” substitute the words “The District Court or any other authority as may be prescribed by the Government in this behalf.”’

The amendment was declared lost.

Dr. V. K. John demanded a poll.

Mr. Chairman asked the Members who were for and against the amendment to stand in their places and declared the result. Ayes : 9, Noes : 12; Neutrals : Nil.

The amendment was lost.

* SRI K. BALASUBRAMANYA AYYAR:—“Sir, I move the following amendments:—

‘In proposed sub-section (2), in lines 4 and 5, after the words “the State Transport Authority” and before the words “as the case may be” insert the following words:—

“or officer subordinate to it.”’

‘In proposed sub-section (2), in line 7, after the words “Transport Authority” and before the words “against which no appeal is provided”, insert the following words:—

“or officer subordinate to it”’ and

[Sri K. Balasubramanya Ayyar] [18th December 1954]

'In proposed sub-section (2), in lines 6 and 7, after the words 'order made' and before the words 'by such transport authority' insert the following words:—

"or proceedings taken under this chapter".'

"Sir, in the original section 64-A reference is made to the Transport Authority or any officer subordinate to it. That has been omitted here. Consequently, if any order is passed by any subordinate officer, then that matter cannot be taken up by the Government. There is that lacuna.

"The other thing refers only to orders passed and not to proceedings taken. Ordinarily, if proceedings taken were illegal, then they can be revised by the authority prescribed. Therefore, the power of the authority prescribed for the purpose of hearing appeals is reduced whereas the power of revision under the existing section is wider. When the Government are transferring the power to the prescribed authority, let the whole power be transferred to it. That is the reason why I move my amendment."

SRI T. M. NARAYANASWAMY PILLAI:—"I second the amendments, Sir."

MR. CHAIRMAN:—"Amendments moved—

'In proposed sub-section (2), in lines 4 and 5, after the words "the State Transport Authority" and before the words "as the case may be" insert the following words:—

"or officer subordinate to it".'

'In proposed sub-section (2), in line 7, after the words "Transport Authority" and before the words "against which no appeal is provided", insert the following words:—

"or officer subordinate to it" and

'In proposed sub-section (2), in lines 6 and 7, after the words 'order made' and before the words 'by such transport authority' insert the following words:—

"or proceedings taken under this chapter".'

* SRI K. BHASHYAM:—"Sir, if we say that the whole power of revision must go, why should there be any quarrel if any kind of power of revision is given only in a few cases? I do not think these amendments are necessary."

* THE HON. SRI B. PARAMESWARAN:—"I do not accept the amendments, Sir."

The amendments were, by leave, withdrawn.

Clause 3 was put and carried.

Clauses 4 and 5 were put and carried.

Clause 1 and the Preamble were put and carried.

18th December 1954]

* THE HON. SRI B. PARAMESWARAN:—"Mr. Chairman, I move—

'That the Motor Vehicles (Madras Amendment) Bill, 1954 (L.A. Bill No. 45 of 1954), as passed by the Assembly, be passed.'"

MR. CHAIRMAN:—"Motion moved—

'That the Motor Vehicles (Madras Amendment) Bill, 1954 (L.A. Bill No. 45 of 1954), as passed by the Assembly, be passed.'"

* DR. V. K. JOHN:—"Mr. Chairman, I earnestly appeal to the Government to carefully go through the Motor Vehicles Act and the rules made thereunder and also everything else connected with motor transport in this State and bring forward a comprehensive Bill which will be in accordance with the decision of the Supreme Court and also in accordance with the right guaranteed by the Constitution to individuals to run transport services and thus help the poor people in having a cheap travel."

* SRI K. BHASHYAM:—"Mr. Chairman, I propose to speak only about clause 5. Even when I spoke on this clause previously, I explained in great detail the incongruity of making the very person against whose order the appeal is made, to hear the appeal. But I was assured by the Hon. Minister in charge of this subject that pending revision petitions would be disposed of by the Government quickly and that they would not be sent back to the lower authority. In spite of the best will on the part of the Hon. Minister and the Government as a whole, there will still be some cases left over. I therefore take this opportunity to appeal to the Hon. Minister to see that all cases are disposed of. After the disposal of all these cases only, the notification giving effect to this piece of legislation must be issued. If at the time of the issue of the notification, there were a few cases, I am afraid there will be some trouble. In view of the assurance given by the Hon. Minister I consented to the retention of clause 5. As I said, as there is only little time at their disposal, there might be some cases left over. The High Court is very critical about these matters. The High Court says that in all these matters the recognised judicial procedure should be followed. Even if there is a slight error, they blame the authorities. I do not want our Government to look very small before the High Court, which is very zealous about its reputation. Even though the Government may take some time, it does not matter. It is very necessary that they should see no mistake is committed in these matters and before the notification giving effect to the Act is issued all the pending cases must be disposed of in accordance with the law. This is the appeal that I wish to make to the Hon. Minister whom I wish to congratulate on the manner in which he has piloted the Bill."

[18th December 1954]

* THE HON. SRI B. PARAMESWARAN :—“ Mr. Chairman, as far as my knowledge goes, in the recent past I do not think that the High Court has revised any order of the Government. However, I may assure the hon. Members that I will bear in mind all the suggestions made by them. Let us give a fair trial to this amending Bill. If in its actual working we find that there is need for making any change, we will certainly come before the House with a further amending Bill. I am thankful to the hon. Members who took part in the discussion. I am only sorry that the division need not have been resorted to. At any rate, I am happy that very good suggestions have been made by the hon. Members to whom I am very thankful.”

MR. CHAIRMAN :—“ The question is—
‘ That the Motor Vehicles (Madras Amendment) Bill, 1954 (L.A. Bill No. 45 of 1954), as passed by the Assembly, be passed.’ ”

The motion was carried and the Bill was passed.

VIII.—GOVERNMENT RESOLUTION.

* THE HON. SRI M. BHAKTAVATSALAM :—“ Mr. Chairman, I move—

‘ This House ratifies the amendment of the Seventh Schedule to the Constitution of India, proposed to be made by the Constitution (Third Amendment) Bill, 1954, as passed by the two Houses of Parliament.’

“ Hon. Members are aware that during the last War certain essential commodities such as food articles were in short supply and their prices also shot up. The Government of India thereupon issued certain control orders under the Defence of India Rules to regulate the supply and prices of these essential articles. As the Defence of India Rules ceased to be operative after 30th September 1946 and as it was necessary to continue the control orders, the Government of India enacted a self-contained Act called the Essential Supplies (Temporary Powers) Act, 1946, for the exercise of powers in relation to the production, supply and distribution of some of the essential articles. The Act, as it stands to-day, is applicable to the following articles :—

Foodstuffs,
Cattle fodder,
Cotton and Woollen textiles,
Raw cotton,
Cotton seed,
Paper,
Petroleum and petroleum products,
Spare parts of mechanically propelled vehicles,
Coal,
Iron and Steel, and
Mica.

18th December 1954] [Sri M. Bhaktavatsalam]

There is no doubt that the position in regard to the supply and prices of the essential articles which I have just now mentioned has improved to some extent. But still, the Government of India consider that they should be clothed with adequate powers to control the supply and distribution of foodstuffs, cattle-fodder, cotton, jute and their products, fertiliser-mixtures and imported goods so that any possible emergency might be squarely met. Therefore the Government of India propose to amplify entry 33 of List III—Concurrent List—of the Seventh Schedule to the Constitution so as to include the essential commodities referred to by me previously. Sir, the views of this Government were sought for and this Government agreed that this Schedule could be amplified so as to include these subjects under the Concurrent List. The Government of India seek these powers only to make it possible for them to meet an emergency. Only in cases of emergency these powers will be used by them. Of course, I know hon. Members will be too zealous to part with the exclusive powers of the State Governments. But still, it cannot be denied that we had to look to the Government of India in times of emergency. For instance, when there was acute food shortage, we did seek the help of the Government of India and the Government of India did help the States by importing foodstuffs even from abroad and thus enabled us to meet a serious food crisis. Therefore, I hope there would be no objection on the part of this House to accepting this motion.”

SRI MOHAMED RAZA KHAN :—“ Sir, as it is a very important matter, we can have discussion on this matter day-after-tomorrow.”

* THE HON. SRI M. BHAKTAVATSALAM :—“ Sir, we can carry on with the discussion for some time. If it is not possible to finish the discussion, we can adjourn.”

DR. V. K. JOHN :—“ This is a very important matter, Sir.”

* THE HON. SRI M. BHAKTAVATSALAM :—“ Hon. Members must also remember the fact that we have only three days. We have already a very heavy agenda. We can carry on discussion for some time.”

MR. CHAIRMAN :—Motion moved—

‘ This House ratifies the amendment of the Seventh Schedule to the Constitution of India, proposed to be made by the Constitution (Third Amendment) Bill, 1954, as passed by the two Houses of Parliament.’ ”

* SRI K. BHASHYAM :—“ Sir, this is a very important question. It is not a question of merely passing a resolution ratifying the amendment to the Constitution carried by the Parliament. There are certain principles involved. We have to see whether the powers of the local Government can be taken away by the Central Government in the manner in which it has been sought to be done to-day. This is a constitutional question which we

[Sri K. Bhashyam] [18th December 1954]

would like to argue so that it may be useful at least on future occasions. We have to be very careful as we may have to criticise the Central Government and the Parliament. So we would like to study the subject carefully and make some preparation."

MR. CHAIRMAN :—" No doubt, it is an important subject. Those who wish to speak on the Resolution may do so. Let us carry on the discussion for some time, say till 5-15 p.m. If we cannot finish the discussion by then, we may postpone it to some other date."

4-50 p.m. SRI MOHAMED RAZA KHAN :—" May I submit to you, Sir, that many of us never anticipated that this item would be taken up at the fag end of the day? The importance of this subject can be very well judged from the fact that the office thought it fit to supply us with copies of the proceedings of Lok Sabha and Rajya Sabha on this matter. We find from these two proceedings that even there there was a good deal of opposition to this amendment. Therefore I would submit to the Hon. Chairman and the Hon. the Leader of the House that this subject should be taken up on Tuesday instead of being discussed to-day for only 15 minutes."

* THE HON. SRI M. BHAKTAVATSALAM :—" What is wrong in some hon. Members speaking on this resolution for about 10 or 15 minutes? "

SRI A. GAJAPATHY NAYAGAR :—" Sir, this is a very important matter and every hon. Member has a right to speak on it. Therefore sufficient time should be given to hon. Members who want to speak on the resolution."

* SRI K. BHASHYAM :—" Sir, if the discussion is postponed to Tuesday, then we can come well prepared and make constructive suggestions. If it is to be taken at once we will say what we have got to say in a somewhat desultory manner. That is all."

* THE HON. SRI M. BHAKTAVATSALAM :—" Mr. Chairman, Sir, it is apparent that no hon. Member is prepared for a discussion of the resolution to-day. That being so we must oblige the hon. Members. Therefore I do not object to the adjournment of the House to Tuesday."

MR. CHAIRMAN :—" The House will adjourn till 11 a.m. on Tuesday, the 21st December 1954."

The House then adjourned.

18th December 1954]

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

1. Notification under the Madras Motor Vehicles Taxation Act, 1931 (Madras Act III of 1931) relating to the exemption of six mobile vans used by Madras State Handloom Weavers Co-operative Society.

2. Bills passed by the Assembly and received therefrom in the Council :—

* (a) The Madras Preservation of Private Forests (Third Amendment) Bill, 1954 (L.A. Bill No. 42 of 1954).

† (b) The Madras General Sales Tax (Third Amendment) Bill, 1954 (L.A. Bill No. 43 of 1954.)

† (c) The Mappilla Marumakkattayam (Amendment) Bill, 1954 (L.A. Bill No. 44 of 1954).

† (d) The Motor Vehicles (Madras Amendment) Bill, 1954 (L.A. Bill No. 45 of 1954).

† (e) The Madras Estates (Abolition and Conversion into Ryotwari) Amendment Bill, 1954 (L.A. Bill No. 46 of 1954).

† (f) The Indian Bar Councils (Madras Amendment) Bill, 1954 (L.A. Bill No. 47 of 1954).

* Sent by post on 18th December 1954.

† Sent by post on 14th December 1954.

[18th December 1954]

APPENDIX I.

[Vide answer to starred question No. 64 asked by Sri G. Krishnamoorthi at the meeting of the Legislative Council held on 18th December 1954, page 252 supra.]

Clauses (a) and (b).—Under the existing orders there is provision for the levy of a special fee for excursion and scouting in all Secondary Schools in the State at certain rates prescribed by the Government. The special fees collected in a year should be fully utilized for the purposes for which they are intended in the year in which the collections are made. In Secondary Schools under private management the following items of expenditure under scouting can be incurred from the special fee collections for excursion and scouting:—Registration fees for the School Scout and Guide Troops, supply of badges to the Scouts and Guides, cost of books and journals of Scouting, cost of Scout materials like whistles, flags, knives, ropes, etc., expenses in connexion with the Scout Rallies and such other reasonable items of expenditure. In regard to Secondary Schools under local bodies, a scouting and excursion committee is constituted in each Secondary School and the Committee is responsible for the proper utilization of the fund. Only such of the articles as are useful should be purchased from the fund. In Government Secondary Schools also the head of the institution constitutes a Committee which administers the fund.

18th December 1954]

APPENDIX II.

[Vide answer to unstarred question No. 8 asked by Sri T. Purushotham, at the meeting of the Legislative Council held on 18th December 1954, page 259 supra.]

SECTION I.
Statement showing the name and designation of the Andhra Gazetted Officers retained in the Madras State and the reasons for their retention.
Name and designation of the Andhra Gazetted Officers retained in Madras State.
Reasons for retention.
Other remarks, if any.

(1)	(2)	(3)	(4)
(1) Public Department— Madras Public Service Commission.	Dr. Md. Huz, Member, Public Service Commission.	Under Article 316 (2) of the Constitution, he is entitled to hold the office of Member for the full term for which he has been appointed in the State of Madras. Under Article 319 (3), he can hold office in the Andhra Public Service Commission only as its Chairman, but the Andhra Government were not willing to take him as Chairman of their Commission. He has therefore been retained as Member of the Commission in this State for the rest of his term of office which will expire on the 3rd January 1959.	....
(2) Public Works Department— Nationalization Branch of the Transport Department.	Sri G. Chengal Rao, Assistant Transport Commissioner.	Services indispensable for the time being ..	....
(3) Home Department— (a) Judicial Department, Court of Small Causes.	Sri M. Sriramamurti, Third Judge ..	He has been appointed as part-time Competent Officer for both Madras and Andhra States with headquarters at Madras and has therefore been retained here temporarily till the work connected with the evacuee property in the two States is completed.	....

Name of the Department.

(1)

(b) Judicial Office of the Official Assignee, High Court, Madras.

(c) Office of the Editor, Indian Law Reporter, Madras Series, Judicial Department.

(4) Industries, Labour and Co-operation Department—Industries Department ..

Name and designation of the Andhra Gazetted Officers retained in Madras State.

(2)

Sri P. Sivaramakrishnaiah, Official Assignee.

1 Sri V.V. Chowdary, Editor, Indian Law Reporter, Madras Series.

2 Sri K. R. Vepa, Law Reporter

1 Sri P. S. Chowdary, Principal, Institute of Leather Technology.
2 Sri P. P. Reddy, Chief Chemist, Chemical Testing and Analytical Laboratory, Madras.
3 Sri C. V. Subbarathnam, Senior Chemist, Chemical Testing and Analytical Laboratory, now on other duty as Senior Chemist, Lignite Investigation and Member of the Committee of Exports, Lignite Investigation.
4 Sri A. V. Kuppaswamy, Head of Food Technology, Kerala Polytechnic, Kozhikode.
5 Sri B. V. Reddy, Footwear Assistant, Institute of Leather Technology, Madras.

(5) Health, Education and Local Administration Department—
(c) Medical Department.

1 Dr. D. V. Subba Reddy, Professor of Physiology, Madras Medical College, Madras.
2 Dr. C. Vembataramiah, Professor of Physiology, Stanley Medical College, Madras.

Reasons for retention.

(3)

There is no corresponding post in the Andhra State.

There is no corresponding post in the Andhra State.

There is no corresponding post in the Andhra State.

There are no corresponding posts for them in the Andhra State.

All the Professors of Physiology in the Medical Colleges of the composite State were Andhras. As non-Andhra officers with requisite qualifications in this speciality are not available these officers have been retained in the Residuary State.

No. 1 has since been re-employed after retirement, for one year.

[18th December 1954]

3 Dr. Y. S. Narayana Rao, Director, King Institute, Guindy.

There is no similar appointment in the Andhra State to provide for him. Further he was due to attain the age of superannuation on 18th February 1954. A suitable officer was also not immediately available to replace him.

He has since been re-employed after retirement, for one year.

4 Dr. C. K. Prasada Rao, Dean, Medical College, and Government General Hospital, Madras.

He is a retired re-employed officer. His present term of re-employment expired on 10 March 1954 and since continued for another year.

5 Dr. C. Satyanarayana, Professor of E.N.T. Diseases, Stanley Medical College, Madras.

As qualified officers in this speciality are available in the Andhra State he has been retained in the Residuary Madras State in the interests of this State.

6 Dr. S. T. Achar, Professor of Pediatrics, Medical College, Madras.

There is no similar post in the Andhra State. Further he is in charge of the Pediatrics department in the Government General Hospital which is in the process of development. Hence he has been retained in this State.

7 Dr. C. Sriramachandra Rao, Assistant Director, King Institute, Guindy (Blood Transfusion).

There is no similar post in the Andhra State to provide for him. He has been allotted to Andhra State but allowed to continue in his post in the Residuary State for the time being till the Andhra Government are in a position to absorb him.

[18th December 1954]

Names of the Department.

- (1)
(5) Health Education and Local Administration Department—cont.
(6) Medical Department—cont.

Names and designation of the Andhra Gazetted Officers retained in Madras State.

(2)

- 8 Dr. K. Dattatreya, Government Dfings Special Section, King Institute, Guindy.
- 9 Major K. N. Rao, Superintendent, Government Tuberculosis Sanatorium, Tambaram.
- 10 Dr. P. Venkata Rao, Chemical Examiner to Government, Madras.
- 11 Sri A. S. Venkateswar Rao, Additional Junior Assistant, Chemical Examiner's Department, Madras.
- 12 Sri K. Suryanarayana Murthi, Assistant to the Professor of Pharmaceutical Chemistry, Medical College, Madras.
- 13 Sri M. Krishnamurthi, Senior Assistant Government Analyst, King Institute, Guindy.
- 14 Sri P. Seshgiri Rao, Bio-Chemist, Antitoxin Department, King Institute, Guindy.
- 15 Dr. M. G. Rao, Professor of Dental Surgery, Madras Medical College, Madras.

Allocated to the Andhra State but retained here temporarily until the Government of Andhra are in a position to absorb them in suitable posts.

(6) Law College, Madras

- 1 Sri G. C. Venkatasubba Rao, Professor ..
- 2 Sri V. Balasubrahmanian, Lecturer ..
- 3 Sri T. Ananthababu, Part-Time Lecturer.

There are no counterparts in the Andhra State. Therefore they could not be allocated.

(c) College and Hospital of Indigenous Medicine, Madras.

- 1 Dr. M. Visweswara Sastri, Vice Principal.
- 2 Dr. M. Malikarjuna Rao, Lecturer, Grade I, Ayurveda.
- 3 Dr. I. V. Sarma, Lecturer, Grade I, Ayurveda.
- 4 Dr. J. Appa Rao, Lecturer, Grade I, Modern Medicine.
- 5 Srimathi T. C. Charles, Nursing Superintendent.

The Andhra personnel in this Institute has not been allocated between the two States as the Institution is to continue to cater to the needs of both States for some time to come.

(d) Education Department

- 1 Dr. P. Bhaktavatsala Patnaik, Chief Professor of Mathematics, Presidency College, Madras (now on foreign service).
- 2 Dr. S. Gopalakrishnamurthi, Chief Professor of Physics, Presidency College, Madras.
- 3 Sri T. N. Venkatasubbaiah, Lecturer in Botany, Government Victoria College, Palghat.
- 4 Sri P. John Sundara Rao, Professor of Zoology, Presidency College, Madras.
- 5 Sri Ganti Subramanian, Instructor in Telecommunication Engineering, College of Engineering, Guindy.
- 6 Sri K. V. V. Subbaraju, Lecturer in Commerce, Rajah's College, Pudukkottai.
- 7 Sri D. Ramachari, Lecturer in Commerce, Government Arts College, Mangalore.
- 8 Sri B. Lakshminarayana Rao, Professor of Telugu, Presidency College, Madras.
- 9 Srimathi I. Rajyalakshmi, Lecturer in Telugu, Queen Mary's College, Madras.

Allocated to the Andhra State but allowed to continue in the Residuary State till the Andhra State is in a position to employ them.

Retained for teaching Telugu.

- 10 Sri S. M. Fazlullah, Lecturer in Urdu, Government Arts College, Madras ..

Claimed to be an Andhra after 1st October 1953. The question of his allotment to Andhra State is under correspondence.

(e) Agriculture Department—

(f) Cinchona Department

Sri A. Y. Swamy, Director, Cinchona Department. No corresponding post in the Andhra State.

(6) Animal Husbandry Department.

- 1 Sri V. B. Radhakrishnan, Superintendent, District Livestock Farm, Pudukkottai.

Originally he was treated as a non-Andhra. Subsequently he has represented to Government that he is an Andhra on account of family connections. The matter is under consideration.

Other remarks, if any.

(4)

[18th December 1954]

18th December 1954]

APPENDIX

222

(1)

(2)

(3)

(4)

SECTION II.

Statement showing the name and designation of the Andhra Non-Gazetted Officers retained in the Madras State and the reasons for their retention.

(1) Public Department—

(a) Chief Secretariat .. Sri B. V. Krishniah, Permanent Superintendent, on other duty as Personal Assistant to Chief Minister. Administrative convenience and personal request of the Officer. By mutual agreement between this Government and the Special Officer for Andhra Affairs.

(b) Madras Record Office.

1 Sri R. Viswanatha Rao, Upper Division Clerk.

2 Sri K. Lakshminiah, Attender ..

3 Sri R. Siganani, Attender ..

4 Sri P. G. Ramachandran, Attender ..

5 Sri K. V. Ramachandran, Attender ..

6 Sri K. K. Obadeyya, Attender ..

7 Sri P. Narasimulu, Attender ..

8 Sri M. R. Kannappan, Attender ..

The staff of the Madras Record Office has not been allocated between the Andhra and the Madras States as there is no separate Record Office for the Andhra State.

....

(c) Translators Department.

Sri T. Abdul Gaffar, Assistant Persian and Hindustani Translator.

There is no corresponding post in the Translators Department of the Andhra State.

....

(2) Public Works Department—

1 Sri S. Khader Badsha, Storekeeper, I Grade, Permanent Public Works Workshops, Madras.

No corresponding post in Vijayavada or Dowlaishwaram Workshops in Andhra State.

2 Sri P. Malakandiah ..

Transferred at the close of the Kavali Sub-division.

His allotment to Andhra State is under consideration.

3 Y. Moosa, Temporary Peon, Emergency Special Irrigation Division.

No compulsory allotment in the case of low paid staff.

....

[18th December 1954]

(3) Government Press

4 Sri A. Srinivasulu, Tracer (Emergency), Araniar Project Division.

5 Sri G. Peralingam, Draughtsman, III Grade (Probationer), Public Works Workshops Division, Madras.

6 Sri P. Venkataraniyah, Lock Superintendent (Emergency), B. Canal Subdivision, Madras.

7 Sri M. R. Srinivasan, Draughtsman, III Grade, Office of Electrical Engineer (General).

Covered by the general order of the President under Section 63 (1) of the Andhra State Act, 1953.

....

18th December 1954]

(4) Port Department

1 Sri K. Bangaraju, Driver, Grade III, officiating as Dredger, 'Nega' at Nagapatnam Port, Tanjore district.

2 Sri D. Nancharayya, Serang, Grade I (Temporary) on 'M.L.' Mangalore at Mangalore Port, South Kanara district.

No corresponding post at the ports of Kakinada and Masulipatnam in Andhra State.

....

(c) Stationery Office

1 Sri P. Krishnamurthy, Lower Division Clerk.

2 Sri T. Viswesiah, Lower Division Clerk (now working temporarily as Upper Division Clerk).

3 Sri Y. Prakesam, Warehouseman ..

4 Sri D. Sourmayagam, Warehouseman ..

Allocation of the staff in the offices of the Controller of Stationery and Printing and Government Press has not yet been taken up as this office continues to cater to the needs of both the States under Section 60 of the Andhra State Act, 1953.

....

(d) Government Press

1 Sri T. Govindarajulu, Acting Storekeeper.

2 Sri Mohamed Ismail, Acting Upper Division Clerk.

3 Sri A. Veekatarathnam, Lower Division Clerk.

4 Sri A. Bhaskar Rao, Lower Division Clerk.

5 Sri M. Murahari, Composer ..

6 Sri Kuppuswami, Junior Binder ..

7 Sri R. Perumal, Junior Binder ..

8 Sri Lokiah, Packing Attender ..

9 Sri C. Krishnaswami, Senior Reader ..

Do. do.

....

[18th December 1954]

Name of the Department.	Name and designation of the Non-Gazetted Andhra Officers retained in Madras State.	Reasons for retention.	Other remarks, if any.
(1)	(2)	(3)	(4)
(d) Government Press—cont.	10 Sri S. Mahadev Singh, Junior Reader 11 Sri A. C. Kesavulu, Junior Reader 12 Sri M. S. C. Dayaram, Copyholder 13 Sri B. Mohana Raj, Copyholder 14 Sri C. V. Subbarayudu, Copyholder 15 Sri P. V. Narayana Naidu, Compositor	Allocation of the staff in the offices of the Controller of Stationery and Printing and Government Press has not yet been taken up as this office continues to cater to the needs of both the States under Section 60 of the Andhra State Act, 1953.	....
(e) Transport Department (Nationalization Branch).	1 Sri C. Narayana Rao, Storekeeper now appointed as Stores Officer. 2 Sri G. Ramakrishna Chetty, Superintendent. 3 Sri T. Anandam, Stock Verifier 4 Sri S. Sivanandam, General Foreman, doing the duties of Workshop Superintendent. 5 Sri V. Balasubramaniam, Foreman 6 Sri V. Kameswaran, Lower Division Clerk. 7 Sri H. Srinivasa Rao, Lower Division Clerk. 8 Sri P. G. Pandurangam, Works Clerk 9 Kumari T. Samrajyam, Works Clerk, now appointed as Lower Division Clerk. 10 Sri T. V. Janakiraman, Works Clerk 11 Sri T. Narasimhan, Works Clerk 12 Sri G. R. Ramachandran, Peon 13 Sri M. Kesavalu, Peon 14 Sri M. S. Venugopal, Muster Roll Clerk 15 Sri Ramaswamy Reddi, Driver 16 Sri Ananthiah, Conductor 17 Sri B. Rageswara Rao, Conductor 18 Sri S. John Sundaram, Conductor 19 Sri C. John, Conductor 20 Sri K. V. Rathnam, Conductor 21 Sri V. R. C. Reddy, Conductor 22 Sri V. Muthukrishnadoss, Conductor	The question of allocation of the staff on the basis of Andhra and non-Andhra did not arise so far as the Transport Department (Nationalization Branch) is concerned. But certain number of domiciled and non-domiciled Andhras who volunteered to serve in Andhra were allotted to that State.	....

[18th December 1954]

23 Sri P. Venugopal, Conductor	24 Sri B. Damodaran, Conductor	25 Sri K. Ramanujulu, Conductor	26 Sri P. Padmanabhan, Conductor	27 Sri M. Padmanabhan, Conductor	28 Sri C. R. Venkataraman, Conductor	29 Sri D. Srinivasan, Conductor	30 Sri S. Papi Reddy, Conductor	31 Sri M. M. Sundararajan, Conductor	32 Sri T. Raghavulu, Conductor	33 Sri Y. Mookaraj, Conductor	34 Sri B. Simmachalam, Stand Cleaner	35 Sri P. Srinivasulu, Stand Cleaner	36 Sri A. Ramiah, Cleaner	37 Sri G. Venkatesan, Apprentice Cleaner	38 Sri Abdul Subhan, Cleaner	39 Sri Suryanarayana, Fitter II	40 Sri Y. S. Ramiah, Cleaner	41 Sri M. Lokabiram, Fitter I	42 Sri Ethiraj, Assistant Fitter	43 Sri Srinamulu Naidu, Assistant Fitter	44 Sri Chakrapani, Assistant Fitter	45 Sri Gajepathy, Assistant Fitter	46 Sri Parthasarathy, Assistant Fitter	47 Sri P. Elumalai, Assistant Fitter	48 Sri Srinamulu, Helper	49 Sri Jayaraman, Helper	50 Sri Krishnaswamy, Helper	51 Sri Srinivasa Rao, Helper	52 Sri Sankaran, Helper	53 Sri Balaraman, Helper	54 Sri Govindaswamy, Helper	55 Sri Krishnamurthy, Helper	56 Sri Kamalanathan, Helper	57 Sri K. Venugopal Naidu, Maistry	58 Sri Balu Naidu, Carpenter	59 Sri Nandagopal, Carpenter	60 Sri Krishnaswamy, Carpenter	61 Sri Vedachalam, Carpenter
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[18th December 1954]

Other remarks, if any.

Reasons for retention.

Name and designation of the Non-Gazetted
Andhra Officers retained in Madras State.

Name of the Department.

(1)

(2)

(3)

(4)

(e) Transport Department
(Nationalization Branch)—
cont.

62	Sri M. Kuppuswamy, Carpenter ..	..	..
63	Sri Babu Naidu, Carpenter ..	..	..
64	Sri C. Munuswamy, Tinker ..	..	..
65	Sri S. S. Raju, Tinker ..	..	..
66	Sri K. K. Rangarajan, Tinker ..	..	..
67	Sri Bakthavatsalu, Tinker ..	..	..
68	Sri Joseph, Tinker ..	..	..
69	Sri K. R. Ramaswamy, Tinker ..	..	..
70	Sri Krishnaswamy, Scrubber ..	..	..
71	Sri Balakrishnan, Painter ..	..	..
72	Sri Thirumalai Naidu, Painter ..	..	..
73	Sri Varadan, Painter ..	..	..
74	Sri Ranganathan, Liner ..	..	..
75	Sri Doraiswamy, Liner ..	..	..
76	Sri Papiiah, Liner ..	..	..
77	Sri S. R. B. Rao, Fitter ..	..	..
78	Sri Babu Naidu, Fitter Cooly ..	..	..
79	Sri Krishnaswamy Naidu, Watchman ..	..	..
80	Sri Chinnakesavulu, Senior Fitter ..	..	..
81	Sri K. R. Chandra, Fitter ..	..	..
82	Sri G. Kanniah, Assistant Fitter ..	..	..
83	Sri Munuswamy, Assistant Fitter ..	..	..
84	Sri I. V. Satyanarayana, Assistant Fitter ..	..	..
85	Sri Rejagopal Rao, Assistant Fitter ..	..	..
86	Sri V. K. Doraiswamy, Assistant Fitter ..	..	..
87	Sri Kanniah, Assistant Fitter ..	..	..
88	Sri Seethapathy, Fitter ..	..	..
89	Sri Unapathy, Fitter ..	..	..
90	Sri Srinivasa Rao, Fitter ..	..	..
91	Sri N. G. Srinivasan, Fitter cooly ..	..	..
92	Sri Angamuthu, Carpenter ..	..	..
93	Sri Appavoo, Carpenter ..	..	..
94	Sri Govindarajulu, Carpenter ..	..	..
95	Sri Krishna, Carpenter ..	..	..
96	Sri S. V. Jagannathan, Carpenter ..	..	..

The question of allocation of the staff on the basis of Andhra and non-Andhra did not arise so far as the Transport Department (Nationalization Branch) is concerned. But certain number of domiciled and non-domiciled Andhras who volunteered to serve in Andhra were allotted to that State.

18th December 1954]

(f) Electricity Department ..

97	Sri Purushothaman, Driver ..	..	..
98	Sri Radhakrishnan, Reborer ..	..	..
99	Sri Srinivasulu, Liner ..	..	..
100	Sri Kanniah, Liner ..	..	..
101	Sri Venkateswara Rao, Welder ..	..	..
102	Sri Parakasa Rao, Lascar ..	..	..
103	Sri C. Anandam, Mechanical Assistant ..	..	..
104	Sri Vasudevan, Cleaner ..	..	..
105	Sri R. Balaraman, Apprentice Cleaner ..	..	..
1	Sri Ch. Brahmananda Rao, Clerk, Pykara System, Coimbatore.	..	..
2	Sri N. Subramaniam, Upper Division Clerk, Mettur Electricity System.	..	..
3	Sri R. J. Paul Prasanna, Upper Division Clerk, Mettur Electricity System.	..	..
4	Sri T. Venkataramana Rao, Lower Division Clerk, Office of the Chief Electrical Inspector to Government.	..	..
5	Sri T. C. Ramanujachari, Accountant, Madras Electricity System.	..	..
6	Sri T. N. Ethiraj, Upper Division Clerk, Madras Electricity System.	..	..
7	Sri G. Venkataraniyah, Lower Division Clerk, Madras Electricity System.	..	..
8	Sri P. Narayanaswami, Lower Division Clerk, Madras Electricity System.	..	..
9	Sri M. Devasigamani, Lower Division Clerk, Madras Electricity System.	..	..
10	Sri M. Ranganathan, Lower Division Clerk, Madras Electricity System.	..	..

Belongs to regional office not affected by the partition.

(g) Home Department—

(a) Excise and Prohibition.

1	Sri N. A. Hameed, Officiating II Assistant, Board's Laboratory.	..	..
2	Sri R. Seshiah, Temporary III Assistant, Board's Laboratory.	..	..
3	Sri C. V. Pannagasayanam, Attender, Board of Revenue, Excise, Madras.	..	..

Employed in an institution which caters to the needs of both the Madras and Andhra States.

No compulsory allotment in the case of low-paid staff.

Will be relieved when their services are required by the Government of Andhra.

[18th December 1954]

Other remarks, if any.

Reasons for retention.

Name and designation of the Non-Gazetted Andhra Officers retained in Madras State.

(1)

(b) Department of Certified Schools and Vigilance Service, Madras.

- 1 Sri T. Masilamani, Acting Upper Division Clerk, Office of the Chief Inspector of Certified Schools and Vigilance Service.
- 2 Srimathi T. S. V. Rao, Assistant Superintendent, Vigilance Home and Stri Sadana, Madras.
- 3 Kumari Annapurna, Telugu Secondary Grade Teacher, Stri Sadana and Vigilance Home.
- 4 Srimathi Swarthamma, Higher Elementary Grade Teacher Girls' Certified Schools.
- 5 Sri N. Viswanathan, Physical Training Instructor, Senior Certified School, Chingleput.

All these officers had to be retained in the Madras State as there is no corresponding department in the Andhra State.

(e) Office of the Accommodation Controller.

Sri P. Nageswar Rao, Accommodation Deputy Tabildar.

Member of the Madras Collector's Office which was not affected by the partition.

Head Constables.

- (e) Police
- 1 1037 Shaik Abdul Rahim
- 2 1155 K. V. Ramasami
- 3 2772 M. Ranganathan
- 4 1403 Masilamani
- 5 2051 R. Mahaboob Khan
- 6 170 Alladin

They were recruited on a district basis and are not normally liable to be transferred from the Madras City. Hence no compulsory allotment under the Act is possible in their case.

Police Constables.

- 1 2648 Anjiah
- 2 2759 Guruviah

They were recruited on a district basis and are not normally liable to be transferred from the Madras City. Hence no compulsory allotment under the Act is possible in their case.

(e) Office of the Editor, Indian Law Reporter, Madras Series, Judicial Department, Madras.

Sri Ch. Subrahmanyam, Clerk

There is no corresponding office in the Andhra State.

(f) City Civil Court, Madras.

- 1 Sri Syed Jamaludin Khadri, II Grade Translator.
- 2 Sri S. G. Krishnamurthi, Lower Division Clerk.

There is no corresponding Court in the Andhra State.

(g) Judicial Office of the Official Assignee, Madras.

- 1 Sri B. V. Jayaram, Lower Division Clerk.
- 2 Sri S. Narasimha Rao, Lower Division Clerk.

There is no corresponding office in the Andhra State.

(h) Judicial Office of the Administrator-General and Official Trustee of Madras.

- 1 Sri S. Gundu Rao, Head Clerk
- 2 Sri P. Subramaniam, Head Clerk
- 3 V. Gopalaratnam, Lower Division Clerk.
- 4 Sri T. Ramakrishnaiah, Lower Division Clerk.

Do.

(i) Office of the Registrar, High Court, Madras.

- 1 Kumari J. Suryakumari, Lower Division Clerk.
- 2 Kumari M. Haumayamma, Lower Division Clerk.
- 3 Sri K. Ramachandran, Upper Division Clerk.

Retained in compliance with their special request.

(4) Revenue Department—

(a) Board of Revenue (Land Revenue), Madras.

Sri K. T. Alwar, Typist

Retained in compliance with his special request.

(b) Inspector-General of Registration.

Sri S. Kanniah, Temporary Copyist, Madras-Chingleput district.

There was no corresponding post vacant in Andhra State at the time of partition.

18th December 1954]

[18th December 1954]

Other remarks, if any.

Reasons for retention.

Name and designation of the Non-Gazetted Andhra Officers retained in Madras State.

(4)

(3)

(2)

(1)

(a) Commissioner, Hindu Religious and Charitable Endowments (Administration) Department, Madras.

(d) Board of Revenue (Commercial Tax), Madras.

(e) Deputy Director of Survey and Land Records, Madras Survey (Central Office.)

(f) Survey and Land Records.

(5) Department of Industries, Labour and Co-operation—
(a) Industries Department.

1 Sri N. J. Chandrasekharan, Upper Division Clerk.

2 Sri Y. A. Krishnamurthy, Lower Division Clerk.

3 Sri C. Ranganayakulu Chetty, Junior Superintendent.

Sri M. Ratnam, Attender

1 Sri G. Sitaramamurthy, Senior Superintendent.

2 Sri A. Bhaskara Rao, Typist

3 Sri G. Anjaeyalu, Senior Draftsman

1 Sri N. A. Janakiraman, Upper Division Clerk, Survey Party, Namakkal.

2 Sri V. K. Appakutty, Field Surveyor, Salem.

3 Sri D. L. Madanagopal, Field Surveyor, Ramanathapuram.

4 Sri P. Balakrishna Naidu, Taluk Surveyor, Chingleput.

1 Sri H. V. Ramagopal, Assistant Lecturer, School of Arts and Crafts, Madras.

2 Sri C. V. Subbaiah, Lecturer in Chemistry, Institute of Leather Technology, Madras.

3 Sri K. Bapu Rao, Tanning Foreman, Institute of Leather Technology, Madras.

4 Sri K. Narasimha Reddi, Tanning Demonstrator, Nandavadi.

5 Sri M. Anjaneyulu, Footwear Instructor, Nandavadi.

6 Sri J. Suryanarayana, Footwear Instructor, Arulapuram.

7 Sri T. Narasimhamurthy, Lecturer, Food Technology, Kerala Polytechnic, Kozhikode.

8 Sri V. Janardhana Rao, Cloth Printing Foreman, Government Textile Institute, Madras.

9 Sri V. Krishnappa, Demonstrator, Government Textile Institute, Madras.

10 Sri M. V. S. Narayana Rao, Laboratory Attender, Government Textile Institute, Madras.

11 Sri K. Srinachandramurthy, Junior Chemist, Chemical Testing and Analytical Laboratory, Madras.

12 Sri M. V. Nageswara Rao, Foreman, Assistant Cottage Industries Research Office, Madras.

13 Dr. Nayadumma, Junior Chemist, Institute of Leather Technology.

(6) Health, Education and Local Administration Department—

(a) Government Museum, Madras.

Srimathi G. M. Arputharaj, Assistant Curator (General Section), Government Museum, Madras.

(b) Public Health Department.

(a) Government Museum, Madras.

(b) Public Health Department.

(c) Medical Department (Madras Medical Service, Branch I).

1 Dr. (Kumari) M. Sarojini Devi, Woman Medical Officer, Health Unit, Poona-mallee.

2 Kumari J. K. Benjamin, Health Visitor, Malaria Control Team, Nilambur.

1 Srimathi V. Karunadevi, Head Nurse, Government Mental Hospital, Madras.

Allocation under consideration

No compulsory allotment in the case of the low-paid staff.

Allocation of staff not yet taken up as the Central Survey Office is an institution which is to cater to the needs of both the States under section 60 of the Andhra State Act, 1953.

Not affected by the partition

There are no corresponding posts for these officers in the Andhra State.

No corresponding post in the Andhra State.

There are no corresponding posts in the Andhra State.

She was born and brought up and married in Madras. Further her husband is reported to be settled and employed in Madras.

[18th December 1954]

Notes of the Department.

Name and designation of the Non-Gazetted Andhra Officers retained in Madras State.

(1)	(2)	(3)	(4)	Other remarks, if any.
(c) Medical Department (Madras Medical Service, Branch I)—cont.				
2 Srinathi A. James, Head Nurse, Stanley Hospital, Madras.		She has married a Tamilian in Madras. Her children are all having their education at Madras.	....	
3 Srinathi R. Kapil, Nurse, Government Hospital, Mannargudi.		As her husband is a non-Andhra and a male nurse employed in Mannargudi itself.	....	
4 Srinathi S. Samuel, Nurse, Government General Hospital, Madras.		Her husband is a non-Andhra employed in the Corporation of Madras.	....	
5 Kumari I. Teamesfield, Nurse, Government Hospital for Women and Children, Madras.		She represented that she was engaged to a non-Andhra and requested to be retained in Madras State.	....	
6 Sri P. Muniswamy Naidu, Assistant Lay Secretary, Government Stanley Hospital, Madras.		They could not be absorbed in the Andhra State at present.	....	
7 Sri G. Narayanayya, Medical Store-keeper, Government General Hospital, Madras.				
8 Sri B. Vasudeva Lala, Assistant to Chief Radiographer, Government General Hospital, Madras.		At the time of partition, there was no post in the Andhra State for his absorption. A post has since been sanctioned in the Andhra State and the Andhra Government have been addressed to take him into their service.	....	
9 Sri C. Rajaram Rao, permanent Assistant to Chief Radiographer, Government General Hospital, Madras.				
10 Sri N. Venkatasubramanian, Assistant to Chief Radiographer, Government General Hospital, Madras.				
11 Sri Benjamin Raju, officiating Assistant to Chief Radiographer, Government General Hospital, Madras.				
12 Sri Ch. Sreeramamurthy, officiating Grade I Radiographer, Stanley Hospital, Madras.		There are no corresponding posts in the Andhra State for their absorption.	....	
13 Sri C. S. Subramanian, temporary Grade I Radiographer.				

18th December 1954

14 Sri D. Seethapathi Rao, Junior Water Analyst, King Institute, Gundy.	Alotted to Andhra State but allowed to continue in their posts in the Madras State till the Andhra Government are in a position to absorb them.
15 Sri V. V. Krishna Rao, Junior Chemical Assistant, King Institute, Gundy.	
16 Sri N. Gopalakrishna Rao, Junior Water Analyst, King Institute, Gundy.	
17 Sri A. S. Venkatasubba Rao, Pharmacist, Stanley Medical College, Madras.	Allowed to continue for the time being ..
Sri Srinivasan, lower division clerk, Office of the Deputy Panchayat Officer, Chinglput.	Not affected by the partition ..

Lecturers.

(c) College and Hospital of Indigenous Medicine, Madras.

1 Dr. M. Srinamulu Naidu	..
2 Dr. Y. N. Rao	..
3 Dr. K. Mallikarjuna Rao	..
4 Dr. G. Viswanathan	..
5 Dr. M. Venkataraju	..
Assistant Lecturers.	
1 Dr. Grace Purushotham	..
2 Dr. S. N. Thangavelu	..
1 Dr. S. Subramanian, Tutor	..
1 Srinathi E. S. Samuel, Head Nurse	..
Nurses.	
1 Srinathi M. R. Vijayalakshmi	..
2 Kumari A. V. S. Rao	..
3 Kumari D. Chandraseela	..
1 Sri C. Narayanaswamy, lower division clerk.	..

(f) Office of the Honorary Director of Indigenous Medicine.

1 Sri K. Venkata Prasad, lower division clerk.	There is no counterpart of this department in the Andhra State.
2 Kumari C. Girijsa, lower division clerk.	..

APPENDIX

388

18th December 1954

APPENDIX

388

[18th December 1954]

Other remarks, if any.

Reasons for retention.

(4)

(3)

Name and designation of the Non-Gazetted
Andhra Officers retained in Madras State.

(2)

Name of the department.

(1)
(g) Education
ment.

Depart-

- 1 Srimathi Subhadra, Secondary Grade teacher, Lady Willingdon Training College, Madras.
- 2 Srimathi G. K. Anandayya, Secondary Grade teacher, Lady Willingdon Training College, Madras.
- 3 Srimathi A. K. Raju, Secondary Grade teacher, Lady Willingdon Training College, Madras.
- 4 Srimathi K. Sitadevi, Telugu Pandit, Lady Willingdon Training College, Madras.
- 5 Sri Gulam Ali Khan, attender, Government Arts College, Madras.
- 6 Sri V. Bhusiah, Senior Mechanic, Model High School, Teachers' College, Saidapet.
- 7 Sri Syed Gulam Ghouse, clerk, Deputy Inspector's Office, Mylapore Range.
- 8 Sri V. Shanmuga Rao, temporary Technical Assistant, College of Engineering, Guindy.
- 9 Sri V. Hanumanthachar, Librarian, Government Oriental Manuscripts Library, Madras.
- 10 Sri Syed Abbas Miah, Assistant Librarian, Government Oriental Manuscripts Library, Madras.
- 11 Sri Syed Hamza Hussain, Munshi, Government Oriental Manuscripts Library, Madras.
- 12 Sri S. Sarabheswara Sarma, Pandit, Government Oriental Manuscripts Library, Madras.

Retained for teaching Telugu

No compulsion in the case of low-paid staff.

Not affected by the partition ..

He was appointed after 1st October 1953. The question of his transfer to Andhra State is under correspondence. To be continued till his services are required by Andhra State Government.

To be continued in this State till the Andhra State is in a position to absorb them.

18th December 1954]

- 13 Sri Md. Shamsuddin, Arabic Munshi, Government Madrasa-I-Azam, Madras.
- 14 Sri Abdur Rahim Sahib, Additional Urdu Munshi, Government Muslim High School, Madras.
- 15 Sri Muhammad Abdus Sattar Sahib, Physical Training Instructor, Government Muslim High School, Georgetown, Madras.
- 16 Sri Abdul Qudus Khan, Secondary Grade teacher, Government Muslim Training School, Madras.
- 17 Sri S. A. M. Abdul Razack, Secondary Grade teacher, Government Muslim Training School, Madras.
- 18 Sri Syed Ahamedulla, Urdu Munshi, Government Madrasa-I-Azam, Madras.
- 19 Sri Ghouse Ahmed, Secondary Grade teacher, Government Madrasa-I-Azam, Madras.
- 20 Sri Azeemuddin, Secondary Grade teacher, Government Madrasa-I-Azam, Madras.
- 21 Sri S. Poleswara Rao, Librarian, Office of the Director of Public Instruction, Madras.
- 22 Sri I. Krishnamurthy Rao, Assistant Lecturer in Mathematics, College of Engineering, Guindy.
- 23 Sri P. Suryanarayana, Assistant Professor of Mathematics, Presidency College, Madras.
- 24 Sri K. Sundaresan, Assistant Professor of Mathematics, Presidency College, Madras.
- 25 Srimathi M. S. Tilak, Assistant Lecturer in Physics, Queen Mary's College, Madras.
- 26 Sri K. Madhava Rao, Assistant Lecturer in Chemistry, Government College, Kumbakonam.

Not affected by the partition .

Will continue in the Madras State till the Andhra State is in a position to absorb them.

Names of the Department.
(1)

(g) Education Department
—cont.

**Name and designation of the Non-Gazetted
Andhra Officers retained in Madras State.**
(2)

Names of the Department. (1)	Name and designation of the Non-Gazetted Andhra Officers retained in Madras State. (2)	Reasons for retention. (3)	Other remarks, if any. (4)
	27 Sri P. Ramakrishna Rao, Assistant Lecturer in Chemistry, Government Arts College, Madras.		
	28 Sri P. S. Rama Rao, Assistant Lecturer in Chemistry, Government Arts College, Madras.		
	29 Sri K. Kamalanathan, Assistant Professor of Politics, Presidency College, Madras.		
	30 Sri N. Gopala Rao, Assistant Lecturer in Botany, Government Arts College, Madras.		
	31 Sri M. Radhakrishnamurthy, Assistant Lecturer in Botany, Government Arts College, Coimbatore.		
	32 Sri M. Sangamesan, temporary Assistant Lecturer in Hindi, Government Arts, College Mangalore.		
	33 Kumari P. Sita, temporary Assistant Lecturer in Mathematics, Government Arts College, Mangalore.		
	34 Srinathi Lakshmi Devi, temporary Assistant Lecturer in Commerce, Government Arts College, Coimbatore.		
	35 Sri M. S. Prakasa Rao, Assistant Professor of Economics, Presidency College, Madras.		
	36 Sri U. Bhanumurthy, Assistant Lecturer in Logic, Government Arts College, Madras.		
	37 Sri G. Narayanaswamy Reddy, Assistant Professor of Telugu, Presidency College, Madras.		
	38 Sri P. S. R. Appa Rao, Assistant Professor of Telugu, Presidency College, Madras.		
	39 Sri Ch. Gopalakrishnamurthy, Assistant Lecturer in Telugu, Government Arts College, Madras.		

Will continue in the Madras State till the Andhra State is in a position to absorb them.

For teaching Telugu

18th December 1954]

APPENDIX

40 Srimathi Indira Vandana, Assistant Lecturer in Telugu, Government Arts College, Madras.	41 Kumari Y. Sarojini, Assistant Lecturer in Telugu, Queen Mary's College, Madras.	42 Srimathi P. L. Kanthamma, Assistant Lecturer in Telugu, Lady Willingdon Training College, Madras.	43 Kumari Vimala Suryan, Temporary Assistant Lecturer in Telugu, Queen Mary's College, Madras.	44 Srimathi S. Somi Reddi, School Assistant, Presidency High School for Girls, Egmore, Madras.	45 Srimathi B. Dhorani Bai, School Assistant, P. H. School for Girls, Madras.	46 Srimathi B. Suryakantamma, School Assistant, Lady Willingdon Training College, Madras.	47 Kumari N. E. Kamala, School Assistant, Lady Willingdon Training College, Madras.	48 Kumari K. Prabhakaramma, School Assistant, Lady Willingdon Training College, Madras.	49 Srimathi H. S. Rassiza Begum, School Assistant, Government Hobart Secondary School for Muslim Women, Royapettah, Madras.	50 Sri G. Venkataramana, Tutor in Hindi, Presidency College, Madras.	51 Kumari A. Prabhavathi Devi, Demonstrator in Botany, Presidency College, Madras.	52 Sri S. Appalacharyulu, Assistant Professor in Sanskrit, Presidency College, Madras.	Sri B. Satyanarayana, Classification Assistant, Connemara Public Library, Madras.
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Not affected by the partition.

To be continued in the present post, till their services are required in the Andhra State.

Not affected by the partition.

(A) Public Libraries
(Connemara Public Library, Madras).

APPENDIX

[18th December 1954]

[18th December 1954]

Name of the Department.	Name and designation of the Non-Gazetted Andhra Officers retained in Madras State.		Reasons for retention.	Other remarks, if any.
	(1)	(2)	(3)	(4)
7) Agriculture Department— (a) Cinchona Department.				
	1 Sri S. Viswanatham, Office Superintendent, Cinchona Department, Ootacamund.			
	2 Sri K. P. Venkatarathnam, Assistant Chemist, Government Quinine Factory, Nadvattam.			
	3 Sri K. Doraiswamy, Assistant Chemist, Government Cinchona Plantations, Anamallais.			
	4 Sri M. Ch. Kavutlathayya, Assistant Superintendent, Government Cinchona Plantations, Nilgiris, Nadvattam.			
	5 Sri P. Ramachandra Rao, Overseer, Government Cinchona Plantations, Anamallais.			
	6 Sri V. Buthirej, Nursery Controller, Government Cinchona Plantations, Moyar (Nilgiris).			
	Sri Subba Rao, Fitter, City Civil Supplies Transport Unit, Madras.			
(b) Civil Supplies Department.				
	Sri H. V. Subba Row, Typist, Rationing Office, Madras City.			
(c) Fisheries Department.				
	Sri S. Thiagarajan			
(d) Animal Husbandry Department.				
	1 Sri A. Someswara Rao, Artist, Propaganda Unit, District Office, Madras.			
	2 B. Subba Rao, Driver of Land Rover, Veterinary Biological and Research Institute, Ranupet.			

There is no Cinchona Department in the Andhra State.

The question of their absorption in some other Department in the Andhra State is under consideration.

The question of his absorption in the Area Transport Office, Vijayawada, is under consideration.

He belongs to the Revenue Unit of the Madras Collector's Office, not affected by the partition.

Allotment question not yet finalised

For want of corresponding post in the Animal Husbandry Department of the Andhra State.

Belongs to a Regional Office, not affected by the partition.

Alotment to Andhra State under consideration.

[18th December 1954]

Name of the Department.	Total number of Tamilian officers of the All-India Services, viz., I.C.S., I.A.S., I.F.S., I.P.S., I.S.E., allocated to the Andhra State.		Total number of Tamilian Non-Gazetted officers who stand allotted to the Andhra State under section 63 (2) of the Andhra State Act, 1953.		Total number of Tamilian members of the local paid services, if any, viz., attenders, peons, etc., allotted to the Andhra State under section 63 (2) of the Andhra State Act, 1953.		Remarks.
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
SECTION III.							
Statement showing the number of Tamilian Officers (Gazetted and non-gazetted) allotted or transferred to the Andhra State.							
1 Finance Department—							
Secretariat	..	..	..	..	..	..	
Local Fund Audit Department	..	..	..	1	..	..	
2 Agriculture (Food Production) Department.	..	..	..	2	..	..	
3 Law Department	..	..	..	1	..	2	
4 Public Department—							
Secretariat (including Heads of Departments under Public).	..	13	2	13	..	13	
5 Industries, Labour and Co-operation Department—							
Secretariat	..	..	..	3	..	2	
Heads of Departments under the Department of Industries, Labour and Co-operation—							
(i) Controlled Commodities Department.	..	..	1	4	..	..	
(ii) Industries Department	..	..	1	42	6	1	
(iii) Labour Department	..	..	..	..	..	1	
(iv) Co-operation Department	..	..	..	..	..	2	

[18th December 1954]

Names of the Department.	Total number of Tamilian Non-Gazetted officers who stand allotted to the Andhra State under the general order issued by the President under section 63 (1) of the Andhra State Act, 1953.					Total number of Tamilian Non-Gazetted officers who stand allotted to the Andhra State under the general order issued by the President under section 63 (2) of the Andhra State Act, 1953.					Total number of Tamilian members of the low paid services, if any, viz., Andhra State attenders, peons, etc., allotted to the Andhra State under section 63 (2) of the Andhra State Act, 1953.				
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)
6 Home Department—															
Secretariat	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Heads of Departments—															
(i) Prohibition	..	..	1	1	..	..	..	..	..	..	..	..	..	..	..
(ii) Prisons	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
(iii) Transport	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
(iv) Police (Fire Service)	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
(v) Police	..	2	..	41	..	..	679	..	..	..	..	..	..	..	..
7 Agriculture Department—															
Secretariat	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Heads of Departments—															
(i) Animal Husbandry Department	..	..	..	2	..	..	..	..	..	..	..	..	..	..	..
(ii) Fisheries Department ..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
(iii) Civil Supplies Department	..	..	14	1	..	..	..	..	..	..	..	..	..	..	..
(iv) Agriculture Department ..	..	..	2	62	..	..	1	..	..	..	..	..	..	..	..
(v) Forest Department	..	..	..	2	..	..	..	..	..	..	..	..	..	..	..
8 Public Works Department—															
Secretariat	..	..	1	1	..	..	..	..	..	..	..	..	..	..	..
Heads of Departments—															
(i) Public Works Department	..	2	5	5	..	..	6	..	..	..	..	..	..	..	..
(ii) Electricity	..	..	9	14	..	..	..	..	..	..	..	..	..	..	..
(iii) Highways	..	..	3	6	..	..	..	..	..	..	..	..	..	..	..

18th December 1954]

(iv) Port	..	..	..	3	..	..	..	..	..	..	..	..	..	..	..
(v) Transport	..	..	..	4	..	..	..	..	..	..	..	..	..	..	..
(vi) Government Press	..	..	1	49	..	..	..	..	..	..	..	..	..	..	..
9 Revenue Department—															
Secretariat	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Heads of Departments—															
(i) Board of Revenue (L.R.) ..	..	..	..	3	..	..	..	..	..	..	..	..	..	..	..
(ii) Board of Revenue (C.T.) ..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
(iii) Board of Revenue (S.E.) ..	..	..	..	5	..	..	6	..	..	..	..	..	..	..	..
(iv) Director of Settlements ..	..	..	..	1	..	..	..	..	..	..	..	..	..	..	..
(v) Survey and Land Records ..	..	..	1	17	..	..	..	..	..	..	..	..	..	..	..
(vi) Registration	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
(vii) Hindu Religious and Charitable Endowments (Administration) ..	..	..	..	1	..	..	8	..	..	..	..	..	..	..	..
(viii) Sales Tax Appellate Tribunal ..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
10 Health, Education and Local Administration Department—															
Secretariat	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Heads of Departments—															
(i) Public Health	..	..	11	16	..	..	..	..	..	..	..	..	..	..	..
(ii) Education	..	..	8	28	..	..	..	..	..	..	..	..	..	..	..
(iii) Medical	..	..	3	..	..	..	..	..	..	..	..	..	..	..	..
(iv) Sanitary Engineering	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
(v) Inspector of Municipal Councils and Local Boards	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
(vi) Town-Planning	..	..	1	2	..	..	..	..	..	..	..	..	..	..	..

* Particulars regarding Tamilians in District Offices in Andhra not readily available.

[18th December 1954]

APPENDIX III.

[Vide answer to unstarred question No. 10 asked by Sri T. Purushotham at the meeting of the Legislative Council held on 18th December 1954, page 260 supra.]

Statement showing electricity extension schemes taken up and proposed to be taken up for execution during the year 1954-55 in Chingleput and North Arcot districts.

Serial number and name of scheme.	Estimated cost in rupees.	Percentage of work done to end of October 1954.
(1)	(2)	(3)
<i>Chingleput district.</i>		
Extension of supply to—		
1 Venmanamputtur and Panambakkam, Tiruvallur taluk.	75,700	50
2 Melmanappakkam, Chingleput taluk	15,600	Completed.
3 Sirukaveripakkam	24,350	Do.
4 Ikkadu road, Tiruvallur taluk	24,800	Do.
5 Kilanur 33/11 KV. sub-station and extension to Aranvoyal, Sriperumbudur, Tolur, Tannirkulam, Tandalam and Kambakkam villages.	6.51 lakhs.	Work started in October 1954.
6 Pallur and Konganancheri, Chingleput taluk	75,700	Not yet taken up.
7 Additional loads in Nemili and Kilavedu, Chingleput taluk.	30,400	Do.
8 Serikadu, Wallajah taluk	12,200	Do.
9 Kaliyanoor, Kancheepuram taluk	14,000	Completed.
10 Villiambakkam, Chingleput taluk	12,200	Not yet taken up.
11 Vaiyavoor, Kancheepuram taluk	42,600	60
12 Kattavakkam village, Kancheepuram taluk	32,000	Not yet taken up.
13 Wallajabad town	24,100	25
14 Madurantakam from Chingleput	8.14 lakhs.	Not yet taken up.
15 Anakaputhur and Pollaichellur villages, Saidapet taluk.	61,000	80
16 Oddapalayam village, Thiruneermalai Panchayat Board, Saidapet taluk.	24,200	Completed.
17 Nanganalkur and Thulukkanancheri villages, Saidapet taluk.	24,000	10
18 Madambakkam Royal Air Force Camp, Rajakilpakkam, Saidapet taluk.	20,000	50
19 Rendankattalai village, Saidapet taluk	35,750	20
20 Nazarethpet, Sriperumbudur taluk	33,700	Completed.
21 Valasaravakkam village	71,500	80
22 Peria Pananoheri, Sriperumbudur taluk	28,950	Not yet taken up.
23 Kattupakkam village, Sriperumbudur taluk	48,000	Completed.
24 Street lights, etc., in Sriperumbudur taluk	13,700	70
25 Kilakattalai, Moovarasanpet and Nanmangalam villages, Saidapet taluk.	1,30,600	30
26 Nekkundram village, Saidapet taluk	58,000	Not yet taken up.
27 Medavakkam village, Saidapet taluk	65,300	Do.
28 Ramapuram village, Saidapet taluk	1,11,900	80

18th December 1954]

Serial number and name of scheme.	Estimated cost in rupees.	Percentage of work done to end of October 1954.
(1)	(2)	(3)
<i>Chingleput district—cont.</i>		
Extension of supply to—cont.		
29 Kunnathur village (Natham area), Sriperumbudur taluk.	53,700	20
30 Saint Thomas Mount Cantonment, Saidapet taluk ..	1,45,900	Not yet taken up.
31 Maduravoyal and Vanagaram Chettiar Agaram villages, Saidapet taluk.	2,83,700	20
32 Parivakkam, Bonaveduthottam, Pitarithangal, etc., villages, Sriperumbudur taluk.	1,68,500	25
33 Velacheri, Vengudi and Sivaram villages, Saidapet taluk.	1,91,300	Not yet taken up.
34 Ponneri Panchayat and surrounding villages	3,16,000	20
35 Perumalagaram and Koladi villages	68,600	20
36 Korathupadi and Mogapur villages	2,55,000	5
37 Kadappakkam village	1,88,300	Not yet taken up.
38 Aladu and Divadanam villages, Ponneri taluk	30,000	Do.
39 Madavaram and Pulai villages	1,78,000	Do.
40 Purasai (Kancheepuram)	1,15,100	30
41 Palur and Govindavadi (Kancheepuram)	2,71,000	Not yet taken up.
<i>North Arcot district.</i>		
Extension of supply to—		
1 Madanur and Pudur	60,000	10
2 Ammankuppam and Chedukarai	51,500	Not yet taken up.
3 Balur	59,400	2
4 Kothakuppam	31,400	Not yet taken up.
5 Manchampet and Nariampet	1,36,300	Do.
6 Vengili and Kilmurungai	1,54,000	Do.
7 Nellurpet	79,800	Do.
8 Kallurpakkam	80,100	10
9 Thalagai	15,500	..
10 Ganapathipuram	1,96,100	15
11 Vangur	1,04,700	Not yet taken up.
12 Arugavoor	36,700	50
13 Vembi	78,900	Not yet taken up.
14 Kilmatti	31,000	50
15 Vaipur	84,100	Not yet taken up.
16 Nallarampalayam	15,500	Do.
17 Ammayapattu	16,700	Do.
18 Vengalapuram	64,700	Do.
19 Sathambakkam	1,02,600	Do.
20 Tenmattur	60,200	Do.
21 Pachalmitra	14,700	Do.
22 Turinjapuram	92,800	Do.
23 Lokapuram	83,500	Do.
24 Chinna Varikkam and P. Varikkam	1,36,400	Do.
25 Sengunnam Pattarai	1,19,600	Do.
26 Kilpadi and Olali	1,12,400	Do.
27 Pannaiyur	1,33,500	Do.
28 Tiruvannamalai Town Distribution Extensions	87,800	Do.
29 Nallavanpalayam	2,53,700	Do.
30 Pallikonda	5,74,200	Do.
31 Chengam	9,78,000	Do.
32 Valavanur and Essayanur	4,17,000	Do.
33 Vadakadapanthangal	3,26,100	Do.
34 Vanapuram	3,55,100	Do.
35 Pinnathangal	3,94,600	Do.
36 Kavanur and Kilpuppam	2,74,100	Do.
37 Varakur and Kambattanur	2,02,100	Do.

[18th December 1954]

APPENDIX IV.

[Vide item VI (1) on page 265 supra.]

L.A. BILL No. 44 of 1954.

(As passed by the Assembly.)

A Bill further to amend the Mappilla Marumakkattayam Act, 1939.

WHEREAS it is expedient further to amend the Mappilla Marumakkattayam Act, 1939 (Madras Act XVII of 1939), for the purposes hereinafter appearing;

Be it enacted in the Fifth Year of the Republic of India as follows:—

1. *Short title.*—This Act may be called the Mappilla Marumakkattayam (Amendment) Act, 1954.

2. *Substitution of new section for section 8, Madras Act XVII of 1939.*—In the Mappilla Marumakkattayam Act, 1939 (Madras Act XVII of 1939), for section 8, the following section shall be substituted, namely:—

“ 8. *Validity of sales, mortgages and leases.*—(1) No sale or mortgage of any immovable property of a tarwad and no lease of any such property either for a premium returnable wholly or in part or for a period exceeding twelve years shall be valid, unless it is executed by the karnavan for consideration, for tarwad necessity or benefit, and with the written consent of the majority of the major members of the tarwad.

(2) No lease of any immovable property of a tarwad in cases not referred to in sub-section (1) shall be valid unless it is executed by the karnavan and where the Malabar Tenancy Act, 1929 (Madras Act XIV of 1930), confers fixity of tenure on the lessee, unless also the written consent of the majority of the major members of the tarwad has been obtained to the lease.

(3) Nothing contained in sub-section (1) or sub-section (2) shall be deemed to affect the validity of any mortgage or lease executed on or before the date on which the Mappilla Marumakkattayam (Amendment) Act, 1954, comes into force, in accordance with the law in force at the time of such execution ”.

[18th December 1954]

APPENDIX V.

[Vide item VI (2) on page 269 supra.]

L.A. BILL No 47 of 1954.

(As passed by the Assembly.)

A Bill further to amend the Indian Bar Councils Act, 1926, in its application to the State of Madras.

WHEREAS it is expedient further to amend the Indian Bar Councils Act, 1926 (Central Act XXXVIII of 1926), in its application to the State of Madras, for the purposes hereinafter appearing; Be it enacted in the Fifth Year of the Republic of India as follows:—

1. *Short title, extent and commencement.*—(1) This Act may be called the Indian Bar Councils (Madras Amendment) Act, 1954.

(2) It extends to the whole of the State of Madras.

2. *Insertion of new section 4-A in Central Act XXXVIII of 1926.*—In the Indian Bar Councils Act, 1926 (Central Act XXXVIII of 1926), after section 4, the following section shall be inserted, namely:—

“ 4-A. *Qualifications for election.*—Notwithstanding anything contained in this Act or in any rule made thereunder, no advocate entered in the roll of advocates of the Madras High Court who, on or after the 5th July 1954, is not ordinarily residing and practising in Courts in the State of Madras shall be entitled to vote at any election for, or to be elected to, the Madras Bar Council under clause (c) of sub-section (1) of section 4.”

3. *Saving.*—For the avoidance of doubt, it is hereby declared that nothing contained in this Act shall affect the right of any advocate entered in the roll of advocates of the Madras High Court to practise in that High Court or in any Court subordinate thereto.

[18th December 1954]

APPENDIX VI.

[Vide item VI (3) on page 283 supra.]

L.A. BILL No. 45 OF 1954.

(As passed by the Assembly.)

A Bill further to amend the Motor Vehicles Act, 1939, in its application to the State of Madras.

WHEREAS it is expedient further to amend the Motor Vehicles Act, 1939 (Central Act IV of 1939), in its application to the State of Madras, for the purposes hereinafter appearing;

BE it enacted in the Fifth Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Motor Vehicles (Madras 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.

2. *Amendment of section 43-A, Central Act IV of 1939.*—Section 43-A of the Motor Vehicles Act, 1939 (Central Act IV of 1939) (hereinafter referred to as the principal Act), shall be renumbered as sub-section (1) of that section and after sub-section (1) as so renumbered, the following sub-section shall be added, namely:—

“(2) The State Government may, on a consideration of the matters set forth in sub-section (1) of section 47, direct any Regional Transport Authority or the State Transport Authority to open any new route or to extend an existing route or to permit additional stage carriages to be put, or to reduce the number of stage carriages, on any specified route.”.

3. *Amendment of section 64, Central Act IV of 1939.*—Section 64 of the principal Act shall be renumbered as sub-section (1) of that section, and after sub-section (1) as so renumbered, the following sub-section shall be added, namely:—

“(2) The authority prescribed under sub-section (1) for the purpose of hearing appeals may either of its own motion or on application made to it, call for the records of any Regional Transport Authority or the State Transport Authority, as the case may be, for the purpose of satisfying itself as to the legality, regularity or propriety of any order made by such Transport Authority against which no appeal is provided for under sub-section (1), and after examining such records, pass such orders in reference thereto as it thinks fit”.

4. *Omission of section 64-A, Central Act IV of 1939.*—Section 64-A of the principal Act shall be omitted.

5. *Transitory provision.*—All proceedings pending with the State Government on the date on which this Act comes into force shall stand transferred to the prescribed authority referred to in section 64 of the principal Act and be proceeded with from the stage which had been reached immediately before such date.

THE MADRAS LEGISLATIVE COUNCIL.

Tuesday, the 21st December 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.

Radium for the use of Erskine Hospital, Madurai.

* 71 Q.—DR. A. SREENIVASAN: Will the Hon. the Minister for Health be pleased to state—

(a) whether it is a fact that Dr. T. S. S. Rajan, while as Minister for Health earmarked a certain quantity of radium for the use of Erskine Hospital, Madurai;

(b) if so, the quantity so earmarked and the quantity transferred to it; and

(c) if not, where the quantity earmarked for Erskine Hospital is now kept and why?

THE HON. SRI A. B. SHETTY:—“(a) to (c) The Government ordered in 1951 while the late Dr. T. S. S. Rajan was the Minister for Health, that 1,000 mgms. of Radium Bromide which had been kept in Vellore, be converted into Radium needles. The Director of Medical Services then suggested that 250 mgms. of Radium needles out of 1,000 mgms. of radium to be made from the Radium Bromide, might be earmarked for use at the Erskine Hospital, Madurai. This suggestion was accepted by Government. It was, however, ordered that the quantity of radium earmarked for the Madurai hospital should be retained at the Barnard Institute of Radiology till a Cancer Unit was organized at Madurai. Since a Cancer Unit has not so far been opened at Madurai, the radium is kept at the Barnard Institute of Radiology as already ordered.”

DR. A. SREENIVASAN:—“Sir, is it absolutely necessary to have a cancer unit for the radium to be sent to Madurai?”

THE HON. SRI A. B. SHETTY:—“It is proposed to open a cancer unit at Madurai. The Madurai hospital has become a teaching hospital now.”

DR. A. SREENIVASAN:—“Sir, will it not entail great difficulties on the part of patients to go all the way from distant parts of the Madras State to Madras City to have radium treatment, and was not that the object which prompted Dr. Rajan to send a part of radium to Madurai hospital?”

[21st December 1954]

THE HON. SRI A. B. SHETTY :—" Yes, Sir. That was the idea. It is proposed to open a cancer ward there. A radiology-trained medical officer has been posted to Madurai recently."

DR. A. SREENIVASAN :—" Sir, is it absolutely necessary for a patient to get the radium applied by a person who has got post-graduate training in radium therapy? In olden days was not the ordinary surgeon applying radium with no detriment to the health of the patient? What prevented the Government from continuing the same thing now also? "

THE HON. SRI A. B. SHETTY :—" It is considered necessary that a medical officer trained in radiology only should give this treatment and use radium for cancer patients. It is with this object that a trained person has been posted recently. It is necessary to post a physicist also there for this purpose. As soon as the physicist is posted, the cancer unit is proposed to be opened."

DR. A. SREENIVASAN :—" Are the Government aware of the fact, Sir, that there are a large number of private practitioners in the City and outside who have got large quantities of radium and are treating a large number of patients, high and low, and that therefore a premium is being placed on the qualification simply with the idea of placing power in the hands of a few interested people? "

THE HON. SRI A. B. SHETTY :—" The hon. Member's presumption is wrong, Sir."

Proposals for starting Medical Colleges.

* 72 Q.—SRI MOHAMED RAZA KHAN: Will the Hon. the Minister for Health be pleased to state—

(a) whether there are any proposals before the Government of Madras to start Medical Colleges either by the Government or private agencies;

(b) whether any private agency has submitted recently any proposal to the Government to start a Medical College; and

(c) if so, the place or places where Medical Colleges are proposed to be started?

THE HON. SRI A. B. SHETTY :—" (a) to (c) The Dr. Alagappa Chettiar College Endowment Trust, Karaikudi, has intimated to Government its desire to start a Medical College and has requested the Government to give necessary assistance for the proposed Medical College and also for the establishment of an associated hospital. The Government have constituted a committee to examine the matter in detail and to submit a report to them. The report of the committee is awaited."

[21st December 1954]

SRI MOHAMED RAZA KHAN :—" Sir, may I know where exactly is the college proposed to be located? "

THE HON. SRI A. B. SHETTY :—" Dr. Alagappa Chettiar's Trust wants it to be located at Karaikudi, if possible. If that is not possible, they say they are prepared to have it at any other place which the committee recommends."

SRI K. BALASUBRAMANYA AYYAR :—" Sir, Tiruchirappalli has already asked for the opening of a college in Tiruchirappalli."

THE HON. SRI A. B. SHETTY :—" Yes, Sir. There is a request from Tiruchirappalli also."

SRI T. M. NARAYANASWAMY PILLAI :—" Sir, may I ask whether the Government would consider the claims of Tiruchirappalli? "

THE HON. SRI A. B. SHETTY :—" It is open to the committee to recommend a suitable place."

SRI T. PURUSHOTHAM :—" Sir, is not the wish of the donor to be respected in the matter? "

THE HON. SRI A. B. SHETTY :—" The donor has left it to the committee to suggest any place that is suitable."

Research Health Officers in the Madras State.

* 73 Q.—DR. A. SREENIVASAN: Will the Hon. the Minister for Health be pleased to State—

(a) when the post of the Research Health Officer was created in the Madras State;

(b) the purpose in creating this post;

(c) the headquarters of the Research Health Officer and the centres of research activities;

(d) the fields in which researches have been made from the time of creation of the post to date;

(e) whether the Government have received any of the research reports and if so, the orders passed thereon by Government;

(f) the maximum and minimum periods during which the Health Officers held this post;

(g) what considerations have led to the posting of specific officers for research work;

(h) the instructions or directions given in writing by the Director of Public Health to the field officers in the course of the conduct of researches;

[21st December 1954]

(i) whether the field officers sent any interim reports on the researches seeking directions for further work, and if so, the details thereof;

(j) in what subjects researches have been concluded; and

(k) how far the conclusions of the researches had been utilized in practice to promote the health of the people?

THE HON. SRI A. B. SHETTY :—“ The answer is placed * on the table of the House.”

DR. A. SREENIVASAN :—“ Is it possible, Sir, for any research officer however eminent he may be to finish any piece of research within three to four months? Is it not a waste of public money to have asked the man to do research within four to six months? ”

THE HON. SRI A. B. SHETTY :—“ One research officer was there for nearly ten years, and the next man was there for four months. One research officer who was there (Dr. Ramakrishnan) has gone to Harvard on a T.C.M. Fellowship for higher studies on Epidemiology.”

DR. A. SREENIVASAN :—“ Sir, I ask is it not a criminal waste of public money to ask a man to do research work in the course of three to four months? ”

THE HON. SRI A. B. SHETTY :—“ No man was appointed to be there only for three months. The exigencies of service sometimes require transfers.”

DR. A. SREENIVASAN :—“ Sir, it is said that D.D.T. has played a very prominent part in keeping sandflies in complete check and has thereby helped in controlling kala-azar. I would like to know whether sandfly has been determined as the vector in the spread of kala-azar disease. So far no writer has said that this vector is spreading this kala-azar.”

THE HON. SRI A. B. SHETTY :—“ That is the finding of the persons who have done research in regard to kala-azar.”

DR. A. SREENIVASAN :—“ Sir, I am quoting the highest authority on tropical disease that no vector has been incriminated against in the spread of kala-azar.”

MR. CHAIRMAN :—“ This is no question.”

THE HON. SRI A. B. SHETTY :—“ That may be so. The hon. Member may write to Government, and I will have the matter enquired into.”

[21st December 1954]

Report of the Seven-man Committee on the Tanning Industry in Madras State.

* 74 Q.—SRI MOHAMED RAZA KHAN (on behalf of Sri M. K. M. Abdul Salam): Will the Hon. the Minister for Agriculture be pleased to state—

(a) whether the Seven-man Committee appointed by the Government has submitted any report with regard to the Tanning Industry in Madras State;

(b) if so, what its findings are;

(c) the steps taken by the Government to implement the suggestions and recommendations made by the Committee; and

(d) whether the Government have any proposal to give financial aid to the tanners of Madras State?

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

“ (b) The report of the Committee has been printed and made available at the Government Press for sale to the public. Four printed copies of the report have been placed in the Library of the Madras Legislature Secretariat for reference by members.

“ (c) A statement* showing the recommendations made by the Committee and the action taken is placed on the table of the House.

“ (d) No, Sir. However, if any tannery applies for a loan under the State Aid to Industries Act or to the Madras Industrial Investment Corporation, it will be considered on its merits.”

Stock of rice held in Government godowns in this State.

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

(a) the quantity of rice stock held in Government godowns in this State on 13th July 1954; and

(b) what steps have been taken by Government to dispose of the stock consequent on the present decontrol?

THE HON. SRI M. BHAKTAVATSALAM :—“ (a) A quantity of 108,472 tons of rice and 55,630 tons of paddy (equivalent to about 37,000 tons of rice) or a total quantity of 145,472 tons (in terms of rice) was held in the Government godowns in the State on 13th July 1954.

“ (b) The Government have decided to surrender to the Government of India a quantity of 110,000 tons of rice. Out of the balance, the Government have ordered that a quantity of about 24,000 tons of rice should be disposed of by tender. A major part of the above quantity has already been disposed

[21st December 1954]

of by tender and the balance will also be sold away shortly. As regards the balance of about 10,650 tons of rice, the Government propose to dispose of as much as possible by sale to private merchants at pool prices and to Government institutions such as hospitals, jails, hostels, etc., without undue loss to the Government and to keep whatever quantity is left over as an emergency reserve."

SRI T. PURUSHOTHAM :—" Has the cost of the stock of rice taken over by the Central Government been adjusted with this State Government? "

THE HON. SRI M. BHAKTAVATSALAM :—" That will be done in due course."

SRI T. PURUSHOTHAM :—" Sir, are the Government aware that the present stock has deteriorated in quality and, if so, rice taken over by the Central Government been adjusted with this State Government? "

THE HON. SRI M. BHAKTAVATSALAM :—" It might be so to some extent, but we have asked the Government of India to expedite the taking over of the stock. Whatever has deteriorated will be substituted by good quality."

11-10 a.m. SRI T. PURUSHOTHAM :—" Will the Government take steps to have periodical inspections of the stock to see that bad stuff is not made available for sale to the public? "

THE HON. SRI M. BHAKTAVATSALAM :—" That is not the present proposition. We are not in need of those stocks. The Government of India, who took over those stocks, will examine the stocks periodically and see that such of the stuff as might have deteriorated in quality is removed."

DR. V. K. JOHN :—" What is the total cost of the stock held by the Government of India? "

THE HON. SRI M. BHAKTAVATSALAM :—" I do not have those statistics with me."

DR. V. K. JOHN :—" Will the Hon. Minister kindly give us at least the approximate cost, say, how many crores? "

THE HON. SRI M. BHAKTAVATSALAM :—" I am not such a good mathematician to give the figure off-hand. It has to be worked out."

DR. V. K. JOHN :—" Have the Government tried to find out how much would be the approximate loss? "

THE HON. SRI M. BHAKTAVATSALAM :—" Sir, we are discussing this matter with the Government of India and we are persuading them to bear as much of it as possible."

[21st December 1954]

DR. V. K. JOHN :—" May I point out that the Government of Madras are losing a few crores in this transaction? "

THE HON. SRI M. BHAKTAVATSALAM :—" If the hon. the Deputy Leader of the Opposition could collect his own information and put it as a separate question, I can answer it."

DR. V. K. JOHN :—" Will the Government revise their policy of State trading at least now? "

THE HON. SRI M. BHAKTAVATSALAM :—" It is easy for the hon. the Deputy Leader of the Opposition to give us wholesome advice. But, I must tell him that when we had to face a very serious food shortage, we could not help taking to State trading."

DR. V. K. JOHN :—" May I know why it has taken such a long time after decontrol to dispose of the stocks? "

THE HON. SRI M. BHAKTAVATSALAM :—" Ever since the Government of India issued orders on decontrol, the Government of Madras have been taking all steps necessary in order to dispose of the stocks."

SRI MOHAMED RAZA KHAN :—" What was the reason which forced the Government of Madras to surrender these stocks to the Central Government? Were those stocks of such a bad quality that people would not purchase? Did the Madras Government surrender those stocks as they were unable to sell them here? "

THE HON. SRI M. BHAKTAVATSALAM :—" There was no need for people to go to fair price shops. It was not because the quality was bad, but because there was no need for them here. The off-take in our fair price shops even in Malabar was poor. Therefore the Government of Madras proposed that the Government of India might take over those stocks as they were mostly supplied by the Government of India."

DR. V. K. JOHN :—" When the Government of India are able to sell those stocks, why has it not been possible for the Government of Madras to do it? "

THE HON. SRI M. BHAKTAVATSALAM :—" It is legitimately the responsibility of the Government of India to take those stocks over and dispose them of. Therefore we have put the proposition to them."

SRI MOHAMED RAZA KHAN :—" If only the Government of Madras fixed a price for these stocks which would be comparable with the market price, where was the difficulty for them in selling those stocks and where was the necessity for them to surrender those stocks to the Central Government? "

[21st December 1954]

THE HON. SRI M. BHAKTAVATSALAM :—" Market price itself is fluctuating and we found that the people were not interested in taking these stocks over though their quality may not be bad."

SRI A. GAJAPATHY NAYAGAR :—" Will the Government consider the question of reducing the price of rice? "

THE HON. SRI M. BHAKTAVATSALAM :—" People are getting rice at a low price. So there is no need for the Government to incur a loss by reducing the price of their own stock and selling it at a loss."

SRI MOHAMED RAZA KHAN :—" Am I to understand that the wholesale merchants of Madras were not prepared to take over these stocks at the price fixed by the Government of Madras which was not reasonable when compared with the market price? "

THE HON. SRI M. BHAKTAVATSALAM :—" We have not called for tenders. They are taking it more or less at par. They are not offering more."

DR. V. K. JOHN :—" May I know whether these stocks originally belonged to the Government of India? "

THE HON. SRI M. BHAKTAVATSALAM :—" It was the Madras Government that was distributing these foodstuffs under the rationing system. They took those stocks from the Government of India besides what they could get by way of their own procurement."

SRI A. GAJAPATHY NAYAGAR :—" Will the Government consider the question of appointing a committee to inspect the stocks on hand in the godowns? "

THE HON. SRI M. BHAKTAVATSALAM :—" The hon. Member need not be concerned about it. It is the Government of India, with a full sense of responsibility, who have taken over the stocks. This House need not bother about appointing a committee to inspect the stocks. It is for the Government of India to look into the matter."

SRI A. GAJAPATHY NAYAGAR :—" Are the Madras Government not actually incurring losses in respect of the stocks in the godowns? "

THE HON. SRI M. BHAKTAVATSALAM :—" I do not think we are going to incur any loss on account of the transfer of these stocks to the Government of India."

DR. V. K. JOHN :—" Sir, this is a very important subject as is revealed by the number of questions put by hon. Members just now. As some crores of rupees are involved, I would like to ask for a half-hour debate on this matter."

[21st December 1954]

MR. CHAIRMAN :—" A case for it has not been made out."

THE HON. SRI M. BHAKTAVATSALAM :—" The mere number of questions does not reveal the importance of the subject, Sir."

Constitution and functions of the Secondary Education Board.

* 76 Q.—SRI G. KRISHNAMOORTHY: Will the Hon. the Minister for Finance and Education be pleased to state—

(a) the names of members of the Secondary Education Board; and

(b) the functions of the Board?

THE HON. SRI M. BHAKTAVATSALAM (on behalf of the Hon. the Minister for Finance and Education) :—" (a) A statement* is laid on the table of the House.

" (b) Secondary School-Leaving Certificates are awarded by the Board. It advises the Director of Public Instruction on all matters referred to it in connexion with secondary education (i.e., questions of general importance connected with Educational Rules, recognition of schools, grants-in-aid, service conditions of teachers, inspection of schools, etc.) It is also responsible for the conduct of the public examination at the end of the High School course. It also prescribes courses of instruction for High School classes and for Middle School classes in such branches of education as it may think fit."

SRI G. KRISHNAMOORTHY :—" Am I to understand that the members mentioned in the list placed on the table of the House are nominated members and not elected members? "

THE HON. SRI M. BHAKTAVATSALAM :—" Yes, Sir, I think the hon. Member is correct."

SRI G. KRISHNAMOORTHY :—" Do they take public opinion in any recognized form, say, by receiving memoranda, answers to questionnaires, etc., in regard to the revision of courses of instruction? "

THE HON. SRI M. BHAKTAVATSALAM :—" I do not know how the Board assesses public opinion and takes decisions about the revision of courses of studies."

SRI G. KRISHNAMOORTHY :—" Will the Government consider the question of just making this body more representative of public opinion by having some elected members on it and making the body take public opinion into account and give a report on its work every year? "

THE HON. SRI M. BHAKTAVATSALAM :—" If the hon. Member could make a specific suggestion about the reorganization of the Secondary Education Board, the Government may look into it."

[21st December 1954]

SRI A. GAJAPATHY NAYAGAR :—“ Are the Government issuing any questionnaire on this subject? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ I have no information, Sir.”

Assistant examinership for the E.S.L.C. Public Examination.

* 77 Q.—SRI G. KRISHNAMOORTHY : Will the Hon. the Minister for Finance and Education be pleased to state—

(a) whether Secondary Grade teachers in Middle and High Schools are eligible for assistant examinership for the E.S.L.C. Public Examination; and

(b) if so, the steps taken by the Government to confer such assistant examinerships on them?

THE HON. SRI M. BHAKTAVATSALAM (on behalf of the Hon. the Minister for Finance and Education) :—“ (a) & (b) Secondary Grade teachers working in Middle and High Schools are not familiar with the syllabuses of Higher Elementary Schools nor of their working. Hence they are not considered suitable for the Assistant Examinership for the E.S.L.C. Public Examination, and they are not therefore eligible for assistant examinership. Further generally the conditions of service of Secondary Grade teachers in Elementary Schools are not so bright as those of teachers employed in Secondary Schools. As such, Secondary Grade teachers who are working in Elementary Schools, and who are more conversant with the syllabus, curriculum, etc., relating to the E.S.L.C. Examination than others, are given the examinership. It is not proposed to change this procedure.”

SRI G. KRISHNAMOORTHY :—“ Are departmental officers, viz., Deputy Inspectors of Schools, made Assistant Examiners in these examinations? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ Yes, Sir, the services of experienced officers of the Education Department are also made use of as examiners.”

SRI G. KRISHNAMOORTHY :—“ In view of the sympathy expressed by the Government towards the Secondary Grade teachers of Higher Elementary Schools, will the Government see that these Deputy Inspectors and other officers are not taken as Assistant Examiners and only the Secondary Grade teachers are given this chance? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ The Government may have all sympathy for the Secondary Grade teachers. But in selecting officers as examiners, the Government have to look into the merits of the officers to be selected.”

21st December 1954]

Allotment of funds for panchayat schools.

* 78 Q.—SRI G. KRISHNAMOORTHY : Will the Hon. the Minister for Finance and Education be pleased to state—

(a) whether under the existing arrangements, the allotment in respect of panchayat schools is placed at the disposal of the Regional Inspector of Local Boards; and

(b) whether there is any proposal to place the allotment at the disposal of the District Educational Officers, instead?

THE HON. SRI M. BHAKTAVATSALAM (on behalf of the Hon. the Minister for Finance and Education) :—“ (a) Yes, Sir.

“ (b) No, Sir.”

SRI G. KRISHNAMOORTHY :—“ Are the Government aware of the fact that the delay in the disbursement of salaries to the teachers of panchayat schools is due to the present policy of just taking into consideration the position of personnel in the school in the previous year and not in the previous month as in the case of aided elementary schools? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ The executive authorities of the panchayats who maintain the schools are trying to disburse the salaries every month from the beginning of each year. They are thus disbursing the salaries to the teachers, Sir, the present procedure is working satisfactorily. There was delay in disbursement of salary only during 1953-54 and that was due to the work connected with the separation of the Andhra State.”

SRI G. KRISHNAMOORTHY :—“ Is there any move to place the allotment at the disposal of the District Educational Officers instead of the Regional Inspector of Local Boards? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ The Government find that this system is working satisfactorily and therefore they do not think it necessary to place the allotment at the disposal of the District Educational Officers.”

Government offices and institutions of the Madras State housed in rented buildings.

* 79 Q.—SRI T. PURUSHOTHAM : Will the Hon. the Minister for Public Works be pleased to lay on the table of the House a list of Government offices and institutions of the Madras State that are housed in rented buildings in the City of Madras showing the rent paid for each, and state the steps taken by the Government to shift them to Government buildings?

THE HON. SRI M. BHAKTAVATSALAM (on behalf of the Hon. the Minister for Public Works) :—“ A list of Government offices and institutions of the Madras State that are

[21st December 1954]

housed in rented buildings in the City of Madras showing the rent paid for each is placed on the table of the House.

“At present there are no suitable Government buildings available for housing the offices located in rented buildings in the City. As and when Government buildings become available, necessary arrangements will be made for shifting the offices to Government buildings.”

SRI T. PURUSHOTHAM :—“Consequent on the separation of Andhra, has there not been a general improvement in the situation and could not all these offices be shifted to the Government-owned buildings?”

THE HON. SRI M. BHAKTAVATSALAM :—“There may be a few buildings available and these buildings are being occupied by certain offices. But the hon. Member will see in the list placed on the table of the House that several of these offices are small ones. Apart from that, a Government school located in a private building in a certain area cannot be shifted to another place where there is a Government building available because there will be difficulty experienced by the inhabitants of that locality. So, there is no other way than have recourse to rented buildings.”

SRI T. PURUSHOTHAM :—“Have the Government under consideration any programme of construction of buildings for locating these offices instead of continuing to have them in rented buildings?”

THE HON. SRI M. BHAKTAVATSALAM :—“I cannot say anything now. At present, the Government do not propose to construct buildings for locating these offices.”

SRI T. PURUSHOTHAM :—“Have the Government any scheme to transfer Chingleput offices located at present in Madras City to suitable places within the Chingleput district?”

THE HON. SRI M. BHAKTAVATSALAM :—“That proposal would again depend on the availability of Government buildings within the Chingleput district.”

SRI MOHAMED RAZA KHAN :—“As many of the Civil Supplies transport lorries have been sold, is there any need to occupy a building even now for locating this unit paying a monthly rent of thousand rupees and odd?”

THE HON. SRI M. BHAKTAVATSALAM :—“There are still some lorries and when all of them have been sold, we shall see what should be done.”

SRI T. PURUSHOTHAM :—“As the Government have drawn up a list now, will they review the position and see whether any more Government buildings could not be made available so that the number of rented buildings may be reduced?”

[21st December 1954]

THE HON. SRI M. BHAKTAVATSALAM :—“The Government have always been examining that question.”

DR. V. K. JOHN :—“May I ask whether, in view of the fact that the Government have rented 82 private buildings, it is impossible for them to have a programme of constructing buildings for location of their offices?”

THE HON. SRI M. BHAKTAVATSALAM :—“Construction of buildings means so much of additional capital expenditure. There is the financial difficulty.”

* 80 Q.—

MR. CHAIRMAN :—“This question will be taken up on some other day.”

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

II.—GOVERNMENT RESOLUTION.

AMENDMENT OF THE SEVENTH SCHEDULE TO THE CONSTITUTION OF INDIA—cont.

* SRI K. BALASUBRAMANYA AYYAR :—“Mr. Chairman, Sir, in the Constitution (Third Amendment) Bill, 1954, as passed by the two Houses of Parliament, it is stated that it seeks to amend item 33 of List III of the Seventh Schedule to the Constitution. The first thing to remember is that this is an amendment to an item in the Concurrent List. It cannot be said that this is an amendment to any item in the State List. Let us now examine the amendment.

“Clause (a) is a mere reproduction of the existing item in the Constitution with the addition of the words ‘and imported goods of the same kind as such products’. Clause (b) refers to foodstuffs, including edible oilseeds and oils; clause (c) refers to cattle fodder, including oil-cakes and other concentrates; clause (d) refers to raw cotton, whether ginned or unginned, and cotton seed, and clause (e) refers to raw jute. Except raw jute, every other item finds a place in Article 369 of our Constitution. The question that was discussed in Parliament and on which there was difference of opinion in the Joint Select Committee was whether Article 369 which extended the power of Parliament to legislate on matters mentioned in that Article for five years should continue to be there beyond the 25th January 1955 when it would expire. In other words, they considered the question whether Article 369 should be made a permanent feature of the Constitution by amending item 33 of List III suitably. The question was thoroughly considered and the procedure to be adopted for carrying out the necessary amendment is given in Article 368. The amendment has to be passed by a two-thirds majority in both Houses of Parliament and ratified by not less than half the number of Part A and Part B States. Now the position is, most of the States have given their consent to the amendment of the Constitution. Of course, Bihar has not

[Sri K. Balasubramanya Ayyar] [21st December 1954]

fully agreed. Bihar says that another five years will do for the operation of that provision. But Bombay is entirely opposed to the amendment. Madras State, I believe, has expressed its general agreement. (Sri K. Bashyam: 'They did not say anything.') My friend says our State has not expressed its agreement. The mover of the Bill in Parliament said that no agreement on the part of Madras was expressed but later on the Government of Madras agreed to the amendment. That is the reason why there were some questions also in the Legislative Assembly the other day. We should take it now that except Bombay and Bihar, most of the other States are entirely in favour of the amendment. We must remember that most of the State Governments have a comfortable majority in their Legislatures and there is every likelihood of the amendment being ratified by them. The only question before the House is whether we should make the provision in Article 369 a permanent feature of the Constitution. Bihar has said it should continue for only five years. Bombay has put forth an extreme proposition that it should not extend at all but should expire on the 25th January 1955. That, I am afraid, is an extreme step to suggest. So, the question is which step are we to take; to agree with Bihar or to allow the provision to remain permanently. The matter was well explained by the mover of the Bill in Parliament. He said that as a matter of fact even at the time when Article 369 was being discussed in the Constituent Assembly, the question was considered whether it should remain for fifteen years and that it was finally decided that it should remain only for five years. The point we have to consider now is whether this amendment really affects the rights of the States to the extent to which it is mentioned in the dissenting minutes appended to the Joint Select Committee's report. The dissenting minute states that the amendment will 'progressively pulverise' the power of the States. That is the sentence used and it has been pointed out that it is a very strong sentence. We must bear in mind that the amendment seeks to amend only an item in the Concurrent List. That means that power is given to the States also to do it. We have the same power as the Union Government have in this matter. Another thing was also pointed out in Parliament in the course of the debate on this amendment. You will find it reported, Sir, that Parliament have got every power to legislate except in regard to foodstuffs. Sir, their powers are already there in item 52 of List I. They can declare at any time that a particular industry or trade or commerce is to be controlled by Parliamentary legislation. It is in pursuance of that that the coffee and the tea industry have been taken in the Union List. If at any time it is found that a particular industry should be controlled by the Union Parliament for the sake of public interest and national importance, then the Union Parliament have always got the power to legislate and declare that that particular industry would be controlled by the Centre in view of its national importance. We must remember that fact. According to Article 248 of our Constitution, the residuary power of legislation vests in the Union. There was lot of discussion about that particular matter whether our Constitution should be strictly

11-30
a.m.

21st December 1954] [Sri K. Balasubramanya Ayyar]

of the unitary or of the federal type. But finally we resolved to have a Constitution which was not entirely unitary and which was not at the same time entirely federal. It has got various other provisions. We have a Constitution composed of various items of the unitary and federal type. Therefore it should be remembered that under Article 248 the residuary powers vest in the Union. Whatever is vague and left out in the three lists, viz., the State List, the Union List, and the Concurrent List, Parliament will have the power to legislate if it considers it to be of national importance and in public interest. When we are discussing whether we should have an amendment to item 33 of the Concurrent List, it is better to remember what is stated in Article 73. Especially the proviso to Article 73 of our Constitution says that the executive power of the Union shall not extend to legislation in regard to States unless there be any express reservation of executive power for the particular legislation by Parliament. Otherwise the executive power does not extend to the States. In fact except for customs, income-tax and certain other items, there is no federal or union executive agency throughout the States. The actual application of the rule rests only with the States. That has been pointed out by one of the Chief Ministers, I think it was the Uttar Pradesh Chief Minister. Members have spoken about this in Parliament. The law is only the skeleton law passed by the Union Parliament. But the implementation of the various provisions of the law will be by the States under Article 73 unless the Union Parliament also legislates and makes an express reservation that executive power vests in the Parliament. So I say wherever there is any legislation by Union Parliament in regard to these matters, the co-operation of the States is most necessary. They (Parliament) have no ordinary agency throughout the States for the purpose of carrying into effect the provisions of the statute they may pass. That is why I say, in actual practice, the implementation of the provisions of the law will be by the States. This is an important point we have got to remember.

"After all, when this was passed in 1950, Parliament thought that a five-year period would be enough. Why should they now come to include it in the permanent list, I mean the Union List? I will explain. I would request the Hon. Minister to take what I say in the spirit in which it is offered. I am offering my suggestions for the sake of the welfare of all the States in the country. I am not saying this or that simply for the sake of opposing any measure because I happen to sit on the Opposition benches. I have studied this question carefully and I am talking from the general principles of the Constitution and for the future welfare of our country. Because I am actuated by the motive that what I say should be aimed at the welfare of our whole country, I am talking in this spirit. At the time when this was passed, I mean in 1950, there was no first or second Five-Year Plan. The first Five-Year Plan aimed at improving the economic condition of the masses had not been finalised then. There is one item (item 20 in the Concurrent

[Sri K. Balasubramanya Ayyar] [21st December 1954]

List) wherein the description given is 'economic and social planning'. That has been pointed out by various writers as a very vague term. What do we have now? We are at the end of the First Five-Year Plan. The Second Five-Year Plan is in the offing. These plans are aimed at improving the economic and social stability of our masses. They are aimed at raising the standard of living of the masses. Under item 20 of the Concurrent List, Parliament has got the power to see to it that the First and the Second Five-Year Plans are implemented fully and that the control rests only with Parliament. The Union will be the centre of activity. It will formulate plans for all the States. The actual implementation rests, as I have said, with the States. The general basis that has been laid down by all writers of Constitution in cases where there are demarcating lists, I mean in countries like Canada and Australia, is this: 'Whenever any subject in the list will go beyond the limits of any particular State and will affect inter-State relationships also among the different units, it is but fit and proper that the Union should have the power to legislate on that particular matter.' One of the subjects mentioned here under item 33 is foodstuffs. So far as the food problem is concerned, we are now safe. But at any time the food problem may become acute for, after all, we depend so much upon the seasons and monsoons. If the monsoon fails us, we must face famine and disaster. God forbid that famine and such disaster should occur. We cannot legislate for the future. We cannot say that the States alone can have the power to legislate so far as foodstuffs, cattle fodder, etc., are concerned. I have carefully looked into this matter. Our Constitution is not strictly of the federal type. Autonomy is given to the States. Under Article 249 (1), the Rajya Sabha (Council of States) can pass a resolution by which Parliament will have the power to legislate on any matter enumerated in the State List specified in the resolution. Of course that will remain in force for one year. Therefore, that inherent power is there. Parliament has the power to legislate on a matter mentioned in the State List, under Article 249 (1). Our Constitution is in between the unitary and the federal type. Parliament has got the power to legislate on matters enumerated in the State List, in case such a course is considered necessary in national interest. Of course, the emergency provisions are there when Parliament will take control of the entire State in case of emergency. Parliament has always the power to legislate on matters in the Concurrent List when the matter concerns the social and economic needs of the public. We have now the First and the Second Five-Year Plans and it is absolutely important that for the upgrading of the standard of living of the masses and their social and economic betterment, Parliament should see to it that the two Five-Year Plans are carried out fully. Therefore I feel, having regard to the economic and social planning that is mentioned in item 20, the present permanent inclusion of these items in the Constitution will not to any great extent minimise the powers and responsibilities of the States. The States have always got the power to deal with the Centre. Under Article 368 of the Constitution, an amendment of the Constitution has got to

21st December 1954] [Sri K. Balasubramanya Ayyar]

be ratified by the State Legislatures. Unless it is ratified by the State Legislatures, it cannot be presented to the President for assent. The States have always got the power to co-operate with the Centre and to bring influence to bear upon the Centre. These subjects like food, raw cotton, raw jute and so on—the jute industry, as was pointed out by the Commerce Minister, is in an unstable equilibrium—that are now taken up are taken only to the Concurrent List and they are of such national importance that they cannot be confined to one State or another. Though we have got surplus stocks of certain commodities in certain States, still it was pointed out that cotton yarn was not being fully supplied to the textile mills in Bombay. Of course, I feel that there may be something to be said in favour of those people who urge very strongly that the autonomy of the States should not be interfered with. Article 369 accepts that principle because it is said therein that during a period of five years from the commencement of the Constitution Parliament shall have power to make laws with respect to certain matters as if they were enumerated in the Concurrent List. In spite of all these things, when we take into consideration the other side of the picture, namely, that there are two Five-Year Plans, that there are also future plans and that item 20 in the Concurrent List refers to economic and social planning, I feel that what the Union Government have done in proposing to amend item 33 is for the welfare of the whole Union including all the States. I also feel that in spite of the fact that there are transitory provisions which are to be made permanent, we can ratify the payment proposed to be made by Parliament."

SRI E. H. PARAMESWARAN :—" Mr. Chairman, Sir, I support the amendment to the Seventh Schedule to the Constitution proposed to be made by the Constitution (Third Amendment) Bill, 1954. To me it appears that this is a very simple amendment and that there is no room for any controversy at all. I feel that even without much discussion this House can ratify this amendment. Criticisms have been made in both Houses of Parliament that this amendment is a serious encroachment on the powers of the States. It was pointed out that the Centre was making inroads into the powers of the States and that State Governments had been asked to surrender their rights. When I read the Constitution as a student of History and Politics, I feel that the Centre is not making any inroad into the powers of the State Governments. This is only a clarification of item 33 of the Seventh Schedule in the Constitution and we have got all the powers in the Concurrent List. The States have not been denied the right of legislating on these matters. Therefore, I think that this House can pass this amendment without any serious discussion. So far as the Madras State is concerned, I feel that we stand to gain, because the articles included in this amendment are mainly foodstuffs in which Madras has always been deficit. Therefore, it would be a great advantage if the Central Government have got the power of controlling foodstuffs. If the Centre has not got that power, the Madras State

[Sri E. H. Parameswaran] [21st December 1954]

will be the loser. I personally feel that the Madras State stands to gain very much by this amendment and I have therefore great pleasure in supporting this amendment."

* SRI A. GAJAPATHY NAYAGAR :—" Mr. Chairman, Sir, I would like to speak in English on this important subject of amendment to the Constitution because if I talk in Tamil, many hon. Members do not try to understand my speech. It is a pity that Tamil Members do not want to understand Tamil." (Sri T. Purushotham : 'Sir, that is very sad reflection.')

* THE HON. SRI M. BHAKTAVATSALAM :—" Sir, I want to protest against this statement. The Tamil Members and also the other Members here are as much enthusiastic as the hon. Member about their mother-tongue and we do understand even his Tamil quite all right." (Laughter.)

MR. CHAIRMAN :—" The hon. Member will speak on the amendment."

* SRI A. GAJAPATHY NAYAGAR :—" Sir, our Constitution is called 'the Constitution of the Indian Union'. That is a very good title. It has laws made for the Union and it has laws made for the States. It has got three lists, namely, the Union List, the State List, and the Concurrent List. Of course, all the formalities of a Constitution are there, but I must say one thing here. When the Constitution for France was framed, the elders sat together and said 'Now let us state that we want. We do not want lawyers. The Law clerks will reduce to writing what we want.' But here in India a number of lawyers took part and our Constitution is only a lawyer-made Constitution. I say so because we are now reaping its effects. This Constitution is called a 'Federal Constitution'. I can understand a strong Centre because we want a strong Centre for a definite internal policy and for protection from foreign aggression. But in the name of the Centre we cannot go on centralizing everything. After all, what is a State for? Under the British suzerainty, the Provincial Governments had a large measure of autonomy. But that has been taken away by our Constitution. What we have got now are village panchayats, official oligarchy and a strong Centre. What is the meaning of democracy? Is any power left to the States? I say that every State must have individual responsibility at least in the matter of feeding its own millions. Why should that power be taken away from the States?

"When the subjects relate to those mentioned in the Concurrent List, the State must be consulted first. Why should the Centre take unnecessary responsibility on its head? I say that we must make the Madras State self-sufficient in rice production. For that, the responsibility is not given to the States. If the State is given that responsibility, Madras will become self-sufficient in rice. Every act of the Central Legislature makes our State irresponsible. Don't we have individual existence? Don't we have

[21st December 1954] [Sri A. Gapapathy Nayagar]

our own responsibilities? Why then should we feel that we cannot get on without the help of the North? In the name of democracy, let us not legislate always. Let us have a strong Centre. I welcome it, but I oppose centralization. That is the point I wish to stress."

* SRI K. BHASHYAM :—" Mr. Chairman, Sir, this resolution has been moved and also supported by Sri K. Balasubramanya Ayyar with some sort of apology because it relates to the amendment of the Constitution. The Constitution is one which should not be disturbed and there must be very strong grounds for making amendments to it. Therefore it is that both the mover of the resolution and also the hon. Member Sri K. Balasubramanya Ayyar who supported the resolution had to come forward with apologies for saying that in the present case there were good grounds for supporting the amendment. They have also tried to point out that in spite of the amendment there will be some power left in the States for the purpose of 'influencing' (I use this innocuous word 'influencing') the Central Government. It is essential for us to know in the case of a conflict between the Union and the States, whose voice is to prevail in respect of the subjects on which they have the power to legislate. Three lists are mentioned in the Constitution, namely, Union List, State List, and the Concurrent List. In respect of the Concurrent List subjects, we may legislate. But when once the Centre legislates in respect of a Concurrent List subject, to the extent to which the Act of the State Legislature is inconsistent with the Central Act, to that extent the State Act is invalid."

* SRI K. BALASUBRAMANYA AYYAR :—" There is a proviso. If the law is a later law, which was reserved for the consideration of the President and was accepted, then the later law would prevail as against the earlier law."

* SRI K. BHASHYAM :—" There is further complication also. I do not want to go into that. That is not also the point we are concerned with. If we really add items to the Concurrent List, the overriding power to legislate in regard to them will vest in the Centre. The Centre can overdo it and may overdo it. Whether the Centre did this after consultation with this Government or this Government allowed them to have this power, is a question with which I am not concerned. The question for consideration is whether the power to legislate in respect of these commodities should ultimately vest in the Centre or the States. It was said that our Constitution was not a Federal Constitution. It was said that it was a sort of combination of federal Constitution, and therefore could not be said to be really federal. To say that residuary power is left with the Centre and not with the States, is correct. Even if that is so, the semblance of power that is given to us, the modicum of power given to us, is sought to be encroached upon by the Centre. This is a question which requires serious consideration. It has been pointed out already that as a matter of fact the Government are already having

[Sri K. Bhashyam] [21st December 1954]

ample powers for the purpose. Parliament may declare any State to be in a state of emergency and they can legislate in respect of that State. The President of the Indian Union can declare an emergency in respect of any State. When Parliament have this power, is it necessary or possible or even desirable that we should ourselves bring in an amendment for the purpose of surrendering our powers to the Centre? I can understand legislation which is necessary in emergencies. If powers are to be taken for meeting any emergency that may arise in the near future, even that I can understand. If all along we had not had the power to legislate in respect of State subjects, that will be a different matter. But we have had all these powers so far. Why should these powers be taken away now? I say that in respect of these matters, the powers of the State Legislature are not to be curtailed or in any way restricted unless there is absolute and immediate necessity for doing so. Even if there is an imminent necessity—for example the declaration of emergency by the President in any particular State—the Union can provide for that emergency. But this surrendering of powers to the Centre, when there is no need for it, is wholly unnecessary. It is wholly premature. The Government are probably anticipating a difficulty. So far as foodstuffs are concerned, we are now happily having large quantities of foodstuffs. It may be pointed out that in future years seasons may change and that food supply may be affected and, therefore, some sort of legislation is necessary. But I say, Sir, that we can have that legislation then and not now. Even if that emergency should arise, some other method can be evolved to meet the situation. It is said that for future contingencies they are making provision. I feel that there is absolutely no necessity to bring in a resolution now for surrendering power to the Centre for meeting a contingency at some distant future. The amendment to the Constitution encroaches upon the State Legislature's powers. So far as food production is concerned, I protest against any encroachment on the powers of the State by the Union unless there is absolute necessity for it. I have shown to the Members of the House that the surrendering of power is not to meet any immediate necessity or even the remote future necessity. Even if such a necessity should unexpectedly arise, there are powers in the State Legislature and also in the Central Legislature to declare an emergency and put down some subjects for legislation by the Centre. Therefore, my submission is that there is no need for the Centre taking over power now.

“ On the merits of the resolution, I would like to say this. Hon. Members may have read both the old and the new articles. The original Article 369 says . . . ‘ Parliament shall, . . . have power to make laws with respect to the following matters as if they were enumerated in the Concurrent List, namely :—

• (a) trade and commerce within a State in, and the production, supply and distribution of, cotton and woollen textiles, . . . foodstuffs (including edible oil-seeds and oil), cattle fodder.’

[21st December 1954] [Sri K. Bhashyam]

They want to add ‘ imported goods of the same kind as such products ’ also. After all, there is the customs duty on imports and exports. This is not a serious encroachment. What we are concerned with is foodstuffs, including edible oil-seeds and oils’. If agriculture is a thing which is in the list of the State Legislature, can food-supplies come under anything other than agriculture? If the Centre should say that it is going to control foodstuffs and that the State will still have powers to legislate in respect of agriculture, I ask how are the two to be reconciled? This is difficult for me to understand, at any rate. If ‘ agriculture ’ is taken away, I can understand that.”

* SRI K. BALASUBRAMANYA AYYAR :—“ It was so badly done that I did not want to complain.”

* SRI K. BHASHYAM :—“ So far as production is in our hands, why should control over foodstuffs go to the Centre? I do not understand this. It is possible to say that when once the grain is produced, the Centre steps in to control it. This can be done. But I ask, is it a desirable thing to do? By doing this, we will be impairing the initiative of the State Legislature and perhaps even the enthusiasm of the State. At any rate, I remember in 1946, when I had something to do with the subject, the question of oil cakes came up for consideration. Oil cakes were being exported to other places. When we wanted oil cakes in our own State, we could not have them. This was because there was the control. The Government had to go to the Centre on bended knees and ask for supply of oil cakes to this State. So, if we have to give away our power to the Centre in respect of foodstuffs also, we will have to depend upon the Centre for food, and it will also be necessary that we keep them in good humour always. I agree to all these things. But these can be done without this resolution. Everything can be done without this surrender of power and by executive action. Therefore, this question of taking over power by the Centre in respect of foodstuffs alone and separating it from ‘ agriculture ’ is a thing which will not easily work in practice. It is not practical to separate the two either. Whichever Government has control over agriculture must have control over foodstuffs also. So, even from the Government's point of view, it cannot be said that the proper thing has been done. About cattle fodder and oil cakes, I do not want to say much. As for concentrates, we do not quite clearly understand what they are. Though we have read about that term more than half a dozen times, it is very difficult for us to understand what exactly they are. Are there concentrated food for cattle also just as we have for human beings? Are any such concentrated foodstuffs being imported from Australia and other countries for feeding our cattle? I am yet to see whether there is any such concentrated food. So the necessity for making provision in regard to this item is expected to arise only at a future date. What I say is that in respect of such items, we can make suitable provisions when there is an emergency.

12
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[Sri K. Bhashyam] [21st December 1954]

"As regards raw cotton, everybody knows something about it. So far as the export and import of this material is concerned, there is no doubt that the Government of India must have some control. With regard to finer varieties of cloth, if they want, the Government may have some control. I cannot say the same thing with regard to the rough or less fine varieties.

"As for jute, I entirely agree with the Government of India, and so far as Madras is concerned, there is no jute here. So from the practical point of view and also taking the merits into consideration, I do not see any justification for bringing forward an urgent legislation to amend the Constitution in respect of this matter. I strongly protest against the amendment of the Constitution in this manner, especially when there is no necessity at all. The Union Government are only anticipating an emergency at a future date. If, however, this resolution is to be passed, let it be passed with a protest by this State."

* SRI T. M. NARAYANASWAMY PILLAI :—"Mr. Chairman, in this case, the attitude that I wish to take up is this. It is not as if this matter concerns only the Government of the day. When a question of dispute arises between the State and the Centre, it is better we have a resolution of the House supported by all sections. It is not as though there is one view represented by the Government and another view represented by the Opposition party so far as this matter is concerned. My view is something similar to the view expressed by the hon. Member Sri Bhashyam. At the same time, I wish to stress that while arriving at conclusions as to whether it is necessary, desirable or emergent, the whole House must speak with one voice. Taking up this attitude, what I wish to say is that this amendment with regard to the inclusion of foodstuffs, other edibles and oil cakes, seems to be quite unnecessary. We must thank the hon. Member Sri Balasubramanya Ayyar for the clarification he gave with regard to the several provisions of the Constitution. Reading them together, it is very clear that the articles mentioned in Article 369 are definitely intended to be legislated upon only by the State after the expiry of five years. There was no intention at all at any time of amending item 33 so as to include foodstuffs and oil cakes. Item 33 has to be read with items 26, 27 and 28 of the State List. When we read these items together with Article 369 of the Constitution, it seems to be clear that what was in the mind of the framers of the Constitution was that the States were the most competent to deal with and legislate upon matters relating to foodstuffs and also others which relate to the social and economic planning. So, I am very diffident whether the transfer of this power to the Concurrent List would really benefit the citizens of the States. It is no use saying that it is only an item in the Concurrent List and the State have got concurrent powers. On reading the Constitution and also taking the fact that the residuary power is with the Centre, I wish to state that this concurrent power is only illusory. Where

[21st December 1954] [Sri T. M. Narayanaswamy Pillai]

the Centre occupies the field of legislation, then, for all practical purposes, the power of the State is at an end. I do not know whether I am using a strong expression if I say that the power of the State has been pulverized. The power of the State to legislate upon matters relating to foodstuffs will be practically reduced to nothing. In the five years in which the Central Government took powers under Article 369 and were administering certain matters, it has been our experience that the interests of the State were very much affected. The Hon. Minister has not placed before us any figures. Coming as I do from a mufassal town, I know very well how the Centre's administration of sugar, paddy and rice has not been to the benefit of the agriculturists of this State. If the administration had vested in the State Government alone, our Government would have dealt with them effectively and to the satisfaction of agriculturists. The administration of sugar by the Centre led to a crisis in Pugalur and the sugarcane growers were ruined. The State Government sympathized with the position, or plight I should say, of the sugarcane growers in Pugalur. They wanted to fix a certain price, but this was not accepted by the Centre. I do not blame the Union Government but they are so far away and they cannot be expected to be in touch with local feeling. Failure on their part to be responsive to local feelings will place the State Government in an unreal position. In regard to the price of paddy also, it was fixed with reference to the ruling price in Uttar Pradesh where conditions were quite different from the South, viz., places like Tanjore and Tiruchirappalli. People were forced to accept a certain price. But for the blackmarket, all the mirasdars would have greatly suffered at that time. Once we give power to the Centre to undertake legislation relating to agricultural products, I am afraid it will be very difficult for the State to step in and be responsible to the people. I say this not in a spirit of antagonism but in a spirit of reinforcing the State and also arming it with the necessary powers in regard to this matter. It is very, very essential that the State must have power in these matters. I have to say this because our previous experience has not been very happy. So, the State Government, before ratifying this amendment, should at least see that they have legislative control with regard to foodstuffs and articles like oil cakes and things of that kind. No doubt, we are all citizens of India and the Central Government must have some powers to deal with emergent situations. We do not deny that, but to enable the Union Government to step in at a time of emergency, there are other powers. Sir, again with regard to the stocks of rice transferred to the Central Government, we do not have full facts. In spite of the wishes of the State Government, we do not know whether the loss will be debited ultimately to the State Government. We do not know how this matter is going to end. That is why I say that it is much better if the State Government had powers in regard to matters relating to foodstuffs. So, I do not wholeheartedly support the motion moved by the Hon. the Leader of the House. But I would earnestly request the Hon. Minister

[Sri T. M. Narayanaswamy Pillai] [21st December 1954]

to see that this State does not part with such powers as are so necessary and essential to enable it to discharge its responsibilities towards the citizens of this State."

12-10
p.m.

SRI MOHAMED RAZA KHAN :—" Mr. Chairman, Sir, I have heard with interest the constitutional digression of my friend, Mr. Balasubramanya Ayyar, who gave full support to the resolution before the House. Constitution apart, there is a principle involved here. I do concede the point of my friend that our Government is not whole one like a Federal Government. While that is so, it was the belief of the framers of our Constitution that in a large country like ours, provincial autonomy was quite necessary and this view was fully shared by the Provincial Governments then. I also concede that in the matter of security of the State, the Central Government should have complete control over the State units. There cannot, however, be any dispute about subjects like trade, commerce, industry, and like things remaining within the jurisdiction of the States. My friend, Mr. Narayanaswami Pillai, in his speech referred to the question of 'sugar'. I know personally that conditions differ from district to district. What is applicable to one district does not apply to another and even within a district, what applies to one taluk does not apply to another. Therefore, I feel that provincial autonomy in respect of these subjects is a necessity. I cannot understand the arguments of those who want to support this amendment of the Constitution. Can they give any instances showing that in the last five or six years the State Government did not carry out the orders of the Central Government? Conditions were abnormal and there was a good deal of shortage of foodstuffs and even then the State Government simply accepted whatever the Central Government said. In fact, if I remember aright, the Madras Government have been so good and friendly in their attitude to the policy of the Central Government that they have on many occasions been shown special consideration by them. Even when public opinion was against, our Government did not fail to carry out the behests of the Centre. If we did so, we did it in the interests of our State. But what suits one State may not suit another. Take for instance the question of the sugarcane industry. The policy followed by the Uttar Pradesh Government and the Bihar Government may not fit in with our economy. I feel that a proper case has not been made out by the Government for ratifying this amendment. No instance has been brought to our notice by anybody that the Centre has ever felt it inconvenient or difficult to have its policy accepted by the States. In the matter of food production, Sir, I feel that the States should have complete power and authority. If the Central Government say: 'Well, we cannot be at the mercy of State Governments; we will do what we like', then let the Central Government have their way by all means. Let them say that they have no faith in provincial autonomy. I shall be satisfied. Let them not say at one time that there is provincial autonomy and other times try to bring in

[Sri Mohamed Raza Khan] [21st December 1954]

an amendment to the Concurrent List like this. Where there is a chance now for mutual adjustment between the Centre and the States, the whole thing is sought to be taken away from the States to the Centre. None can point out one instance of the Madras Government—I speak for our State alone—differing from the Centre even in the days of the worst food shortage in our State. Did we refuse to carry out their behests and bring about any loss in production? Not at all. The policy adumbrated by the Centre has always been followed here. The Hon. the Minister for Agriculture will remember what happened a few years ago when the Madras Government were obliged to pay an exorbitant price for the rice they got from the Uttar Pradesh. We did not know what price they paid but we knew full well what amount of loss it resulted in. We lost nearly two or three crores of rupees because the stock was dumped on us. There were a good number of interpellations in the Assembly and I still remember that the Congress Members themselves were more vehement than others on that occasion in opposing the policy of the Government. So, Sir, there was no difference of opinion at all between the two Governments on matters of policy. If, according to the Centre, production of food is a thing concerning agriculture, and therefore it cannot be separated from agriculture as such, let them take away everything to themselves, if they are convinced that their policy may not be to the liking of the State Governments. As Mr. Bhashyam said, I too would have no objection then. But the constitutional provision now existing fixes a time-limit of five years only. Now conditions have returned to normalcy and food prices are gradually coming down. Some of the State Governments are really perturbed over the steady fall in prices. So, there is no necessity for amending the Constitution in this way. Apart from this, the Government also could not make out a case. I shall point out one more fact in this connexion to prove my case that food shall remain a State responsibility. A few years ago, Mr. Rajagopalachari embarked upon a bold policy of decentral. When he did it, we knew that the Central Government were very much opposed to such a step because they felt that a situation might arise in some other State or for that matter in this State itself which might warrant the reintroduction of control at a later date. It is also possible that some other States felt that, having regard to the conditions obtaining therein, control was necessary. But it was the personality of our former Chief Minister, Mr. Rajagopalachari, that told the Central Government: 'Well, I feel I can manage the affairs of my State; I feel there is sufficient quantity of foodgrains in the State; therefore, there is no need for control now.' The Central Government after watching our experiment for five or six months announced their policy as one of 'complete decentral'.

"I feel that the Government have committed themselves to the policy of supporting the amendment. But still it is not too late. In the Constitution it is stated that if not less than half the number of Part A and Part B States do not ratify it, it will not

[Sri Mohamed Raza Khan] [21st December 1954]

become effective. Let the Government oppose this in the name of provincial autonomy. As I have said in the earlier part of my speech, conditions vary not only from district to district but from taluk to taluk. The State Government alone are competent to legislate on these subjects. The people of the State do not appreciate the stand taken by the Central Government in this regard. To-day, it may look a very innocuous thing but this is not the end but only the beginning. Every time there will be some amendment or other proposed by the Centre to curtail the powers of the State. I know the Central Government are suspicious about the policy of the States in regard to such subjects.

12-20
p.m.

"I do not know why this feeling has come to the Central Government. After all it is the desire of everybody, the Centre, the Provincial Governments, Ministers and Members of the Legislature, that what is to be done should be done in the interest of the people. There is no question of controversy between one State and another over this question. Every State wants to safeguard its rights. The Bombay Government refused to give their assent to the proposed amendment to the Constitution regarding cotton because the bulk of cotton produced and imported in the State was consumed by the Bombay mills. As such they thought they should not give their control over cotton to the Centre. That is why they have stoutly refused to accept the amendment. What I say is that the States should have the freedom to choose what is best for them. They should not allow their powers to be taken away like this."

SRI M. P. GOVINDA MENON :—"Sir, I beg to oppose this amendment to our Constitution. I agree with the hon. Member Sri Balasubramanya Iyer that our Constitution is neither unitary nor federal. It is a combination of both. It is the harmonious blending of opposing principles. The framers of our Constitution naturally thought that our Constitution must provide for some over-centralization in the Centre in the matter of the safety of the country and its defence; at the same time they thought it necessary to decentralize administration which could be left to the States concerned. We do not believe in over-centralized democracy, a democracy which is practised in our neighbouring country. We believe in decentralized democracy, a democracy which would reserve full power to the Centre for the safety and defence of the country (which should be done in the interest of the public), but at the same time leave other things to the concern of the States. The subjects to be dealt with by the States are enshrined in the State List. Now the Centre wants to make inroads into matters pertaining to the States only. We cannot mortgage our rights. Of course, Mr. Balasubramanya Iyer says that on matters enshrined in the Concurrent List, the Centre will have priority and its opinion will prevail as against the States. We cannot surrender our autonomy like this. We cannot surrender the rights guaranteed to us in the State List. We do not like to have the status of

21st December 1954] [Sri M. P. Govinda Menon]

Municipal Governments. It is absolutely not necessary to add more and more items to the Concurrent List. Under Article 369, power is given to the Centre for a period of five years from the commencement of the Constitution to make laws with respect to certain matters in the State List as if they were matters in the Concurrent List. We gave that power in the initial stages to the Centre because we thought that it would be necessary in the initial stages. That period of five years is not yet over. When the period is not yet over, what is the provocation for this amendment to the Constitution, and that too so immediately? What is the urgent necessity? Of course if there is a grave emergency it is necessary to give wide powers to the Centre. In fact there is the emergency provision in our Constitution. Apart from this fact, we have Article 249 wherein the power to legislate with respect to a matter in the State List, in the national interest, is given to Parliament. If a resolution is passed with a two-thirds majority (the framers of the Constitution had put the two-thirds majority for they did not want the ruling party to hustle through a measure with a simple majority) in the Council of States that it is necessary or expedient in the national interest that Parliament should make laws with respect to any matter enumerated in the State List specified in the resolution, it shall be lawful for Parliament to make laws for the whole or any part of the territory of India with respect to that matter while the resolution remains in force."

SRI K. BALASUBRAMANYA AYYAR :—"That will have effect for only one year."

SRI M. P. GOVINDA MENON :—"There is the proviso. Probably the hon. Member Sri Balasubramanya Ayyar has not seen it. That proviso gives the power of renewal for another year. That is why I say, once we give the power, there is the likelihood of its being continued year after year. What guarantee is there that the Council of States will not extend the period? I fear that the hold that we are having over the subjects in the State List is being taken away slowly. We thought there would be decentralized democracy after Independence so far as the States were concerned. But what do we find now after seven years of Independence? Our powers are slowly being taken away. We thought that the real government of the States would be by the people. I agree with Mr. Gajapathy Nayagar that the administration of a State should be carried on in the regional language. I am objecting to it here because I belong to another language group. Once we go away, I do feel that the administration of each State should be carried on in its own regional language. Then only people would be able closely to follow the activities of Government. There will be then only real decentralized democracy. But unfortunately our control over our own subjects is being taken away. We cannot mortgage our rights like this. I

[Sri M. P. Govinda Menon] [21st December 1954]

protest and strongly protest against this inroad into our rights. I also voice forth my humble protest against the State Government encouraging such a step."

* DR. V. K. JOHN :—" Mr. Chairman, this is a most important subject and I agree that members should express their views without reference to party considerations. We should not look at it even from the point of view of the State; but we must look at it from the point of view of general interest of the nation. This is important for many reasons. First of all let me say we are amending the Constitution. We have had during the last four years, ever since the Constitution came into force in 1950, two amendments to the Constitution. This is the third amendment that we are having now to-day. The draft of a fourth amendment has been published in to-day's papers. The first amendment dealt with the fundamental rights guaranteed by the Constitution to the individual. The third amendment is an amendment touching the fundamental right guaranteed by the Constitution to the States. The fourth amendment, published to-day in the newspapers, is again an amendment to the Constitution touching the fundamental rights guaranteed to the individual. The Constitution is a very sacred and inviolable document. It should be noted in this connexion that after 175 years of its working, the Constitution of the United States has been amended only 22 times and during the period of 100 years the Canadian Constitution has been amended only seven times. At the rate at which we are progressing, every year we are bringing in an amendment to the Constitution. This I think is a very wrong thing to do. Unless there is supreme necessity for it, there should not be an amendment to the Constitution. It is not like the ordinary law which could be amended easily. I am surprised that this Government when asked to give their opinion on the proposed amendment to the Constitution did not give their opinion before the Bill was introduced in both Houses of Parliament. Only then did this Government wake up and gave their opinion to the effect that they agreed to the amendment proposed. When the Bill was discussed in Parliament, member after member characterised the Madras Government as a Government who had no mind of their own to come to an independent conclusion. I condemn and condemn strongly the attitude of this Government that in so important a matter as an amendment to the Constitution, they could not think about it, discuss it and give their opinion *in time* to assist the Central Government to find out whether it would be correct to introduce such an amendment to the Constitution or not. The Bombay Government gave their definite opinion. They gave the opinion that they were against the amendment to the Constitution which affected the fundamental rights guaranteed by the Constitution to the States. The Bihar State agreed to extend the time-limit for a further period of five years but it was definitely opposed to the inclusion of the item permanently in the Concurrent List. The other State Government gave their opinions. But the Madras Government, although one of the most important of the Part A States in

12-30
p.m.

21st December 1954] [Dr. V. K. John]

this country, did not give their opinion at all and the Hon. Minister who moved this resolution to ratify the amendment did speak lightly as if it were something which was not so very important. [The Hon. Sri M. Bhaktavatsalam : 'Of course, I was not vehement' (Laughter).] He never explained to the House the views for and against and why this Government should support the resolution. Did the Hon. the Leader of the House give any reason as to why this Government should make this motion supporting the amendment passed by the Parliament? That is why I rightly said that it was moved without expressing any opinion, because the Government of Madras have earned a notoriety that they are one of those Governments who did not express any opinion on this very important matter. For the benefit of those hon. Members who are not lawyers, let me explain that this resolution has come up before this House on account of Article 368 of the Constitution which provides that if the proposed amendment seeks to make any change in any of the Lists in the Seventh Schedule—there are three Lists, the State List, the Union List and the Concurrent List—the amendment shall also require to be ratified by the Legislatures of not less than one-half of the States specified in Parts A and B of the First Schedule by resolutions to that effect passed by those Legislatures before the Bill making provision for such amendment is presented to the President for assent. This will be a very rare occasion. Only with reference to five matters, the State Legislatures have been given the power to express their opinion and this is one of them and we are asked to give our opinion.

"Now, what is the amendment for? The amendment touches Article 369. You will see, Sir, from the State List that item 26 is trade and commerce within the State, subject to the provisions of entry 33 of List III, and item 27 is production, supply and distribution of goods, subject to the provisions of entry 33 of List III. Now, the framers of the Constitution thought that it was necessary that for developing the economy of the States, they must have control over the production, supply and distribution of goods and therefore they gave the power to the States. In the Concurrent List we find item 33 which says 'trade and commerce in, and the production, supply and distribution of, the products of industries where the control of such industries by the Union is declared by Parliament by law to be expedient in the public interest'. Article 369 goes further and provides 'Notwithstanding anything in the Constitution, Parliament shall, during a period of five years from the commencement of this Constitution, have power to make laws with respect to the following matters as if they were enumerated in the Concurrent List, namely, trade and commerce within a State and a number of other subjects. There is provision only for five years. Why did the framers of the Constitution make a provision that this power should be vested in Parliament only for five years? Because at the time when they framed the Constitution, they thought that it was in the interests of the country as a

[Dr. V. K. John] [21st December 1954]

whole that Parliament should have certain powers which otherwise they should not have and they specified a period of five years. Before the end of that period, Parliament has brought forward a Bill not for extending the period by another five years or ten years but for taking the power permanently. Unfortunately in our country, both in the Centre and in the States, there is a mania for getting more and more power to the Executive because the Executive can easily influence the Legislature. Therefore, the Central Government, in pursuance of their great desire to acquire more power than was granted by the Constitution, have brought forward this Bill to amend the Constitution. The hon. Member Sri Bhashyam and also some other members asked what was the necessity for taking over these subjects permanently. I must say in this connexion that I am one of those who believe in a unitary Constitution, not in a Federal Constitution. It is better that in the conditions existing in our country to-day, the Centre has every power. If the Centre had all the power, probably in this State we may not be having the Sales Tax Act in the shape in which we are having it now. But once the Constitution is framed and once it is passed and is considered to be a sacred, sacrosanct and inviolable document, which should not be touched upon unless there is urgent and absolute necessity, it should not be amended in the manner in which the Centre is amending it as if it is an enactment of Parliament or a State Legislature. It is a wrong thing to do. In other countries also they have their own Constitutions but they consider them to be the most sacred. How much inroad has been made into the Fundamental Rights given by the Constitution to the individual? Already two amendments have been passed and this is the third amendment and we are going to have many more amendments. I want to ask the mover of this resolution, 'Do you believe that this State will make a law which is injurious to the whole country?' Where is the need for suspicion that when we make a law in respect of subjects falling in the Concurrent List, we will do something which would be against the interests of the country? Unless there is fear or suspicion, I do not see the necessity for bringing in this amendment. The mover of the resolution did not at all tell us about the necessity or the emergency for taking over the subjects permanently. There may be some reason which he could not tell us. That is why he moved his resolution very lightly. He would not tell us why the powers of the States should be taken away. It is said that this subject is in the Concurrent List. My hon. Friend Mr. Balasubramanya Ayyar, who was clearly explaining the Constitution, also said that there was the proviso to Article 254 (2). That Article is to the effect that if Parliament makes a legislation, and we pass a legislation some time later, the later law will prevail. But he forgets that the President's consent is required for the later enactment. Is the President likely to give his consent to an enactment which is repugnant to an enactment of the Central Legislature? The President is advised by the Central Executive, and, therefore, whatever subject is in

12.40
p.m.

21st December 1954] [Dr. V. K. John]

the Concurrent List, this Government and all other State Governments must be at the mercy of Parliament as regards legislation in respect of that particular subject. If we make a law which is repugnant to the law of Parliament, that law becomes invalid. The result is that although the subject mentioned in the Concurrent List, it will for practical purposes be only in the Union List. Therefore we have to see whether the States should surrender their powers to the Centre. I am not looking at the Madras State alone. As my hon. Friend Sri Govinda Menon pointed out, what is required for the development of this country is the concentration of certain essential powers in the Centre. Residuary powers are with them and rightly so, although in the Constitution of the United States of America, residuary powers are with the States. Still the Supreme Court of America has interpreted the Constitution in such a way as to give more power to the Centre. The Supreme Court has laid down that the Constitution of the United States is not what one reads in their Constitution as a layman but the Constitution is what the Supreme Court says it is. In our Constitution we have rightly left the residuary powers with the Centre. All important matters can be concentrated only in the Centre. But in matters relating to the control of production and distribution of foodstuffs and other things, it is better that we have the power. The necessity of one State may be quite different from that of another State. Therefore it is that the framers of this Constitution looked to the interests of the country as a whole and, after considering the matter over and over again, came to the conclusion that this control over vital commodities which affected the economy of the States should be left with the States. But at the time they passed this Constitution, we were in an emergency. There was the question of shortage of foodstuffs. There was shortage in many other items also. Therefore they wanted to take power to themselves for five years. We do not now find any emergency whatsoever. The hon. Member Sri Bhashyam pointed out very clearly that there was no emergency whatsoever for passing this resolution. I ask why this Madras Government, not only not giving an opinion when they were asked to give to assist the Centre, should now bring in this resolution, and then want all hon. Members to pass it even without a discussion. Without telling us why the fundamental right of this State is so easily touched, they want us to pass this resolution. I do not find any reason whatsoever. We should have faith in our Legislature. The Government apparently have no faith at all. Why not the Government take the line of the Bombay Government? What the Bombay Government's argument? The Mover of the resolution would not tell us. (Interruption.) Why don't they (Bombay Government) give that power to the Centre? Do they believe that the Centre will do them harm? It is because one of the fundamental rights granted by the Constitution in the interests of the country, namely, the right of the State to exercise control over production and distribution of commodities which are vital to the economy of the State, is sought to be taken away.

[Dr. V. K. John] [21st December 1954]

Therefore, Sir, I do not see why this Constitution should be amended so lightly by touching the fundamental rights of this State."

SRI V. CHAKKARAI CHETTY :—" Sir, I am opposed to this resolution. In addition to the arguments that have been very ably advanced by our constitutional lawyers here, I have a further argument coming from an ordinary layman, namely, we do not want to be dominated by people in the North. As a matter of fact, the present Government of Madras are at the mercy of the Central Government on account of the disequilibrium of parties. It was not very easy to decide whether the Congress Party should hold power in the State here. Our Ministers ran to and from Delhi and consulted some big men there. The people in the South have very little voice in the Parliamentary Board of the Congress Party in the North which dominates the Central Government. The Central Government is dominated by the Congress Party in the North. Our voice is like the voice of one crying in the wilderness. Therefore it is I propose that this idea of surrendering the rights of this State to the Central Government should be given up. Unfortunately the conscience of our Government is still supine. (Dr. V. K. John 'Have they got a conscience?'). I for the sake of charity assume that they have got a conscience unless the contrary is proved completely. That has not been done. Although my friend the Deputy Leader of the Opposition thinks that the Government have no conscience, I think they have the conscience which God has given to men individually as well as collectively. For the simple reason that we have no voice in the Centre, we ought not to surrender our rights to the Centre. The Centre is dominated by people in the North, who have their own social and economic interests to serve as against the interests of this State. That may be due to various historical circumstances. The States in our country do not have the same voice in the Government of the country as the States in the United States have in the Government of that country. In America the States hold conferences before they think of surrendering power to the Centre. By surrendering our powers, we are not going to have any greater voice in the Centre. The conscience of our Government has not been sufficiently roused to protest against this subtle interference of the Central Government in the powers of our own State. Therefore, Sir, I strongly protest against this resolution, and I hope the House will refuse to give assent to this. As has been pointed out, there is no urgent necessity for it. No foreign invasion is looming large in the horizon. Our country is not being endangered by any internal trouble or external invasion. Owing to various causes, if strong political parties should come to the fore here, I am afraid that it is quite possible for the Central Government to come down upon the political parties here and suppress them in the interests of their own safety, convenience, etc., in the North. I strongly protest against the introduction of this resolution here. I hope hon. Members here will oppose this resolution

21st December 1954] [Sri V. Chakkarai Chetty]

in spite of the supine and, shall I say, acquiescing, attitude of our Government, who are at the mercy evidently of the Central Government and are expecting constant doles of help and inspiration from the Central Government. Sir, I oppose this resolution."

* THE HON. SRI M. BHAKTAVATSALAM :—" Mr. Chair-
man, I would even at the outset like to tell the hon. the Deputy
Leader of the Opposition that if I did not exhibit that vehemence
which is the inimitable style of the hon. the Deputy Leader of the
Opposition, it should not be taken to mean that I was any the less
zealous about guarding our provincial autonomy or, more than the
provincial autonomy, about safeguarding the interests and good of
the State and the people of our State. 12-8
p.m.

" More than provincial autonomy, we should look to the interests of the people of the State. As revealed by the speech of the hon. Gentleman who spoke last, there is unfortunately an obsession with some of us about the domination of the North over the South. Every one of the hon. Members in this House will realise, remember and admit that we are not thinking of an 'independent Madras State.' There may be advocates for a 'sovereign independent Madras State'. But I do take it that every hon. Member in this House does accept the Constitution, the amendment of which hon. Members have very enthusiastically protested against. Sir, our Constitution has been framed in such a way that the States have autonomous powers and the Centre has its own powers. The States do look to the Centre for help and the Central Government should take it up as their responsibility to come to the aid of the States whenever the States needed such help. It is with this background that the Constitution has been framed and various subjects have been classified in the State List, the Concurrent List and so on, and the residuary powers have been retained by the Central Government. Sir, the hon. the Deputy Leader of the Opposition spoke vehemently about these amendments. The Constitution has been framed by the people's representatives and it is for the people. Everyone of us should remember this fact. If the people's representatives have framed the Constitution for the benefit of the people, it is open to the same people's representatives to amend the Constitution whenever they feel that it should be done in the interests of the very same people. Sir, hon. Members will perhaps remember that our Constitution was framed by the Constituent Assembly. Some of the members of that body were elected by the State Legislatures and some of them had been directly elected by the people under restricted franchise. Sir, the present Parliament consists of two Houses of Legislature. The House of Representatives, the lower House, consists of Members who have been elected by the people under adult franchise under this Constitution and the other House, the Council of States, has been constituted by those who have been elected by the Members of the State Assemblies who have again been elected under adult franchise. If those chosen representatives of the people feel that in the interests of the people they

[Sri M. Bhaktavatsalam] [21st December 1954]

should cause this or that amendment to be made to the Constitution, I do not think it is right to make any fuss over such amendment that is sought to be made and is actually made by the chosen representatives of the people in Parliament.

"Sir, the hon. the Deputy Leader of the Opposition again stated in his usual way that this Government failed to do something when they were asked to express an opinion and all that. The States were asked to state their views on these proposals. This Government wanted to consider all aspects of the question. They sought some clarification before they could express their views in the matter. They wanted to examine all aspects of the question quite thoroughly before they could state their views. They did state their views in response to their request. When the Bills were taken up in Parliament, the State Government no doubt could not express their views as they did not have all the data before them."

* DR. V. K. JOHN :—"The State Government were perhaps sleeping over the matter for a long time."

* THE HON. SRI M. BHAKTAVATSALAM :—"Perhaps, the hon. the Deputy Leader of the Opposition is too much aware of sleeping in other quarters. There is no question of sleeping so far as this Government are concerned. The State Government after considering all aspects of the question did express their opinion to the Centre. They stated that they will give their general concurrence to the proposed amendments, but they would insist that those powers should be exercised only in cases of extreme emergency."

SRI V. CHAKKARAI CHETTY :—"Of which they will be the judges!"

* THE HON. SRI M. BHAKTAVATSALAM :—"Whoever may be the judges, several hon. Members have raised the question, 'What is the necessity for this amendment?' It is only our experience in the past that makes us in this State agree to the proposed amendments. We had to pass through a very serious crisis in the matter of shortages not merely relating to foodstuffs but relating to so many other articles. We did see that we could not manage ourselves and we had to seek the aid of the Government of India and they did come to our help at that time. We have had that experience in the past. So, if the Government of India propose to clothe themselves with certain powers, it is only to meet any possible emergency. They wanted those powers as they wanted to avoid the need for issuing Ordinances in times of emergency. In times of emergency and whenever it is felt absolutely necessary, they would use these powers and manage the situation. I should like to mention on the authority of our Prime Minister that so far as these amendments are concerned there was and is no desire to encroach on the jurisdiction of the States."

[21st December 1954] [Sri M. Bhaktavatsalam]

"Sir, I am indeed very much obliged to the very considerate and lucid manner in which the hon. Member Sri K. Balasubramanya Ayyar explained ultimately the need and justification for an amendment like this. The hon. Member Sri Narayanaswamy Pillai referred to certain difficulties which he thought this Government had to face. As an instance, he pointed out the fixation of price for sugarcane. The hon. Member Sri Raza Khan referred to another difficulty which the Government had to face in the matter of fixation of price for rice that was secured from Uttar Pradesh. I would like to tell the House that so far as the fixation of price for sugarcane is concerned, I have been in-charge of the subject since October 1953 and I have never seen any case of interference on the part of the Government of India."

"We are free to fix a price for sugarcane. But we have to 1 p.m. take into account all aspects of the question. We always seek to settle ourselves matters that arise on account of disputes between the growers and the factory owners. Of course, Sir, we were once hard up and wanted rice to be supplied to our people somehow. We wanted rice not only from the other States in India but from other countries in the world. We were facing a serious shortage and we were prepared to take rice at any price. And there was rice available in the Uttar Pradesh and of course that Government raised the price and we had to pay that very heavy price. But that is not an argument against the amendment of the Constitution. When we ask others for help and when they dictate their own price, it is also open to us to refuse to take the help at that price. We can say we can manage our own affairs. The Government of India did not seek to dump these stocks on us. We said we needed rice and we would pay any price that was asked for. We were prepared to take it from whatever place it was sent. We should not also forget in this connection that the Government of India also subsidised the purchase of this rice to a certain extent. Because we needed it they got it for us. Therefore, I may tell the House that this power that Parliament proposes to take over under this provision will be exercised only in extreme cases of emergency, when the States themselves would be interested in the Centre taking over such a power. The Central Government may have to step in on certain occasions and take over certain aspects of the administration and it is only that power that is sought to be given now. Therefore it is that this Government expressed their general concurrence with the proposed amendment. I do hope, Sir, that the House will accept the motion."

MR. CHAIRMAN :—"The question is—"

"This House ratifies the amendment of the Seventh Schedule to the Constitution of India, proposed to be made by the Constitution (Third Amendment) Bill, 1954, as passed by the two Houses of Parliament."

The motion was carried.

[21st December 1954]

SRI V. CHAKKARAI CHETTY :—" Sir, may I demand a poll? "

* DR. V. K. JOHN :—" I would request the hon. Member not to press for a division since there is no time."

SRI V. CHAKKARAI CHETTY :—" Sir, constitutional pundits express the view that I should not press it. I submit to the advice of the Deputy Leader of the Opposition who is a much wiser judge than I am and I do not press my demand for a division."

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

The House then rose for lunch.

(After lunch—2-30 p.m.)

III.—GOVERNMENT BILLS.

(1) THE MADRAS PRESERVATION OF PRIVATE FORESTS (THIRD AMENDMENT) BILL, 1954 (L.A. BILL NO. 42 OF 1954).

* THE HON. SRI M. A. MANICKAVELU NAICKER :—" Sir, I move—

'That the Madras Preservation of Private Forests (Third Amendment) Bill, 1954 (L.A. Bill No. 42 of 1954^a), as passed by the Assembly, be taken into consideration.'

" I am sorry I have to come here again asking for extension of the life of this Act. My sorrow is all the greater because certain statements made by the hon. the Deputy Leader of the Opposition last time have become prophetic. He said that it was certain that I would come forward with a Bill like this asking for an extension of time. That has become true. So, the hon. the Deputy Leader of the Opposition, I think, is very proficient in the art of prophesying. But when I explain the circumstances under which I now come forward for an extension of the Act, I hope all hon. Members would be satisfied. The Deputy Leader of the Opposition made also another statement last time. He said he was quite sure that a comprehensive Bill would not be brought in by the Government. I say his prophecy in this respect is bound to fail. Government will certainly bring forward a comprehensive Bill. The very fact that the hon. the Deputy Leader of the Opposition, an eminent and experienced lawyer as he is, was certain that I would not bring in a comprehensive Bill, meant that he knew the difficulties of drafting and the considerable time it would take. Because he knew the difficulties of Government in drafting a comprehensive legislation and the time it would take, he said he was certain that Government would not bring in a comprehensive Bill. That is how I understand it. Mr. K. Balasubramanya Iyer also had given notice of an amendment asking for extension of the Act till March 1956.

^a Printed as Appendix V on page 489 infra.

21st December 1954] [Sri M. A. Manickavelu Naicker]

An experienced lawyer as he is, he also knows the difficulties of drafting and the time it would take. That is why he has given notice of this amendment. I must explain why the comprehensive Bill was not brought forward. It is well-known that a Bill for amending the previous Act was introduced as early as 1951 in the old Legislature. It was referred to a Select Committee. The Select Committee also sat once or twice. But the general elections were about to commence then and so the Government at that time thought that it would not be quite proper to rush through the Bill and that it would be better to leave it to the new Legislature that would be formed after the general elections. When we assumed office after the elections and examined that draft Bill, we came across certain defects. Some of the provisions in the Constitution. It was necessary to examine how far those things could be rectified. Again, the Chief Conservator of Forests made certain useful suggestions in the interests of the preservation of forests. We had to refer them to the Board of Revenue. The Board of Revenue after having gone through them made certain recommendations. We have incorporated all these in the Bill to the extent they were considered necessary. The drafting stage is almost over. There is no difficulty in bringing in a comprehensive Bill. So, hon. Members need not feel worried that we would be going on procrastinating like this. With these words I commend this Bill to the House and hope that it would be accepted."

MR. CHAIRMAN :—" Motion moved—

'That the Madras Preservation of Private Forests (Third Amendment) Bill, 1954 (L.A. Bill No. 42 of 1954), as passed by the Assembly, be taken into consideration.'"

* DR. V. K. JOHN :—" Mr. Chairman, Sir, I am very pleased to see that the Hon. Sri M. A. Manickavelu Naicker, clever as he is, has taken away the point of criticism from us, while presenting this Bill in a most humble spirit. He called me a Prophet. As I mentioned last time that Government would surely come again to extend the term of the Act, my prophecy has come true and we have now before us the present Bill to extend the term of the Act. I do not know whether the Hon. Minister is aware of the fact that this temporary enactment was passed as early as 1946. In 1949, Government passed an ordinance. An Act was passed in 1949, repealing the Act of 1946 and the ordinance. Again in 1950 another Act was passed. I do not understand how the present Bill is called the Madras Preservation of Private Forests (Third Amendment) Bill, 1954. In 1950, there was an amendment. Then again in 1951, there was another amending Act. Again in 1954, they passed an amending Act. Again in 1954, they passed an ordinance. I do not know how the numbering of these amendments to the Act is done. (Laughter.) In fact this amendment should be the fifth or the sixth. There has been extension after extension to the Act passed as early as 1946. The preamble to the

[Dr. V. K. John] [21st December 1954]

present Act says: 'Pending further legislation . . .' Sir, I do not want to be harsh. Is it any great credit to go on extending the life of the Act like this? Is it any credit to any House of the Legislature to allow the Government to pass these Acts from time to time? Government have been extending the term from 1946. They have extended it by ordinances and by enactments. Again in February 1954, they extended the term by an ordinance. Now again in December 1954, they have come forward with this Bill to ask the House to give a further term. I submit, Sir, that this reflects no credit on the Government and the Legislature. That shows that there is a docile legislature allowing the Government extensions from time to time of the Act from 1946 on a simple matter like the preservation of private forests. I agree with the principle that we must have an enactment for preservation of private forests. I would like the Hon. Minister, who has so cleverly moved this Bill, to give us an assurance that they will not ask for any more extensions of this Act and that they would carry out that assurance."

2-40
p.m.

* SRI K. BALASUBRAMANYA AYYAR :—" Mr. Chairman, Sir, the Madras Preservation of Private Forests Act was passed in the year 1946. This Act became the Act of 1949. It is now five years since this Act is being extended from year to year. In the beginning it was said in the preamble itself 'pending further legislation'. As a result of the passing of this Act, a number of suits, which were filed to enforce the various customary rights in private forests, have all been stayed and that stay continues to operate up till now. If this Act is extended from year to year, what is to happen to our people who want to enforce their rights? This is the main difficulty which I wish to bring to the notice of the Government.

" Now I would like to refer to some of the provisions of this enactment. Section 5 of the Act says: 'All suits, proceedings in execution of decrees or orders and other proceedings including proceedings by way of appeal or revision, in which a claim to customary or prescriptive rights in a forest is involved and all criminal proceedings in respect of offences which are of the nature described in Chapter XVII of the Indian Penal Code and arise out of any act done in exercise or assertion of such customary or prescriptive rights and which stood stayed up to the commencement of this Act or which may be instituted after such commencement, shall continue to stand stayed, or shall stand stayed, as the case may be, and shall not be proceeded with until after the expiration of this Act'. Now this Act is being extended from year to year and what is to happen to the people who have already filed the suits? That is one of the most important things which clinches the matter. Suits for the enforcement of various customary rights and proceedings in execution of decrees have been stayed. Criminal proceedings for any offence have also been stayed. Therefore, people will be going on committing offences. The same thing

21st December 1954] [Sri K. Balasubramanya Ayyar]

happened in respect of the Malabar Tenancy Act also. That is one of the main reasons why this Act should have been enacted on a permanent basis. No doubt it is an useful measure. I am not saying anything against the principle underlying this Bill. It tries to preserve the rights in private forests and at the same time prevents denudation of private forests. After the recent World Forestry Congress held in Dehra Dun, all of us are convinced about the necessity for preserving all forests in our country. Technical experts have said that forests have to be preserved for the sake of their usefulness to agriculture and for assuring rainfall. Forest should not be allowed to be destroyed indiscriminately. Therefore, it is a very good piece of legislation. But I understand from the hon. Member Sri Govinda Menon that the provisions of this Act are not being enforced strictly. But apart from that, there is the fact that many suits have been stayed. If the Government want to extend this Act, let them extend it even beyond 2nd December 1955. The Legislative Council is generally prorogued in August or September. The Government will have to come up again with an ordinance in December 1955 as they have done now. There should be no necessity for passing ordinances in simple measures like this, taking advantage of the fact that either the Assembly or the Council is not in session. Of course, under Article 213 of the Constitution, the Governor has power to promulgate ordinances, but that power should be sparingly used. There is no point in extending this Act up to 2nd December 1955. Why should it not be extended up to 31st March 1956? At that time the Assembly and the Council will be in session. In the meantime the Government can consider the whole question and bring forth legislation. I need not speak again on my amendment regarding the date up to which this Act is to be extended. But there is another amendment which I have given notice of and I shall speak on it later on."

SRI M. P. GOVINDA MENON :—" Mr. Chairman, Sir, I rise to support the Bill moved by the Hon. Minister. I do not want to comment upon the piecemeal legislations that are brought on an important subject like this, as the Hon. Minister has promised on the floor of this House that this will not be repeated. Let us accept his word and hope that before 2nd December 1955, a well-thought out and consolidated Bill on this subject will be brought forward and that it will be the last word on the subject. Therefore, I do not want to comment upon the delay in bringing forward a permanent measure and the periodical extension of this Act.

" Sir, this Act is absolutely essential for the preservation of private forests. Coming as I do from Malabar, a greater part of the forests is there and I welcome the principle underlying this Bill. As the hon. Member Sri K. Balasubramanya Ayyar put it on my behalf, though the Government have passed this Act, they do not see that in actual working it is enforced properly. The other day I brought to the notice of the Government that because

[Sri M. P. Govinda Menon] [21st December 1954]

the Collector of Malabar refused to grant licences to one or two individuals, there was an agitation organized by important political parties in Malabar including the Congress just to help the capitalist-licence-holders. This Government set aside the order of the Collector and made the position bad. This is not a protest by me alone. There was also a leaderette in *Mathrubhoomi*, a powerful organ of the Congress in the West Coast. That newspaper wrote a lengthy article attacking the Government for having set aside the order of the Collector just to help some capitalists. Therefore, there is no point in passing legislation only to see that it is not enforced properly. The Government should see that the District officers are supported in the matter of enforcement of any legislation. Because of the fact that the Congress people wanted to help the capitalists and they started an agitation, all of a sudden the Government have set aside the order of the Collector. I am told that the Collector has taken leave because he does not want to give effect to the new order passed by the Government. Sir, I leave it at that.

"Another point I wish to bring to the notice of the Government is this. There are many private forests in Malabar. Is it not time for the Government to acquire all these private forests which constitute our national wealth? After the World Forestry Congress held in Dehra Dun, all of us realise full well the importance of the forests. Why should not the Government acquire these forests and make them Government forests? There are some Government forests in Nilambur. Side by side there is a vast area of private forests belonging to the Raja of Nilambur. They are all individual partitions. The owners of these private forests are willing to sell them. In the proposed legislation the Government should have the power to acquire all the private forests so that there will be only Government forests in Malabar. The Central Government are also bringing in a Bill to amend the Constitution in regard to the State's power for compulsorily acquiring private property. With these words, I support the Bill."

2-50
p.m.

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

"Sir, it is a fact that the Act of 1946 which dealt with this preservation of private forests became the Act of 1949, and the Act of 1949 was extended from year to year. I admit that. But I also explained how the necessity arose to come in for extension this year on two counts. One is, certain provisions in the amending Act were inconsistent with the Constitution. We have to regularise them. That took some time to examine. The second is, certain valuable suggestions were made by the Chief Conservator of Forests in the interest of the better preservation of the forests. We have had to incorporate these suggestions in the Bill. The Chief Conservator of Forests was no other person than the present Collector of Malabar, of whom the hon. Member Sri Govinda Menon talked so much. In order to preserve the forests we have

[21st December 1954] [Sri M. A. Manickavelu Naicker]

to take into consideration the suggestions of the Chief Conservator of Forests and make the Act more useful. I do not know why there should be objection to this. It is only with these two objects that the Bill has been redrafted. It is almost ready, and there is no doubt that that would be brought in time. Sir, I submit therefore that there is no necessity for the amendment which the hon. Member Sri Balasubramanya Ayyar has given notice of that it should be extended up to March 1956. I may tell the House that there will be greater urge to bring it before the House if the amendment is not accepted. Suppose the House accepts the hon. Member's amendment, and puts the date at 31st March 1956, then there may not be that incentive for me to see that it is brought forward in time. Therefore, there is no need for the amendment.

"With regard to the remarks of an hon. Member about the Government yielding to the pressure of certain capitalists in cancelling the order of the Collector of Malabar, I want to say this. Under this Act, permission to cut trees was subject to certain conditions. Trees of a specified girth alone should be cut. The specification of the girth of the trees also varied according to the species. All along a girth of 5 feet was thought enough, and trees which conformed to this requirement could be allowed to be cut. But the Collector (who was the Chief Conservator of Forests before) in his enthusiasm wanted to make the rules more strict and stringent. An order was passed that trees having a girth of ten feet alone should be cut and nothing below that girth should be cut. All these years the traders and others were accustomed to have trees with a girth of five feet cut. I can understand if the Collector has given proper warning and notice that the new rule is going to be enforced. But all on a sudden the order was passed, and traders and others were put to difficulties. Traders who had entered into commitments found the new rule very difficult to fulfil. Quite a large number of labourers who were employed by contractors found their work at a standstill. Elephants which were employed had no work. The whole work came to a standstill. I can understand if six months' or some months' notice was given that the rule would be enforced. This was not done. So in the interests of trade and labour and to see that work was resumed the Government interfered. What did they do? They did not do anything new. They said, 'Let the old rules continue until such time as the people have been given proper notice'. As regards the volume of pressure, I may say, Sir, that it was more from the labourers. (Interruption.) Labour has representatives in the Assembly, and from them I have heard that labourers are all starving. In fact they wanted that some doles should be given to the labourers so that they may live. This weighed more with the Government than the pressure of the capitalists, as the hon. Member seems to imagine.

"Sir, I hope the House will accept this Bill."

[21st December 1954]

MR. CHAIRMAN :—“ The question is—

‘ That the Madras Preservation of Private Forests (Third Amendment) Bill, 1954 (L.A. Bill No. 42 of 1954) as passed by the Assembly, be taken into consideration.’ ”

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

Clause 2

MR. CHAIRMAN :—“ Motion moved—

‘ That clause 2 do stand part of the Bill ’.”

* SRI K. BALASUBRAMANYA AYYAR :—“ Sir, I move the amendment standing in my name, namely,—

‘ For the words, figures and letters, “ the 2nd December 1955 ” substitute the words, figures and letters “ the 31st March 1956 ”.’ ”

The amendment was duly seconded.

MR. CHAIRMAN :—“ Amendment moved—

‘ For the words, figures and letters, “ the 2nd December 1955 ” substitute the words, figures and letters “ the 31st March 1956 ”.’ ”

* SRI K. BALASUBRAMANYA AYYAR :—“ I gave notice of the amendment because by December 1955 we may not be holding a meeting of this House. But in March 1956, we will surely be having a meeting of this House for the purpose of discussing the budget. Therefore I gave notice of the amendment fixing the date as 31st March 1956. But as the Hon. Minister has given the assurance that the Bill would be brought forward before then, I am not pressing my amendment.”

* THE HON. SRI M. A. MANICKAVELU NAICKER :—“ Apart from the assurance I have given, I am very much interested in seeing that his prophecy does not come true.”

The amendment was withdrawn by leave of the House.

Clause 2 was put and carried.

Clause 3

MR. CHAIRMAN :—“ Motion moved—

‘ That clause 3 do stand part of the Bill.’ ”

* SRI K. BALASUBRAMANYA AYYAR :—“ Sir, I move the amendment standing in my name, namely,—

‘ Omit sub-clause (2) ’.

Sir, this sub-clause is wholly unnecessary. Under Article 213, when an ordinance has been promulgated, it has got the effect of an Act.

21st December 1954] [Sri K. Balasubramanya Ayyar]

The ordinance will be enforced like an Act. It is quite unnecessary that any act done in pursuance of the ordinance should be exempted here. This Act will be enforced like the Act of 1946 and 1949. Anything done under the 1949 Act need not be recalled here. This sub-clause is unnecessary. I have no objection to its being there. But I consider it to be redundant.”

* DR. V. K. JOHN :—“ Sir, I second the amendment. Let this be a warning to the Government that this kind of bad drafting does not occur again.”

MR. CHAIRMAN :—“ Amendment moved—

‘ Omit sub-clause (2) ’.”

* THE HON. SRI M. A. MANICKAVELU NAICKER :—“ Sir, I am aware of what the hon. Member said. I am also aware that there is section 23 in the General Clauses Act. But all the people in the world are not seasoned lawyers like our friends. Therefore there is no harm in putting it here. If this sub-clause is not here, any layman will think that the Government have done a wrong. He may go to a lawyer and give unnecessary bother to him.

“ Further there is another difficulty if I accept this amendment. According to the rules that we observe, the acceptance of the amendment will complicate the situation. The Bill will have to go back to the Assembly. I am not against accepting amendments in this House if they are really necessary. If they are not quite necessary, why should we go through the process of sending it back to the Assembly and complicating it? Therefore, Sir, I request the House to reject the amendment.”

The amendment was withdrawn by leave of the House.

Clause 3 was put and carried.

Clause 1 was put and carried.

The Preamble was put and carried.

* THE HON. SRI M. A. MANICKAVELU NAICKER :—“ Sir, 3 p.m. I move—

‘ That the Madras Preservation of Private Forests (Third Amendment) Bill, 1954 (L.A. Bill No. 42 of 1954), as passed by the Assembly, be passed.’ ”

MR. CHAIRMAN :—“ Motion moved—

‘ That the Madras Preservation of Private Forests (Third Amendment) Bill, 1954 (L.A. Bill No. 42 of 1954), as passed by the Assembly, be passed.’ ”

* DR. V. K. JOHN :—“ Sir, I have still a feeling in my mind whether the Hon. Minister will bring forward another Bill next year also to extend the period of the life of the Bill. I hope and wish

[Dr. V. K. John] [21st December 1954]

I shall not be a good prophet and that he will not bring in another Bill next year to extend the operation of the same Act, but that he will bring forward a comprehensive Bill."

SRI MOHAMED RAZA KHAN :—" Sir, I congratulate the Hon. the Minister for Land Revenue not because he has brought forward this Bill; because, we know that the Bill will be passed here within 5 or 6 minutes. But I congratulate him on the proper and suitable reply that he gave to Sri Govinda Menon. I was about to catch your eye, Mr. Chairman, to speak on this matter and explain the position as I am quite familiar with the agitation in Malabar. The fact of the matter is what exactly the Hon. Minister said. The Collector of Malabar in his enthusiasm passed certain orders which were beyond the scope of the Act. So there was no point in repeatedly telling that the Government had succumbed to the agitation of vested interests. If it was a question of the vested interests being involved in the matter, I do not think the Malabar Communists would have carried on the agitation. I am glad that the Hon. Minister has given a correct reply to the oft-repeated remarks of Sri Govinda Menon. Sri Govinda Menon has raised this matter before the House more than once, Sir."

SRI M. P. GOVINDA MENON :—" I am sorry Mr. Raza Khan has trodden on premises which he is not entitled to. Yes, the Communists have supported it and others including the Congress also have supported it. All of them wanted to support a few capitalists there. This is not my own version. All the newspapers in Malabar have written about this matter and have stated that the Government yielded to their pressure. I think Mr. Raza Khan has referred to this matter as one of the capitalists happens to belong to a particular community."

* THE HON. SRI M. A. MANICKAVELU NAICKER :—" Sir, I am glad that the hon. Member Sri Govinda Menon's argument has been ably countered by Sri Raza Khan not only on this subject but on every subject relating to Malabar. Therefore there is not much for me to interfere in this business."

"As I said already, the existing rules cannot be changed all on a sudden. Some proper notice should be given. People might have entered into forward contracts with labour and other trade organizations and if an officer all on a sudden were to change the existing rules, it will cause dislocation and will affect a large section of the people. That is why the Government had to interfere. They did not interfere in the matter because of any pressure from capitalists or anybody."

MR. CHAIRMAN :—" The question is—

'That the Madras Preservation of Private Forests (Third Amendment) Bill, 1954 (L.A. Bill No. 42 of 1954), as passed by the Assembly, be passed.'

The motion was carried and the Bill was passed.

21st December 1954]

(2) THE MADRAS GENERAL SALES TAX (THIRD AMENDMENT) BILL, 1954
(L.A. BILL NO. 43 OF 1954).

* THE HON. SRI M. A. MANICKAVELU NAICKER :—" Sir, I move—

'That the Madras General Sales Tax (Third Amendment) Bill, 1954 (L.A. Bill No. 43 of 1954), as passed by the Assembly, be taken into consideration.'

"Sir, this amending Bill is necessitated only by way of clarification. Under this Bill only pure cotton cloth is exempt from enhanced taxation and cloth made of silk or artificial silk or cloth made by an inter-mixture of cotton and silk or artificial silk or wool, flax or other materials are not exempt from this tax. It has not been explicitly stated in the Act. So, we are making it explicit by saying that only cloth made of pure cotton will be exempt from the enhanced tax and cloth made of silk or other mixture in any proportion will not be exempt from the tax. This is the principle governing the previous Act. As it has not been explicitly stated, we are clarifying it by this amending Bill."

MR. CHAIRMAN :—" Motion moved—

'That the Madras General Sales Tax (Third Amendment) Bill 1954 (L.A. Bill No. 43 of 1954), as passed by the Assembly be taken into consideration.'

* DR. V. K. JOHN :—" Mr. Chairman, I deeply sympathize with the Hon. the Minister for Land Revenue for his having to move this Bill. It is only the other day, that is, in July 1954 we passed an amending Bill to bring cloth under the enhanced taxation. At that time, Member after Member pointed out that it would be a very great hardship to the poor people. I understand that the Central Government had not given permission to impose sales tax on medium cloth. Now, the Madras Government have found out one curious method for imposing this sales tax on cloth and thus to oppress the poor man by this tax. If cloth is a mixture of cotton and silk and even if the proportion of the mixture of the latter is very small, that cloth will not be exempt from this enhanced sales tax. I say this is a horrible Bill. I sympathize with the plight of the Government in having to bring forward this Bill to oppress the poor people by asking them to pay the tax of 1 anna 3 pies on the rupee on the cloth that they purchase. It is very wrong and horrible to do this. First of all, I wish to say that the present sales tax is the most regressive method of taxation. It is not a progressive tax at all. Even a beggar's bowl is sought to be brought under this taxation. Every man who buys something, which is a necessity for him has to pay something as tax to the Government. After the Government have deliberately passed the previous Bill in 1954, they have brought forward the present amending Bill to rope in all poor people. The Government put forward the plea that they can impose this sales tax burden

[Dr. V. K. John] [21st December 1954]

on poor persons on the ground that the cloth is not purely made of cotton but is mixed with something. The Government have found out that almost all cloth contains a mixture of something other than cotton. Then, what is the result? People, especially the poor people will be oppressed. If anybody were to say that a particular cloth is made of pure cotton, the tax collector will say, 'Well, I have to examine the cloth'. After his supposed examination of the cloth if he were to say that the cloth was woven with some other materials also, then it will not be exempt from sales tax. It has to be taxed according to this Bill. What a wrong thing is this? What is the principle of exempting medium cloth or lower count cloth? They are exempted from this tax as the poor people are expected to purchase them. But, as I said even if a tax collector were to say that a particular cloth was a mixture of cotton and some other material and even if the proportion of the mixture was very small or even negligible, and even if one-hundredth part of material other than cotton was mixed the person who buys this cloth—only poor people will buy such cloth—will have to pay enhanced tax according to this Bill. So I must say that this exemption is only illusory. I must therefore strongly and vehemently protest against this Bill under which the Government derive power to impose sales tax on poor people. I am sure that this Bill will be a very heavy burden in actual practice on the poor people.

"Sir, it is stated that this Bill shall be deemed to have been come into force on the 23rd August 1954. This House is asked to say that sales tax has to be paid from that date. We are already in December. Many poor retail merchants who did not collect this tax from August 1954 under the belief that there was not such a tax would all be roped in now. I say it is very wrong on the part of the Government to give the Act retrospective effect. Even if they wanted to impose this burden on the poor, they could make the Act effective from the date on which it comes into force. It is very wrong to provide for retrospective effect and I vehemently protest against the manner in which the Government have brought in this amendment."

* SRI K. BALASUBRAMANYA AYYAR :—"Mr. Chairman, Sir, while this amendment seeks to introduce one principle, it offends two or three principles well propounded in law. It gives retrospective effect to its provisions from the date on which the last Amendment Act was passed. The present Bill seeks to clarify certain things. What I say is, many sales would have taken place by now since the last Amendment Bill was passed. When that Act was passed, nobody knew anything about the clarification now sought to be made. Many sales would have taken place on this basis. In a taxation measure like this, wherein they want to clarify certain things, it is better that they do it with a provision that such clarification will apply only from the date on which it is made. That is my first point.

21st December 1954] [Sri K. Balasubramanya Ayyar]

"The second point is, who is to fix the proportion mentioned in the Bill? The proportion suggested in the Bill is not clear. Clause 2 (i) says :—

'Mill cloth (whether of silk, artificial silk, wool, flax, or any other material), which is not made wholly of cotton and in which the count of warp yarn employed (excluding the border) is 17s or finer (whether single or folded.)

Suppose there is only a small proportion of warp yarn used. What is to be done? Therefore, the proportion should be fixed at a higher level. Otherwise, they must make the point clear beyond doubt. This is a taxation measure. Therefore, everything should be made very clear. Otherwise, dealers will have to be at the mercy of the Commercial Tax Officer. He will go on saying this and that and the dealers must pay whatever he wants them to pay. Article 286 of the Constitution provides for a multi-point sales tax. There is single-point tax in respect of certain transactions. Then, here we have an additional tax of Re. 0-1-3 on finer varieties of cloth.

"Sir, I have on a previous occasion referred to the decision of the Supreme Court in Bombay, in the case of The Union Motors, Ltd., and have also read out a representation given by the Cotton Merchants' Association as to the incidence of this tax on their trade. Even while the last Amendment Bill was under discussion here, I referred to all this and I need not go into all that now. As it is, cotton yarn is taxed by many States. But I do not want to dilate on the principles underlying this tax. All that I wish to point out is that a taxation measure should be very clear. Otherwise, we may have to bring in another Bill clarifying more things, and again giving it retrospective effect. I feel that this amendment has infringed the provisions of some of the very important pieces of legislation now in force.

"Then, Sir, my third point is this. Mill cloth is said to be an article essential for the life of the community in the Essential Goods (Declaration and Regulation of Tax on Sale or Purchase) Act, 1950. The Schedule to that Act lists the articles essential for the life of the community and one of them is :—

'All the cloth, woven on handlooms, coarse and medium cotton cloth made in mills or woven on powerlooms.'

Coarse cloth means any cloth in which the count of warp yarn employed (excluding the border) is below 17s (whether single or folded). Medium cloth means any cloth in which the count of warp yarn employed (excluding the border) is 17s or finer but is less than 35s (whether single or folded). Of course, handloom is exempted from the tax now. The cloth that is sought to be taxed now is declared to be essential for the life of the community. I feel that if the present Bill is passed it will affect the provisions of the Essential Goods Act which is the existing law of the land. Still we want to impose this additional tax.

"Sir, the other day, I handed over a book to the Hon. the Finance Minister in which it is stated that the sales tax when resorted to is always passed on to the consumer and that in America

[Sri K. Balasubramanya Ayyar] [21st December 1954]

they do not have this tax. It is considered there more as a tax on the consumer. I do not want to speak in detail on this now because it is unnecessary and I do not want to harp on the same string now. It throws an additional burden on the consumer and to that extent it offends the general interests of the community."

SRI MOHAMED RAZA KHAN :—" Sir, the other day, when I was making a casual reference to sales tax in my speech on the Governor's Address, the Hon. the Leader of the House did not feel happy about it. He said that it was beyond the purview of the discussion on the Governor's Address. My only contention on that occasion was that on the passing of the last Amendment Act in July 1954, the cloth trade had been worst affected by it. I wanted to bring that point to the notice of the Government. The tax is not just three pies or six pies but one anna, three pies. Apart from this, there is also the tax imposed on the consumer in connection with the handloom cess fund. My only disappointment to-day is that our Deputy Leader, when he spoke, very mildly attacked the Bill. In fact, he knows he is capable of bitter attacks also. But once he does it, he is mistaken by the Government. All the same, I wish he had more emphatically protested against it and more vehemently attacked the Government. I hope he will use his vehemence on a more proper occasion than this."

* DR. V. K. JOHN :—" It is because, I did not want to be harsh on our friend, the Revenue Minister."

SRI MOHAMED RAZA KHAN :—" Personality does not at all count here. Only principles count. This tax creates a lot of inconvenience and difficulty for the traders and the consumers alike. The traders are at the mercy of the tax collectors. Now it is said that the Act will be deemed to have come into force in August last itself. Sir, many big traders and businessmen have during this period imported cloth from places like Ahmedabad or Bombay where mills are located. They might have placed an order for some cloth, imported it and sold it also. Suppose it contained an admixture of silk yarn or warp yarn and suppose also they did not know about it and did not, in consequence, collect the sales tax of Re. 0-1-3. If they are now assessed to sales tax under this retrospective provision, they may have to shell down some three to four lakhs of rupees and this they cannot do. Nowadays, the margin of their profit also has dwindled. It is one or two per cent as against four or five per cent they have had previously. If a man unfortunately had a large turnover since March last and if the commercial tax officer feels that it is not medium cloth that he sold but a cloth with an admixture of silk yarn or warp yarn, he will be asked to pay so many thousands of rupees. With what difficulty, they would have to pay this, we cannot imagine.

3:20 p.m. " After all the manufacturers are not the same people. They are different. Some are in Bombay. Some are in Ahmedabad and other places. They do not know how our textile department

21st December 1954] [Sri Mohamed Raza Khan]

works.—They might have thought that for a particular cloth shining was necessary. Why should we ask the poor people for that sake to pay Re. 0-1-3? When the Bill was first introduced, I put forward the same argument. I am repeating it now. I am repeating because I think that at least by constant repetition, the Government will realise that what they have done is wrong and is against the public interest. They may then repeal the Act.

" The very purpose of the Act has been to see that the handloom industry is benefited. What does the amendment say? It says that it is the desire of the Government to see that as much money as possible is collected by way of this sales-tax. The Hon. the Revenue Minister has not made out a case that this is mainly intended to help the handloom industry. Had he made out a case, we would have at least understood the sincerity of purpose. On the other hand if he had said that it was the Government's intention by passing this enactment only to collect revenue and revenue alone, I would have supported it because at least there is honesty in what the Government say, even though it might be only to enrich their coffers. Apart from all these, the President has not given his assent to the enhancement proposed by this Legislature so far as 'medium cloth' is concerned. The assent of the President has not come and I am sure it would not come. I feel constrained to oppose this Bill outright when I see the sufferings to which the poor would be put, when they are asked to pay Re. 0-1-3 for every rupee of cloth they buy. Therefore till the assent of the President so far as 'medium cloth' is concerned, comes, let this measure be withdrawn. No doubt the Lower House has passed this measure. But let us withdraw it for the time being till the assent of the President comes. I am sure his assent will not come. There is no urgency for the problem. No doubt Government may get a few lakhs of rupees by this measure. But when we consider the sufferings to which the poor and middle class would be put by this measure, the few lakhs of rupees that Government would get by this measure do not matter. No doubt the present Bill may appear to be a small one only clarifying a simple point, with one or two clauses seeking to give retrospective effect. But what will be its effect on the poor people? Government should not enrich their resources at the expense of the poor. My friend Mr. Balasubramanya Ayyar has pointed out how if a person were to buy cloth worth a rupee, he has to pay four to five annas by way of tax. That is the huge amount of tax. Therefore in the interest of the poor people, in the interest of the large masses, I would request the Government to withdraw the Bill for the time being, even though the Lower House might have passed it, till the assent of the President with regard to the enhanced levy on 'medium cloth' is received. Nothing would be lost by withdrawing the Bill now. There is no urgency. I do not want that this Bill should be rushed through like this. Let us wait till the President's assent regarding medium cloth is received. Let us withdraw the Bill now."

[21st December 1954]

* THE HON. SRI M. A. MANICKAVELU NAICKER :—" Sir, the Hon. the Deputy Leader of the Opposition has been rather mild on this Bill. He has said that it was out of sympathy for me he had been mild in his criticism. He has reserved his attack for another Bill which is going to be introduced here shortly. In fact he told me before lunch that he was going to emit fire and brimstone on that Bill. Therefore he has reserved his energy and power for that Bill. The hon. Member Mr. Raza Khan need not therefore worry that Mr. John had been very mild in his criticism of this Bill.

" For the sake of shortness, I will call Mr. John not as the Deputy Leader of the Opposition or acting Leader of the Opposition but simply as leader. The leader said that this Bill was a great burden on the poor man. He was very vigorous in his opposition and he expatiated on the excessive burden that the Bill would impose on the poor man, when Government previously introduced the Bill levying a sales-tax on fine and medium cloth. That Bill had been passed by both Houses. What is the question under discussion now? What is the issue we have to discuss now? I am sorry there has been a certain amount of confusion. The previous Act has been passed by both Houses. What is contained in this Bill is only a clarification which we thought necessary. As far as the Government are concerned we are interpreting it quite all right. But difficulties may arise. Some legal questions may be raised and therefore in order to avoid misinterpretation we have come forward to clarify the position. A certain amount of confusion has crept in. In fact this confusion was evident in the Assembly also. The Bill as regards medium cloth is pending before the President awaiting his assent. We shall abide by the decision of the President. But the Bill with regard to the finer variety of cloth, which we have passed, has *already* received the assent of the President and is in force now. Hon. Members should not confuse the two. Of course one hon. Member said that the President will not give his assent to the Medium Cloth Bill. Whatever that might be, we have done our duty and we will abide the decision of the President. There is no question about that. But hon. Members should clearly understand what this present Bill stands for. This seeks to clarify one thing, namely, that admixture should not be exempt. One hon. Member has given notice of an amendment that if there is a small portion of admixture it should not be penalised but should come under the exemption. But that amendment, if accepted, would lead to a lot of difficulty. We have made it clear that whole cotton cloth alone would be exempted. How are we to judge the exact percentage of admixture, whether it is small or big or in between the two? It is difficult to judge. Therefore we have said that admixture should not be exempt and only cotton cloth should be exempt."

DR. V. K. JOHN :—" How to judge whether there is mixture at all? "

21st December 1954]

* THE HON. SRI M. A. MANICKAVELU NAICKER :—" By the normal practice by which we say that a cloth is fine or medium or coarse, when we go to a cloth shop. The tax gathered knows it. He has got a certain yardstick, certain rules and specifications to find out what is what."

SRI T. PURUSHOTHAM :—" Will there be certificates from the manufacturers? "

* THE HON. SRI M. A. MANICKAVELU NAICKER :—" There are no certificates. Certain manufacturers, certain English firms print on the cloth whether there is admixture or not. We have not yet come to that stage."

DR. V. K. JOHN :—" Will the Government insist on the production of a certificate from the manufacturers regarding admixture? "

* THE HON. SRI M. A. MANICKAVELU NAICKER :—" Sir, 3-30 we have got experts, who are quite adept, who can examine the cloth and say whether there is admixture or not. There is no difficulty about that. P.M.

" As regards the question of giving retrospective effect to this amendment from 23rd August 1954, that is, the date on which the Madras General Sales Tax (Second Amendment) Act, 1954, came into force, I would like to point out that there have been some decisions and it is now very difficult to reopen these decisions. In all Amending Bills this procedure is followed."

* DR. V. K. JOHN :—" Sir, it is said that the object of this Bill is to clarify the provisions of the previous Bill. Why should not we leave the interpretation of the Act to courts? "

* THE HON. SRI M. A. MANICKAVELU NAICKER :—" Sir, already the lawyers are very busy. I do not wish to overburden them." (Laughter.)

MR. CHAIRMAN :—" The question is—

' That the Madras General Sales Tax (Third Amendment) Bill, 1954 (L.A. Bill No. 43 of 1954), as passed by the Assembly, be taken into consideration '."

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

Clause 2.

MR. CHAIRMAN :—" Motion moved—

' That Clause 2 do stand part of the Bill '."

* SRI K. BALASUBRAMANYA AYYAR :—" Sir, I beg to move the amendment standing in my name, namely,—

' Add the following at the end of the first column in proposed item (i) :—

" unless where the proportion of warp yarn thus employed is very small "."

[21st December 1954]

DR. V. K. JOHN :—" Sir, I second the amendment."

MR. CHAIRMAN :—" Amendment moved—

Add the following at the end of the first column in proposed item (1) :—

" unless where the proportion of warp yarn thus employed is very small "

* SRI K. BALASUBRAMANYA AYYAR :—" Sir, the difficulty is that even if there is a small admixture of warp yarn, it may come under the provisions of this Bill. If the count of warp yarn employed is 17s and above, then additional sales-tax of one anna three pies in the rupee will have to be paid. Admixture is never admitted by anybody. Only the commercial tax officer should find it. What is the proportion of admixture allowed? The provision, as it is, is vague. Of course, this is a money Bill and we can only make a recommendation. I am perfectly conscious of that fact. But as a question of principle, I want this to bring to the notice of the Hon. Minister. Let the Government fix the proportion after consulting the commercial tax officers, or let them make it clear in the rules at least."

MR. CHAIRMAN :—" The question is—

Add the following at the end of the first column in proposed item (i) :—

" unless where the proportion of warp yarn thus employed is very small "

The amendment was lost.

Clause 2 was put and carried.

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 General Sales Tax (Third Amendment) Bill, 1954 (L.A. Bill No. 43 of 1954), as passed by the Assembly, be passed. '

* DR. V. K. JOHN :—" May I know, Sir, whether the rigour of this Bill, when passed into law, will be lessened at least by making a provision in the rules. Let the rules specify the proportion of the admixture in the cloth which would be liable for taxation and let the Government insist on a certificate from the manufacturer that there is admixture. Some rules should be framed so that the provisions of this Bill may not be oppressive in actual working."

* THE HON. SRI M. A. MANICKAVELU NAICKER :—" Whatever could be done reasonably under the rule-making powers would be done, Sir."

21st December 1954]

MR. CHAIRMAN :—" The question is—

' That the Madras General Sales Tax (Third Amendment) Bill, 1954 (L.A. Bill No. 43 of 1954), as passed by the Assembly, be passed. '

The motion was carried and the Bill was passed.

IV.—MOTION UNDER RULE 22 (3) OF THE COUNCIL RULES.

THE HON. SRI M. BHAKTAVATSALAM :—" Sir, I move—

' That under Rule 22 (3) of the Council Rules, the Madras Essential Articles Control and Requisitioning (Temporary Powers) Amendment Bill, 1954 (L.A. Bill No. 50 of 1954), be taken up before the Madras Estates (Abolition and Conversion into Ryotwari) Amendment Bill, 1954 (L.A. Bill No. 46 of 1954). '

MR. CHAIRMAN :—" The question is—

' That under Rule 22 (3) of the Council Rules, the Madras Essential Articles Control and Requisitioning (Temporary Powers) Amendment Bill, 1954 (L.A. Bill No. 50 of 1954), be taken up before the Madras Estates (Abolition and Conversion into Ryotwari) Amendment Bill, 1954 (L.A. Bill No. 46 of 1954). '

The motion was carried.

III.—GOVERNMENT BILLS—cont.

(3) THE MADRAS ESSENTIAL ARTICLES CONTROL AND REQUISITIONING (TEMPORARY POWERS) AMENDMENT BILL, 1954* (L.A. BILL NO. 50 OF 1954).

THE HON. SRI M. BHAKTAVATSALAM :—" Sir, I move—

' That the Madras Essential Articles Control and Requisitioning (Temporary Powers) Amendment Bill, 1954 (L.A. Bill No. 50 of 1954), as passed by the Assembly, be taken into consideration. '

In moving this Bill, I wish to state that it is a very simple measure. The original Act had been in existence from 1946 and that Act was re-enacted in 1949 as Madras Act XXIX of 1949, and this expires on the 25th January 1955. Now it is still considered necessary to keep alive the provisions of this Act for a further period of one year up to 25th January 1956 so far as it relates to the control over the supply of electrical energy. Electrical energy is still in short supply in this State. The demand on the part of the people both in the urban and the rural areas is growing and although the Government have been taking up new schemes for the generation of power, still we are short of power and therefore it is considered necessary to have the provisions in force so as to ensure the most economic use of the available power in the best interests of the public.

[Sri M. Bhaktavatsalam] [21st December 1954]

"While bringing in this amendment, care has been taken to delete from the Schedule those articles in respect of which no control is being exercised or is necessary under present conditions. I may also tell the House that we are taking up new schemes for generation of power. The Periyar Scheme has been sanctioned already and we expect that the other big scheme, the Kundah Hydro-Electric Scheme, would also be taken up shortly. We have discussed with the Planning Commission and the Government of India. The prospects are indeed bright but now for the present we have to take power to control the supply of electric energy so that it may be distributed equitably and properly throughout the State and it may be put to the best economic use possible."

MR. CHAIRMAN :—" Motion moved—

'That the Madras Essential Articles Control and Requisitioning (Temporary Powers) Amendment Bill, 1954 (L.A. Bill No. 50 of 1954), as passed by the Assembly, be taken into consideration.' "

* SRI K. BALASUBRAMANYA AYYAR :—" Mr. Chairman, Sir, I doubt very much whether by 25th January 1956 the Government would be in a better position to supply electric energy to meet the growing needs of the people, especially in the City of Madras which has now extended up to Saidapet and which may extend still further up to Tambaram. The Government are finding it very difficult to meet the situation satisfactorily. Therefore I would submit to the Government to examine the matter and decide once for all for how many years we should have this Act extended. If we extend it only up to January 1956, then there will be the necessity for issuing an ordinance and then the Government will have to bring in a Bill for further extension. Do the Government feel sure that by January 1956 the position will be all right?

-40
m. "Further, there are difficulties about the supply of electric energy on A.C. and D.C. mains.

"The Government are still imposing war surcharge on electricity consumed here. They say that it is for restricting consumption. It is only for that purpose that they are imposing this surcharge. All these have to be taken into account, and a definite policy should be laid down. Electric energy is bound to be consumed more and more by our people. I think therefore that the Essential Articles Control and Requisitioning (Temporary Powers) Amendment Bill need not be a temporary Act. They may have an Electricity Control and Requisitioning Act by which all these things can be finally settled so that we may be able to supply energy (A.C. and D.C.) to the people (I think D.C. is no longer possible) and not impose these various surcharges and penalties which are at present imposed by the Electricity department. I have no objection to the Bill being passed into law."

21st December 1954]

* DR. V. K. JOHN :—" Sir, I have always strongly held the view that when there is enactment for control there must be a plan for decontrol. We have had control for a long time. The Government have not taken the House into their confidence to say what measures of decontrol they have adopted, and how they have implemented their plan. I personally think that the charges for electricity in Madras State are very high. Charges ought to be reduced, and electric energy must be distributed to villages also. What is the measure or the plan which the Madras Government have in view? How long will it take them to implement that plan? What is their object? What is the charge proposed to be ultimately fixed? What is the amount of electricity which they can produce and distribute? I hope the Government will have definite plans and will not go on controlling for all time. Control must be decontrolled. A period must be fixed for it and a plan must be evolved for decontrol."

* THE HON. SRI M. BHAKTAVATSALAM :—" Sir, when there is shortage of any article required for the people, we cannot help exercising control. So far as electricity supply is concerned, the Government have had a plan. Since 1946 they are working the plan. This department is one where all the post-war reconstruction schemes have been taken up and are being completed. But, Sir, as we complete schemes and enhance the supply of power, the demand for power is growing even faster. Therefore we must still have to exercise some control over the supply of electric energy.

"With reference to the remarks of the hon. Member, Sri Balasubramanya Ayyar, we do hope that it will be possible for us to carry on without these controls. Not only are we taking up big schemes like the Periyar scheme, Kundah scheme, and the Moyar scheme, but even in other schemes we have been enlarging the plants and increasing the supply of power. In Madras City itself, the Madras Electricity plant is being enlarged. Since we took over the Madras Electricity System from the company (a private licensee), we have made considerable advance. In the matter of domestic supply in the City, considerable progress has been made. We are taking all possible steps to increase power both by hydro-electric schemes and also by thermal plants. A thermal station has been started, and it is functioning in Madurai. The hon. the Deputy Leader of the Opposition has his own fashion to say that there is no plan for the Government, there is no good drafting of Bills, etc. But the Government have a plan. We on this side have our own plan, which may not be appreciated by the Deputy Leader of the Opposition. So far as the surcharge is concerned that relates to the cost of production. We may produce power. But we have to fix up the cost according to the cost of production. We may have any number of schemes. We may supply as much power as is required by the people. But still the cost cannot be reduced. We hope to have the cost reduced some time later. Therefore we are putting it as a surcharge."

[21st December 1954]

DR. V. K. JOHN :—"What about Mysore and Travancore-Cochin? There the charges are cheaper?"

* THE HON. SRI M. BHAKTAVATSALAM :—"Sir, I know better what is prevailing in Mysore and Travancore-Cochin than the hon. the Deputy Leader of the Opposition, although he may know other things better. There is no use of comparing the charges there with those here. We do not have any profits. Our charges relate to the cost."

MR. CHAIRMAN :—"The question is—

'That the Madras Essential Articles Control and Requisitioning (Temporary Powers) Amendment Bill, 1954 (L.A. Bill No. 50 of 1954), as passed by the Assembly, be taken into consideration.'

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

Clause 2 was put and carried.

Clause 3 was put and carried.

Clause 1 was put and carried.

The Preamble was put and carried.

* THE HON. SRI M. BHAKTAVATSALAM :—"Sir, I move—

'That the Madras Essential Articles Control and Requisitioning (Temporary Powers) Amendment Bill, 1954 (L.A. Bill No. 50 of 1954), as passed by the Assembly, be passed.'

MR. CHAIRMAN :—"The question is—

'That the Madras Essential Articles Control and Requisitioning (Temporary Powers) Amendment Bill, 1954 (L.A. Bill No. 50 of 1954), as passed by the Assembly, be passed.'

The motion was carried and the Bill was passed.

(4) THE MADRAS ESTATES (ABOLITION AND CONVERSION INTO RYOTWARI) AMENDMENT BILL, 1954 (L.A. BILL NO. 46 OF 1954).

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

"Mr. Chairman, Sir, I move—

'That the Madras Estates (Abolition and Conversion into Ryotwari) Amendment Bill, 1954* (L.A. Bill No. 46 of 1954), as passed by the Assembly, be taken into consideration.'

The Madras Estates (Abolition and Conversion into Ryotwari) Act, 1948, became law in April 1949. In the course of the working of the Act, it has been found that certain sections required to

* Printed as Appendix VIII on pages 442-446 infra.

[21st December 1954] [Sri M. A. Manickavelu Naicker]

be amended and the Bill contains such of the amendments as are urgent. Other amendments will be brought forward in a separate Bill later on. The Amendment Bill has been passed by the Assembly without any amendment. This is only intended to remove certain difficulties observed in the Act when implementing its provisions. I shall now explain the provisions of the present Bill. I may put these amendments under seven heads, and explain them one by one. The first relates to the question of notification of an estate. The Government felt some administrative difficulty in this respect. The estates are notified, and the Government take charge of them. But then a stay order comes, and then we have to give it up. We have nothing to do with the estate. The stay order is vacated afterwards and again we take it up. Then we begin to administer the estate. It may be, again a stay order is issued by the Court. Therefore there are certain periods of interregnum between our being in charge of the estate and the landholder being in charge of the estate. A number of administrative difficulties arise on account of these, and so far we have been getting over the difficulties by having recourse to section 68 of the Act which says that any difficulties arising shall be resolved. This is an omnibus section. But how far it is legal is a matter to be gone into or examined. Therefore, Sir, we have taken this opportunity of amending the Act, so that the Government will be liable to all the implications of the Abolition Act only from the date of their having uninterrupted possession. That is the simple object of the amendment.

"Now, the second amendment deals with the question of appeal. 3-50
A person is defined as any corporation or association of persons. p.m.
The Government, however, do not come under this definition. So the Government cannot appeal. We want to provide that the Government also should have the right to appeal. This has been done by incorporating a suitable amendment.

"The third amendment relates to the time allowed for appeal. As regards the time allowed for appeal, under the existing law, there is no time-limit set for the Government for preferring an appeal and the Tribunal has also got the power to ignore the time-limit whenever it pleases. In certain cases, even two or three years after the final decision had been arrived at, it was open to the Tribunal to allow an appeal. This should not be allowed. There should be some finality in regard to the time allowed for appeal. So, a suitable clause has been inserted. According to this, the time allowed for appeal is restricted to one year in the case of the Government and two months in the case of others. The Tribunal can, in its discretion, extend this time-limit by two more months and not more than that. Previously, the Government had power to prefer an appeal at any time they liked. Now, we have restricted the time for appeal to one year. I may digress a little and tell the House what happened in the other House in regard to a particular matter. Under the Motor Vehicles Act,

[Sri M. A. Manickavelu Naicker] [21st December 1954]

there is the revisional power with the Government. The Government wanted to give up that power. But there was considerable opposition in the Assembly to this. It is not as if the Government want to have unlimited power. We only want to have reasonable power to a limited extent. We do not want to have unnecessary power.

"Sir, the fourth amendment deals with collections. The Rent Reduction Act was passed in 1947 and it came into force from the fasli year 1357. According to that, rents were reduced to a particular level. The ryots are not bound to pay rent at a rate which is in excess of the reduced rates. As the preliminary enquiries and other formalities connected with the reduction of rents took some time, the landholders have been collecting the original rate of rents, viz., higher rents for a year or two. In such cases, the Government interfered and said that the excess so collected by the landholders should be adjusted in the case of estate villages taken over by the Government by short payments of the assessments payable to the Government by the ryots and in the case of other estate villages by short payments of rents to the landholders by the ryots for subsequent faslis. Thus, we have allowed such short payments. There are certain estates which we have not taken over and in their case we cannot make any adjustment according to the present law. That has to be done by bringing forward a separate legislation. We have no control over them now. When we make these adjustments in respect of the other estates, it is our idea that the landholder should not be allowed to walk away with the enhanced collection. We want to adjust it towards the interim payments that we are making to him as compensation. We have already given the concession to the ryots. So, why should the Government allow this extra amount to be taken away by the landholder over and above the actual lawful rent due to him as per the Rent Reduction Act? We want that this should be adjusted towards the interim payment made to him now and then."

DR. V. K. JOHN:—"Why not return the amounts to the ryots?"

* THE HON. SRI M. A. MANICKAVELU NAICKER:—"The Government can take action only in cases where the estates have been taken over."

* DR. V. K. JOHN:—"My point is this. Why should the Government appropriate to themselves the excess amount collected by the zamindars from the ryots? Why not they return the amount to the ryots?"

* THE HON. SRI M. A. MANICKAVELU NAICKER:—"As I have already said, in respect of the estates taken over by us, we do adjust it. Certain estates, were 'No man's land' for some

21st December 1954] [Sri M. A. Manickavelu Naicker]

time. How can we look into their details as to whether a particular person was living or dead? It is very difficult to take any definite action in respect of those estates. As regards estates taken over by us, we are making adjustments."

* DR. V. K. JOHN:—"If the zamindars had made excess collections, why should the Government take advantage of them? Why not they give them back to the ryots?"

* THE HON. SRI M. A. MANICKAVELU NAICKER:—"Though we may take that fact into consideration, the hon. Deputy Leader of the Opposition must also remember that the Government have to pay compensation to the zamindars which is being calculated on the basis of the value of the estate. Why should we allow the zamindars to walk away with the excess rent collected by them? That is why we want to adjust it in the compensation that we pay to them."

DR. V. K. JOHN:—"How are the Government entitled to this excess collection?"

* THE HON. SRI M. A. MANICKAVELU NAICKER:—"The Government are entitled to it in the sense that they are obliged to pay compensation to those people. While doing so we want to take the lower rate and not the higher rate. Under the Rent Reduction Act, only the lower rate is prescribed. We do not want them to go away with the excess rent collected by them arbitrarily."

"The sixth amendment deals with final compensation and adjustments. There is no specific rule by which these adjustments could be made in the case of final payment of compensation. Therefore, power is taken to make adjustments even in the case of final compensation. If in spite of all these, any excess amount has been paid to the landholder, we have no power under the present Act to get back the excess amount. Hence, a provision is inserted that any excess amount paid to the landholder over and above the legitimate amount due to him will be collected as arrear of land revenue."

(The Deputy Chairman occupied the Chair at this stage.)

"Sir, we are deleting section 5 of Madras Act I of 1950 as it is considered superfluous and as also we have incorporated suitable amendments under clause 7 of the Bill. These are the eight amendments which are found necessary in actual practice. I hope the House will have no objection to accept these amendments."

DEPUTY CHAIRMAN:—"Motion moved—"

"That the Madras Estates (Abolition and Conversion into Ryotwari) Amendment Bill, 1954 (L.A. Bill No. 46 of 1954), as passed by the Assembly, be taken into consideration."

* SRI K. BALASUBRAMANYA AYYAR:—"Mr. Deputy Chairman, Sir, this Act is sought to be amended, according to the

[Sri K. Balasubramanya Ayyar] [21st December 1954]

Government, in the light of their experience of its working. They have found certain defects in its working and that is what they say. But I find that the cumulative effect of all these Acts will load the dice against the landlord. For example, according to clause 4, the Government can appeal against the landlord in respect of a decision given by their own officers. I do not propose at present to deal with the principle underlying the legislation. The Government are taking over properties and paying compensation on a certain basis. I wish they had brought in this after Article 31 of the Constitution was amended. That would have been easier. Now, coming to the provisions proper, clause 4 (1) says :—

‘Against a decision of the settlement officer under sub-section (3), the Government may, within one year from the commencement of the Madras Estates (Abolition and Conversion into Ryotwari) Amendment Act, 1954, or from the date of decision, whichever is later, and any person aggrieved by such decision may, within two months from the said date, appeal to the Tribunal.’

That is, if the Government want to appeal against the decision of their own settlement officers whom they have appointed and who, they feel, are competent to discharge the duties assigned to them, they can appeal within one year from the commencement of the Madras Estates (Abolition and Conversion into Ryotwari) Amendment Act, 1954, or from the date of the decision, whichever is later. Suppose a decision is given to-day. The Government want one year's time to appeal against that decision. Have you heard of such a thing in the Civil Procedure Code? When a private party is aggrieved the same is not the case. Why this discrimination between the Government and the parties? The parties at least have got the trouble of finding out whether their rights have been dealt with properly by the settlement officer. But the Government know this. They have got their own officers. Those officers consult the Board of Revenue. From time to time, the Government and the Board of Revenue issue instructions to them.”

DR. V. K. JOHN :—“ They have another six months.”

* SRI K. BALASUBRAMANYA AYYAR :—“ Yes, Sir. There is a proviso :

‘Provided that the Tribunal may, in its discretion, allow further time not exceeding six months for the filing of any such appeal.’

They have on the whole eighteen months' time to appeal. The Hon. the Mover of the Bill said that they had no time-limit and that now they wanted it to be eighteen months. It is not fair at all. What is the great interest taken by the Government in this particular matter? After all the decision of the settlement officer is as regards any applications made by the landlord in regard to private lands which come under the Estates Land Act or communal lands as stated in the statement of objects and reasons appended to the Bill. The landholder applies to the settlement officer to give the patta to him as he claims it to be his private land. Why do the Government come in here? The ryots are very

21st December 1954] [Sri K. Balasubramanya Ayyar]

clever people and they do not need any special help from the Government to have their rights established. (Sri A. Gajapathy Nayagar : ‘Why do you object to that?’) You have no objection. But people who own and hold lands know what it is. The Government say that unfortunately the ryots might not be in a position to know their own rights as against the rights of the landholder and to fight out their case. Do they not know what is a zamindari village and do they not know the extent of the private lands owned by the zamindar? They have got adjoining lands. And then the Government say that those ryots might be too poor to litigate for want of sufficient finances and that, therefore, they have to step in. That is why they want this time-limit of eighteen months.

“Another curious provision that we find here is this. The Tribunal may, in its discretion, entertain an appeal by the Government at any time if it appears to the Tribunal that the decision of the Settlement Officer was vitiated by fraud or by mistake of fact. Such things were never heard of in the Civil Procedure Code, except in cases of mortgage of property wherein suits can be filed up to a period of thirty or sixty years as the case may be. Here a distinction is made between the Government and the private parties. These powers seem to be unnecessary for the Government in my opinion. The whole procedure is laid down in the general rules of procedure framed by the Government. Under the Estates Abolition Act of 1948, the Government have no power to act in the manner suggested in this Bill. Now under this Bill, they can step in. I cannot see why they should be given time for one year in the first instance and then for six months later. I shall not weary the House with any more details about this provision.

“Sir, the Rent Reduction Act has also been applied to these areas and some of the rents have been reduced under the provisions of that Act. Before the application of this Act, the landlord might have collected some rent. The Government now say : ‘All right, you have collected so much rent. It is in excess of the rent fixed under the Act. We shall deduct this excess sum from the compensation payable to you in instalments and give it to the ryots from whom you have collected the excess rent.’ (Sri Mohamed Raza Khan : ‘Where is the question of principle in this Act?’) Yes, but I am not discussing the principle of the Act here. Let the Government by all means try to refund the excess collected from the tenants but should they deduct it from the compensation payable to the erstwhile landholder? Now these landholders have become tenants or ryots, if I may say so, and the Government have become the landlord by stepping into their place. I can understand the Government providing for a refund from the date on which the rents have been reduced. But this is unnecessarily mulcting the landlord of the portion legitimately due to him by way of an interim half payment of the compensation. (Sri Mohamed Raza Khan : ‘Even the instalments are not properly computed.’) Yes, Sir, the whole spirit of

[K. Balasubramanya Ayyar] [21st December 1954]

the amendment seems to me to be one against the landlords who are entitled to compensation in lieu of the lands taken away from them."

* SRI A. GAJAPATHY NAYAGAR :—" Mr. Chairman, may I say a few words in the light of my experience as Chairman of the Madras Estates Abolition Tribunal at Madura? I may say at the outset that the Abolition Act helped the zamindars greatly at a time when they could not get money in the open market. They got plenty of money from the Government by way of compensation. At a time when they were suffering, the Government came to their succour. They devised some means of helping them and the Government departments spent considerable time and took good deal of trouble to find out ways and means to help them. Therefore, more than anybody else, the zamindar must be thankful to the Government for putting some money in his pocket when he needed it most. Then, coming to the provision of appeal against the decision of the settlement officers, I know there are some settlement officers who have not been dealing fairly with the question of settlement and the Government in order to provide against such things have made a new provision to the effect that they can appeal in case the decision of the settlement officer was vitiated by fraud or by mistake of fact. To find out the mistake, they require some time. It is quite natural that they should be given one year's time for the purpose. Further, there are ryots who are too poor to go before the Tribunal and file their petitions. Therefore, there is nothing wrong in giving one year's time to Government to enable them to perform a rightful duty."

* SRI N. ANNAMALAI PILLAI :—" On a point of information, Sir, இதுவரை தமிழிலேயே பேசுகிற கனம் அங்கத்தினர் கெஜபதி நாயகர் அவர்கள் தமிழில்தான் பேசவேண்டும் என்று ஆரவாரமாகவும் ரொம்ப பிரமர்தமாகவும் சொல்லிக்கொண்டிருந்தவர், இன்று ஆங்கிலத்தில் பேசுவதைப் பார்க்க ஆச்சரியமாக இருக்கிறது. எல்லோரையும் தமிழில் பேசவேண்டுமென்று கேட்டுக்கொண்டிருந்த கனம் அங்கத்தினர் இன்றும் தமிழில் பேசுவார் என்று நான் எண்ணிக்கொண்டிருந்தபோது அவர் இன்று இங்கிலிஷ் மயமாக இருக்கிறார். கனம் அங்கத்தினர் அவர்கள் இனிமேலாவது தமிழில் பேசுவாரா? அல்லது இனிமேல் தமிழிலேயே பேசமாட்டாரா என்று அவரிடமிருந்து அறிய விரும்புகிறேன். சட்டசபையில் தமிழிலேயே தான் பேசப்போவதாக அடிக்கடி அவர் சொல்லிக்கொண்டு வந்த ஒரு காரணத்தினால்தான் நான் இதைப்பற்றி இவ்வளவு தூரம் கேட்க வேண்டியிருக்கிறது."

p.m. * SRI A. GAJAPATHY NAYAGAR :—" I thought that Mr. Annamalai Pillai also knew some English. If he pretends not to know even a word of it, what can I do?

"One year is just the reasonable time to be given to Government. There is the excess amount collected by the zamindars. Government must take care to see that no zamindar gets more money than he is entitled to. To ask that excess money must be paid to the ryot is another question, which does not arise. Therefore Government are certainly entitled to see that the excess

21st December 1954] [A. Gajapathy Nayagar]

amount collected by the zamindars is realized from them. That is why they have said that such excess amount will be adjusted in the interim compensation payable to the zamindars. On the whole Government have done well. They have moved in the direction of helping the ryots and this direction aims at the welfare of the public as a whole. That is why I wholeheartedly support this Bill."

SRI MOHAMED RAZA KHAN :—" Sir, I am very sorry that the previous speaker Mr. Gajapathy Nayagar has taken such a stand. He has got wide experience in this line having been himself Chairman of the Estates Abolition Tribunal. If this Bill is warranted by public interest, we would have welcomed it. But I do not think that is the case. Mr. Balasubramanya Iyer has raised pertinent points and has questioned the propriety of certain provisions in the Bill. I am sorry there are no definite principles enunciated in the Bill. Since we are not discussing the whole subject, I will confine myself to the Bill under discussion. At the same time I want to say that there are no principles set out in the Bill. It is not as if the zamindars are a huge lot. Government would have straightway finished with them saying that twice or thrice the annual income from their lands would be given as compensation to them. That would have been better. But Government have purposefully brought in this measure. Zamindars are not always rich. All zamindars do not own 1,000 acres as some in Andhra do. Some widows and petty zamindars are owning some 40 to 50 acres which have come to be called zamins. To what difficulty they have been put by these enactments, words will not suffice to narrate. Already there have been lot of complications in the working of the Rent Reduction Act and other Acts. I say by passing this measure we would only be adding to the already existing complications. They have somehow dragged on for four or five years."

"I want certain clarifications from the Hon. the Minister for Land Revenue. The Government of Madras notified certain estates which they proposed to take over. Some zamindars challenged the notification and they put in application to the High Court for the issue of a writ. Consequently Government were prevented from taking possession of those estates. The litigation dragged on for ten months or one year. In the meantime the zamindars have been collecting the rents due to them by the ryots. After a year or so, I do not exactly remember the period, the High Court dismissed their writ applications numbering about three hundred. As soon as the writ petitions were dismissed, the Government took possession of those estates. As soon as they took possession of the estates, what did the Government do? They pounced on the zamindars and asked them to return the rents they had collected during the interregnum—from the date of notification till the disposal of the writ petition. Some of the zamindars with the help of their lawyer friends went to the Collectors and questioned on what grounds they were asking the zamindars to return

[Sri Mohamed Raza Khan] [21st December 1954]

the rents collected. Section 68 was the one wherein unfortunately we had given the Government wide powers. By that section Government could do anything to suit their ends. The Collectors pointed out this section to defend the Government's claim. I do not blame the present Revenue Minister for it. But let us realize the difficulties of the zamindars. After all they have not done anything wrong. They are not also very rich. Has the compensation been paid to them in full? No; the answer is in the negative. If we calculate the figures it would be apparent that Government claim for the rent he has collected as much as Rupees 15,000 when the compensation amount paid to the zamindar is Rs. 10,000 or Rs. 11,000. Where is the poor zamindar to go? As I mentioned before, there are poor widows and petty zamindars owning some 40 to 50 acres. They come to be called zamindars. How could they pay over and above the compensation paid to them? I feel that Government should not collect the rents collected by the zamindars during the interregnum. It is after all not fair also to collect from them. I do hope Government would take into consideration what I have said.

"With regard to Section 4-A, Mr. Balasubramanya Ayyar has said that private lands are also there. But judging beforehand that such a legislation would be forthcoming, the ryots have been encroaching upon the *poramboke* lands and have been in continuous occupation of those lands. Today it is a trouble to the Government. The zamindar has disappeared from the picture. He has been given the go-by. Even some *poramboke* lands adjoining several zamindaris have been occupied by these ryots. They have been in continuous occupation of them. Therefore I do not know why the Government of Madras are fighting shy of these ryots? Those ryots cannot take the matter to the Court and claim possession of the land which is not theirs. I do not want the Government of Madras to go on adding to their burdens.

4-20 p.m. "Sri Balasubramanya Ayyar said that the old rent has been quoted and not the reduced rent. If the Government found that the zamindars had been collecting at the old rent higher than the rent fixed under the Act, they would pounce on the zamindars and ask them to return the rents they have collected. What about the old rent if it is less than the reduced rent? Government have not said anything about it while they are very eager in taking back from the zamindar whatever he has collected. There is no corresponding clause with regard to the ryots. Wherever the rent collected is less than the reduced rent, the tenant has not been called upon to pay the increased rent to the zamindars. That which is applicable to one case should be applicable to the other cases also. I know that in many cases the Government have not called on the ryots to pay the increased rents. I am not able to understand the reason and logic of the Government. After all, the amount involved may not be much. But it is a question of principle, fairness and justice.

21st December 1954] [Sri Mohamed Raza Khan]

"Even the question of fixation of rent was first entrusted to some of the subordinate officials at the lower level like Revenue Inspectors. I can say that in 99 cases out of 100 they did not bother to take into account the actual income of the zamindars. The fixation of temporary compensation was on the basis of their income in the previous three or four years. In a number of cases they never cared to go through the accounts to find out what was the actual income. Even when records were shown to them, they simply put the income at a few thousands with the result that in the majority of cases the temporary or interim compensation had no relation to the actual compensation which they should get. A number of petitions have been sent and appeals were made to the Board of Revenue through the proper channel but they are all still pending for years and years. I know one or two cases wherein three-fourths of the income was not taken into consideration. Only part of the income was taken into consideration and on that basis temporary compensation was fixed and it bears no relation to the actual temporary compensation payable. The zamindars were deprived of the actual compensation due to them when they had no income to depend upon. If they got some money from the Government, they would have utilized it for purchasing some other property. In the great majority of cases, the officials were not able to understand some of the clauses. Rather they interpreted them in the way they liked. Even in cases where temporary compensation has not been fixed properly and where the Government and the authorities felt that those cases were genuine, action has not been taken for years and years. When complaints were made, the Government simply stated 'What are we to do? The settlement is not yet over. The Revenue Officers have not compiled the Settlement list. Therefore the matter is pending.' While the Government are so very particular to get back from the zamindars the excess they had collected from the tenants, they have not made arrangements for the collection of the rents that are due to the zamindars from the tenants which still remain unpaid. There is a lot of arrears to be collected from the ryots. In the zamindari estates it is not a question of mere rent collection alone. There is also the income from quarries and fisheries. Under the provisions of the Act, it is the duty of the Government to collect all the arrears at least within a reasonable period from the date of assumption of the zamindaris. In many cases, the money that is now tried to be recovered from the zamindars is much higher than the compensation payable by the Government. When once the zamindari has been taken over by the Government, the zamindar has no right to step in. It is the duty of the Settlement Officers to collect the arrears and they failed very miserably in collecting these arrears.

"In certain cases it has been brought to my notice that the rates have been tampered with. Certain rates which ought to have been accepted by the Settlement Officers have not been accepted. Ultimately the Government will be the loser. In a

[Sri Mohamed Raza Khan] [21st December 1954]

particular case in a zamindari area the rent for ordinary cultivation is Rs. 2-8-0 per acre, but when it is used for industrial purposes, the rent is Rs. 53-8-0. After all when a man uses it for industrial purposes, it does not matter much if he is asked to pay Rs. 53-8-0. But why should Rs. 53-8-0 be collected instead of Rs. 2-8-0 when it is not used for industrial purposes? It is quite possible that when the final compensation is settled, the zamindar may get something less than what he is entitled to. Instructions should be issued to the officers to see that they take a proper account of the annual income. In certain cases the amount collected is far less than what it used to be some four or five years back. For example, if a sum of Rs. 1,500 was collected from a quarry during the time when the zamindar was in occupation, now from the same quarry a sum of Rs. 200 or Rs. 300 is collected. This is really a great loss to the Government.

"At least some of the reasonable amendments proposed by my hon. Friend Sri K. Balasubramanya Ayyar should be accepted. In conclusion, I would appeal to the Government that inasmuch as the Government have taken over the zamindari, they should see that justice is done to zamindars. I do not want that any special favours should be shown to them. The interpretation of the Act should be such that the zamindars are not put to greater disadvantage. I hope the Hon. Minister will issue instructions to the subordinate officers that the Act should be interpreted properly and not according to the whims and fancies of the lower subordinates."

* SRI T. PURUSHOTHAM :—"Mr. Chairman, Sir, the Hon. the Minister for Revenue has told us that the object of the Bill is to rectify the defects revealed in the actual working of the original Act. I feel, when bringing forth such amending Bills, the Government will do well to examine thoroughly and see that comprehensive amendments are introduced with regard to all pending matters. Hon. Members are aware that at the beginning of this year I sought leave to introduce a Bill to remove the serious hardship and anomaly arising out of the differentiation in assessment on adjacent properties, one relating to ryotwari assessment and the other to converted zamindari, and the principle of my, was actually accepted by Government as will be evident from the reply of the Hon. Minister to the debate on that Bill. He told us that this was only a temporary state of things and that the whole matter would be put on a proper and scientific basis. He also gave an assurance that settlement operations would be expedited with a view to see that this difference in rates of assessment was rectified as early as possible. Later on as the Hon. Minister would admit that in regard to the fixing of assessment for ryotwari lands in estates taken over by the Government under the Estates Abolition Act a number of petitions were filed in the High Court and the High Court held that there should be no discrimination in the matter of assessment between ryotwari and converted zamindari. The learned Judge indicated that the adoption of the highest rate

21st December 1954] [Sri T. Purushotham]

prevailing in a taluk was improper and that the rate obtaining in lands of the same class near about the lands on which the assessment has to be fixed would form the safe guide. I am just quoting from the judgment. Hence it is I feel that the Government should take note of this and see that a suitable legislation is passed, which would place the assessment on a sound, rational and legal basis. I do not know what the Government have done with regard to the judgment of the High Court and I feel that the Government should have taken note of such an important amendment when a Bill of the kind now before the House is being taken up. I hope the Hon. Minister would tell us what action has been taken. With these general remarks, I support the Bill before the House."

* DR. V. K. JOHN :—"Mr. Chairman, Sir, this is an ill-conceived and inequitable measure. Its guiding principles, as far as I can see, are expropriation, exploitation and discrimination. When the original Bill was introduced, I opposed the measure on the ground that there was expropriation of the landed classes. I said that the market value should be paid to every person whose property was acquired or taken over. I said that if the market value could not be paid in lump it could be paid in instalments spread over a number of years. A bond could be given for this purpose by the Government to the persons concerned, and the bond could be cashed in the market. This would mean that market value is paid on the day of taking over. I also wanted that the market value should be paid not at the expense of the public, not by the Government, but by the persons who were benefited by the taking over of the estates. If nobody was benefited by the taking over of these estates, the estates should not have been taken over. In the Uttar Pradesh where the Zamindari Abolition Act was passed, they collected over a hundred crores of rupees from persons who were the beneficiaries. But here in Madras State (including the Andhra at that time) they have not collected even a pie from the persons who were benefited. If the abolition of the zamindaris has not benefited some people, why were the zamindaris abolished? The Government had to pay to them compensation to the extent of Rs. 7½ crores. I could not understand why this was done in that manner. The reason is this. Before the Constitution came into force, the supporter of the Congress was the 'kutti' zamindars, the tenants of zamindars, and the Congress wanted to pay these 'kutti' zamindars at the expense of the public revenues instead of collecting from them the money which the value of the land gave them and by which they were benefited. They were not asked to pay anything for the benefit they received. This was a very bad measure which was passed out of political motives. Later on the adult suffrage came, and this motive could not be successfully implemented.

(At this stage Mr. Chairman occupied the Chair.)

The object now is to expropriate the landlords by not giving them the market value. Instead of bringing in an Amendment Bill to correct the mistake which was committed in the original Bill,

[Sri V. K. John] [21st December 1954]

there is further expropriation. This Bill provides that if the landlord has collected in excess of the rent provided by the Rent Reduction Act, the Government would be benefited and not the tenant from whom the excess collection has been made. Have we ever heard or come across a more inequitable measure? I can understand the landholder being asked to pay back to the tenant the excess rent collected so that the tenant may be benefited and not the Government. Instead of this, provision is made to the effect that the Government are to be benefited and that the Government are to take the excess rent from the moneys due by the Government to the zamindars. This is a very wrong thing to do. The Government should not have done this. This is nothing but expropriation and exploitation. Discrimination also is here."

* THE HON. SRI M. A. MANICKAVELU NAICKER :—" Sir, there are two Acts, namely, the Abolition Act and the Rent Reduction Act. I said earlier that in estates where the Abolition Act was not in force, the Government had no control over them, and they could not do anything with them. The Rent Reduction Act applies to all the estates though the Abolition Act does not apply. When the Rent Reduction Act is applicable, and before we collected the rent according to the lower rate, the zamindar has collected rents in excess. The Government have allowed the ryots to adjust this excess in future payments. Therefore, there is no question of the Government taking away anything from the landholder and appropriating to themselves. Since the Rent Reduction Act applies to all estates, that question does not arise. The Government only get back the money which they have adjusted with the ryots."

SRI MOHAMED RAZA KHAN :—" When the Rent Reduction Act was passed, and when the Settlement Officers fixed the rents in conformity with the rents prevailing in the adjacent ryotwari lands, how is it that zamindars were allowed to recover the old rents as against the revised rents? "

* THE HON. SRI M. A. MANICKAVELU NAICKER :—" Sir, it was possible for the zamindar to collect the old rents. There were honest ryots who paid these rents. It is only now we find trouble in the collection of rents."

* DR. V. K. JOHN :—" Sir, I am obliged to the Hon. Minister for the information given, though he has not met my point. The guiding principles of this measure are expropriation, exploitation, and discrimination. Instead the Government ought to have brought in a measure which should have amended the older Act under which the zamindars were expropriated and certain people were benefited at the public expense. What is the reason for the public revenue to be utilized to pay zamindars? No money is collected from the tenants who were benefited. Why should the money which, you, I, and others pay go to benefit the tenants? Instead of the Government bringing in a Bill not to collect what

21st December 1954] [Dr. V. K. John]

was inequitable under the old Act, we have now a measure here which no Government can take credit for. The zamindars were not given the market value for their lands and the tenants also were not asked to pay for the benefits they got. Look at the discrimination. The Government want one year for them while other parties are given only two months. Have you heard of a piece of legislation prescribing one thing for the Government and another for others? What is the reason? It is because the Government cannot bring in an appeal or proceeding in time as any other party. Then why not the Government give the other party also one year and then also time to excuse delay for six months? I do not know why the Government should indulge in this kind of discrimination. Sir, when the Government passed the original Act, they did not know that there would arise some contingencies. Is it correct on the part of the Government to pass enactments without provision for contingencies? Of course the Hon. Mr. Manickavelu Naicker is not responsible for it. Somebody in 1949 was responsible for it. But it shows the bankruptcy of the Government in not having the idea to provide in the Bill for contingencies which are bound to arise. Now the Government have not brought forward this Bill 4-41 to correct the inequalities, expropriation and the exploitation con- p.11 tained in the original Act, but to do something worse. I protest against this Bill. I say that this is an inequitable, ill-conceived and misconceived measure."

* SRI K. BALASUBRAMANYA AYYAR :—" I rise on a point of information, Sir. Suppose a stay order has been passed by the High Court or the District Court after the Government came into possession according to the notification they make. After the passing of this stay order, the Government must not continue to possess the estate. In the meantime, some money might have been collected. What is to be done in such cases? "

* THE HON. SRI M. A. MANICKAVELU NAICKER :—" Sir, much was said that there was no fair deal shown to the zamindars. I must say that as far as the zamindars of this State are concerned, they had the best and the most liberal terms in the whole country. In no other State in India where zamindaris have been abolished, the zamindars enjoy such liberal terms as they do in this State.

" As regards the merits or demerits of the Abolition Act, it is too late in the day to go into that question. This matter has so elaborately been gone through previously. The hon. Deputy Leader of the Opposition said that even then he fought it tooth and nail. It is a pity that I was not in the Assembly at that time. If I had been in the Assembly at that time, I would surely have been a strong lieutenant of the hon. Deputy Leader of the Opposition and would have supported him. Because, I am also of the view that when a man derives some benefit, he must pay for it. Anyway, there is no use of crying over spilt milk. The Act has come into force and we have to implement it."

[21st December 1954]

DR. V. K. JOHN :—" Why not amend it now? "

* THE HON. SRI M. A. MANICKAVELU NAICKER :—
" When we are thinking of so many other drastic measures, I do not think it is quite proper to amend the Act as suggested by the hon. Deputy Leader of the Opposition, nor will any such measure be worthwhile undertaking under the present circumstances.

" The hon. Member Sri Raza Khan said that the Government have not collected the amounts due to the zamindars from the tenants. In this connexion I must tell the hon. Member that it was notorious that collections in zamins were in very great arrears. Even four to five years' arrears were left uncollected. When the Government came into the field, their efficient collection machinery began collecting these dues. The zamindars must thank their stars for getting the money through the efforts of the Government. It may be that here and there dues may not have been collected. But, when compared to the large collection made, the small dues which could have been collected, but as a matter of fact which were not collected, are nothing. However, their non-collection was not deliberate.

" As regards the temporary compensation, it is worked out on a rough and ready method of calculation. But, there is an elaborate procedure prescribed to go into the question and to come to a final decision. So, the machinery is there to look into the matter. When the final day, I mean the Doomsday, comes it will all be adjusted and the proper amount will be given. So, there is no difficulty about their getting their proper share as per the Act. The only thing is I cannot go against the principle underlying the Act. I can only implement the provisions in as best a manner as possible."

DR. V. K. JOHN :—" When will that Doomsday come and will it come at all? "

* THE HON. SRI M. A. MANICKAVELU NAICKER :—
" We are expediting the work as much as possible. We have put the survey and settlement parties on this job. We have issued the necessary instructions to them that the work should be carried out on a war footing. We have clearly stated this in the order itself. These people are carrying out their work quite briskly."

DR. V. K. JOHN :—" War on whom, Sir? "

* THE HON. SRI M. A. MANICKAVELU NAICKER :—
" The word ' war ' has been used only to show that we are carrying out this work with the maximum expedition possible. We hope that within four or five years the whole thing will be over. I should say that this is a very good achievement under the circumstances."

DR. V. K. JOHN :—" Will it take so much time as the Second World War took to come to a close? "

[21st December 1954]

* THE HON. SRI M. A. MANICKAVELU NAICKER :—
" No, Sir. I do not know why this prophet is becoming pessimistic. I wish he is more optimistic.

" As for the point raised by the hon. Member Sri Balasubramanya Ayyar, I should say that in the period in which the Government have control, they will give effect to the provisions contained in the Act. There will be no difficulty about that. Even if any injustice or irregularity is pointed out, that can be rectified by executive orders. The difficulty will arise only when the Government have no control in which case the Government cannot do anything. As long as the Government have control, they can take proper steps to see that no injustice is done."

* SRI K. BALASUBRAMANYA AYYAR :—" Sir, the proviso to clause 2 says, :

" Provided that where the operation of any such notification has been stayed or interrupted by order of Court, the date from which Government have been in uninterrupted possession of the estate shall be deemed to be the date so appointed.

Suppose a stay order is passed. Until this stay order is vacated the Government will not be in possession. According to this amendment, the Government must have been in uninterrupted possession of the estate. When they were in possession of the estate in pursuance of the notification, it is all right. But the notification itself will come into force only from the date of the Government's uninterrupted possession. That is the difficulty, Sir."

* THE HON. SRI M. A. MANICKAVELU NAICKER :—
" Sir, the hon. Member Sri Balasubramanya Ayyar is quite right. Now, the Government have made it clear that they are responsible for the administration of the Act only from the date on which they had uninterrupted possession. Even before, when such a difficulty as mentioned by the hon. Member arose, we took shelter under section 68 of the Act which gave us power to get over such difficulties. So, all along we have been taking advantage of section 68 of the Act to overcome such difficulties mentioned by Sri Balasubramanya Ayyar.

" Sir, I think I have sufficiently explained the matter to hon. Members. At this stage I cannot do anything regarding the policy underlying the Abolition Act. We have to abide by that Act which has been passed long ago. But, I may state that I am ready and willing to do all that I can to make adjustments within the scope of this Act."

MR. CHAIRMAN :—" The question is—

" That the Madras Estates (Abolition and Conversion into Ryotwari) Amendment Bill, 1954 (L.A. Bill No. 46 of 1954), as passed by the Assembly, be taken into consideration "

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

[21st December 1954]

4-50 P.M. SRI MOHAMED RAZA KHAN :—" We may take up consi-
deration of the Bill, clause by clause, to-morrow, Sir."

MR. CHAIRMAN :—" I think there are no amendments to
clauses 2 and 3. I shall put them to vote."

* SRI K. BALASUBRAMANYA AYYAR :—" I think all my
amendments can be disposed of to-day itself."

MR. CHAIRMAN :—" Yes, we shall do it."

Clauses 2 and 3 were put and carried.

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), in proposed clause (a) after the words
" Madras Estates (Abolition and Conversion into Ryot-
wari) Amendment Act, 1954, or " and before the words
" from the date of decision " insert the following
words

" within two months " .

This clause enables the Government to go in appeal within one
year from the date of commencement of the Act. I have no
quarrel here. But when an ordinary party has got only two
months' time to appeal from the date of the decision of the settle-
ment officer, why should Government have one year in this
respect? I feel two months will do for them."

DR. V. K. JOHN :—" I second the amendment."

MR. CHAIRMAN :—" Amendment moved—

' In sub-clause (1), in proposed clause (a) after the words
" Madras Estates (Abolition and Conversion into Ryotwari)
Amendment Act, 1954 or " and before the words " from the date
of the decision " insert the following words " within two
months " .

* THE HON. SRI M. A. MANICKAVELU NAICKER :—" I
oppose the amendment for the reasons already explained by me.
There is much difference between a private party and the Gov-
ernment. The Government have to work through different
agencies. There is the Settlement Officer and there is the Board
of Revenue. We want a little more time than private parties for
filing appeals. In the case of private parties, it is not a question
of their coming across any new deeds or new documents. They
have everything ready with them. But in the case of the Gov-
ernment, some more time is necessary to find out material to
prove whether an estate is an estate or not. The Settlement
Officer may come across some documents when he goes through
the records for purposes of payments of compensation. So, there
is nothing wrong in the Government requiring more time."

21st December 1954]

* SRI K. BALASUBRAMANYA AYYAR :—" Sir, the settle-
ment officer is one appointed by the Government and has been
working for a long time as such. He is frequently consulting the
Board of Revenue and also the Government. My amendment is
only this. I am not disputing the provision that the Government
may appeal within one year from the date of commencement of
the Act. But when it comes to the date of the decision, I say
there should be no difference between a private party and the
Government. Both must have only two months."

MR. CHAIRMAN :—" I shall now put the amendment to vote.
The question is—

' In sub-clause (1) in proposed clause (a) after the words
" Madras Estates (Abolition and Conversion into Ryotwari)
Amendment Act, 1954 or " and before the words " from the
date of the decision " insert the following words " within two
months " .

The amendment was lost.

Clause 4 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
the amendment standing in my name, namely,—

' In proposed sub-section (3) (a), after the words " the
Madras Estates (Abolition and Conversion into Ryotwari)
Amendment Act, 1954 or " and before the words " from
the date of the decision " insert the words " within two
months " .

This is an amendment similar to the previous one I moved. Even
in the original section 10 of the Act, the Government and the
aggrieved person are placed on the same footing. Now there is
a difference sought to be introduced between the Government and
private parties."

DR. V. K. JOHN :—" I second the amendment."

* THE HON. SRI M. A. MANICKAVELU NAICKER :—" I
oppose the amendment, Sir."

MR. CHAIRMAN :—" The question is—

' In proposed sub-section (3) (a), after the words " the
Madras Estates (Abolition and Conversion into Ryotwari) Amend-
ment Act, 1954 or " and before the words " from the date of
the decision " insert the words " within two months " .

The amendment was lost.

Clause 5 was put and carried.

[21st December 1954]

Clause 6.

MR. CHAIRMAN :—" Motion moved :—

' That clause 6 do stand part of the Bill '."

* SRI K. BALASUBRAMANYA AYYAR :—" Sir, I move the amendment standing in my name, namely,—

' In proposed sub-section (2) (a), omit the second proviso.' The proviso reads :

' Provided further that the Tribunal may, in its discretion, entertain an appeal by the Government at any time if it appears to the Tribunal that the decision of the settlement officer was vitiated by fraud or by mistake of fact.'

The power sought to be conferred on the Government is an extraordinary power given at any time to Government. What is this 'fraud'? What is the definition of 'fraud'? 'Fraud' means what and on whose side? Is it legal fraud or fraud on power? The Government may say: 'Oh, it is very wrong, it is fraud.' It is such a vague thing. Have we such a power given to the Government under the Civil Procedure Code? District Judges are appointed by the Government. That appointment itself might be a fraud. Have the Government got power to open up decisions by these people because of fraud? This is a most extraordinary provision and I am sorry I have to imitate the language of my Deputy Leader."

DR. V. K. JOHN :—" I second the amendment."

MR. CHAIRMAN :—" Amendment moved—

' In proposed sub-section (2) (a), omit the second proviso."

* THE HON. SRI M. A. MANICKAVELU NAICKER :—" An extraordinary provision is an extraordinary Act! That is what the hon. Member says. This relates to section 15 of the Act under which a landholder could apply for a ryotwari patta alleging it is his private land. The ryots may say it is communal land or the village common land. They can oppose the application of the landholder. In some cases, the ryots themselves might appeal and in certain cases, where the subject-matter of application is communal land, they might not bother themselves about it. Nobody takes any step in this matter to see that the communal land is not made over to the landholder. So, in such cases, the Government must have power in the interests of the community and in the interests of the common good of the village to appeal at any time it appears to them that a fraud or mistake has been committed. We must have this power to see that the amenities enjoyed by the villagers in the form of communal land or grazing ground are not withdrawn."

DR. V. K. JOHN :—" Is it in order for the Hon. the Minister to oppose any amendment because he has got the majority behind? " (Laughter.)

21st December 1954]

MR. CHAIRMAN :—" The question is—

' In proposed sub-section (2) (a), omit the second proviso.' "

The amendment was lost.

Clause 6 was put and carried.

Clause 7.

MR. CHAIRMAN :—" Motion moved—

' That clause 7 do stand part of the Bill.' "

* SRI K. BALASUBRAMANYA AYYAR :—" Sir, I move the amendment standing in my name, namely,—

' In sub-clause (b) omit the words beginning with " in sub-section (4)," and ending with " shall be substituted and " and for the words " the same sub-section " substitute the words " in sub-section (4) ".'

Sir, section 50 (4) of the Madras Estates (Abolition and Conversion into Ryotwari) Act as amended by the Amendment Act of 1950 says :

' In respect of each subsequent fasli year, they shall together be entitled to the amount estimated under sub-section (3) to be one-half of the basic annual sum.'

Now, they say here :

' In sub-section (1) for the words " basic annual sum " the words " one half of the basic annual sum " shall be substituted.'

The amendment is already there and this provision seems to be unnecessary. Therefore, I want that the words 'for the words " basic annual sum " the words " one-half of the basic annual sum " be substituted ' should be omitted."

* DR. V. K. JOHN :—" I second the amendment and would request the Hon. Minister to oppose it and bring in a similar amendment later." (Laughter.)

MR. CHAIRMAN :—" Amendment moved—

' In sub-clause (b) omit the words beginning with " in sub-section (4) " and ending with " shall be substituted and " and for the words " in the same sub-section " substitute the words " in sub-section (4) ".'

* THE HON. SRI M. A. MANICKAVELU NAICKER :—" The hon. Member has forgotten that when we are introducing an amendment, we are at the same time repealing section 5 of the Madras Act I of 1950. Therefore I do not think there is any necessity for Mr. Balasubramanya Ayyar's amendment."

* SRI K. BALASUBRAMANYA AYYAR :—" But you are amending section 50 (4) and for the words ' basic annual sum ', you say the words ' one-half of the basic annual sum ' shall be substituted."

[21st December 1954]

* THE HON. SRI M. A. MANICKAVELU NAICKER :—" The amendment has already been adopted by section 5 (b) of the Madras Act I of 1950. We are taking this opportunity to incorporate it under section 50 (4) and repeal section 5 of the Madras Act I of 1950."

MR. CHAIRMAN :—" The question is—

'In sub-clause (b) omit the words beginning with " in sub-section (4) " and ending with " shall be substituted and " and for the words " the same sub-section " substitute the words " in sub-section (4) " . "

The amendment was lost.

Clause 7 was put and carried.

Clauses 8, 9 and 10 were put and carried.

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 Estates (Abolition and Conversion into Ryotwari) Amendment Bill, 1954 (L.A. Bill No. 46 of 1954), as amended by the Assembly, be passed.'

" I have got to reply to the hon. Member Mr. Purushothama Mudaliar. He referred to the High Court decision. The matter is this : Originally fixing these rates led to a lot of formalities and the process of examining the whole thing and fixing the rate of land tax took time. The Act provided that it shall not be more than the highest rate prevailing in the district. That was the wording. Then it was brought to the notice of Government that there was hardship in applying that rule. Government interfered and said it shall be at the highest taluk rate. There was some difference in some taluks, between one taluk and another, and then again in different parts of the same village. We have already made a concession by making a reduction from the highest rate in the district to the taluk rate. If it were still reduced to the firka rate, there would be difference in the rates in different firkas. After all this is a temporary arrangement and very soon correct rates would be worked out. Till then we have to put up with some difficulty. With regard to the decision that there is discrimination between the ryot and the landlord, I think I have read that decision. It is with regard to charging of different rents in the ryotwari land and in the private land of the landholder. That is the distinction they made. They said that it was wrong. Government have accepted the decision. There is no difficulty about that

" With these words I move that the Bill be passed."

21st December 1954]

MR. CHAIRMAN :—" Motion moved—

'That the Madras Estates (Abolition and Conversion into Ryotwari) Amendment Bill, 1954 (L.A. Bill No. 46 of 1954), as passed by the Assembly, be passed.' "

* DR. V. K. JOHN :—" I would appeal to the Hon. Minister who moved this Bill that Government have got to get revenue also. Let persons who are benefited by this legislation be asked to pay for the value of the land which has become theirs and let not public revenues be spent for paying the landlords."

MR. CHAIRMAN :—" The question is—

'That the Madras Estates (Abolition and Conversion into Ryotwari) Amendment Bill, 1954 (L.A. Bill No. 46 of 1954), as passed by the Assembly, be passed.' "

The motion was carried and the Bill was passed.

MR. CHAIRMAN :—" I now adjourn the House to meet again at 11 a.m. to-morrow."

The House then adjourned.

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

a 1. Report of the Expert Committee appointed by the Government to examine the working and the future of the Government Milk Factory, Madras.

b 2. Bills passed by the Assembly and received therefrom in the Council—

(a) The Madras Tenants and Ryots Protection Amendment Bill, 1954 (L.A. Bill No. 48 of 1954).

(b) The Madras Entertainment Tax (Amendment) Bill, 1954 (L.A. Bill No. 49 of 1954).

(c) The Madras Essential Articles Control and Requisitioning (Temporary Powers) Amendment Bill, 1954 (L.A. Bill No. 50 of 1954).

(d) The Madras Marumakkathayam (Amendment) Bill, 1954 (L.A. Bill No. 16 of 1954).

(e) The Madras Indebted Agriculturists (Temporary Relief) Amendment Bill, 1954 (L.A. Bill No. 51 of 1954).

Laid on the table of the House on 18th December 1954.

Sent by special messenger on 17th December 1954.

Circulated to Members on 18th December 1954.

[21st December 1954]

APPENDIX I.

[Vide answer to starred question No. 73 asked by Dr. A. Sreenivasan at the meeting of the Legislative Council held on 21st December 1954, page 356 supra.]

(a) The post of Research Health Officer was created with effect from 25th August 1930.

(b) The post was created for epidemiological and laboratory studies, surveys, collections and analysis of statistics of common diseases that prevail in Madras State from time to time.

(c) & (d) His headquarters is at Madras. There is a Research Laboratory attached to the office of the Director of Public Health. The centres of research activities and field research carried out from the date of creation of the post are as follows:—

(i) Northern district of Madras Presidency—
Beriberi: Epidemiological study.

(ii) Cumbum Valley of Madurai district, Hosur, Salem and the Nilgiris districts and headquarters—

Plague: Geographical survey, epidemiological studies, treatment, control, evolving type designs for rat-proof godowns and houses and evolving technique for large-scale disinfection of infected grains.

(iii) Cumbum town (Madurai district)—

Cholera: The efficacy of Sulphaguanidine for the treatment of cholera.

(iv) South Arcot and North Arcot districts—

Guineaworm and Filariasis: Epidemiological and entomological studies.

(v) South Arcot and North Arcot districts—

Guineaworm: Epidemiological study and chemical control.

(vi) Madras City and Ramanathapuram district—

Kala-Azar: Epidemiological studies and control.

(e) The activities of the Research Health Officer are reported in the Annual Public Health Administration Reports, which are reviewed by Government.

(f) Maximum period held by a Health Officer—10 years and 3 months.

Minimum period held by a Health Officer—4 months and 19 days.

21st December 1954]

(g) Suitable officers, having regard to their aptitude, technical qualifications, special training and experience are posted.

(h) The progress of work on hand is periodically watched, as the headquarters of the Research Health Officer is at Madras, and instructions are given as often as required. The centres of research activities are also periodically inspected by the Director of Public Health and necessary instructions issued at site.

(i) There is only one Research Health Officer and half-yearly and annual and special reports, if required, are submitted by him. Papers are also published from time to time in Medical Journals.

(j) Plague: Epidemiology and control.

Guineaworm: Epidemiology.

Kala-Azar: Sandfly distribution.

(k) Plague has been practically controlled in the State by the application of field researches carried out by the Research Health Officer. The result of the research is published immediately and also applied in the field. Observations so far made indicate that one round of DDT, sprayed in a dosage of 200 mgms. per square foot keeps sandflies in complete check for over a year and eliminating fresh infection with Kala-Azar.

[21st December 1954]

APPENDIX II.

[Vide answer to starred question No. 74 asked by Sri Mohamed Razi Khan (on behalf of Sri M. K. M. Abdul Salam), at the meeting of the Legislative Council held on 21st December 1954, at page 357 supra.]

Statement showing the recommendations made by the Committee for Leather Industry and Trade and the action taken thereon.

Recommendations.	Action taken.
(1)	(2)
1 Financial assistance to tanneries under the State Aid to Industries Act and the Madras Industrial Investment Corporation, Limited, Madras.	It was decided that financial assistance under the State Aid to Industries Act should be given, if applied for, on the merits of each case. The Madras Industrial Investment Corporation stated that, if applications from tanners were received, each case would be considered on its merits. The Director of Industries and Commerce was asked to circulate the information among the tanners.
2 Relief in taxes—(a) Income-tax and (b) Sales tax.	Income tax—This is a matter for the Government of India. Sales tax—It was first decided that no exemption to the tanning industry from the operations of the Madras General Sales Tax Act need be given. A further representation from the trade is under consideration in the Revenue Department.
3 Trade representatives in foreign countries and trade delegations.	The S.I. Hides and Skins Merchants' Association has been informed that if it is keen on maintaining its own trade representatives abroad it should be prepared to meet the entire expenses and that it can however make use of existing trade representatives of India in foreign countries.
4 Establishment of an auction market in Madras.	The matter is under the consideration of the Government of India.
5 Construction of a Tanning Advisory Board.	The Government of India has been addressed.
6 Transport— (a) Grant of higher priorities for the transport of hides and skins by railways and by the Steamship Companies.	The Government of India, Ministry of Railways and the Director-General of Shipping, Bombay, were addressed and they have promised to render necessary assistance if any difficulties experienced were brought to their notice by the consignees. The Director of Industries and Commerce has been asked to circulate the information among the trade.
(b) Provision of wooden wagons for the transport of hides and skins.	The Government of India were addressed and they have agreed to the suggestion in principle. They, however, suggested for the adoption by the trade the spreading of straw on the floor of the wagons which do not have wooden flooring. The Director of Industries and Commerce has been asked to circulate the information among the trade.
(c) and (d) Provision of refrigerated railway wagons and facilities for quicker transport of tanning materials such as avaram bark, konani bark and myrobolam, etc.	The Government of India were addressed but they have expressed their inability to accept the proposal regarding the provision of refrigerated railway wagons. As regards transport of tanning materials the remarks against 6 (a) will apply.

[21st December 1954]

Recommendations.	Action taken.
(1)	(2)
7 Building of refrigerated rooms for storage of raw hides and skins.	Under consideration.
8 Supply of tanning materials— (a) Wattle plantation (b) Establishment of a Government sponsored wattle factory.	Under consideration. The Director of Industries and Commerce has been asked to submit proposals in consultation with the Chief Conservator of Forests and Director, Cinchona Department.
9 Quick tanning processes—Priority for research.	The Director of Industries and Commerce and the Central Leather Institute have been instructed to give priority for research as recommended by the Committee.
10 Adulteration of tanned leather	The Government of India have been addressed to take steps on an All-India basis to prevent adulteration in tanned leather (1) by undertaking legislation to prevent adulteration by control over tanneries at the production stage by a system of licensing producers and supervising their production and (2) by making provisions to prevent export of adulterated tanned hides and skins and to ensure that they conform to a minimum standard by arranging for tests in a laboratory, before export.
11 Settlement of claims on weight shortage ..	Under consideration.
12 Flaying	Recommendations were already considered and order issued sanctioning the starting of a Flaying School in the Madras Veterinary College to train professional flayers. The question of licensing the flayers will be taken up after an adequate number of flayers are trained.
13 Administration of the Factories Act in respect of E.I. Tanning Industry.	No action was considered necessary.
14 Amendments to the Industrial Disputes Act in its application to the tanning industry.	No change in existing procedure was considered necessary.
15 Imposition of a ban on the export of raw and picked hides and skins and levy of export duty of 25 per cent ad valorem on the export of raw goat skins.	The Government of India has been addressed.
16 Import of fish oil	No action was considered necessary.
17 Removal of restriction on the movement of tannery wool and tanned hair within the country.	The matter is under consideration in Public (R.D.P.) Department.

[21st December 1954]

APPENDIX III.

[Vide answer to starred question No. 76 asked by Sri G. Krishnamoorthi at the meeting of the Legislative Council held on 21st December 1954, page 361 supra.]

MEMBERS OF THE BOARD OF SECONDARY EDUCATION,
MADRAS STATE.*Ex-officio Members—*

1. Director of Public Instruction, Madras (Chairman).
2. Deputy Commissioner for Government Examinations, Madras (Vice-Chairman).
3. Deputy Director of Public Instruction in-charge of Secondary Education.
4. Principal, Teachers' College, Saidapet.

Representatives of the University of Madras—

5. Rev. L. D. Murphy, S.J., M.A., Loyola College, Madras.
6. Sri R. Krishnamurthy, M.A., Principal, Pachaiyappa's College, Madras.
7. Sri Alexander Gnanamuthu, M.A., M.Sc., Principal, M.D.T. Hindu College, Tirunelveli.
8. Sri K. M. Sundaram, B.A., L.T., Headmaster, Tilak Vidyalaya High School, Kallidaikurichi, Tirunelveli district.
9. Sri S. Natarajan, B.A., L.T., Headmaster, St. Gabriel's Training School, G.T., Madras.
10. Rev. D. Thambuswamy, M.A., L.T., Principal, Kellett High School, Triplicane, Madras.

Representative of Annamalai University—

11. Sri A. Ramanatha Pillai, M.A., L.T., Deputy to Vice-Chancellor, Annamalai University, Annamalai Nagar.

Others—

12. Sri M. Arunachalam, Headmaster, P.K.M. High School, Thirumangalam.
13. Sri V. R. Kuttiappa Gounder, B.A., L.T., Headmaster, Board High School, Bhavani.
14. Sri K. Kuruvilla Jacob, M.A., Headmaster, Madras Christian College School, Madras.
15. The Rev. Fr. Sequeira, Headmaster, St. Aloysius College School, Mangalore.
16. Sri A. Gopala Ayyar, Divisional Inspector of Schools, Madurai.
17. Mrs. Basheer Ahmed Sayeed, Sadhr Gardens, Alwarpet, Madras.
18. Sri Krishna Pandaram, Headmaster, Board High School, Kaveripatnam (Salem district).

21st December 1954]

APPENDIX IV.

[Vide answer to starred question No. 79 asked by Sri T. Purnushotham at the meeting of the Legislative Council held on 21st December 1954, page 363 supra.]

List of state Government offices and institutions which are housed in rented buildings in Madras city.

Serial number and name of office.	Location.	Rent paid per mensem.
(1)	(2)	(3)
		RS. A.
<i>Police Department.</i>		
1 F-4, Thousand Lights Police Station (Out post.)	No. 20, Model School Road, Thousand Lights.	100 0
2 G-4, Otteri Police Station	No. 18, Cooks Road, Perambur Barracks.	100 0
3 J-2, T. Nagar Police Station.. ..	No. 9/14, Sir Theogaroya Road, T. Nagar.	105 0
4 J-4, Elphinstone Bridge out post ..	No. 73, Adyar Bridge Road, Adyar.	25 0
5 K-1, Sembiam Police Station	No. 94-a, Konnur High Road.	60 0
6 K-3, Aminjikarai Police Station ..	No. 4, Poonamallee High Road.	120 0
7 Offices of the Accommodation Controller and the Rent Controllers, Madras.	No. 43, Sir Theogaroya Road, T. Nagar.	270 0
8 Police Radio Control Stations and workshop.	No. 7, Santhome High Road.	200 0
<i>Certified Schools and Vigilance Department.</i>		
9 Office of the Chief Inspector of Certified Schools and Vigilance Service.	"Jammie Buildings" No. 48/1, Royapetta High Road, Madras-4.	165 0
10 Government Reception Homes for Boys and Girls and Boys Club.	"Pantheon Gardens" Pantheon Road, Egmore, Madras-8.	525 0
11 Vigilance Home, Madras and Stri Sadana Special School.	"Everest" Kutcheri Road, Mylapore, Madras.	491 0
12 Stri Sadana Rescue Home and shelter, Madras.	"Ramat Bagh" and "Tower House", Santhome High Road, Madras-4.	200 0 200 0
13 Office of the Tribunal for disciplinary proceedings.	No. 60, Sir Theyagaraya Road, T. Nagar.	250 0
<i>Local Fund Audit Department.</i>		
14 Office of the District Inspector of Local Fund Accounts, Saidapet, Chingleput district.	No. 11, Abdul Razack Saheb Street, Saidapet.	90 0
<i>Agriculture Department.</i>		
15 Office of the District Agricultural Officer, Guindy.	No. 88, Pillaiyar Koil Street, Saidapet. No. 6-B, Alandur Road, Saidapet. No. 34, Mount Road, Guindy.	185 0 150 0 250 0

[21st December 1954]

Serial number and name of office.	Location.	Rent paid per mensem.
(1)	(2)	(3)
		RS. A.
<i>Women Welfare Department.</i>		
16 Head Office of the Women's Welfare Department.	No. 7, Aramudu Garden Street, Egmore, Madras-8.	380 0
17 Service Home for Adults and Children (conducting classes).	Locksley House, No. 55, Main Road, Rayapuram, Madras-13.	500 0
18 Service Home for Adults and Children (for Hostel and Balwadi section).	Prim Rose, No. 42, Main Rayapuram, Madras-13.	225 0
19 Chetput centre	No. 9, Appasami Mudali Street, Harrington Road, Chetput, Madras-10.	15 0
20 Khadi Sales Depot	No. 60, Wallajah Road, Mount Road, Madras.	100 0
<i>Civil Supplies Department.</i>		
21 City Civil Supplies Transport Unit and Central stores.	Located at No. 38, Mount Road, Madras.	1,040 0
<i>Animal Husbandry Department.</i>		
22 Office of the District Veterinary Officer, Madras.	....	120 0
23 Veterinary Dispensary, Rayapuram.	....	105 0
<i>Electricity Department.</i>		
24 Cash office, Madras Electric Supply.	No. 873/375, China Bazaar Road.	112 8
25 Cash office, Madras Electric Supply, Mylapore.	No. 2/40, Cutchery Road, Mylapore.	25 0
26 Cash Office, Madras Electric Supply, Triplicane.	No. 28, Bandi Venkatesa Naicken Street.	45 0
27 Mint pay in office, Madras Electric Supply.	No. 302, Mint Street ..	45 0
<i>Highways Department.</i>		
28 Office of the Divisional Engineer (Highways), Saidapet.	Panagal Buildings, Saidapet.	85 0
29 Office of the Assistant Engineer (Highways), Madras.	No. 1, Mount Road, Saidapet.	80 0
30 Office of the Supervisor (Highways), Madras South.	No. 1 Mount Road, Saidapet.	20 0
31 Office of the Supervisor (Highways), Madras North.	District Board Buildings at Sembiam.	12 8
<i>Registration Department.</i>		
32 Sub-Registry office, Mylapore.	....	165 0
33 Sub-Registry office, T. Nagar.	....	42 0
<i>Hindu Religious and Charitable Endowments Department.</i>		
34 Assistant Commissioner for Madras City and Chingleput district.	38, Venkatanarayana Road, T. Nagar.	170 0
<i>Commercial Taxes Department.</i>		
35 Office of the Commercial Tax Officer, North Madras.	No. 64, Lawder's Gate Road.	300 0
36 Office of the Special Deputy Commercial Tax Officer, North Madras.		

21st December 1954]

Serial number and name of office.	Location.	Rent paid per mensem.
(1)	(2)	(3)
		RS. A.
Commercial Taxes Department—cont.		
37 Office of the Deputy Commercial Tax Officer, Moore Market.	No. 2/57, Poonamallee High Road, Madras.	150 0
38 Office of the Deputy Commercial Tax Officer, Purasawalkam.	No. 114-1, Strahams Road, Perambur Barracks.	100 0
39 Office of the Deputy Commercial Tax Officer, Park Town.	No. 227, Poonamallee High Road.	45 0
40 Office of the Deputy Commercial Tax Officer, Washermanpet.	No. 15, Periana Maistry Street.	300 0
41 Office of the Deputy Commercial Tax Officer, Esplanade.	No. 21, Vanniar Street ..	200 0
42 Office of the Deputy Commercial Tax Officer, Godown.		
43 Office of the Deputy Commercial Tax Officer, Rattan Bazaar.	No. 16, Armenian Street.	500 0
44 Office of the Deputy Commercial Tax Officer, Loans Square.		
45 Office of the Deputy Commercial Tax Officer, Mannady.		
46 Office of the Deputy Commercial Tax Officer, Poddunaickenpet.		
47 Office of the Commercial Tax Officer, South Madras and Chingleput.	No. 31, Lloyds Road, Royapetta.	250 0
48 Office of the Deputy Commercial Tax Officer, T. Nagar.		225 0
49 Office of the Deputy Commercial Tax Officer, Saidapet.	....	
50 Office of the Deputy Commercial Tax Officer, Mylapore.	No. 76, Royapetta High Road.	150 0
51 Office of the Deputy Commercial Tax Officer, Mount Road.	No. 1, Smith Road, Mount Road.	210 0
52 Office of the Commercial Tax Officer, Adyar.	No. 53, 3rd Main Road Gandhinagar.	150 0
53 Office of the Deputy Commissioner, Madras.	No. 13, Rundalls Road, Vepery.	600 0
54 Office of the Deputy Commercial Tax Officer, Special Circle.		
Co-operation Department.		
55 Central Co-operative Institute ..	....	290 0
Harijan Welfare Department.		
56 Office of the Director of Harijan Welfare.	....	300 0
57 Kattukovil Harijan Welfare School..	....	25 0
58 Government Slater Hostel ..	....	137 8
59 Government M. C. Rajah Hostel ..	....	200 0
Labour Department.		
60 Offices of the Labour Officers, Madras-1 and the Inspectors of Factories, XIII and XIV Circles, Madras	....	218 0
61 Office of the Assistant Inspectors of Labour III, IV, V, XII, XIII and XIV Circles.	....	87 0

[21st December 1954]

Serial number and name of office.	Location.	Rent paid per mensem.
(1)	(2)	(3)
		RS. A.
<i>Labour Department—cont.</i>		
62 Offices of the Assistant Inspectors of Labour, II, VII, VIII, and IX Circles.	....	110 0
63 Offices of the Assistant Inspectors of Labour, I, VI, X and XI Circles.	....	100 0
64 Offices of the Assistant Inspectors of Labour, Madras XV to XXI Circles.	....	97 8
65 District Employment Exchange, Saidapet (under Government of India, but rent paid by the State Government).	....	95 0
66 Office of the District Soldiers, Sailors' and Airmen's Board, Saidapet.	....	*Nil.
67 Office of the Madras State Sailors' Soldiers' and Airmen's Board.	....	†Nil.
<i>Education Department.</i>		
68 National Art Gallery of the Government Museum.	Victoria Memorial Hall belonging to the Victoria Technical Institute, Madras.	500 0
69 Government Muslim High School, G.T., Madras.	81, Sembudoss Street, G.T., Madras.	600 0
70 Government Secondary School for Muslim Girls, Georgetown, Madras.	Hakeem Manzil, 138-139, Broadway, G.T., Madras.	225 0
71 Office of the District Educational Officer, Chingleput district.	12, Sheshachala Mudali Street, Saidapet, Madras-25.	90 0
<i>Local Administration Department.</i>		
72 Office of the District Panchayat Officer, Chingleput.	36, Mount Road, Guindy.	100 0
73 Office of the Additional District Panchayat Officer, Chingleput.		
74 Office of the Deputy Panchayat Officer, Saidapet.		
75 Government Training School and Hostel for Health Visitors, Madras.	5, Kelley's Road.	600 0
<i>Excise Department.</i>		
76 Saidapet Prohibition Station ..	....	40 0
77 Mylapore Prohibition Station ..	....	150 0
78 Triplicane Prohibition Station ..	....	100 0
79 Purasawalkam Prohibition Station ..	....	75 0
80 Royapuram Prohibition Station ..	....	68 12
81 Perambur Prohibition Station ..	....	70 0
82 T. Nagar Prohibition Station ..	....	100 0
Total ..		14,131 12

* Accommodated free of rent in the District Employment Exchange Office, Saidapet.

† Accommodated free of rent in a portion of the office of the Regional Director of Resettlement and Employment, Madras.

21st December 1954]

APPENDIX V.

[Vide item III (I) on page 388 supra.]

L.A. BILL No. 42 OF 1954

(As passed by the Assembly.)

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 purposes hereinafter appearing;

BE it enacted in the Fifth Year of the Republic of India as follows:—

1. *Short title.*—This Act may be called the Madras Preservation of Private Forests (Third 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, 1954 (Madras Ordinance II of 1954), for the words, figures and letters “the 2nd December 1954”, the words, figures and letters “the 2nd December 1955” shall be substituted.

3. *Repeal of Madras Ordinance II of 1954.*—(1) The Madras Preservation of Private Forests (Amendment) Ordinance, 1954 (Madras Ordinance II of 1954), is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken in the exercise of any power conferred by or under the Madras Preservation of Private Forests Act, 1949 (Madras Act XXVII of 1949) as amended by the said Ordinance shall be deemed to have been done or taken in exercise of the powers conferred by or under the said Act as if this Act were in force on the day on which such thing was done or action taken.

[21st December 1954]

APPENDIX VI.

[Vide item III (2) on page 397 supra.]

L.A. BILL No. 43 OF 1954

(As passed by the Assembly.)

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;

BE it enacted in the Fifth Year of the Republic of India as follows :—

1. *Short title and commencement.*—(1) This Act may be called the Madras General Sales Tax (Third Amendment) Act, 1954.

(2) It shall be deemed to have come into force on the 23rd August 1954.

2. *Amendment of section 3, Madras Act IX of 1939.*—In section 3, sub-section (2), of the Madras General Sales Tax Act, 1939 (Madras Act IX of 1939), for item (i) and the entries relating thereto, the following shall be substituted namely :—

“(i) Mill cloth (whether of silk, artificial silk, wool, flax, or any other material), which is not made wholly of cotton and in which the count of warp yarn employed (excluding the border) is 17s or finer (whether single or folded). One anna three pies.”

14th December 1954. R. V. KRISHNA AYYAR,
Secretary to the State Legislature.

I certify that this is a Money Bill.

14th December 1954. J. SIVASHUNMUGAM PILLAI,
Speaker, Madras Legislative Assembly.

[21st December 1954]

APPENDIX VII.

[Vide item III (3) on page 405 supra.]

L.A. BILL No. 50 OF 1954

(As passed by the Assembly.)

A Bill further to amend the Madras Essential Articles Control and Requisitioning (Temporary Powers) Act, 1949.

WHEREAS it is expedient further to amend the Madras Essential Articles Control and Requisitioning (Temporary Powers) Act, 1949 (Madras Act XXIX of 1949), for the purposes hereinafter appearing;

BE it enacted in the Fifth Year of the Republic of India as follows :—

1. *Short title.*—This Act may be called the Madras Essential Articles Control and Requisitioning (Temporary Powers) Amendment Act, 1954.

2. *Amendment of section 1, Madras Act XXIX of 1949.*—In section 1, sub-section (3), of the Madras Essential Articles Control and Requisitioning (Temporary Powers) Act, 1949 (Madras Act XXIX of 1949) (hereinafter referred to as the principal Act), for the words, figures and letters “the 25th January 1955”, the words, figures and letters “the 25th January 1956” shall be substituted.

3. *Substitution of new Schedule for the Schedule to Madras Act XXIX of 1949.*—For the Schedule to the principal Act, the following Schedule shall be substituted, namely :—

“ THE SCHEDULE.

[See section 2 (a).]

Electrical energy.”

[21st December 1954]

APPENDIX VIII.

[Vide item III (4) on page 408 supra.]

L.A. BILL No. 46 OF 1954

(As passed by the Assembly.)

A Bill further to amend the Madras Estates (Abolition and Conversion into Ryotwari) Act, 1948.

WHEREAS it is expedient further to amend the Madras Estates (Abolition and Conversion into Ryotwari) Act, 1948 (Madras Act XXVI of 1948), for the purposes hereinafter appearing;

BE it enacted in the Fifth Year of the Republic of India as follows :—

1. *Short title and commencement.*—(1) This Act may be called the Madras Estates (Abolition and Conversion into Ryotwari) Amendment Act, 1954.

(2) Sections 2 and 3 shall be deemed to have come into force on the 19th April 1949.

2. *Amendment of section 1, Madras Act XXVI of 1948.*—In section 1 of the Madras Estates (Abolition and Conversion into Ryotwari) Act, 1948 (Madras Act XXVI of 1948) (hereinafter referred to as the principal Act), to sub-section (4), the following proviso shall be added, namely :—

“ Provided that where the operation of any such notification has been stayed or interrupted by order of Court, the date from which the Government have been in uninterrupted possession of the estate shall be deemed to be the date so appointed.”.

3. *Amendment of section 2, Madras Act XXVI of 1948.*—In section 2, clause (10), of the principal Act, after the words “ shall come into force in the estate ”, the following words shall be inserted, namely :—

“ or where the operation of any such notification has been stayed or interrupted by order of Court, the date from which the Government have been in uninterrupted possession of the estate,”.

4. *Amendment of section 9, Madras Act XXVI of 1948.*—In section 9, sub-section (4), of the principal Act—

(1) for clause (a), the following clause shall be substituted, namely :—

“ (a) Against a decision of the Settlement Officer under sub-section (3), the Government may, within one year from the commencement of the Madras Estates (Abolition and Conversion into Ryotwari) Amendment Act, 1954, or from the date of the decision, whichever is later, and any person aggrieved by such decision may, within two months from the said date, appeal to the Tribunal :

Provided that the Tribunal may, in its discretion, allow further time not exceeding six months for the filing of any such appeal.”;

[11st December 1954]

(2) in clause (b)—

(a) after the words “ Where any such appeal is preferred,”, the words “ by an aggrieved person, the Tribunal shall give notice thereof to the Government and in the case of all appeals, whether by the Government or by an aggrieved person,” shall be inserted;

(b) after the words “ and after giving them ”, the words “ and the Government ” shall be inserted.

5. *Amendment of section 10, Madras Act XXVI of 1948.*—In section 10 of the principal Act, for sub-section (3), the following sub-section shall be substituted, namely :—

“ (3) (a) Against a decision of the Settlement Officer under sub-section (2), the Government may, within one year from the commencement of the Madras Estates (Abolition and Conversion into Ryotwari) Amendment Act, 1954, or from the date of the decision, whichever is later, and any person aggrieved by such decision may, within two months from the said date, appeal to the Tribunal :

Provided that the Tribunal may, in its discretion, allow further time not exceeding six months for the filing of any such appeal.

(b) The decision of the Tribunal on any such appeal shall be final and not be liable to be questioned in any Court of Law ”.

6. *Amendment of section 15, Madras Act XXVI of 1948.*—In section 15 of the principal Act for sub-section (2), the following sub-section shall be substituted, namely :—

“ (2) (a) Against a decision of the Settlement Officer under sub-section (1), the Government may, within one year from the commencement of the Madras Estates (Abolition and Conversion into Ryotwari) Amendment Act, 1954, or from the date of the decision, whichever is later, and any person aggrieved by such decision may, within two months from the said date, appeal to the Tribunal :

Provided that the Tribunal may, in its discretion, allow further time not exceeding six months for the filing of any such appeal :

Provided further that the Tribunal may, in its discretion, entertain an appeal by the Government at any time if it appears to the Tribunal that the decision of the Settlement Officer was vitiated by fraud or by mistake of fact.

(b) The decision of the Tribunal on any such appeal shall be final and not be liable to be questioned in any Court of Law.”.

[21st December 1954]

7. *Amendment of section 50, Madras Act XXVI of 1948.—*
In section 50 of the principal Act—

(a) for sub-section (3), the following sub-section shall be substituted, namely :—

“(3) In respect of the fasli year in which the estate is notified, they shall together be entitled to such amount as the Government may, on a rough calculation, determine to be the basic annual sum referred to in section 26, if the deposit in pursuance of section 54-A has not been already made, and to an amount equal to one-half of the basic annual sum as so calculated, if the deposit aforesaid has been already made :

Provided that, in either case, the rents, if any, collected before the notified date by the landholder from the ryots in respect of the fasli year aforesaid and any amount collected by him from the ryots in excess of the rent determined under the Madras Estates Land (Reduction of Rent) Act, 1947 (Madras Act XXX of 1947), and outstanding to the credit of the ryots on the first day of that fasli year, shall be deducted.” ;

(b) in sub-section (4), for the words “ basic annual sum ”, the words “ one-half of the basic annual sum ” shall be substituted, and to the same sub-section, the following provisos shall be added, namely :—

“ Provided that if, for any reason, the whole or any portion of the rents and excess collections referred to in the proviso to sub-section (3) was not deducted in pursuance of that proviso, the amount remaining undeducted shall be deducted from the amount payable under this sub-section :

Provided further that in a case where, after the deposit in pursuance of section 54-A has been made, the balance of compensation is deposited in instalments, they shall together be entitled in any year only to an amount which bears to the total basic annual sum the same proportion as the balance of compensation outstanding in that year bears to the total compensation. ; ”

(c) for sub-section (7), the following sub-section shall be substituted, namely :—

“(7) After the compensation has been finally determined and apportioned among the persons referred to in sub-section (2), all interim payments made under this section to each of them, less any deduction made under section 54-A (2) (b), shall be justified by the Tribunal on the basis that together they are entitled the sums specified in clauses (a) and (b) below, and that each of them separately is entitled to the same share of such sums as his share of the compensation to which he is finally held to be entitled under section 44 :—

(a) In respect of the fasli year in which the estate is notified, the sum to which they are together entitled shall be the basic annual sum as finally determined under section 39, after deducting therefrom—

(i) the rents, if any, collected before the notified date by the landholder from the ryots in respect of the fasli year aforesaid

[21st December 1954]

and any amount collected by him from the ryots in excess of the rent determined under the Madras Estates Land (Reduction of Rent) Act, 1947 (Madras Act XXX of 1947), and outstanding to the credit of the ryots on the first day of that fasli year; and

(ii) an amount bearing to the basic annual sum the same proportion as the amount of the advance compensation referred to in section 54-A (1) bears to the compensation as finally determined under section 39, in case the deposit in pursuance of section 54-A is made in the fasli year in which the estate is notified.

(b) In respect of each of the subsequent fasli years, the sum to which they are together entitled shall be the basic annual sum as finally determined under section 39, after deducting therefrom an amount bearing to the basic annual sum the same proportion as the amount of the advance compensation referred to in section 54-A (1) together with any further instalment or instalments of compensation deposited up to the end of the fasli year concerned bears to the compensation as finally determined under section 39, and also the whole or any portion of the rents and excess collections referred to in sub-clause (i) of clause (a), which was not deducted under that sub-clause.” ;

(d) for sub-section (9), the following sub-section shall be substituted, namely :—

“(9) Where any interim payment made to any person under this section exceeds, or is less than, what he is finally held to be entitled to under sub-section (7), the amount of the excess or deficiency, with interest thereon at three per cent per annum, shall be deducted by the Tribunal from the compensation payable to him, or as the case may be, shall be deposited by the Government with the Tribunal :

Provided that, if in any case the whole or any portion of the amount in excess and the interest thereon, cannot be adjusted by deduction from the compensation payable to such person, it shall be recoverable as if it were an arrear of land revenue.”

8. *Amendment of section 54, Madras Act XXVI of 1948.—*
In section 54 of the principal Act—

(i) for clause (a) of sub-section (1), the following clause shall be substituted, namely :—

“(a) in respect of the fasli year in which the estate is notified, such sums as they may, on a rough calculation, determine to be payable to the institution under section 38, sub-sections (1) and (2) :

Provided that the rents, if any, collected before the notified date by the institution from the ryots in respect of the fasli year aforesaid and any amount collected by it from the ryots in excess of the rent determined under the Madras Estates Land (Reduction

[21st December 1954

of Rent) Act, 1947 (Madras Act XXX of 1947), and outstanding to the credit of the ryots on the first day of that fasli year shall be deducted.; ”

(ii) to clause (b) of the same sub-section, the following proviso shall be added, namely :—

“ Provided that if, for any reason, the whole or any portion of the rents and excess collections referred to in the proviso to clause (a) was not deducted in pursuance of that proviso, the amount remaining undeducted shall be deducted from the amount payable under this clause .” ;

(iii) in sub-section (2), for the words “ together with the rents if any collected by it before the notified date, shall be adjusted towards the sums so determined ”, the following shall be substituted, namely :—

“ together with such rents, if any, collected by it before the notified date and any amount collected by it from the ryots in excess of the rent determined under the Madras Estates Land (Reduction of Rent) Act, 1947 (Madras Act XXX of 1947), and outstanding to the credit of the ryots on the first day of the fasli year in which the estate is notified, shall be adjusted by the Tribunal towards the sums so determined ”.

9. *Omission of section 5, Madras Act I of 1950.*—Section 5 of the Madras Estates (Abolition and Conversion into Ryotwari) Amendment Act, 1950 (Madras Act I of 1950), shall be omitted.

10. *Saving and validation.*—For the avoidance of doubt, it is hereby declared that the amendments made by sections 2 and 3 of this Act shall not affect, or be deemed to have affected, any proceeding taken by the Government under the principal Act in respect of an estate which was notified under that Act, between the notified date and the date on which further proceedings under that Act in respect of that estate were interrupted after the receipt of the order of Court; and every such proceeding shall be deemed to be, and be deemed always to have been, valid.

THE MADRAS LEGISLATIVE COUNCIL.

Wednesday, the 22nd December 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.

Purchase and disposal of buses by Government during the years 1952-53 and 1953-54.

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

(a) the number of new buses purchased by the Government during the years 1952-53 and 1953-54 and at what cost; and

(b) the number of old buses condemned during the years 1952-53 and 1953-54 and the amount for which they were auctioned?

THE HON. SRI B. PARAMESWARAN :—“(a) During 1952-53 eight heavy diesel ‘Guy Arab’ buses were purchased at a cost of Rs. 5,66,489-5-0 and during 1953-54 thirty-five Commer light diesel buses were purchased at a cost of Rs. 12,41,673-1-6.

“(b) No buses have been condemned so far. Two overaged buses were disposed of during 1952-53 by negotiation at a cost of Rs. 16,500. No buses were disposed of in 1953-54.”

SRI M. ETHIRAJULU :—“Is there any time-limit for condemning a bus?”

THE HON. SRI B. PARAMESWARAN :—“When the authorities consider that a bus has become old and not serviceable, they condemn it.”

SRI M. ETHIRAJULU :—“Will the Government consider the question of selling condemned buses to Harijans who are able to purchase them so that their economic condition might be improved?”

THE HON. SRI B. PARAMESWARAN :—“The market value is fixed for these buses whenever they are auctioned or sold. But if Harijans could compete with others, there would be no objection to it. However, I shall examine the question whether any concession could be given to Harijans in the matter, provided the Government do not incur any loss.”

[22nd December 1954]

DR. V. K. JOHN :—" Will the Government now consider the desirability of allowing private operators to compete with the Government in the City of Madras? "

THE HON. SRI B. PARAMESWARAN :—" The original question relates to the auction or condemnation of the buses in the Government Transport, Madras. It does not relate to the competition of private operators with the Government."

DR. V. K. JOHN :—" What I suggest is that instead of spending the Government money on the purchase of buses, why not the private operators spend their money and put their buses on the road? The question relates to the purchase of buses."

THE HON. SRI B. PARAMESWARAN :—" It involves the policy of the Government and I cannot answer it off-hand."

SRI MOHAMED RAZA KHAN :—" How are the purchases made? Is it by tender or by any direct negotiation with the firms? Are the firms, who supply these buses to the Transport authorities, in the Madras State or outside it? "

THE HON. SRI B. PARAMESWARAN :—" Purchases are made by calling for tenders."

SRI MOHAMED RAZA KHAN :—" Does the final decision regarding purchase of these buses rest with the Government or with the Transport authorities? "

THE HON. SRI B. PARAMESWARAN :—" It rests with the Government."

Clash between Malabar Special Police and the Special Armed Police at Egmore.

* 81 Q.—SRI MOHAMED RAZA KHAN : Will the Hon. the Chief Minister be pleased to state whether there was any clash between the Policemen belonging to Malabar Special Police and Special Armed Police on the 21st of October 1954 in the compound of the Commissioner's Office, Egmore, Madras?

THE HON. SRI M. BHAKTAVATSALAM (on behalf of the Hon. the Chief Minister) :—" There was a minor scuffle between a few constables of the Malabar Special Police and the Special Armed Police on 20th October 1954 in the compound of the Police Commissioner's office, Egmore."

SRI MOHAMED RAZA KHAN :—" Will not such incidents and also their publicity in the Press lower the prestige of the Police department particularly in the City of Madras? "

THE HON. SRI M. BHAKTAVATSALAM :—" There are incidents like that everywhere. I do not see how it would immediately affect the prestige of the Police department. There was a scuffle and that is being enquired into and, if necessary, disciplinary action will be taken."

[22nd December 1954]

SRI V. CHAKKARAI CHETTY :—" What was the occasion or serious cause for this clash? "

THE HON. SRI M. BHAKTAVATSALAM :—" The Malabar Special Police had come to Madras to attend the Police Sports and they were accommodated in the huts which are situated within the compound of the Office of the Commissioner of Police. There are standing instructions that those who camp in these huts should not bathe at the tap in front of the Commissioner's Office Room but can take only water and bathe elsewhere. Contravening these instructions, some constables of the Malabar Special Police started bathing near the tap and some constables of the Special Armed Police protested and objected to it. Then the scuffle arose."

DR. V. K. JOHN :—" Will the Government take effective steps to prevent such incidents in future? "

THE HON. SRI M. BHAKTAVATSALAM :—" As I said, such incidents happen anywhere and everywhere. Therefore, there is no question of taking any steps to prevent such incidents."

SRI MOHAMED RAZA KHAN :—" Is it not a fact that when policemen who are intended to prevent fighting among others fight among themselves even for such small and trivial things, it gives an impetus to others to fight? "

THE HON. SRI M. BHAKTAVATSALAM :—" Even the Police Force sometimes have the weakness of human beings."

Promotion of Office Managers in the Inspector-General's office as Deputy Superintendents of Police.

* 82 Q.—SRI MOHAMED RAZA KHAN : Will the Hon. the Chief Minister be pleased to state—

(a) whether two Office Managers in the Inspector-General's office have been promoted as Deputy Superintendents of Police; and

(b) if so, the period of their service?

THE HON. SRI M. BHAKTAVATSALAM (on behalf of the Hon. the Chief Minister) :—" (a) Two Office Superintendents, one from the office of the Inspector-General of Police and the other from the office of the Deputy Inspector-General of Police, Railways and Criminal Investigation Department, Madras, were appointed as gazetted Personal Assistants to the District Superintendents of Police of Ramanathapuram and Tanjore and not as Deputy Superintendents of Police.

" (b) They had 11 years and 15½ years of service as Office Superintendents at the time of their promotion as Personal Assistants to District Superintendents of Police."

[22nd December 1954]

SRI MOHAMED RAZA KHAN :—" Are the Government satisfied that the claims of seniors are not ignored and that seniority is also considered in the matter of promotion? "

THE HON. SRI M. BHAKTAVATSALAM :—" Yes, Sir, the Government are satisfied that no senior has been overlooked. Not only that. They are also satisfied that these Superintendents could fill the posts of Personal Assistants as efficiently as executive officers because of their previous office experience."

SRI K. BALASUBRAMANYA AYYAR :—" Is it a fact that generally Office Managers have not got training in executive work and therefore they are not preferred? "

THE HON. SRI M. BHAKTAVATSALAM :—" No, Sir. It has been found that they could efficiently discharge their duties as Personal Assistants to the District Superintendents of Police."

Purchase of radium needles for the Barnard Institute of Radiology.

* 83 Q.—DR. A. SREENIVASAN : Will the Hon. the Minister for Health be pleased to state—

(a) when the last consignment of radium needles was purchased for the Barnard Institute of Radiology;

(b) the quantity so purchased and its value;

(c) whether any payment was made to the supplier and if so, on whose authority the payment was made;

(d) whether the consignor sent any certificate of purity for the needles supplied and if so, when;

(e) whether it was brought to the notice of the authorities that the needles supplied were substandard and if so, who brought to light the deficiency in the quality of the needles;

(f) whether any enquiry was held as to the suitability of the radium so purchased;

(g) whether it is a fact that as a result of enquiries, the Government decided to recover any amount from the Director, Barnard Institute of Radiology, and if so, the amount proposed to be recovered from him; and

(h) whether any amount has been recovered from him so far and if not, why not?

THE HON. SRI A. B. SHETTY :—" (a) The last consignment of radium needles was purchased in 1951.

" (b) 250 mgms. valued at Rs. 35,867.

" (c) Yes; under the orders of Government.

" (d) Yes; along with the consignment of needles.

" (e) There were no substandard needles.

" (f) to (h) Do not arise."

[22nd December 1954]

DR. A. SREENIVASAN :—" May I know, Sir, whether in previous consignments the purity certificate accompanied the purchase of needles? For instance, in 1947 the Director, Barnard Institute of Radiology, did not insist on the purity certificate when 750 mgms. of needles were purchased? "

THE HON. SRI A. B. SHETTY :—" The original question relates to the last consignment of radium needles and I have answered it. If the hon. Member wants to have information on the needles purchased at any other time, he can put a separate question."

Increase in the Agricultural Colleges in this State under the Five-Year Plan.

* 84 Q.—SRI M. ETHIRAJULU : Will the Hon. the Minister for Agriculture be pleased to state whether there is any proposal to increase the number of Agricultural Colleges in this State under the Five-Year Plan?

THE HON. SRI M. BHAKTAVATSALAM :—" The answer is in the negative."

SRI M. ETHIRAJULU :—" Sir, how many Agricultural Colleges are there at present in the State? "

THE HON. SRI M. BHAKTAVATSALAM :—" There is only one Agricultural College in the State, Sir."

Examination of Pre-Basic Teacher trainees.

* 85 Q.—SRI G. KRISHNAMOORTHY : Will the Hon. the Minister for Finance and Education be pleased to state—

(a) the date of the Government Training Examination for Pre-Basic Teacher trainees held in 1953-54; and

(b) the date on which the results of that examination were published?

THE HON. SRI C. SUBRAMANIAM :—" (a) 5th, 6th and 7th April 1954 in the centre at Lady Willingdon Training College, Madras, and 12th, 13th and 14th April 1954 in the centre at the Pre-Basic Training School, Gandhigram (Madura district).

" (b) The results of the Pre-Basic examination are not published in the Fort St. George Gazette. Certificates only are awarded to the successful candidates. For the examination of 1954, the certificates were completed and forwarded to the heads of schools concerned on 10th July 1954."

SRI G. KRISHNAMOORTHY :—" Is it a fact that these 11-10 teacher-trainees were kept under suspense and were not even a.m. informed that the results would not be published in the Fort St. George Gazette and that certificates only would be forwarded to them? "

[22nd December 1954]

THE HON. SRI C. SUBRAMANIAM :—" I have already stated the position clearly that only certificates are awarded to the successful candidates and that the certificates have been forwarded on 10th July 1954."

SRI G. KRISHNAMOORTHY :—" Is it possible for the issue of certificates a little bit earlier in June itself so that these teacher-trainees may not find any difficulty in finding jobs at the beginning of the school year? "

THE HON. SRI C. SUBRAMANIAM :—" I shall consider the suggestion."

Increase in the number of Probation Officers.

* 86 Q.—SRI K. BALASUBRAMANYA AYYAR (on behalf of Srimathi Mary C. Clubwala Jadhav) : Will the Hon. the Minister for Finance and Education be pleased to state whether the Government have any proposal to appoint more Probation Officers?

THE HON. SRI C. SUBRAMANIAM :—" The answer is in the affirmative."

Facilities for laboratory training to private teacher-candidates for the University Examination.

* 87 Q.—SRI G. KRISHNAMOORTHY : Will the Hon. the Minister for Finance and Education be pleased to state—

(a) whether it is a fact that private teacher-candidates appearing for the University Examinations involving practical laboratory training lack such facilities for laboratory training now, and

(b) if so, the proposals of the Government to provide such facilities?

THE HON. SRI C. SUBRAMANIAM :—" (a) Teacher-candidates appearing privately for the University Examinations involving laboratory training have to make their own arrangements with any of the colleges affiliated to the Madras University to get the laboratory training required for the University Examinations for which they appear. No information is available as to whether such candidates experience any lack of facilities for the training.

" (b) If specific cases of hardship are brought to the notice of the Government, action will be taken."

SRI G. KRISHNAMOORTHY :—" May I know whether the Government will kindly request the University to issue a general rule that such teacher-trainees can have laboratory training in any of the colleges affiliated to the University on payment of the necessary caution fee and laboratory fees? "

THE HON. SRI C. SUBRAMANIAM :—" The concerned colleges also should agree to the arrangement. If the colleges agree, there is no difficulty. Now, as it is, if there is any difficulty, the hon. Member may bring it to my notice."

22nd December 1954]

Permanent exemption to untrained teachers in the Pudukkottai area.

* 88 Q.—SRI G. KRISHNAMOORTHY : Will the Hon. the Minister for Finance and Education be pleased to state with reference to Starred Legislative Council Question No. 147 answered on 21st July 1953—

(a) whether permanent exemption has been granted to all untrained teachers in the Pudukkottai area;

(b) whether permanent exemption has been refused in any case so far; and

(c) if so, the reasons therefor?

THE HON. SRI C. SUBRAMANIAM :—" (a) No, Sir.

" (b) & (c) Permanent exemption has been refused in respect of two teachers in Secondary schools. In the one case the teacher was considered young enough to undergo training. In the other case, the existing rules did not permit permanent exemption."

SRI G. KRISHNAMOORTHY :—" In view of the assurance given on the floor of this sacred House on the 21st July 1953, may I know whether the Government will consider the case of these two teachers and give permanent exemption to them? "

THE HON. SRI C. SUBRAMANIAM :—" These two cases have been examined by the Government and I have told the result of the examination."

SRI G. KRISHNAMOORTHY :—" In view of the peculiar conditions in Pudukkottai, in view of the assurance already given on the floor of the House and also in view of the fact that I have received a telegram just two days ago that the Special Officer has refused exemption in the case of one untrained teacher who has put in more than ten years service, although he is young, will the Government kindly consider these peculiar cases and grant permanent exemption? "

THE HON. SRI C. SUBRAMANIAM :—" Exemption is given only in very special circumstances. If it is not possible to undergo training, we will rather have a qualified teacher than an untrained teacher."

SRI G. KRISHNAMOORTHY :—" In view of the fact that the families of these teachers are suffering and in view of the fact that many such teachers have been employed by the District Board, may I know what difficulty is there for the Government to give them exemption? "

THE HON. SRI C. SUBRAMANIAM :—" We have to follow certain criteria in the matter of granting exemption. These two teachers do not come under the rules provided for granting exemption. We cannot go on changing the basis of exemption."

[22nd December 1954]

SRI G. KRISHNAMOORTHY :—“ May I request the Government just to issue a temporary exemption at least till the end of the school year to these two teachers? ”

THE HON. SRI C. SUBRAMANIAM :—“ I shall consider the suggestion.”

Cases of prosecution and conviction for non-payment of sales-tax during 1952-53.

* 89 Q.—SRI T. PURUSHOTHAM: Will the Hon. the Minister for Land Revenue be pleased to state—

(a) whether there have been any cases of prosecution and conviction for non-payment of sales-tax during 1952-53 and, if so, whether the Government will be pleased to lay on the table of the House a district-war list (for residuary Madras State only) showing the number of such cases and the amount involved; and

(b) whether the Government have received recently any representations from the public about allegations of harassment on the part of the Sales-tax Subordinate staff in the matter of levy and collection of the tax and, if so, the action taken thereon?

THE HON. SRI M. A. MANICKAVELU NAICKER :—“ (a) Yes. A statement^a is placed on the table of the House.

“ (b) Yes. Now and then the Government receive complaints of harassment from individual dealers. Such complaints are immediately looked into and suitable action taken.”

SRI T. PURUSHOTHAM :—“ May I know whether the Government will appoint a Committee to examine the working of this Act during the last 12 years and suggest ways and means of improvement in view of the large number of prosecutions and convictions for non-payment of tax? ”

THE HON. SRI M. A. MANICKAVELU NAICKER :—“ Sir, I will not like to answer the question. If I give an answer, it may mean that there is something wrong in the working of the Department and so a Committee is required.”

SRI MOHAMED RAZA KHAN :—“ May I know whether the Government are aware of the recent decision of the High Court with regard to the launching of prosecutions for non-payment of sales tax? ”

THE HON. SRI M. A. MANICKAVELU NAICKER :—“ I am aware of that decision.”

SRI K. BHASHYAM :—“ May I know whether any sales tax has been realised by these prosecutions? ”

THE HON. SRI M. A. MANICKAVELU NAICKER :—“ I think so, Sir.”

^a Printed as Appendix I on page 532 infra.

22nd December 1954]

SRI K. BHASHYAM :—“ May I know what is the percentage collected? ”

THE HON. SRI M. A. MANICKAVELU NAICKER :—“ Notice, Sir.”

DR. V. K. JOHN :—“ May I know whether the number of prosecutions for non-payment of sales tax is increasing or decreasing? ”

THE HON. SRI M. A. MANICKAVELU NAICKER :—“ From the statement it would appear that my district—the North Arcot district—shows the least number of prosecutions. It seems an ideal district in the matter of collection of sales tax.”

DR. V. K. JOHN :—“ My question was whether the number of prosecutions for non-payment of sales tax was on the increase or decrease. I did not ask for figures with reference to North Arcot district? ”

THE HON. SRI M. A. MANICKAVELU NAICKER :—“ I want notice.”

SRI T. PURUSHOTHAM :—“ In view of the earlier answer of the Hon. Minister, may I request him to appoint a Committee to go into the general working of the Act? An assurance of the kind was given on the floor of the House by the previous Chief Minister Sri C. Rajagopalachari? ”

THE HON. SRI M. A. MANICKAVELU NAICKER :—“ Yes, Sir, I shall take the suggestion of the hon. Member into consideration.”

SRI V. V. RAMASWAMI :—“ ஐயா, வியாபாரத் துறையில் இறங்கி யிருப்பவர்களுக்கு வியாபாரத்தில் மொத்த வருமானம் குறைந்து போகின்ற காரணத்தால் சர்க்காருக்கு அவர்கள் கொடுக்க வேண்டிய வரித்தொகையும் குறைகிறது. அந்தந்த ஜில்லாக்களிலுள்ள விற்பனை வரி அதிகாரிகளும் தங்கள் அதிகாரத்திற்குப்பட்ட வரி வருமானம் இம்மாதிரி குறைவதைத் தெரிந்துகொண்டு அவர்கள் ஏதாவது சாக்குப்போக்கு சொல்லி வியாபாரிகளின் மொத்த வருமானத்தைக் கூடுதலாகக் கணக்கிடுகிறார்கள் என்பது சர்க்காருக்குத் தெரியுமா? ”

THE HON. SRI M. A. MANICKAVELU NAICKER :—“ I do not accept the premises of the hon. Member.”

SRI MOHAMED RAZA KHAN :—“ Am I to understand that the Sales Tax Officers in the North Arcot district are very considerate to those who default as there are only 14 prosecutions in that district against hundreds in others? ”

THE HON. SRI M. A. MANICKAVELU NAICKER :—“ It is the other way, Sir. People of that district are perhaps ideal and so they pay the sales tax promptly.”

DR. V. K. JOHN :—“ Will the Government discourage these prosecutions particularly in view of the fact that the jails are overcrowded? ”

[22nd December 1954]

THE HON. SRI M. A. MANICKAVELU NAICKER :—
“ Prosecutions are launched only as a last resort and that too only in deserving cases.”

SRI MOHAMED RAZA KHAN :—“ May I know whether the businessmen who have been prosecuted have defaulted payment wilfully or whether they were unable to pay because of the rigour of the tax? ”

THE HON. SRI M. A. MANICKAVELU NAICKER :—
“ The main question to be considered is ‘ default ’ and not the reasons for default.”

SRI V. V. RAMASWAMI :—“ ஐயா, வரி கொடுப்பதற்கு எந்த விதமான சொத்தோ, ஆஸ்தியோ இல்லாமலிருந்தால்கூட அவர்கள் பேரில் சர்க்கார் தொடர்ந்து நடவடிக்கை எடுத்துவரும் விஷயம் சர்க்காருக்குத் தெரியுமா? ”

THE HON. SRI M. A. MANICKAVELU NAICKER :—“ There seems to be some misunderstanding. I shall examine if there is any foundation for the allegations made by the hon. Member.”

DR. V. K. JOHN :—“ May I know whether prosecutions are launched only after exhausting all other steps for the recovery of the sales tax due? ”

THE HON. SRI M. A. MANICKAVELU NAICKER :—“ It is so, Sir.”

SRI MOHAMED RAZA KHAN :—“ Is it not a fact that in many cases, Sales Tax authorities impose heavy taxes on businessmen which are not in proportion to the actual payment they will have to make with the result that the authorities are not able to collect the dues and are forced to launch prosecutions? ”

THE HON. SRI M. A. MANICKAVELU NAICKER :—“ In the first instance, provisional assessments are made and an opportunity is given to the assessee to have their say, if any, against the provisional assessments to prove to the contrary. Then only final assessments are made.”

DR. V. K. JOHN :—“ Will the Government give directions that prosecutions will be launched only in cases where the dues cannot be recovered otherwise? ”

THE HON. SRI M. A. MANICKAVELU NAICKER :—“ As I said, it is only as a last resort these prosecutions are launched. If the Hon. the Deputy Leader of the Opposition brings any specific case to my notice, I shall enquire whether this procedure is not adopted.”

SRI V. GURUNANDAN ROW :—“ As regards the launching of prosecutions, is the sanction of the Board of Revenue or the Government taken or is it left to the discretion of the Deputy Commercial Tax Officers? ”

THE HON. SRI M. A. MANICKAVELU NAICKER :—“ To be correct in my answer, I want notice.”

[22nd December 1954]

SRI MOHAMED RAZA KHAN :—“ As some of the dealers who have been prosecuted are in trouble, will the Government be pleased to allow them a moratorium for a year or two for the payment of their dues? ”

THE HON. SRI M. A. MANICKAVELU NAICKER :—“ The Government are always prepared to show some concession in deserving cases.”

Working of the Kodaikanal Municipality.

* 90 Q.—SRI MOHAMED RAZA KHAN (on behalf of Sri M. K. M. Abdul Salam) : Will the Hon. the Minister for Local Administration be pleased to lay on the table of the House a copy of the report submitted by the District Collector, Madurai, on the working of the Kodaikanal Municipality during 1953-54 and to state—

(a) whether there is any proposal to appoint a special officer to improve the Kodaikanal town; and

(b) what further steps the Government propose to take to improve the town?

THE HON. SRI S. S. RAMASWAMI PADAYATCHI :—“ A copy * of the report, dated 16th July 1954, is placed on the table of the House.

“ (a) There is no such proposal.

“ (b) The general state of administration of the town in 1953-54 was satisfactory. No special steps are proposed to be taken for the improvement of the town.”

DR. V. K. JOHN :—“ Considering the fact that Kodaikanal is supposed to be one of the three best sanatoria in the world, will the Government be pleased to pay special attention to its development? ”

THE HON. SRI S. S. RAMASWAMI PADAYATCHI :—“ When necessary, certainly the Government will pay special attention to its development.”

[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 21st December 1954, from the Hon. the Speaker, Madras Legislative Assembly :—

“ In accordance with rule 114 of the Madras Assembly Rules, I transmit a copy of the Madras Dramatic Performances Bill, 1954 (L.A. Bill No. 37 of 1954), as passed by the Assembly, on the 21st December 1954 and signed by me for the commencement of the Council.”

* Printed as Appendix II on pages 52-534 infra.

[22nd December 1954]

* **SRI K. BHASHYAM** :—" Sir, arising out of this announcement, I would like to make a submission. The Bill was passed by the Assembly only yesterday and copies of the Bill as passed by the Assembly were sent to the Members of the Council only this morning. I request the Hon. Chairman to allow us sufficient time for studying the Bill."

III.—NON-OFFICIAL BUSINESS.

Bill.

THE MADRAS MARUMAKKATHAYAM (AMENDMENT) BILL, 1954
(L.A. BILL NO. 16 OF 1954).

SRI M. P. GOVINDA MENON :—" Mr. Chairman, Sir, I move—

'That this House concurs in setting up a Joint Select Committee of both the Houses consisting of 24 members (16 members of the Assembly and 8 members of the Council) to consider the Madras Marumakkathayam (Amendment) Bill, 1954 (L.A. Bill No. 16 of 1954), and that the following members of this House be selected to serve on such a Joint Select Committee :—

The Hon. Sri M. Bhaktavatsalam.

Sri K. Bhashyam.

„ P. P. Ummer Koya.

„ K. Gopalan.

„ E. H. Parameswaran.

„ K. Balasubramanya Ayyar.

„ Mohamed Raza Khan.

„ M. P. Govinda Menon.' "

SRI T. PURUSHOTHAM :—" I second the motion."

SRI M. P. GOVINDA MENON :—" Mr. Chairman, as hon. Members are aware, the Marumakkathayam set up is peculiar to the West Coast. Among some communities in that area, inheritance is always through the female line and not through the male line. This system is in vogue not only among Hindus but also among Non-Hindus; it is prevailing among many communities in Malabar. On the 18th December, this Council passed the Mappilla Marumakkathayam (Amendment) Bill, 1954. A large number among the Mappillas follow the Marumakkathayam system. With great respect to Mr. Mohamed Raza Khan, I may say that there are more things in common between me and the Mappillas than between him and his co-religionists on the West Coast who follow the Marumakkathayam system and speak the Malayalam language.

"In 1933, the Madras Legislative Council passed the Madras Marumakkathayam Act. Under section 38 of that Act, any tavazhi represented by the majority of its major members can claim partition, but not individual members."

22nd December 1954]

MR. CHAIRMAN :—" What is the point in going into the details? We can discuss only the general principles at this stage."

SRI M. P. GOVINDA MENON :—" I will finish shortly.

"According to that Act, tavazhi, in relation to a female, means the group of persons consisting of that female, her children and all her descendants in the female line, and, in relation to a male, means the tavazhi of the mother of that male. There is the further restriction that if there is a common ancestress between two or more tavazhis, her consent in writing should be obtained before claiming partition. There have been difficulties in getting this consent and there have been innumerable disputes in courts. My Friend Sri M. Narayana Kurup proposes in this Bill to give the right of claiming partition to every member of a tarwad or tavazhi. There are some consequential changes also.

"We have taken on the Joint Select Committee all the Members hailing from Malabar. In addition we want the assistance of the Hon. Sri M. Bhaktavatsalam. We have also selected two distinguished lawyers, Sri K. Bhashyam and Sri K. Balasubramanya Ayyar.

"I hope the House will pass this motion unanimously."

MR. CHAIRMAN :—" The question is—

'That this House concurs in setting up a Joint Select Committee of both the Houses consisting of 24 members (16 members of the Assembly and 8 members of the Council) to consider the Madras Marumakkathayam (Amendment) Bill, 1954 (L.A. Bill No. 16 of 1954), and that the following members of this House be selected to serve on such a Joint Select Committee :—

The Hon. Sri M. Bhaktavatsalam.

Sri K. Bhashyam.

„ P. P. Ummer Koya.

„ K. Gopalan.

„ E. H. Parameswaran.

„ K. Balasubramanya Ayyar.

„ Mohamed Raza Khan.

„ M. P. Govinda Menon.' "

The motion was carried.

* **THE HON. SRI M. BHAKTAVATSALAM** :—" Sir, I move—
'Under rule 85 of the Council Rules leave of the House be granted to the Joint Select Committee appointed to consider the Madras Marumakkathayam (Amendment) Bill, 1954 (L.A. Bill No. 16 of 1954), to hold its sitting in Malabar whenever the Committee considers it necessary to do so.' "

[22nd December 1954]

MR. CHAIRMAN :—" The question is—

' Under rule 85 of the Council Rules leave of the House be granted to the Joint Select Committee appointed to consider the Madras Marumakkathayam (Amendment) Bill, 1954 (L.A. Bill No. 16 of 1954), to hold its sitting in Malabar whenever the Committee considers it necessary to do so.' "

The motion was carried.

IV.—OFFICIAL BUSINESS. Government Motion.

MOTION UNDER RULE 24 OF THE COUNCIL RULES.

* THE HON. SRI M. BHAKTAVATSALAM :—" Mr. Chairman, Sir, I move—

' That rule 24 of the Council Rules be suspended and the House do resolve to transact Government business on Wednesday, the 22nd December 1954.'

" I do anticipate the possible objections to this motion. We have to go through the Rules and the Bills which have been remitted by the Assembly. We have got only two days before us—to-morrow and the day after that. The day next to that happens to be the day of the Christmas eve and I am sure hon. Members will not like this Council to sit on the Christmas eve. Therefore I move this motion. To-day we will be considering the Rules also. Non-official Members are as much interested in the framing of the Rules as the Government and therefore this business may be taken as non-official business. We have just transacted a very important non-official business to-day and that is the motions relating to the Joint Select Committee appointed to consider the Madras Marumakkathayam (Amendment) Bill, 1954.

" I hope this House will accept the motion."

MR. CHAIRMAN :—" Motion moved—

" That rule 24 of the Council Rules be suspended and the House do resolve to transact Government business on Wednesday, the 22nd December 1954.' "

-30
m.

DR. V. K. JOHN :—" Mr. Chairman, Sir, while appreciating the reasons given for the motion by the Hon. Minister, may I suggest that to-morrow after finishing all the official business, we may transact non-official business? Every time a non-official day comes up, a motion is made for converting it into an official day. To-morrow we may have enough time and we may transact non-official business. If we have no time to-morrow, I won't press my request."

22nd December 1954]

* THE HON. SRI M. BHAKTAVATSALAM :—" We may not have time to-morrow for transacting non-official business. If the Dramatic Performances Bill is taken up, we may require the whole day for it since it is an important Bill. But I may tell the hon. the Deputy Leader of the Opposition that we shall be sitting again from the 7th February 1955 and in that sitting we may have non-official days."

* SRI V. GURUNANDAN ROW :—" On a point of information and on a point of order also, Sir. I do not know whether a motion for suspension of rule 24 of the Council Rules can be brought forward on the day on which non-official business is to be transacted. According to me, it must be brought forward before the non-official day arrives so that hon. Members may know whether Bills given notice of by them are going to come up or not. The agenda is circulated to us a day earlier and we do not know whether any motion for suspension of rule 24 is going to be carried. I want to know whether the motion is in order when brought forward on the day on which non-official business is to be transacted."

MR. CHAIRMAN :—" It can be done. There is nothing wrong in it."

* SRI V. GURUNANDAN ROW :—" I want to know whether the motion will be inadmissible if brought forward on the very day on which non-official business is to be transacted? "

MR. CHAIRMAN :—" It is in order."

* SRI A. GAJAPATHY NAYAGAR :—" I have given notice of a Bill to make 'Tamil' the State language. I request the Government to adopt by law Tamil as the language of the Madras State."

MR. CHAIRMAN :—" We are on the motion moved by the Hon. Minister."

* SRI A. GAJAPATHY NAYAGAR :—" Sir, my resolution should have come up for discussion on the non-official day. But now, a motion has been made for transacting official business on that day. If that motion is carried, I shall not be able to move my resolution. Will the Hon. Minister at least assure me on the floor of the House that by executive action the Government will introduce Tamil for transacting official business in the three districts of South Arcot, North Arcot and Chingleput districts? "

* THE HON. SRI M. BHAKTAVATSALAM :—" I can give this assurance to the hon. Member that there will be a number of non-official days in future when he can move his Bill."

* SRI A. GAJAPATHY NAYAGAR :—" But the effect of the present motion will be to postpone all action on the part of the Governor."

[22nd December 1954]

MR. CHAIRMAN :—" The question is—

"That rule 24 of the Council Rules be suspended and the House do resolve to transact Government business on Wednesday, the 22nd December 1954."

The motion was carried.

V.—GOVERNMENT BILLS.

(1) THE MADRAS TENANTS AND RYOTS PROTECTION (AMENDMENT) BILL, 1954 (L.A. BILL NO. 48 OF 1954).

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

" Sir, I move—

'That the Madras Tenants and Ryots Protection (Amendment) Bill, 1954 (L.A. Bill No. 48 of 1954), as passed by the Assembly, be taken into consideration.'*

" Sir, the Act was intended to protect the ryots in all estates and those in the area of the Malabar district. As far as the Malabar district is concerned, after the passing of the Malabar Tenancy (Amendment) Act, 1954, the position has changed. There is no necessity for this legislation so far as that area is concerned. Now, the necessity for protection of ryots has arisen only in the case of other estates which have not been taken over by the Government and also estates which are likely to be taken over or which are declared as such. That is why this Bill has been brought forward."

MR. CHAIRMAN :—" Motion moved—

'That the Madras Tenants and Ryots Protection (Amendment) Bill, 1954 (L.A. Bill No. 48 of 1954), as passed by the Assembly, be taken into consideration.'

DR. V. K. JOHN :—" Sir, from the year 1946 this law has been renewed from time to time. The Hon. the Revenue Minister has always been telling this House that he is going to bring in a comprehensive legislation. I do not know whether he is aware of the fact that this Act was passed in 1946, that an Ordinance was promulgated in 1949 and that by the Act passed in 1949 both the Act of 1946 and the Ordinance of 1949 were repealed. Then, the Act was renewed in 1950 and from that year it has been renewed year after year. This year it could not be renewed in time. So, an Ordinance was promulgated. The reason given in both the Acts of 1946 and 1949 was that pending further legislation, the Government wanted to give protection to the tenants. I ask the Government whether they have had no time from 1946 up till now to draw up a comprehensive legislation."

SRI M. P. GOVINDA MENON :—" I want to know where it is said that the Act of 1946 is repealed."

22nd December 1954]

DR. V. K. JOHN :—" Section 10 of the Act of 1949 says that the Madras Tenants and Ryots Protection Act, 1946, and the Madras Tenants and Ryots Protection Ordinance, 1949, are hereby repealed. I think the hon. Member Sri Govinda Menon is satisfied now. From 1946 the Government have been assuring this House that they will bring in a comprehensive legislation on the subject. The Preamble to the Act of 1949 says—

'Whereas it is necessary, pending further legislation, to provide for the temporary protection against eviction of tenants . . .'

So, from 1946 to 1954 the Government have had no time to draw up a comprehensive legislation. The Act has been extended from time to time. This is only a temporary enactment. But section 6 of the Act of 1949 says—

'All suits and proceedings stayed under this Act shall, after the expiration of this Act, be proceeded with subject to the provisions of any law which may then be in force from the stage which had been reached when the suit or proceeding was taken.'

There are tens of thousands of suits stayed under that Act—not one or two, but tens of thousands of suits. They have to be taken up and disposed of when the temporary enactment ceases to be in force. Is this not a great discredit to any civilized Government? Does it not show the inefficiency of the Government that they have had to stay suits for the last so many years? People have paid the court-fee and asked for relief. But this temporary enactment is being renewed year after year. Perhaps, the hon. Member Sri Allapichai might get up and support this Government by saying that they are in order in renewing this temporary enactment and issuing Ordinances for that purpose from time to time."

* SRI A. M. ALLAPICHAJ :—" I think my hon. Friends on the Government benches have sufficient confidence in me." 11-40 a.m.

DR. V. K. JOHN :—" I am glad, Sir. But still I anticipate that he will be the only hon. Member who will support the steps taken by this Government from time to time in getting Bills passed into law every year and also in issuing Ordinances. Why should Government issue Ordinances? Have they not got officers to point out to them that such and such an Act is to expire at such and such a time and that it should be validated in time? I protest against Ordinances being issued in these matters. It only shows the inefficiency of the Government, for which no Government can take any credit. My real complaint is that they should not extend the term of the Act when tens of thousands of suits are pending before the courts. Probably the papers bundled up in any part of India become moth-eaten. Is there any Government in any part of India or in any part of the world which goes on extending Acts from 1946 to 1954 by issuing Ordinances? I say, Sir, it is not a credit to hon. Members of this House to allow the Government to introduce Bills and get them passed into law in the manner in which they are doing at present. We protest against this way of doing things;

[Dr. V. K. John] [22nd December 1954]

both sides of the House ought to protest against the manner in which the Government are dealing with these matters when thousands of litigants are involved. The Government have no idea of the suffering of the people in these matters, suffering of people who have put their money in court. Will the Government at least return the court-fees paid to courts by these litigants? The Government have collected lakhs and lakhs of rupees as court-fees. I say the Government are callous in this matter. It is not the word 'callous' that I would like to use in characterising the attitude of the Government in this matter. If I could find a more emphatic word than the one I had just used, I would have used that expression in spite of the fact that the Hon. Minister might say: 'Well, the hon. the Deputy Leader of the Opposition in his usual way has criticized the Government'. I say, Sir, the Government ought to be criticized most emphatically on the callous way in which they have treated the litigant public and this Hon. House. This House ought to protest against it and we must get an assurance from the Hon. the Mover of this Motion that no more Ordinances and temporary enactments will be passed hereafter."

* SRI K. BHASHYAM:—"Mr. Chairman, Sir, in the first instance I should like to point out that this question of continuance of protection Acts is a necessary evil because the difficulty has been to settle the relationship between the landlord and the tenant in various places. Now, so far as the Malabar district is concerned, the Malabar Tenancy Act has been passed. Some satisfaction has to be expressed for that. Therefore this Bill will not apply to cases in Malabar and there is also a provision, I hope and trust, in the Malabar Tenancy Act saying that this will no longer be in force so far as that district is concerned."

Dr. V. K. JOHN:—"May I point out, Sir, that it is not stated here."

* SRI K. BHASHYAM:—"That is why, Sir, I said, 'I hope and trust.' I now assure the hon. the Deputy Leader of the Opposition that there is a provision to that effect. Therefore there is no question so far as Malabar is concerned. But so far as the rest of the State is concerned, the question is as regards the relationship between the landlord and the tenant in various estates which are in various stages of being taken over. Some have been taken over, some are under management, some have been declared as estates but not taken over and some are yet to be declared and taken over. Sir, the process is a very long one. I do not think it is possible with the limited time that we have had to settle all the various intricate and complex problems relating to landlord-tenant relationship in various estates. (An hon. Member: 'Eight years') Sir, it has taken a lifetime to decide certain things. There are vested interests who will fight tooth and nail. When we have to deal with complex problems, intricate questions affecting the relationship of landlord and tenant and also lakhs of people, naturally

[Sri K. Bhashyam]
22nd December 1954]

it will take some time to solve those problems. And therefore in such cases as these a comprehensive legislation is not possible. In fact only piecemeal legislation is possible in these matters. And piecemeal legislation has been undertaken so far as Malabar district is concerned, and that question has been settled. I am not apologising for the Government for the delay. But one must look at actual facts in criticising the Government. In this case the complaint is undeserved. That is what I want to point out. I have very often criticised the Government where the matter has been delayed for long and the Government were not able to come to a decision."

Dr. V. K. JOHN:—"The hon. Member is also partly responsible as he was a Minister in the year 1946-47."

* SRI K. BHASHYAM:—"The trouble was no doubt started by us as we went out soon after taking office. We could not end it. But whether we are responsible or somebody else, let the hon. Member bear the actual facts in mind."

"Apart from this aspect of the question, I should like to point out that so far as the Government are concerned there cannot be a complaint like the one made by the hon. the Deputy Leader of the Opposition, which I also have made in respect of other matters. The one thing I would like to point out in the present case is this. There is section 5 which says:

"Notwithstanding anything contained in section 4, the (State) Government may direct that any suit or proceeding or class or classes thereof, stayed under sub-section (1) or sub-section (8) of that section, shall be proceeded with from the stage which had been reached when the suit or proceeding was stayed."

I would like to know from the Government whether their attention was drawn to this section of the Act and whether Government paid any attention to this provision and allowed any suit to be proceeded with. My complaint is not so much for the continuance of this Act as to the fact that Government have not paid much attention to the provisions contained in the section of the Act referred to by me. Particularly in respect of certain classes of cases the Government should do something. Section 5 is an enabling section, enabling Government to say that certain suits stayed already may be continued from the stage in which they were stayed."

"Apart from the question of complaint about delay, I should like the Government at least now to look into this section of the Act and find out if any class of suits that have been stayed might be allowed to be proceeded with. They are pending for so long. The hon. the Deputy Leader of the Opposition complained that lakhs and lakhs of rupees have been paid into courts as court-fees for such suits. That is certainly a legitimate complaint. If possible the Government must go to the help of the people who have paid court-fees and who have gone to court for purpose of getting adjudication. That is a right to which they are entitled. While the Government may be excused for delay in respect of general matters,

[Sri K. Bhashyam] [22nd December 1954]

in respect of particular classes of suits which have been stayed, (and Government have not allowed those suits to be proceeded with) they cannot be excused. They have been very idle and they have not taken any steps in the matter. Therefore, I should like to remind the Government of the section in the existing Act. They have powers to allow some suits to go on, if at least some of these suits may be allowed to be proceeded with."

11-50 a.m. SRI K. BALASUBRAMANYA AYYAR :—" Mr. Chairman, Sir, though I agree that there is some reason for the continuance of these Acts, because certain estates have not yet been taken over and there are inams to be declared as estates and then taken over—these are different matters—yet there is one difficulty, and that is the stay of a large number of suits which really causes some inconvenience and trouble to parties concerned. Let me point out an instance. Where there is a legitimate suit for eviction on proper ground, which has been allowed according to the Act to be stayed, the ryot or lessee in possession of the land gets certain fixity of tenure as was the case under the Malabar Tenancy Act. Privileges are given to them over the years they are in possession. We found at the time of the discussion of the Malabar Tenancy Bill that landlords could not evict their tenants even on proper grounds because the ryots or the lessees who were in possession of the lands over a number of years were enabled to get privileges which they would not otherwise have got. That is the difficulty which will arise in other cases also, especially in suits for eviction. In these cases on account of the continuance of possession certain difficulties arise. That is why I respectfully submit that the Government should examine the cases, and in those cases in which they are satisfied, they may direct that the suits be proceeded with pending extension of this Bill."

* SRI A. GAJAPATHY NAYAGAR :—" Mr. Chairman, Sir, I wish to utter a warning regarding this kind of piecemeal legislation. The Government first issue an Ordinance, then they think over the matter and bring forth a Bill without even examining it fully. Promulgating an Ordinance by itself is not a democratic act. We are all responsible representatives of the people. When there is the Legislature, where is the need to bring in an Ordinance? But Ordinances have become the order of the day. It only smacks of irresponsibility on the part of the Government. All of a sudden the Government wake up to deal with a situation and find that something must be done. Immediately they bring in a piecemeal legislation. The remedy proposed is worse than the disease. It creates more difficulties than it tries to solve. Of course, I know not much of Malabar conditions. The conditions are peculiar there. But with regard to a number of other legislations I should say that this kind of tinkering reveals a bankruptcy of thought, inaction and irresponsibility on the part of the Government. In all these matters the Government should first think over and then bring a regular comprehensive legislation to satisfy all interests."

22nd December 1954] [Sri A. Gajapathy Nayagar]

While my hon. Friend Sri K. Balasubramanya Ayyar wants to condemn this, he thinks that something should be done as a special case in the matter of eviction. The evil started with the Government ends only with the member. That is why I say that the Government should make a thorough investigation and then bring in comprehensive legislation. I will have to say something more about this in a subsequent Bill that will be coming up for consideration before the House, but at this stage I wish to point out that this kind of halting process must be stopped."

(The hon. Member Sri M. P. Govinda Menon began to speak in Malayalam.)

MR. CHAIRMAN :—" There is no Malayalam Reporter to take down the speech of the hon. Member."

SRI M. P. GOVINDA MENON :—" I request the Government to appoint a Malayalam Reporter to record Malayalam speeches."

" Sir, certainly we cannot blame the Government for not having brought in a comprehensive legislation as far as the whole State is concerned. With great respect to the hon. the Deputy Leader of the Opposition, I would say that the Government are constrained to extend the life of this temporary enactment so that they may bring in legislation which will be suitable to the local needs of the different areas of the State. So far as Malabar is concerned, the Government have in a way solved the problem by passing the Malabar Tenancy (Amendment) Act, 1954. This measure is no longer considered necessary there. But as far as Tamil Nad is concerned, I understand that some Committees are going into the question. I hope that before long the Government would bring in a comprehensive Bill. But with regard to South Kanara, the problem is acute there. There is no protection for the tenants there and there must be tenancy legislation for that district. Even the cost of the improvements effected is not paid to the tenants at the time of eviction. This Act stays eviction, but it is better to have a separate Act so far as South Kanara is concerned. All hon. Members from South Kanara are also pressing for such a measure and I hope the Madras Government would bring in suitable legislation for South Kanara. As regards section 5 of the Act which empowers the Government to order the continuance of suits and proceedings, the persons who are affected can move the Government by means of a petition. I know some instances in Malabar where persons moved the Government under section 4. The Government will examine and see whether they come under section 5. With these observations, I wholeheartedly support this measure which is necessary for regulating the relationship between the landlord and the tenant in the State."

* THE HON. SRI M. A. MANICKAVELU NAICKER :—" Sir, the hon. Member Sri Gajapathy Nayagar in view of the proximity in sitting behind the hon. Deputy Leader of Opposition has got the contagion from him with regard to the use of the word 'bankruptcy'. (Laughter.) I thought it was the prerogative of the

[Sri M. A. Manickavelu Naicker] [22nd December 1954]

Deputy Leader of the Opposition, but the other hon. Member has also used it. Unlike yesterday, to-day the hon. Deputy Leader of the Opposition has started emitting fire from the very beginning and he is going to do it more when the other Bill comes up. (Laughter.) He has warned me about it yesterday itself. (Interruption by Dr. V. K. John.) Sir, reference was made to the fact that thousands of suits, which mostly relate to Malabar district, were pending. Now, after the passing of the Malabar Tenancy (Amendment) Act, 1954, this Act has been abrogated so far as Malabar is concerned. So there is no difficulty about that. The question now is only with regard to areas other than Malabar. That is not a simple question. It is a very intricate and large question which ought to be carefully gone into. To take one instance, the 1936 inams have been declared as estates. They are about 3,000 in number. Suppose the Government want to have legislation in order to apply the Estates Abolition Act. That will involve crores of rupees. How can the Government come to a conclusion very lightly with regard to that? So it is a difficult problem. All these things have to be considered. It is a matter of policy so far as the Government are concerned. But I may tell the House that when circumstances are favourable, it may be possible for Government to bring forth legislation with regard to that. Till then it will be difficult for the Government to bring in a comprehensive legislation. Therefore the Government want to give at least this protection. There is a clamour and agitation for applying the Estates Abolition Act to inams which have been declared as estates. Before we do anything on those lines, there must be at least this temporary protection granted to the ryots. Otherwise they will be put to difficulties. That is why the Government are extending this Act.

"Then it was said why recourse should be had to Ordinances and why should not legislation be passed straightway. The Government are constantly thinking, Sir. They never stop thinking. They are always thinking. But in spite of that, it sometimes happens that there is no sitting of the Legislature for four or five months continuously and therefore Ordinances have to be issued. Sir, I too once upon a time thought that promulgating Ordinance is not a very desirable thing, but when I am actually in the business, I find that it is quite necessary in certain cases. I do not know why people should be against Ordinances."

DR. V. K. JOHN :—"Sir, is the issue of these Ordinances due to constant thinking on the part of the Government? May I suggest to the Government not to think much?" (Laughter.)

* THE HON. SRI M. A. MANICKAVELU NAICKER :—"Sir, Ordinances are issued only in times of emergency and we come before the House immediately when the Legislature is in session and see that a regular Bill is passed. So I do not know why strong criticism should be levelled against that."

22nd December 1954] [Sri M. A. Manickavelu Naicker]

"In spite of caution and in spite of sufficient care some- 12
times it so happens that we have to resort to Ordinances. I say noon.
there is nothing wrong in that. I really thank the hon. lawyer
Members because, being a lawyer myself, I know the difficulties
of the situation. As regards section 5 of the Act, it is true that
it will be better for private parties to move the Government to
make use of the section. There may be certain cases where the
Government also will have a *prima facie* case to take action. I
shall have the matter examined. With these remarks, I hope the
House will accept this Bill."

MR. CHAIRMAN :—"The question is—

'That the Madras Tenants and Ryots Protection (Amendment) Bill, 1954 (L.A. Bill No. 48 of 1954), as passed by the Assembly, be taken into consideration.'

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

Clause 2 was put and carried.

Clause 3 was put and carried.

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 Tenants and Ryots Protection (Amendment) Bill, 1954 (L.A. Bill No. 48 of 1954), as passed by the Assembly, be passed.'

DR. V. K. JOHN :—"Sir, may I express the hope that all these temporary enactments will cease? I have great faith in the Hon. Minister Mr. Manickavelu Naicker that he, having moved these Bills as temporary enactments yesterday and to-day, will now go into the matter seriously and if necessary appoint committees so that if possible the Government could bring in permanent enactments within the period which they have taken for the purpose. As regards these Tenants Protection Acts, I am definitely of the opinion that Government must do something to bring in agrarian reforms which will create and promote the Welfare State in Madras. It is high time that the Government sat down and appointed an expert committee to go into the matter, and brought in agrarian reforms which will benefit the general public."

MR. CHAIRMAN :—"The question is—

'That the Madras Tenants and Ryots Protection (Amendment) Bill, 1954 (L.A. Bill No. 48 of 1954), as passed by the Assembly, be passed.'

The motion was carried and the Bill was passed.

[22nd December 1954]

(2) THE MADRAS ENTERTAINMENTS TAX (AMENDMENT) BILL, 1954
(L.A. BILL NO. 49 OF 1954).

* THE HON. SRI M. A. MANICKAVELU NAICKER :—“ Sir, I move—

‘That the Madras Entertainments Tax (Amendment) Bill 1954 (L.A. Bill No. 49 of 1954), as passed by the Assembly be taken into consideration.’

Sir, this is a Bill intended to levy a small tax, and the tax is to be paid by the proprietors of cinemas and not by those who go and see the cinemas. That is called the entertainments tax which is paid by the cinema goers. But this is called a show tax. For every show of the cinema a small tax of Rs. 2-8-0 in the City, Rs. 1-8-0 in the mufassal municipalities, and Re. 1 in the panchayats is levied. (Interruption.) This would not be a burden on the poor man. I do not know if the Deputy Leader of the Opposition would champion the cause of the rich men and oppose the Bill. I commend the Bill to the acceptance of the House.”

MR. CHAIRMAN :—“ Motion moved—

‘That the Madras Entertainments Tax (Amendment) Bill, 1954 (L.A. Bill No. 49 of 1954), as passed by the Assembly, be taken into consideration.’”

DR. V. K. JOHN :—“ Sir, I am sorry that I have to oppose this Bill and oppose it very strongly. It is a fundamental principle which ought to be accepted by any Government that there should not be a tax on amusements or entertainments. In fact there was a Royal Commission in Australia who investigated this matter and came to the unanimous conclusion that there should not be a tax on entertainments or amusements. But in certain parts of the world and in certain States in India, there is a tax on amusements. We had a tax introduced by the Madras Local Authorities Entertainments Tax Act, 1926. The collections from this tax went to the local bodies. The Government in 1939 repealed that Act and passed the 1939 Act. Then the Government passed in 1949 another Act and wanted by that Act to give only a very small portion to the local bodies and pocket the rest. In 1949, it occurred to someone, ‘why not people pay some more tax.’ Then this tax was levied on cinematograph exhibits. It is a small tax but nevertheless they thought it should not be a permanent tax. Therefore from 1949 to 1954, they extended the term of the Act, and now the Government have become very greedy and say ‘why extension? Let us have it to ourselves’. The Hon. the Minister who moved this Bill is unable to tell us what is the amount they are collecting. It is stated that this tax is paid by the operators. But actually the tax will be passed on to the poor man. The amount collected from this tax cannot be very much. Instead of giving up this tax on amusements, they

22nd December 1954] [Dr. V. K. John]

are trying to make this tax permanent. I think it is a very wrong thing to do. I do not think the Government can make much from this tax. It will not yield much, and I do not know why this should be made permanent. After adopting the policy that a tax on amusements was not desirable, they were having this Act temporarily from 1949-1954. What is the emergency that has arisen to-day? No emergency at all. I, therefore, submit that this only shows the anxiety of the Government to collect tax wherever they can collect from and on whomsoever they can levy. (Interruption by Sri K. Bhashyam.) He has not forgotten that he as Minister previously was engaged in collecting the tax. I want to ask this Government to amend the Madras Entertainments Tax and take away the burden on the cinema proprietors. Even people who are purchasing four-anna tickets are being taxed. This Act was there from 1949-54. I do not know why the Government should make this tax a permanent one. This only shows an undesirable inclination on the part of this Government to tax and collect from all places possible. I think a day will come when there will be a tax even on breathing. ‘If you breath you must pay a tax.’ A man sleeping for eight hours in a day must pay a tax to the Government! A man who goes to a cinema after 8 hours of work in a day and buys a ticket for four annas for some amusement is asked to pay a tax to the Government. It is necessary for them to have some entertainment so that they may be fit for the next day's work. I think the Government ought to consider all these aspects and boldly accept the principle that a tax on recreation, entertainment and amusement is undesirable and should not be levied.”

* SRI T. PURUSHOTHAM :—“ Sir, the Hon. the Minister for Land Revenue while introducing the Bill said that the Government can ill afford to lose the income derived from this show tax and so he said a permanent measure was necessary. The hon. Deputy Leader of the Opposition in opposing the Bill has made his usual remarks about the intentions of the Government. Just now in connection with the previous Bill that we were discussing, he said that the Government should not extend the life of any of the existing Acts temporarily, and that if there was need for any enactment, it should be brought forward as a permanent measure and not as a temporary measure. Now he opposes this Bill. When this matter was considered last time, some of us suggested that this should be made a permanent measure. The Hon. Minister who was then in charge of the portfolio of Commercial Taxes told us that it was only a temporary measure and any changes necessary might be made in a consolidated or comprehensive enactment. Now, the Government seek the assent of this House to make this a permanent enactment. This is not a tax on entertainment. It is only a tax on theatres being a show tax. It has nothing to do with the cinema-going public. Only the theatre owners are required to pay this tax to the Government. Moreover, it is only a small tax.”

[Sri T. Purushotham] [22nd December 1954]

"What I would like to suggest in this connection is that the proceeds of this tax should be made over to the local bodies. The Government need not appropriate this tax to themselves. The financial condition of the local bodies, including the Corporation of Madras, is going from bad to worse. Hon. Members are aware that even from the time of Lord Ripon, the financial position of the local bodies has been very precarious. So, it is the duty of the Government to see that the financial condition of the local bodies is improved and that they are placed on a sound footing. Maintenance of public health in local areas, I need hardly say, is the responsibility of the local bodies and the theatres should be controlled under public health provisions of Local Boards and Municipal Acts. Naturally, it is the duty of the authorities of local bodies to see that theatres are kept in good condition and that the owners conform to the public health rules. After all, as even the Hon. the Minister for Land Revenue has admitted, the Government will get only a very small amount from this show tax. I would suggest that such small revenues may be made over to the local bodies for the reasons stated by me."

SRI MOHAMED RAZA KHAN:—"Has the hon. Member any idea as to how much the Government will derive from this tax?"

* SRI T. PURUSHOTHAM:—"The Hon. Minister, even at the outset said that he would furnish that information. It will not be much. It is my plea that the Government should consider this question of making over the proceeds of this tax to the local bodies including the Corporation of Madras."

* SRI K. BHASHYAM:—"Sir, I should like to say that this tax, however small it may be, is going to be paid by the proprietors of theatres. Persons who go to theatres for entertainment are paying a separate tax and they are not required to pay the tax covered by the Bill which is under consideration now. I do not see why the proprietor of the theatre should not be made to pay something towards the State Exchequer."

"From another point of view also, I do feel that this tax is necessary and I would even say that it should be slightly heavier also. From my experience I find that there is a good deal of competition in the matter of the exhibition of these shows. People are able to build somehow or other more and more new theatres even to the detriment of the house-building programmes. Quite recently, many such theatres have sprung up in various parts of the City and also the mufassal. (Sri K. Balasubramanya Ayyar: 'Preventing us from sleeping!') Yes, that is another disadvantage; hence they must be taxed heavily on that ground alone. Sir, these theatre owners are having a very profitable business. They are making money like anything. The point is that they get all the money from the poor people. They are becoming rich by making the poor people pay the money. That being the case,

22nd December 1954] [Sri K. Bhashyam]

there is every justification for imposing this tax on the theatre proprietors. It will be better if the rate of this tax is raised a little. After all, the policy of the Government is to get money from persons who can afford to pay and provide amenities and comforts with this money to the poor people who cannot afford to pay for them. According to this policy, the rich proprietors are required to pay this tax. So I do not think there can be any complaint against this tax. After all, the principle underlying socialisation is to get money from rich people wherever they may be found and provide comforts and amenities for the benefit and welfare of the people who cannot pay for them. So, when the Government come forward with this Bill to tax the rich proprietors of theatres, it cannot and should not be said that the Government are greedy. It is not the correct way of looking at things. It is a wrong approach altogether. (Interruption.) I know from personal experience that these theatre people spend lakhs and lakhs of rupees and they even go to courts of law to get possession of land for building theatres. I know in municipalities and towns, these people spend large amounts to get permission for building theatres. This itself clearly shows that this business is a very profitable one. These people pay thousands to clerks in local boards and municipalities and also to lawyers. Let them pay. Because, they can afford to pay. They are making huge profits and the money that they get in this way has to be distributed among poor people. It is being done now. Some sort of socialisation of wealth is already there. In all these cases where the rich men are required to pay these taxes, there cannot be any objection. If, however, the poor people are asked to pay this tax, I am certainly against it. But, under the circumstances, I do not think anybody need object to this reasonable piece of legislation."

* THE HON. SRI M. A. MANICKAVELU NAICKER:—"Sir, I am sorry the hon. Deputy Leader of the Opposition is in a very unreasonable mood to-day. Yesterday, when he was speaking about the poor man's burden, I thought he was really interested in alleviating the suffering of the poor man. To-day, he wants to alleviate the suffering of the rich man. When I heard him this morning, I visualised the picture of Atlas bearing the whole World. Similarly, the hon. Deputy Leader of the Opposition wants to bear not only the burden of the poor man but that of the rich man also. I don't know whether he is strong enough to bear these two burdens. I wish he relieves himself of one of the burdens. If he wants to plead for the poor man, let him not plead for the rich man also. Let him not dabble in both. That is all I wish to say in regard to his remarks."

"As regards the income that the Government are likely to derive from this tax, I say, Sir, it will be of the order of Rs. 6 to Rs. 7 lakhs per year. (After a pause.) I am sorry, Sir. The figure that I gave just now is with reference to the Composite State. Now, the income from this tax in the Residuary State is only about Rs. 4½ lakhs."

[22nd December 1954]

SRI MOHAMED RAZA KHAN :—" What is the rate of this tax? "

* THE HON. SRI M. A. MANICKAVELU NAICKER :—" I have already said that it is Rs. 2-8-0 in Madras City, Rs. 1-8-0 in big municipalities and Re. 1 in other places. It is a very small tax and the people concerned can very easily bear this tax. Therefore, I do not think anybody can oppose this tax.

" As regards the suggestion made by hon. Member, Sri Govinda Menon, it will have to be gone into at the appropriate time. I cannot say anything now definitely. Of course his suggestion and the other suggestions made by hon. Members will be seriously considered."

12.20 p.m. MR. CHAIRMAN :—" The question is—

' That the Madras Entertainments Tax (Amendment) Bill, 1954 (L.A. Bill No. 49 of 1954), as passed by the Assembly, be taken into consideration.' "

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

Clause 2 was 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 Entertainments Tax (Amendment) Bill, 1954 (L.A. Bill No. 49 of 1954), as passed by the Assembly, be passed.' "

MR. CHAIRMAN :—" The question is—

' That the Madras Entertainments Tax (Amendment) Bill, 1954 (L.A. Bill No. 49 of 1954), as passed by the Assembly, be passed.' "

The motion was carried and the Bill was passed.

(3) THE MADRAS INDEBTED AGRICULTURISTS (TEMPORARY RELIEF) AMENDMENT BILL, 1954 (L.A. BILL NO. 51 OF 1954).

* THE HON. SRI M. A. MANICKAVELU NAICKER :—" Sir, I move—

' That the Madras Indebted Agriculturists (Temporary Relief) Amendment Bill, 1954 (L.A. Bill No. 51 of 1954), as passed by the Assembly, be taken into consideration.'

22nd December 1954] [Sri M. A. Manickavelu Naicker]

Sir, I want to offer a few remarks on this Bill. It is very simple in its object. That is to extend the life of the Act by a few days, not even months. It is just three weeks, to be precise. I know that the subject is a very controversial one. I submit that we need not elaborately go into the merits of the Bill at this stage. When the comprehensive Bill is brought in, it could be discussed at length. The object of extending the life of the Act by a few weeks is to prepare and bring in a proper Bill. I know, Sir, the Deputy Leader of the Opposition wants to make a long speech on this. But I feel it is not necessary. Let him reserve it for February next and let him make a lengthy speech then when a comprehensive Bill is before the House."

MR. CHAIRMAN :—" Motion moved—

' That the Madras Indebted Agriculturists (Temporary Relief) Amendment Bill, 1954 (L.A. Bill No. 51 of 1954), as passed by the Assembly, be taken into consideration.' "

DR. V. K. JOHN :—" Mr. Chairman, Sir, to-day my good friend, Mr. Manickavelu Naicker, cannot stand strong language. If I use it, I know, he will be unhappy about it. Therefore, I am not using any strong language against this Bill. Sir, last year, when this Bill was passed into law, an undertaking was given that it would never be extended beyond one year. Now the Government want its life to be extended; may be only by a few weeks. But, I feel that the Government must keep to their undertaking. This is one of the worst enactments ever to be placed on the Statute Book. The Government made no survey and collected no statistics. Without these, they introduced the Moratorium Act which has hit the good and the bad alike. Everyone in this House is certainly very keen that agricultural indebtedness should be removed. Everyone wants the problem to be solved properly. But when the Bill was brought in last year, it was done without any investigation and survey. The provisions were very drastic and I characterised them as an atom bomb which indiscriminately destroyed the good and the bad and dislocated the economy of the countryside. Many persons have written to me and I am quite sure many have written to the Members of the Government also that this Bill will do great harm to the people. I am reminded of Oscar Wilde's poem here. According to him, 'every man kills the thing that he loves'. After all, the Government want to do justice and do some favour to the agriculturists. They want to relieve them of their indebtedness. But what they did was entirely wrong. What they should have done is, they should have helped the agriculturists through co-operative societies with loans. I am saying this because the Government say that they are considering the draft of a new Bill, a comprehensive Bill, to be introduced in the Legislature shortly.

" Sir, yesterday the newspapers published a news item about the investigation conducted by the Gorwala Committee appointed

[Dr. V. K. John] [22nd December 1954]

by the Reserve Bank of India to enquire into rural indebtedness. It is said that over a lakh of families were questioned and statistics collected and that the Committee was surprised to find that the loans given to the agriculturists were only 3.3 per cent as regards Government loans, 3.1 per cent as regards loans given by co-operative societies and that the rest was got from usurious money-lenders. The agriculturists have been ruined because the money-lenders collect usurious rates of interest and often try to take over the produce and market it to their advantage. What have this Government done and what will they do in this matter? I suggest that they carry out a survey and collect statistics and make up their mind to help the agriculturists with loans advanced by co-operative societies assisted by the Government. Why not the Government again raise a public loan of five crores of rupees and lend that money to the agriculturists through co-operative societies? The Government must also introduce legislation to prevent usurious money-lending. I do not mind a few people being put in jail and a few more jails being built for that purpose. People who charge 36 per cent, 70 per cent and 100 per cent interest should be put in jail. Mere fines will not do. As I pointed out the other day, the Hon. the Leader of the House some time ago gave an undertaking that the Government would introduce legislation to prevent usurious money-lending. He said a few days ago that the Bill was under preparation."

THE HON. SRI M. BHAKTAVATSALAM :—" It is coming."

DR. V. K. JOHN :—" It is still coming! 'The mountain laboured and produced a mouse'. That might be the result when it comes. I ask the Government seriously to attend to this question of agricultural indebtedness. The present Act is one of the parting gifts of our former Chief Minister. I think there was a political motive behind the move. The Government wanted to get an advantage over the Communists and thought that they would become popular by this measure. If they stayed suits against agriculturists, they also freezed credit in the countryside and ruined the agriculturists. I do not mind their getting a few days more added to the life of the Act but when they think of a new, comprehensive Bill, let them think of helping the agriculturists with money and also legislating against usurious money-lending. It is a pity that those who have lent, other than co-operative societies, are prevented from collecting their dues. It is a wrong thing to do.

" Sir, I have time and again pointed out the need for entrusting the administration of such things to local bodies. We can create a Welfare State only with the help of self-governing local bodies. If the Government want to do away with agricultural indebtedness, they can do it only through such bodies. This must be the concern and responsibility of the local bodies who should see to it that no agriculturist is burdened too much with borrowings. The Government also must see to it that they have co-operative societies

2nd December 1954] [Dr. V. K. John]

to find the money required to clear off agricultural indebtedness. 12-30
would ask them to study the report of the Gorwala Committee p.m.
very seriously before they bring in any comprehensive
legislation."

SRI K. BALASUBRAMANYA AYYAR :—" Sir, I have told on a former occasion (I think it was during the discussion on the Governor's Address) about the havoc this Act has done already. I would name it as the 'Agriculturists' Credit Destruction Act'. That would be the proper christening of this Bill. The psychology behind this is the most important. Those who have been lending and those who have been borrowing have been affected by this Act. The Act is no relief to the villagers. I know the pitiable condition of the agriculturists who are affected by this Act. I have pointed it out elaborately in my previous speech. Recently there was a memorandum submitted by the Chemical Manure Dealers. They have supplied chemical manures to the agriculturists. Due to the passing of this Act, they could not get money for the manures they have supplied. If this Act is extended further, that will mean the postponement of payment for the chemical manures they have supplied. They could not take proceedings against the ryots because of this Act. I say even looking from the point of view of the welfare of the agriculturists, the present Act is of no benefit to them at all. But questions may be asked as to why there should be objection when the present Bill asks for only an extension of the previous Act for three weeks, not even a month? I say let the Moratorium Act be pronounced dead. That is the first point. Let it be pronounced dead for twenty days, at any rate at least for three days. Nothing will happen by pronouncing it dead. I do not think any lawyer, worth the name, would be so foolish enough to take proceedings within that period. I know of a case wherein proceedings could not be taken because of this Act to draw the money deposited in the Court. If the Act is pronounced dead at least for twenty days, the money deposited in courts could be drawn. At least that much of help could be rendered by pronouncing the Act dead. Nothing will happen in 20 days. I do not think any lawyer would be foolish enough to take proceedings within 20 days. No doubt I agree with the Government, and I am really happy that they are thinking of other ways of solving the indebtedness of the agriculturists. This Moratorium Act has not at all helped the agriculturists. Let it be pronounced dead. Let Government come forward with other concrete measures to relieve the indebtedness of the agriculturists. I would wholeheartedly support them. But this extension of Moratorium Act should not be permitted even if it be only for a short period. It should not be revived. It has not done any help to the villagers. Rural credit has broken down. It was an evil day when the ex-Chief Minister (Rajaji) took upon his fertile brain to pass this Moratorium Act."

* SRI A. M. ALLAPICHAJ :—" Mr. Chairman, this Act has been characterised by one hon. Member as the 'Agriculturists' Destruction Act.'"

[22nd December 1954]

SRI K. BALASUBRAMANYA AYYAR :—" Not Agriculturists' Destruction Act, but Agriculturists' Credit Destruction Act."

* SRI A. M. ALLAPICHAJ :—" Well, Sir, it has been termed as the Agriculturists' Credit Destruction Act. The hon. Member has said that the moratorium has not conferred any benefit on anybody. I beg to submit that that was a correct remark. I have always felt that whenever the Opposition used moderate language they were sure to carry weight with the Government. They would be convincing the people by their tone of moderation."

SRI K. BALASUBRAMANYA AYYAR :—" It is difficult to speak with moderation upon the consequences of this Moratorium Act."

* SRI A. M. ALLAPICHAJ :—" Ours is a Welfare State. Our people are really poor. There is no doubt about it. It is a notorious fact that our people are poor. It is said that the Moratorium Act has wrought destruction on the credit of the agriculturists. Let there be destruction of the credit of the agriculturists in the mufassal. (Laughter.) Our agriculturists are ignorant people. They are not educated. They do not know how to spend money economically. They have been spending extravagantly because the money-lenders have been there to lend them money with the specific purpose of not taking the money they have lent but taking the land of the agriculturists. Because there was money to be lent to them by the money-lenders, the poor agriculturists have been borrowing and spending lavishly. Suppose there has been a death. By spending a few rupees they could have celebrated the obsequies. But because the money-lender lends them money, the agriculturists spend some hundreds of rupees. So also they spend lavishly on marriages, because the money-lender is there to lend money. Thus they have been spending extravagantly."

" Most of the hon. Members in the Opposition, with a few exceptions, are well-to-do people. They are not poor people. They do not therefore know the sufferings of the poor."

DR. V. K. JOHN :—" Does the hon. Member include me in the list of the well-to-do people, Sir? "

SRI K. BASHYAM :—" He stands first among the well-to-do people. See his car, Sir? " (Laughter.)

DR. A. SREENIVASAN :—" He will go in for a small car." (Laughter.)

* SRI A. M. ALLAPICHAJ :—" Because the money-lender lent them, these agriculturists have incurred huge debts. Why should there be such an opposition if the moratorium is extended, or the debts wiped off. After all the agriculturists have not borrowed money for purchasing lands, bulls or other implements. One hon. Member has said that the Act is the Agriculturists' Credit

22nd December 1954] [Sri A. M. Allapichai]

Destruction Act. Well, let the credit go. What is wrong if it goes? After all the ryots are indebted beyond their capacity. (Laughter.)

" The Congress organization and the Congress Government, I have always felt, have been trying to help the ryots. To help the ryots only the moratorium has been granted. The Congress has been pursuing a *via-media* policy. They have not gone to this extreme or that extreme. Ours is not a capitalist type or a communist type of economy. We are something between the two. The Congress Government have been proceeding in the right direction of helping the ryots. Therefore I support the present Bill."

DR. V. K. JOHN :—" Does it mean that the hon. Member is ardently supporting the Government? "

SRI A. M. ALLAPICHAJ :—" I am proud to do so."

* SRI K. BHASHYAM :—" So far as the Bill before us is concerned it is one seeking the extension of the previous Act by not even one month. I do not think anybody could take objection to that. But the principle of the Bill is something which has to be gone into very carefully. Government propose to take action in respect of relieving the indebtedness of the cultivators in some way. It is necessary to point out in what way they could help the agriculturists. It is for that purpose I am speaking to-day. I want to point out how the poor could be helped. This question of relieving the indebtedness of the ryots has been there for the last 40 or 50 years. We have started co-operative societies 40 or 50 years ago. Some have celebrated their Golden Jubilees. But what do we find in their reports? What do we find in the report of the several committees that have gone into the question, especially in the B. V. Narayanaswami Naidu Committee's report? They say the debts of the ryots have been going on increasing. It has not lessened all these 50 years. Therefore, I respectfully submit to the House that it is a matter for serious consideration. It is not as if I have no sympathy for the ryots. What is really contemplated is to teach people to repudiate their past undertakings. If one thing can be said of the Indebted Agriculturists' (Temporary Relief) Act, it is that a sense of dishonesty has been fostered and encouraged the people to repudiate their debts. Looked at the moral standpoint, it is an immoral measure. When a man has borrowed money and promised to pay it, to say that he shall not pay it, is not a thing which anybody should say. It is what is being done. But I do feel that the Government must interfere in cases where there is really some, for example, hardship and where a moneylender has been pressing hard upon a person and really taking 10 or 15 per cent interest. In such cases the interest must be reduced and some adjustments must be made. For that purpose, there are Acts like the Contract Act, the Money-lenders Act and the Usurious Loans Act. Therefore, the question of giving permanent relief to cultivators from any debt at all is a problem which no man can solve."

12-40
p.m.

[Sri K. Bhashyam] [22nd December 1954]

Even the Congress Government with all their sympathies cannot solve it because the poverty of the masses will be ever with us. The poor will be with us just like malaria and plague which will be with us in spite of doctors. The poverty of the masses will be with us unless a radical change takes place. Therefore, we are not going to solve the problem in its entirety.

"Now, I should like to point out the nature and the character of the people who are our present cultivators. The more you give them privileges the more they misuse them and that is my experience. Suppose you tell them that they need not pay the capital and give them a breathing time for the purpose of saving money to pay off their debts. Do you think that they will save money? They will merely spend it in improvident ways. This year there has been a bumper crop. What has happened? The cultivator who has got a lot of money out of this crop has spent it not for the welfare of his own people or for the purpose of paying his just debts but spent it in improvident ways. I understand that the declared object of the Act is that he should not be harassed in his cultivation and therefore he has not been harassed for one year, and he has been free to cultivate undisturbed. He has had full benefits of his crop without being distracted from his cultivation. In such a case has he really spent the money for a good purpose? I can understand any person coming forward as an apologist for him if he has saved a little money for the purpose of paying his debt. But I cannot understand a cultivator merely spending his money on extravagant and useless things and on cinemas, entertainments and on all sorts of gambling. Therefore, my respectful submission is that such a thing should not be encouraged. If you want to encourage thrift and if you want persons to be honest and keep their promises to the extent they could, do not do it as you cannot justify it from any moral standpoint.

"Sir, so far as the present class of cultivators are concerned, they are not educated and cannot be educated to become model citizens and cultivators. We may educate them in the field of cultivation but not prudence or thrift even over a long period of time. Nowadays there is plenty of unemployment and if educated people can be induced to take to agriculture, we can not only improve agriculture but also at the same time solve the unemployment problem. How are the Government going to do it? We must give educated young persons such lands as will keep them on the land. Any educated man will require at least Rs. 200 per month for his living. We must give the educated young man a land which will yield Rs. 200 a month so that he can be induced to take to agriculture. We cannot do so by fragmenting land holdings. On the other hand if we are to improve agriculture and even to make the cultivators more prudent in the management of their business, the present class of cultivators can never be educated up to

[22nd December 1954] [Sri K. Bhashyam]

the standard which we have got in mind, but a new class of cultivators must be introduced. It is up to the Government to devise some means to achieve that end. Otherwise, we will be only encouraging them in their imprudent and improvident ways. By inducing young educated men to take to agriculture, we can not only carry on cultivation on a large scale but also increase food production. After all, Sir, cultivation is not quite a profitable production. After all, Sir, cultivation is not quite a profitable production. Unless the Government make cultivation a business proposition, it is not possible to induce young educated persons to take to agriculture, and any amount of propaganda that they should settle in villages will not serve the purpose.

"Then, it is stated that money-lenders oppress the ryots. If we go to the villages, we do not find sowcars and other professional money-lenders. They have been wiped out altogether. There may be one or two money-lenders here and there. The money-lenders are now the cultivators themselves. Money is being lent by one cultivator to another. A man with a little more money and prudent enough to save some money lends it to another man less prudent and unable to save any money. This is the kind of money-lenders we have now. It is only this kind of cultivators who are suffering for want of money. How are the Government going to relieve their sufferings?"

DR. V. K. JOHN :—"What about the Gorwala Committee Report?"

* SRI K. BHASHYAM :—"I know only my country and I do not know anything about Gorwala? (Dr. V. K. John : 'The Government have surveyed rural indebtedness.') The Government may have surveyed it and they are entitled to hold their opinions. They may be right or may be wrong. But I am entitled to hold my own opinion.

"Sir, I was saying that the professional money-lenders have been practically wiped out and now it is only a question of lending money between themselves. The result is the cultivators themselves are now suffering for want of money. They are not able to carry on cultivation on a large scale. For instance, for purchasing chemical manures they must have money. Now they do not have it. Therefore, Sir, when the Government come up again with proposals to extend the period of operation of the Indebted Agriculturists (Temporary Relief) Act, for a further period with or without modifications, they should take into account the interests of both the borrower and the lender who are both cultivators. If they wish to extend the life of the Act, they should lay down certain conditions such as that the borrower should pay the interest due by a particular date, etc. I hope the Government will consider the observations I have made in this connexion when they take up the question of extending the life of the Act.

12-50
P.M.

[Sri K. Bhashyam] [22nd December 1954]

"There is another point I should like to bring to the notice of the Government. Under section 69 of the Transfer of Property Act, 1882, a mortgagee, where the mortgage is an English mortgage, has the power to sell the mortgaged property in default of payment of mortgage money without the intervention of the Court. In the City, there are a large number of *Sowcars* residing and they lend money to agriculturists on mortgage. The type of mortgage entered into by these *Sowcars* is known as 'English mortgage'. Section 69 of the Transfer of Property Act empowers these people to collect the mortgage money by sale of the mortgaged property without the intervention of the Court."

DR. V. K. JOHN:—"I do not think the Government know anything about it."

* SRI K. BHASHYAM:—"Why does the hon. Member think that the Government do not know it? The Government may know it and probably they do not want to protect all those concerned in this type of mortgage."

"Though I support this Bill, I do wish to point out the dangers in a permanent measure of this kind. I remember, Sir, there was a furore when Moscow repudiated the debts owed to America that an international agreement had been repudiated. Such an idea had entered into the minds of the people all over the world then. (Interruption.) The Hon. the Leader of the House says that debts are not repudiated. The Government only say, 'Do not pay for one year'."

SRI M. P. GOVINDA MENON:—"Postponement."

* SRI K. BHASHYAM:—"If the Government were to say that money should be paid after a period of one year or two years or three years or by a certain date, then it will be all right. I know of an instance where a person came to the High Court on a particular date with Rs. 4,000 in his pocket and as soon as he heard of this Act being passed in the form of an Ordinance that very morning, he coolly left the Court without making the payment. Lastly, the Government should know definitely who are the persons that should be benefited by such a measure. As it is, this Act benefits even those who can afford to repay their debts. The Government must consider this matter very deeply. When the Government bring forward legislation in the future, they should give details as to whether debts ought to be repudiated altogether or whether they should be repaid in instalments, what rate of interest should be charged, etc. I have only spoken so that the observations I have made may be taken into consideration by the Government and not for opposing the consideration of the Bill. Therefore, I hope the observations of mine will be taken into account in the spirit in which they are made."

22nd December 1954]

* SRI T. M. NARAYANASWAMY PILLAI:—"Mr. Chairman, Sir, I find it a little bit difficult to follow the arguments of my learned Friend Sri K. Bhashyam. May be the problem is so full of difficulties that it baffles him. I do not know whether he addressed himself to the question which we have to decide in this Bill. The question which the Government have put before us is whether this Indebted Agriculturists (Temporary) Relief Act, 1954, should be extended up to the end of February 1955 or not."

"As for the merits of the original Act, I am under no illusion. I condemn it wholesale. I agree also that it has ruined rural credit. As a matter of fact, it is one of those immoral pieces of legislation; it strikes at the root of society and undermines its progress. Therefore, I am under no illusion with regard to the usefulness of that Act."

"My friend Sri K. Bhashyam was speaking about putting on the land educated men who would be guaranteed an income of about Rs. 2,400 per year for cultivating the lands. I do not know whether it is feasible. But, anyhow whether it is feasible or not, that is not the question now before us. Supposing the Government make a provision for settling young men on the land in the Bill which the Government propose to bring forward, how is it going to help those who have lent money; they want to receive back their money. The problem of settling educated young men is entirely a different problem from the one which is now before us."

"Why has not the Bill giving positive relief to poor agriculturists been brought earlier? It shows carelessness on the part of the Government. When the Government introduced the Indebted Agriculturists (Temporary Relief) Bill at the beginning of this year and passed it, they gave a categorical assurance that the life of the measure would be limited to one year only, i.e., they knew that the Act would and must expire on the 5th February 1955. Then, how is it, Sir, that the Government did not bring forward a Bill sufficiently early? When they ask us to grant extension of life to that Act, they should have at least given us some idea as to the changes they are going to make in the Bill under contemplation. But nothing of this kind has been done. However the extension asked for being a short period, I have no objection to the present Act continuing till the end of February 1955. But the Government must make up their mind and bring forward a Bill by the end of February 1955."

"As Mr. Bhashyam pointed out, rural indebtedness is a very difficult question. Because it is difficult, we should not come to the conclusion that it is impossible to solve it. There have been 1 p.m. countries in which the position in respect of rural indebtedness has been much worse. Yet, by patient and persistent effort, the governments of those countries have been able to redeem the rural debtors and put them on the road to prosperity. This is a very important problem. I do not want to administer to the Government a dose of despair. This question should not be approached

[Sri T. M. Narayanaswamy Pillai] [22nd December 1954]

in a spirit of despair. May be for the last fifty years, we have not succeeded in solving it. But that is no reason why we should give up the attempt. On the other hand, that is all the more reason why we should approach the question with greater firmness, greater strength and greater persistence.

“With these words, I support the Bill.”

SRI M. P. GOVINDA MENON :—“Mr. Chairman, the very fact that the Government want the extension of the present Act for a short period shows that they are contemplating to bring in another measure to replace this Act. The very word ‘moratorium’ means legal authorization to debtors to postpone payment temporarily; it does not mean a complete wiping out of the debt. There is no use of having temporary measures for relieving agricultural indebtedness. The Government should have a permanent measure. In the framing of the contemplated legislation, I am sure the Government will seriously consider the effects of the Moratorium Act on the country. I do not belong to that section of the Opposition to which Mr. Alla Pichai referred, because I belong to a poor class. I believe that this Act has done mischief in the rural areas. Though the Government passed the Act with the best of intentions, it has done harm.

“The Government do not want to take the Opposition into their confidence. A committee of the Congress Party is appointed to go into the question. No doubt the Bill will come up before the Council when the Opposition can express its views. But the Government do not want to consult the Opposition on the principle to be followed in framing the contemplated legislation.

“I would like to make two suggestions for the Government to bear in mind in framing the contemplated legislation. The definition of ‘agriculturist’ must be very restricted. The definition in the present Act is very very wide with the result that even those who do not deserve any relief do get relief. The definition must be restricted to those who are actually employed in cultivation or those who depend entirely upon agriculture for eking out their livelihood.

“There must be a provision to the effect that the agriculturist will not get the relief unless he pays interest for the rent or on the amount borrowed, regularly every year. Ultimately the agriculturist will be the sufferer if the interest is allowed to accumulate.

“With these words, I support the Bill.”

(Sri A. Gajapathy Nayagar began to speak in Tamil.)

DR. V. K. JOHN :—“When a Malayalam speech by an English-knowing Member was not allowed, Tamil speech by an English-knowing Member also should not be allowed.”

MR. CHAIRMAN :—“Malayalam speech was not disallowed.”

22nd December 1954]

* SRI A. GAJAPATHY NAYAGAR :—“மன்றத் தலைவர் அவர்களே, நமது நில வருமான அமைச்சர் அவர்கள் கொண்டு வந்த திருத்த மசோதாவை நான் வரவேற்கிறேன். ஏனென்றால் இது உழவருக்கு உதவி செய்ய வந்த மசோதா.

‘சுமன்று மேர்ப் பின்ன துலக மதனா

லுழந்து முழவே தலை’

‘உழுதுண்டு வாழ்வாரே வாழ்வார் மற்றெல்லாத்
தொழுதுண்டு பின்செல் பவர்’

என்று திருவள்ளுவர் எல்லாத் தொழில்களுக்கும் தலையான தொழில் உழவுத் தொழில் என்றும், உழவர் பெருமக்கள்தான் மற்ற எல்லாத் தொழில்களிலும் ஈடுபட்டிருப்பவர்களைவிடச் சிறந்தவர்கள் என்றும் கூறியிருக்கிறார்.

“ஆகவே, உழவர்களுக்கு எல்லா உதவிகளையும் அரசியலார் செய்து கொடுத்தாகவேண்டும். உழவர்கள் இல்லாவிட்டால் வக்கீல்களும் இல்லை, டாக்டர்களும் இல்லை. சட்டசபை உறுப்பினர்களாகிய நாமும் இல்லை, இந்த உலகமே இல்லையென்றும் சொல்லிவிடலாம். உழவர் பெருமக்கள் தான் இந்த உலகத்திற்கே முக்கியமானவர்களாக இருக்கிறார்கள்.

“அரசியலார் கொண்டுவந்த தீர்மானம் என்ன கோருகிறது? பிப்ரவரி மாதம் ஐந்தாந் தேதியோடு இந்த சட்டத்தின் கெடு முடிவடைந்து விடுகிறது. அதனால் பிப்ரவரி ஐந்தாந் தேதியிலிருந்து மேலும் 25 நாட்கள் இந்தச் சட்டத்தின் கால வரம்பை நீடிக்கவேண்டுமென்று இந்த மசோதா கோருகிறது. அரசியலார் இது சம்பந்தமாக விரிவானதொரு மசோதாவைக் கொண்டுவரும்போது அதில் ஏதாவது குறைகள் இருந்தால் அந்த சமயத்தில் அவைகளை எடுத்துச் சொல்லலாம் என்று நோக்கத்தோடு, இப்பொழுது நான் பேசி காலத்தை வீணாக்கவேண்டாம் என்று என்னுடைய வார்த்தையை இத்துடன் நிறுத்திக் கொள்ளுகிறேன்.”

* THE HON. SRI M. A. MANICKAVELU NAICKER :—“Mr. Chairman, Sir, the Indebted Agriculturists (Temporary Relief) Act was passed with the best of intentions. The Government intended that only the deserving agriculturists should get relief. But in actual working, it was found that even those who did not deserve relief got it. Even at the time of the passing of the Act, the Government expected that some such cases would arise. But they never expected that it would be on such a large scale. The definition of the word ‘agriculturist’ was deliberately made wide, because we did not want that any litigation should arise as to who was an agriculturist and who was not. But now it is necessary to restrict the definition so as to cover only the really deserving agriculturists.

“The hon. Member Mr. Bhashyam went into the larger question of rural indebtedness and said how it could not be completely eradicated, and that ‘it will be there as long as the world lasts.’ But we can reduce rural indebtedness to a certain extent. He referred to cholera and other diseases. I may tell him that cholera and other epidemic diseases have been controlled and subdued and they do not claim that toll which they were claiming before. Likewise, poverty, which is the root cause of indebtedness, could not be eradicated. But there is no doubt that it can be reduced.

[Sri M. A. Manickavelu Naicker] [22nd December 1954]

"Then Mr. Bhashyam talked about educated agriculturists. I think that is not quite germane in this connection. He gave his idea about the general land reform, about the fixing of ceiling, and so on. I am able to know how his mind works. He thinks that that extent of land which will fetch an annual income of two thousand or three thousand rupees will be a fairly good ceiling for an educated person. Then he referred to the question of English mortgage and its implications. I will have it examined.

"We have to consider how far the present Act has affected rural credit. There is no doubt, from the reports and other information we get, that the rural credit system has been affected. There is no gainsaying that. We must see that the rural credit system is maintained unimpaired, because the loans granted by Government, co-operative societies and banks cannot meet the entire demand. The steps we take should be such as will not jeopardize or scare away the rural credit system. As I said, this Act is only for a temporary period and it should not be extended in its present form for any length of time.

1-10 p.m. "As regards the observation of the hon. Member Sri Alla Pichai, we went to the other extreme and said that no amount should be available to the cultivator. No doubt, some people unnecessarily borrow and spend money. I think the hon. Member is out-and-out a citizen of the metropolis and has no idea of the conditions in the rural areas. He must have lost touch with the conditions in the rural parts. Now, rural credit is very necessary for purposes of cultivation. The cultivator wants money for buyings seeds or manure. Sometimes one of his bulls may die. In that case, he has to make up for the loss at once by purchasing another bull. Credit for such purposes is got only from his neighbours. In most cases, such neighbours will be cultivators themselves. Therefore, we must see that the credit system does not break down. The Government have that in view.

"The hon. Member Sri Govinda Menon always has a knack of making some point against the Government. The other day he complained about the cutting of trees in forests. Now, he asks why the Government have appointed a committee of the Congress Party alone. Sir, the Government are backed by a particular Party. They must know, in the first instance, where they are. In every democratic country the Government consult first the Party in power. It does not mean that they ignore others. They must know how their Party stands in regard to a particular matter. If the Government are not backed by the Party in power in regard to a particular matter, there is no use of their going on with it any further. Only with this view that committee was appointed. But the Government propose to take the opinions of hon. Members of the House also. It is very likely that the comprehensive Bill will be referred to a Select Committee. Then the hon. Members who hold critical opinions will have ample opportunity to express their views on the matter. I request the hon. Members to help

22nd December 1954] [Sri M. A. Manickavelu Naicker]

me in making the provisions of the other Bill as reasonable and practicable as possible. I am one with them in making that Bill as good as possible. With these words, I commend the Bill to the acceptance of the House."

MR. CHAIRMAN :—"The question is—

'That the Madras Indebted Agriculturists' (Temporary Relief) Amendment Bill, 1954 (L.A. Bill No. 51 of 1954), as passed by the Assembly, be taken into consideration.'

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

Clauses 2, 3 and 4 were put and carried.

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) Amendment Bill, 1954 (L.A. Bill No. 51 of 1954), as passed by the Assembly, be passed.'

DR. V. K. JOHN :—"I understand that the Hon. Sri Manickavelu Naicker is going to bring in a comprehensive Bill on the subject. Knowing full well that he holds a balanced view, I have every hope that that Bill will be satisfactory and acceptable to all."

MR. CHAIRMAN :—"The question is—

'That the Madras Indebted Agriculturists' (Temporary Relief) Amendment Bill, 1954 (L.A. Bill No. 51 of 1954), as passed by the Assembly, be passed.'

The motion was carried and the Bill was passed.

VI.—GOVERNMENT MOTION.

DRAFT RULES OF PROCEDURE FOR THE MADRAS LEGISLATIVE COUNCIL
UNDER ARTICLE 208 (1) OF THE CONSTITUTION.

* THE HON. SRI M. BHAKTAVATSALAM :—"Sir, I beg to present the Report of the Select Committee on the Rules of Procedure of the Madras Legislative Council appointed in the year 1954 and move—

'That the rules for regulating the procedure and conduct of business of the Madras Legislative Council under Article 208 (1) of the Constitution as formulated by the Select Committee be taken into consideration.'

Printed as Appendix VI at pages 586-590 *infra*.

[22nd December 1954]

MR. CHAIRMAN :—" Motion moved—

'That the rules for regulating the procedure and conduct of business of the Madras Legislative Council under Article 208 (1) of the Constitution as formulated by the Select Committee be taken into consideration.'

DR. V. K. JOHN :—" May I know what procedure will be adopted in regard to the discussion and passing of these rules? "

MR. CHAIRMAN :—" The same procedure as in the case of Bills will be adopted. Amendments will have to be moved and seconded."

SRI K. BHASHYAM :—" In respect of rules to which there is no amendment? "

MR. CHAIRMAN :—" If there is no amendment, the concerned rule will be put to the House and passed."

The motion now before the House is for discussion.

(No hon. Member stood up to speak.)

MR. CHAIRMAN :—" If no hon. Member wants to speak, I shall straightway put the motion to vote. The question is—

'That the rules for regulating the procedure and conduct of business of the Madras Legislative Council under Article 208 (1) of the Constitution as formulated by the Select Committee be taken into consideration.'

The motion was carried and the rules were taken into consideration.

Rule 2.

* SRI K. BHASHYAM :—" Sir, I move the following amendment :—

In sub-rule (f) for the words " the Minister " substitute the words " a member of the Council ".

" Sir, the term ' Leader of the House ' is defined as meaning the Minister appointed by the Government as the Leader of the Council. My point is that the Leader of the Council must be a Member of the Council. That is only logical. But as the definition stands, the Government may appoint a Minister who may not at all be a Member of the Council as the Leader of the Council. I do not want this to happen. It is not only illogical to say that a person who is not a Member of the Council should be the Leader of the Council, but it is also ridiculous.

" The second point is this. If I insist upon a Member of the Council being the Leader of the Council and if the Government are anxious that a Minister must be the Leader of the Council, then there will always be a Member of the Council included in the Cabinet."

[22nd December 1954]

SRI K. BALASUBRAMANYA AYYAR :—" Our life is short and almost indefinite."

* SRI K. BHASHYAM :—" So long as we are alive, we must try to do our best in the circumstances.

" Now, I shall tell my experience. The Hon. Sri Bhaktavatsalam is here. He knows our difficulty. Some motions are passed by the Assembly and transmitted to the Council for concurrence. Some amendments are moved here which are very reasonable. Everybody blesses the amendments. Even the Government agree with the principle of the amendments. But they are afraid that if the amendments are carried, then the motion will again have to be sent to the Assembly and passed by it. Therefore, they say that they do not accept the amendments. But if a Member of the Council is the Leader of the Council, he will realize our difficulties. The present Leader of the House and the present Whip also have felt this difficulty on more than one occasion. So, I commend my amendment to the acceptance of the House.

" Sir, another point was made. It was said: ' What is to happen if the Member of the Council who is a Minister goes out or resigns '. I say there will be a short vacancy for a while and it can be filled up by appointing some other member of the Council as Minister and Leader of the House. What happened when Sri Prakasam resigned? There was not a Member of the Council in the Cabinet. Sri Madhava Menon was appointed Leader of the Council. He was conducting the affairs of this House properly. What will happen if a Member of the Council is appointed Leader of the House? The Heavens will not fall down."

AN HON. MEMBER :—" Was he a minister at the time? "

* SRI K. BHASHYAM :—" He was not a Minister at the time. That is why I mentioned his case. He was made the Leader of the Council and that worked all right. (Interruption.) That is another matter. He resigned because he did not want to continue as Leader of the Council for some personal reasons; not that he did not want to be a Leader as a private member. Therefore I feel that the Leader of this House must be a Member of this House. Otherwise it would not be proper."

DR. V. K. JOHN :—" I very strongly support the amendment moved by the hon. Member Sri Bhashyam. The dignity of the House demands that a Member of this House alone should be appointed as the Leader of this House. He should not be a member of the other House. Whether he is a Minister or not, it does not matter."

MR. CHAIRMAN :—" Amendment moved—

In sub-rule (f) for the words " the Minister " substitute the words " a Member of the Council ".

[22nd December 1954]

* SRI K. BHASHYAM :—" Sir, this is not a Government measure. This is only intended for the proper conduct of the business of this Council. Therefore hon. Members need not feel any difficulty in the matter of voting on these amendments. We are now only dealing with the powers of the Council and not with the Government or anything like that. It is purely a domestic question. It does not concern the Government. I would therefore request hon. Members not to take this as party matter."

DR. V. K. JOHN :—" I give perfect freedom of voting to Members belonging to my party. I would request Government to do likewise in respect of Members belonging to their party."

* THE HON. SRI M. BHAKTAVATSALAM :—" Mr. Chairman, Sir, this amendment was thoroughly discussed in the Select Committee and the Committee did not agree to accept this amendment. If the Leader of this House is to be a Member of the House, I think it should be taken for granted that he should also be a Member of the Government. It is not practical for the Government to have as Leader of the House one who is outside the Government. Of course normally it may be expected that the Leader of the House who will be a Member of the Government will also be a Member of this House. As the hon. Member Sri Bhashyam pointed out contingencies may arise when a Minister who is also the Leader of the House may resign suddenly when the Council is in session. Immediately another Member of this House may not be appointed as Minister. Then there will be no Leader of the House. But the Council cannot be adjourned for that reason. The Government should go on with their business. Therefore, Sir, Government want that power should be there for them to normally appoint a Member of the House as Leader of the House. But Government also do want power to appoint any one of the Ministers as Leader of the House. Therefore I oppose the amendment."

SRI M. P. GOVINDA MENON :—" Supposing the Chief Minister does not appoint any Member of this House as Minister, then what is to happen? "

* THE HON. SRI M. BHAKTAVATSALAM :—" Sir, if no member of this House is appointed as Minister, then, any Minister who is not a Member of this House, will become the Leader of the House."

* SRI K. BHASHYAM :—" By way of reply to the discussion I would like to say this. The argument was advanced that the Minister who was a Member of this House might resign and go out of office suddenly and the business of Government might be dislocated. If the Leader of the House who is a Minister wants to resign for some reason or other the vacancy can be filled up immediately. It is not as if an insuperable difficulty is created by the resignation of a Minister. Only the Chief Minister has to make up his mind and publish a notification saying 'So and so has been appointed the

[22nd December 1954] [Sri K. Bhashyam]

Leader of the House and Minister.' To say that if there is a gap, Government business will be dislocated is not correct at all. That may happen even to-day. The present Leader of the House, so far as he is concerned, may say: 'I do not want this; I will resign'. If he gives up his Ministership there will be a vacancy. In such cases also there must be another appointed in his place. Therefore I submit that the question of a vacancy arising and dislocation of Government business is not relevant at all."

* THE HON. SRI M. BHAKTAVATSALAM :—" Mr. Chairman, Sir, probably the hon. Member has not caught my point. Government's definite view is that the Leader of the House must be a Member of the House."

MR. CHAIRMAN :—" The question is—

'In sub-rule (f) for the words "the Minister" substitute the words "a Member of the Council".'

The amendment was lost.

Rule 2 was put and carried.

Rules 3 and 4 were put and carried.

Rule 5.

* THE HON. SRI M. BHAKTAVATSALAM :—" Mr. Chairman, Sir, I move—

'In sub-rule (1) in line 2, after the word "House" and before the word "allot", insert the words "and the Business Advisory Committee".'

"Sir, this amendment is intended to provide that in allotting time necessary for the discussion of the matters referred to in the Governor's Address the Chairman should consult not only the Leader of the House but also the Business Advisory Committee. Such an amendment has been made in the Assembly Rules also. I do not think that there will be any objection to this amendment."

MR. CHAIRMAN :—" We have not formed the Business Advisory Committee yet."

* THE HON. SRI M. BHAKTAVATSALAM :—" That will be formed immediately we pass these rules, Sir."

* SRI K. BHASHYAM :—" I would suggest 'Business Advisory Committee when formed' or 'Business Advisory Committee if formed'."

* THE HON. SRI M. BHAKTAVATSALAM :—" Following the adoption of the Rules, the Business Advisory Committee will be appointed, Sir. There is provision for it."

[22nd December 1954]

MR. CHAIRMAN :—" The question is—

" In sub-rule (1) in line 2, after the word " House " and before the word " allot ", insert the words " and the Business Advisory Committee " . "

The amendment was carried.

Rule 5, as amended, was put and carried.

Rules 6 to 11 were put and carried.

Rule 12.

* SRI T. PURUSHOTHAM :—" Mr. Chairman, Sir, I move—

" In sub-rule (5) in line 3, for the words " and his proposer and seconder have " substitute the words " or his proposer or seconder has " . "

SRI K. BHASHYAM :—" I second the amendment, Sir. "

* SRI T. PURUSHOTHAM :—" Mr. Chairman, Sir, when the rule is amended as suggested by me it will read thus : ' For the purpose of sub-rule (4), a member shall not be deemed to have been duly nominated or be entitled to vote if he or his proposer or seconder has not, before the reading out of the names by the person presiding, made the oath or affirmation as member of the Council ' . "

* THE HON. SRI M. BHAKTAVATSALAM :—" Mr. Chairman, Sir, the Select Committee considered this and it preferred to retain the rule as it is. The Rules Committee of the Assembly has amended it. But we thought the rule can remain as it is. Therefore I do not think the amendment is necessary. "

* SRI K. BHASHYAM :—" Mr. Chairman, Sir, it will give a better reading, if the rule is amended as suggested. That is all I would like to say regarding this. "

* THE HON. SRI M. BHAKTAVATSALAM :—" Then I do not mind accepting the amendment, Sir. "

MR. CHAIRMAN :—" The question is—

" In sub-rule (5) in line 3, for the words " and his proposer and seconder have " substitute the words " or his proposer or seconder has " . "

The amendment was carried.

* SRI T. PURUSHOTHAM :—" Mr. Chairman, Sir, I should like to have some information from the Hon. Minister. What is to happen if there are only two candidates? The procedure to be followed when more than two candidates contest the election has

[22nd December 1954] [Sri T. Purushotham]

been laid down in the rules. We must make suitable provision in the rules to meet cases when there are only two candidates and also when there is an equality of votes between the two. We can introduce a rule that in such cases where there is an equality of votes, it shall be determined by the drawing of lots. There is no provision in the rule as it is to meet such a situation. "

SRI MOHAMED RAZA KHAN :—" With the huge majority that the Government have, that possibility will not be there. "

* SRI T. PURUSHOTHAM :—" Sir, we can add a rule as sub-rule 5 (a) after sub-rule (5) to the effect that if there are two candidates duly nominated and if there is an equality of votes, the election shall be by the drawing of lots. "

1-30
p.m.

SRI MOHAMED RAZA KHAN :—" Sir, will it be possible to provide for all contingencies in the rules? At this rate, we will have to provide for one thousand contingencies. The rules should be as simple as possible. "

* SRI T. PURUSHOTHAM :—" We have only provided for cases wherein only one member is nominated. If more than one member is nominated and if there is an equality of votes, then we have to decide the election by the drawing of lots. "

SRI MOHAMED RAZA KHAN :—" Sir, we are having the election of Presidents in District Boards. There also such contingencies will happen. We can adopt the usual procedure in such cases. "

* SRI T. PURUSHOTHAM :—" There can be no objection to making the rules as clear as possible instead of leaving them vague. That is why I want that a proviso should be added. "

* SRI K. BHASHYAM :—" Sir, this matter can be taken up after lunch. In the interval, we can think over it. "

MR. CHAIRMAN :—" The House will now rise for lunch and meet again at 2-30 p.m. "

The House then rose for lunch.

(After lunch—2-30 p.m.)

* SRI K. BHASHYAM :—" Sir, I shall explain the point. Article 182 of the Constitution says that the Legislative Council shall choose two members of the Council to be respectively Chairman and Deputy Chairman and Article 189 mentions that all matters coming before the Council shall be decided in a particular manner. The person presiding over the meeting will have a casting vote. So when there are two candidates and there is an equality of votes, the casting vote of the person presiding will be exercised. The difficulty will be felt when there are more than two candidates and a particular procedure has to be prescribed which would be in accordance with Article 182. I therefore suggest that Rule 12 (3)

[Sri K. Bhashyam] [22nd December 1954]

which provides that an election shall take place at a meeting of the Council may be omitted and the clause which I suggest, namely, that in case of an equality of votes, the determination of the successful candidate shall be by the drawing of lots, may be added. I think this rule has been omitted in the new Assembly Rules. Article 189 mentions the procedure to be adopted and how the question has to be decided."

SRI K. BALASUBRAMANYA AYYAR:—"Sir, Article 189 does not govern. That is with regard to the conduct of the business of the House. So far as the election of Chairman and Deputy Chairman is concerned, we must have separate rules. If Rule 12 (3) is omitted, we will have to resort to various other methods which will only make matters complicated."

* SRI K. BHASHYAM:—"Now we have got several Committees. What happens in the case of election to the House Committee or in the case of election of a representative to the University? An election by ballot is held in the Chamber of the Secretary or Chairman. That may be adopted even here."

MR. CHAIRMAN:—"In the Assembly Rules, they have not omitted Rule 12 (3). They have retained it."

* SRI K. BHASHYAM:—"Sir, it is wrong to do so. That is my submission."

SRI T. PURUSHOTHAM:—"I invite the attention of the hon. Member to Article 178 of the Constitution."

* SRI K. BHASHYAM:—"Article 178 merely says that the House shall choose two members. How to choose a member is not mentioned. Therefore, I would like the Hon. Minister to omit either Rule 12 (3) or accept the amendment which I move—

'Add the following as new sub-rule (8):—

"(8) Where there are two candidates duly nominated, an election by ballot shall be held and the candidate obtaining the larger number of votes shall be declared elected. In the case of an equality of votes, the determination of the successful candidate shall be by the drawing of lots." "

The amendment was duly seconded.

MR. CHAIRMAN:—"Amendment moved—

'Add the following as new sub-rule (8):—

"(8) Where there are two candidates duly nominated, an election by ballot shall be held and the candidate obtaining the larger number of votes shall be declared elected. In the case of an equality of votes, the determination of the successful candidate shall be by the drawing of lots." "

22nd December 1954]

* THE HON. SRI M. BHAKTAVATSALAM:—"Sir, the amendment can be accepted and this can be added as an additional proviso."

MR. CHAIRMAN:—"The question is—

'Add the following as new sub-rule (8):—

"(8) Where there are two candidates duly nominated, an election by ballot shall be held and the candidate obtaining the larger number of votes shall be declared elected. In the case of an equality of votes, the determination of the successful candidate shall be by the drawing of lots." "

The amendment was carried.

Rule 12, as amended, was put and carried.

Rule 13.

* SRI T. PURUSHOTHAM:—"Sir, I move the following amendment:—

'In sub-rule (5) in lines 2 and 3, for the words "and his proposer and seconder have", substitute the words "or his proposer or seconder has".' "

The amendment was duly seconded.

The amendment was put and carried.

* THE HON. SRI M. BHAKTAVATSALAM:—"We must have an additional rule as in Rule 12 here also. I move—

'Add the following as new sub-rule (8):—

"(8) Where there are two candidates duly nominated, an election by ballot shall be held and the candidate obtaining the larger number of votes shall be declared elected. In the case of an equality of votes, the determination of the successful candidate shall be by the drawing of lots." "

The amendment was put and carried.

Rule 13, as amended, was put and carried.

Rules 14 to 22 were put and carried.

Rule 23.

* SRI T. PURUSHOTHAM:—"Sir, I move the following amendment:—

'In sub-rule (1) in the first proviso, for the words "a Minister", substitute the words "the Leader of the House".' "

SRI K. BHASHYAM:—"Sir, I second the amendment."

[22nd December 1954]

MR. CHAIRMAN :—" Amendment moved—

' In sub-rule (1) in the first proviso, for the words " a Minister ", substitute the words " the Leader of the House ".' "

* SRI T. PURUSHOTHAM :—" Sir, as it is, any member of the Cabinet may move a motion for changing the business of the House from ' non-official ' to ' official.' I want that it should be done only by the Leader of the House and not by any other Minister. That is why I have proposed the amendment."

* THE HON. SRI M. BHAKTAVATSALAM :—" Normally it is the Leader of the House that makes such a motion. The rule has been framed to provide for any contingency. It may be that the Leader of the House is absent in the House and it is only to enable any other Minister to make the motion that there is such a provision."

* SRI K. BHASHYAM :—" Sir, I think the amendment is necessary for another reason also. The rule says that a Minister, who is not the Leader of the House, may move the motion. Suppose the Minister who makes a motion is not a member of this House. If he moves such a motion, it is something extraordinary. The Leader of the House is there and he can be consulted. So far as this is concerned, the Leader of the House may be charged with this duty rather than any Minister who is present at the time."

* THE HON. SRI M. BHAKTAVATSALAM :—" There is the Leader and there is no Deputy Leader. It may happen sometimes that the Leader is absent. He may have just gone out, and the motion may have to be moved. Therefore, I do not think there is anything wrong in keeping the rule as it is."

The amendment was by leave of the House withdrawn.

* SRI K. BHASHYAM :—" Sir, this is a question of taking away the non-official days for official business. The Government always promise that in lieu of the non-official days taken for official business, they will allot other days for non-official business. Very often it happens that after the close of the official business, non-official business is not at all taken up. It is a thing which really affects the rights of the Members to transact non-official business. If non-official days are taken for official business, the Hon. Chairman must allot a day to make up for that lost day. The Hon. Chairman must compel the Government to allot days for days taken over for official business. Therefore, I think, Sir, instead of saying ' may allot ' it should be ' shall allot '. This will really safeguard the interests of the Members of this House. It must be a case of ' shall ' and not ' may '."

" Sir, I move the amendment standing in my name, namely :—

' In sub-rule (1) in the second proviso, in line 3, for the word " may ", substitute the word " shall ".' "

22nd December 1954]

SRI T. PURUSHOTHAM :—" Sir, in seconding the amendment, I would request the Hon. Minister to accept it."

MR. CHAIRMAN :—" Amendment moved—

' In sub-rule (1) in the second proviso, in line 3, for the word " may ", substitute the word " shall ".' "

SRI K. BALASUBRAMANYA AYYAR :—" A contingency has actually arisen to-day. On Thursday we go away and on Saturday we cannot sit."

* SRI K. BHASHYAM :—" We can meet on any other day for non-official business."

* SRI A. GAJAPATHI NAYAGAR :—" Sir, we have got the question-hour every day. The whole one hour is not used. There are some 15 minutes or more every day available for non-official business. Why not that time be allotted for non-official business? That time can be utilized for non-official business, if the Government are sincere."

* THE HON. SRI M. BHAKTAVATSALAM :—" Sir, some non-official days are taken over for official business as to-day was taken over. But I do not think the taking over of non-official days has held up non-official business. Discretion vests in the Chairman. I can understand the feelings of hon. Members here that there should be no discretion given to the Chairman but that the rule must be obligatory. Sir, you are the custodian of the rights of the House and discretion is given to you. The discretion is very safe in your hands. I do not think we must tamper with this rule and make it obligatory on the Chairman to allot a day. As the hon. Member Mr. Balasubramanya Ayyar points out, to-day (a non-official day) was taken over for official business. For that reason it should not be obligatory on your part to say that this House should sit on the 24th December (Christmas eve) for transacting non-official business. This compulsion should not be there."

MR. CHAIRMAN :—" The question is—

' In sub-rule (1) in the second proviso, in line 3, for the word " may ", substitute the word " shall ".' "

The amendment was lost.

Rule 23 was put and carried.

Rules 24 and 25 were put and carried.

Rule 26.

* SRI T. PURUSHOTHAM :—" Sir, I move the amendment standing in my name, namely :—

' In sub-rule (4) in line (2), omit the words " written legibly on good paper and " and also lines 3 and 4.' "

[Sri T. Purushotham] [22nd December 1954]

Sir, hon. Members know their duty, and it is not proper that we should be treated as school boys and that there should be a rule to say that we should write on good paper and write legibly. It is too drastic I should say to add in the rule: 'Otherwise, it shall be liable to be rejected'. (Interruption by Sri K. Balasubramanya Ayyar.) Let not the hon. Member interrupt me please. I make bold to say that all these are not necessary. We are writing very legibly and on good paper and we know our responsibility. I would therefore request the Hon. Minister to accept this amendment."

Mr. CHAIRMAN:—"Amendment moved—

'In sub-rule (4) in line (2), omit the words "written legibly on good paper and" and also lines 3 and 4.'"

* THE HON. SRI M. BHAKTAVATSALAM:—"Sir, you are aware that the office has pointed out that they are not able to read the name of the hon. Member who has signed that letter. If they are unable to trace the name of the Member from his writing, how can they take action on that letter? This rule is not an innovation. There is the corresponding rule in the House of the People which says that every notice or communication by a member shall be given in writing addressed to the Secretary and signed by the Member giving the notice. The words 'written legibly on good paper' have to be there. There is nothing derogatory affecting the Members. What is required has been mentioned in the rule."

SRI K. BALASUBRAMANYA AYYAR:—"Will the Government supply us with good paper to write on?"

SRI A. GAJAPATHY NAYAGAR:—"Can I write on one-side paper (one-side printed paper)?"

SRI K. BALASUBRAMANYA AYYAR:—"That one-side paper may contain scurrilous matter."

SRI A. GAJAPATHY NAYAGAR:—"No. Very good matter may be on one-side paper."

The amendment was by leave of the House withdrawn.

Rule 26 was put and carried.

Rules 27 to 29 were put and carried.

Rule 30.

* SRI T. PURUSHOTHAM:—"Sir, I move the amendment standing in my name, namely:—

'Omit the rule.'

Sir, I consider there is no need at all for the proposed rule. If the answer to any question is long it could be printed and placed on the table of the House, and the question need not be converted into an unstarred question. I request the Government to accept my amendment."

The amendment was duly seconded.

22nd December 1954]

* THE HON. SRI M. BHAKTAVATSALAM:—"Sir, this rule is based on Rule 63 of the Lok Sabha Rules and the corresponding Rule 40 of the Council of States Rules. I think it is better to leave the discretion with the Chairman. Of course the hon. Member will notice that there is a proviso to Rule 30. It is provided therein that the Chairman can call upon the Member to state his reasons for his preferring to have an oral answer. On getting the answer, the Chairman will decide the question. It is safer to leave this discretion with the Chairman. So, I oppose the amendment."

The amendment was by leave of the House withdrawn.

Rule 30 was put and carried.

Rules 31 and 32 were put and carried.

Rule 33.

SRI K. BALASUBRAMANYA AYYAR:—"Sir, the hon. Member Dr. A. Sreenivasan has asked me to move the amendment standing in his name."

Mr. CHAIRMAN:—"That is not allowed."

Rule 33 was put and carried.

Rule 34 was put and carried.

Rule 35.

* SRI T. PURUSHOTHAM:—"Sir, I move the amendment standing in my name, namely:—

'In sub-rule (4) in the first line, after the word "called", insert the following:—

"for want of time shall be carried over for answer at the next sitting."'

Considering the importance of the questions put to Hon. Ministers to elicit information, I propose that all questions left over on any day should be carried over for answer the next day we happen to sit. Of course all unanswered questions with their answers will be printed in the proceedings. But I say starred questions should be carried over for answer to the next day of sitting so that Members may have the benefit of the oral answer instead of getting to know the answer from the printed proceedings, which take a long time to be supplied."

The amendment was duly seconded.

Mr. CHAIRMAN:—"Amendment moved—

'In sub-rule (4) in the first line, after the word "called" insert the following:—

"for want of time shall be carried over for answer at the next sitting."'

[22nd December 1954]

* THE HON. SRI M. BHAKTAVATSALAM :—" Sir, I do not think this should be an invariable rule. Even according to the present rule if any hon. Member wants that his question, which is not reached, should be put down for answer on the next day, or if he wants the question, even when reached, to be put down for answer on the next day, he could say so. This provision is there. I think this is adequate. Otherwise, if it should become the invariable rule, it will result in lot of inconvenience. Then every day, this will take up more of the time of the House. Even now there are complaints by hon. Members that questions put down for answer are not given oral answers. So, I would request the hon. Member to withdraw his amendment. It is enough if the hon. Member concerned states that his question may be taken up on some other day."

The amendment was, by leave of the House, withdrawn.

Rule 35 was put and carried.

Rules 36 to 38 were put and carried.

Rule 39.

* SRI K. BHASHYAM :—" Sir, I move the amendment standing in my name, namely :—

'Add the following at the end :—

"and in the latter case, the Chairman may in his discretion set down the question again for being answered at a subsequent early date."

Sir, this is another question which affects the privilege of the Members of the House. Very often the Ministers try to escape cross-examination on the floor of the House by merely stating that they want notice. Even in respect of small matters, they do not give full information which means that they do not come prepared or are not willing to give the answer. In such cases, I want that the Chairman must have discretionary powers to set down such questions for being answered at a subsequent sitting of the House so that the Member concerned need not again give notice of a fresh question and wait for a reply. I do not say that all such questions must be set down in the agenda of subsequent days. I only say that whenever the Chairman thinks that a particular question can thus be put down for answer on the subsequent days' agenda, he may do so. Now, what happens is this. On a particular day, a Minister might have said, 'I want notice' in respect of a certain question. At a subsequent sitting of the House, we have seen some of the Members asking, 'With reference to the answer given by the Minister on such and such day, may I ask . . . ?' It may be that some of the Members might not have attended the House on the previous day and so they will not know what the original question and answer were. That is why I say that in case the Hon. Chairman is satisfied that a particular question to answer which a Minister might have asked for notice, can be set down in the agenda

22nd December 1954] [Sri K. Bhashyam]

of a subsequent sitting of the House for being answered, it can be done. If it is a question involving preparation of statistics, it need not be set down for a future sitting in this manner. But in small matters in which the information asked for by the Member concerned could be easily given, I do not see any reason why my suggestion cannot be accepted. Moreover, I have left this matter to be decided by the Chairman. I think this is a simple amendment which can be accepted."

The amendment was duly seconded.

MR. CHAIRMAN :—" Amendment moved—

'Add the following at the end :—

"and in the latter case, the Chairman may in his discretion set down the question again for being answered at a subsequent early date."

* THE HON. SRI M. BHAKTAVATSALAM :—" Sir, this proposal of the hon. Member was discussed in the Select Committee also. The idea of the Committee was that the amendment could not be accepted as it will cause unnecessary embarrassment to the Chairman. Sir, most of the questions are answered on the floor of the House. But, in respect of many of the supplementary questions put by the hon. Members, the Minister has to get information from departments concerned. Suppose we are to give discretion to the Hon. Chairman to set down some of these questions for being answered at a subsequent sitting at the request of the Member concerned. Then, the Hon. Chairman must know when the Government will be in a position to answer that particular question. These are the practical difficulties which we have to take into account. I think there should be no difficulty for the hon. Members to give notice of a fresh question. There are clean sheets of paper available on the table before the hon. Members. They can take one of them, write down the question and hand it over to the Hon. Chairman or the Secretary. That will be enough. This should not be the responsibility of the Chairman. This ought to be the responsibility of the hon. Member who wants the information. After all, all the Members may not be interested in getting the information. Such of the Members who want to get further information in any matter may very well write down the question and hand it over immediately to the Secretary. So there is no need for the amendment."

The amendment was, by leave of the House, withdrawn.

Rule 39 was put and carried.

Rules 40 to 43 were put and carried.

Rule 44.

* THE HON. SRI M. BHAKTAVATSALAM :—" Sir, I move—

'In line 2 after the word "before" and before the words "the list", insert the words "the further business set down in".'

[Sri M. Bhaktavatsalam] [22nd December 1954]

This is a formal amendment. Questions and answers also form part of the business of the day. So we want to make it clear that before the further list of business for the day is entered upon the Chairman may ask the leave of the House to make the adjournment motion."

MR. CHAIRMAN :—" The question is—

' In line 2 after the word " before " and before the words " the list ", insert the words " the further business set down in " . ' "

The amendment was carried.

Rule 44, as amended, was put and carried.

Rule 45 was put and carried.

Rule 46.

* SRI K. BHASHYAM :—" Sir, I move—

' For the word " may ", substitute the word " shall " or in the alternative the word " will " . ' "

Sir, this was a much debated point in the Select Committee. I am appealing from the Select Committee to the House. So, there is no point in the argument that a particular point was already discussed in the Select Committee. After all, the Select Committee was a small body and it may not be possible for it to decide the question properly. That is why I said that I am appealing from the Select Committee to the House. The right to move adjournment motions is a very important and valuable privilege of the Members of the House. It has to be exercised very cautiously by the Members and when a motion is rejected, it should be done equally cautiously by the authority concerned. I advise caution on both sides. I do not merely say that the Members alone are to be cautious. I say that the authority empowered to reject the motion should equally be cautious. There must be equal responsibility on both. If you read rules 44 to 46, the relevancy of my amendment will be clear. According to these rules, a Member desirous of moving an adjournment motion must first give the motion in writing to the Chairman and obtain his consent. This means that the Member concerned will have to see the Chairman in his chamber, give the motion, explain the position to him and get his consent. At that time the Chairman might have come to some judgment or conclusion and given his consent. This is the first hurdle that the Member has to cross. When the motion comes up before the House, the Member has to cross another hurdle. When it actually comes up before the House, the Minister concerned may rise up and say that the motion was not in order. Or, some other private Member may say that the motion was not in order. Or the Hon. Chairman himself in the interval might have come to a different conclusion altogether and may take the view that the motion was not in order. When the Member, after crossing

22nd December 1954]

[Sri K. Bhashyam]

so many hurdles comes up before the House with the motion, it is not proper merely to say that his motion was rejected. In fairness to the Member concerned, the Chairman must tell the reason for rejecting the motion. It is not merely a question of fairness. The Chairman must give the specific grounds on which he has rejected the motion. If specific grounds for coming to a particular conclusion or judgment are not given, then it is no judgment at all. I know every Chairman, I mean every fair Chairman will clearly state his reasons for rejection. It is not as if all the Chairmen will be as fair as the present Chairman. There may be Chairmen who may not be as fair as they are expected to be. So, we have to provide for unfair Chairmen also. I only want to make a general provision so that it may be of use in future. Let us make a definite provision that the Chairman must state his reasons for rejection."

SRI K. BALASUBRAMANYA AYYAR :—" Suppose he does not state his reasons? "

* SRI K. BHASHYAM :—" That is why I want to make it obligatory by substituting the word ' shall ' in the place of the word ' may '. If it is considered disrespectful to the Chair, the word ' will ' may be used instead of ' shall '. I have absolutely no objection. That is why I have stated in my amendment that the word ' will ' may be inserted in the alternative. Sri Balasubramanya Ayyar raised the question as to what would happen if in spite of this amendment the Chairman did not state his reasons. Well there is a way of meeting that situation. It will be an obligation on him. When there is a specific rule saying that the Chairman must state the reasons for rejecting any particular adjournment motion I do not think any Chairman will say, ' No, I will not state the reasons. I will not obey the rule ' . He cannot do that, he will not do it either. Moreover there is the general public. If it is not made obligatory on his part to state the reasons, he may state the reasons or may not according to the present rule. He will be perfectly in order if he says that it is left to his discretion whether to give the reason or to refuse it. If it was made obligatory on his part to state the reason, then he cannot say like that. When the Member crosses so many hurdles and gets the consent of the Chairman also in respect of a particular motion of urgent public importance, it is but right and proper that the Chairman should state in the House the reason for rejecting the motion. He should not reject the motion *a priori* or arbitrarily.

" Therefore I say that he should give his reasons. The rule as it is gives absolute discretion to the Chairman and this provision will be taken advantage of by a Chairman who may not be fair to the Members."

The amendment was duly seconded.

[22nd December 1954]

MR. CHAIRMAN :—" Amendment moved—

'For the word " may ", substitute the word " shall " or in the alternative the word " will ".'

* THE HON. SRI M. BHAKTAVATSALAM :—" Sir, I do not at all put in the plea that whatever the Select Committee has decided must be accepted in toto by this House. I have just gone through the concerned rule of the Lok Sabha and I find that there also the rule has been framed only on our lines. It gives discretion to the Chairman. The word ' may ' is there. I do not think we should make it mandatory on the part of the Chairman to state his reasons. If the hon. Member has no fears about a fair Chairman, then his fear about an unfair Chairman is just a possibility. If a fair Chairman gives his reasons and if an hon. Member is not satisfied with these reasons, he might rise and say ' it is of course mandatory on the Chairman to give reasons but what he gave are not reasons.' As regards an unfair Chairman, the fears of the hon. Member can only be imaginary. If they are real, how can this amendment help to remove his fear? An unfair Chairman might say something because it is obligatory on his part to give reasons and tell the House ' I have stated the reasons '. So, the difficulties expressed by the hon. Member are not met by his amendment. It is also not right to make such a thing mandatory. Therefore, the hon. Member will please withdraw his amendment."

The amendment was, by leave of the House, withdrawn.

Rule 46 was put and carried.

Rules 47 to 50 were put and carried.

Rule 51.

* THE HON. SRI M. BHAKTAVATSALAM :—" Sir, I move—

'In line 1, after the words " discuss a " and before the word " matter ", insert the word " definite ".'

This is a verbal amendment. We feel that the word ' definite ' should be there."

MR. CHAIRMAN :—" The question is—

'In line 1, after the words " discuss a " and before the word " matter ", insert the word " definite ".'

The amendment was carried.

Rule 51, as amended, was put and carried.

Rules 52 and 53 were put and carried.

Rule 54.

* SRI T. PURUSHOTHAM :—" Sir, I move—

'In lines 4 and 6, for the word " ten ", substitute the word " fifteen ".'

22nd December 1954] [Sri T. Purushotham]

In fact, I should have proposed that the entire chapter be omitted. I feel that there is no need at all for any kind of ' no confidence ' motion being moved against the Chairman or the Deputy Chairman. Of course, the Constitution provides that a Chairman or Deputy Chairman may be removed by a resolution of the Council. There is no need for a chapter on that subject in the rules but since the Select Committee had already accepted it, I did not send in any amendment seeking its omission. My amendment proposes that fifteen persons should stand in their places to accord leave for the motion to be taken up, instead of ten. ' Ten ' appears to be too low for a resolution like this and so it is I propose that ' fifteen ' Members should be there to accord leave to move the same."

MR. CHAIRMAN :—" The amendment falls through for want of a seconder."

* THE HON. SRI M. BHAKTAVATSALAM :—" For the information of hon. Members, Sir, I may point out that since the Constitution provides for the removal of Chairman and Deputy Chairman under certain circumstances it is but right on our part to make a provision in the rules themselves. And then, Sir, as regards the number, even in the Assembly, the number is fixed at 30 out of the total membership of 232. Here our quorum is 10 and there is no reason why it should not remain in respect of this rule also."

Rule 54 was put and carried.

Rule 55.

* THE HON. SRI M. BHAKTAVATSALAM :—" Sir, I move—

'In sub-rule (1) (a), in line 2, after the word " before " and before the words " the list ", insert the words " the further business set down in ".'

MR. CHAIRMAN :—" The question is—

'In sub-rule (1) (a), in line 2, after the word " before " and before the words " the list ", insert the words " the further business set down in ".'

The amendment was carried.

* SRI T. PURUSHOTHAM :—" Sir, I move—

'In sub-rule (2), in lines 4 and 8, for the words and figures " 20 members " substitute the words and figures " 15 members ".'

Sir, here again, I thought that there was no need at all for this chapter relating to want of confidence in the Ministry. The Constitution does not provide for any such motion. The Constitution provides that the Council of Ministers shall be collectively responsible to the Legislative Assembly of the State. So, the Ministers

[Sri T. Purushotham] [22nd December 1954]

are not responsible to the Council. Any such motion passed by this House will not affect the position of Ministers. But still, since the Select Committee has approved of this provision in the Rules I did not want to give notice of an amendment for the omission of the chapter. In the Assembly Rules, the number of members to give leave for such a motion is fixed at 25 and that is in a House of 232 members. I want that the number here, viz., 20 as proposed in the draft Rules should be reduced to 15. Just now it was stated by the Hon. the Leader of the House that in the Assembly the number to give leave for a motion for the removal of the Speaker was 30 and that it should be ten here. Now, if the same proportion is to be adopted here, dividing 25 by 3 the figure should be fixed at eight. I however put it at 15."

SRI M. P. GOVINDA MENON:—"I second the amendment."

THE HON. SRI M. BHAKTAVATSALAM:—"I accept the amendment."

MR. CHAIRMAN:—"The question is—

'In sub-rule (2), in lines 4 and 8, for the words and figures "20 Members", substitute the words and figures "15 members".'

The amendment was carried.

Rule 55, as amended, was put and carried.

Rule 56.

* THE HON. SRI M. BHAKTAVATSALAM:—"Sir, I move—
'In sub-rule (2) in line 2, after the word "before" and before the words "the list" insert the words "the further business set down in".'

MR. CHAIRMAN:—"The question is—

'In sub-rule (2) in line 2, after the word "before" and before the words "the list" insert the words "the further business set down in".'

The amendment was carried.

Rule 56, as amended, was put and carried.

Rules 57 and 58 were put and carried.

Rule 59.

* THE HON. SRI M. BHAKTAVATSALAM:—"Sir, I move—
'In line 1, for the word "rule" substitute the word "Chapter".'

Rule 59 refers to the question of admissibility of motions on matters of urgent public importance. This amendment seeks to cover the points dealt with in that rule also."

22nd December 1954]

MR. CHAIRMAN:—"The question is—

'In line 1, for the word "rule" substitute the word "Chapter".'

The amendment was carried.

Rule 59, as amended, was put and carried.

Rule 60 was put and carried.

Rule 61.

* SRI T. PURUSHOTHAM:—"Sir; I move—

'Add the following as new proviso before "Explanation":— 3-10 p.m.

"Provided any member may give notice of and address any question in Tamil and such questions shall be answered in Tamil, arrangement being made to enter them in the list of questions in Tamil with their English translation."

"I need hardly point out how happy the members would be to put questions in Tamil. In fact several hon. Members have been demanding that they should be given an opportunity to put questions in Tamil since they could not follow English. Therefore it is absolutely necessary that we should make an arrangement like this by which members would be permitted to send their questions in Tamil. They could be translated in the office in English and when the Agenda is prepared the questions could be printed in Tamil with English translation. We should also prescribe in the rules that Hon. Ministers should reply to such questions in Tamil."

SRI K. BHASHYAM:—"I would like to suggest a modification. Instead of saying that the Minister 'shall answer in Tamil', we may say, as a practical solution, that the Minister shall answer in Tamil 'as far as possible'. There may be some Ministers who do not know Tamil. There is Mr. A. B. Shetty. Therefore what I suggest as a modification would be allright."

SRI T. PURUSHOTHAM:—"Sir, I agree to the modification suggested."

* SRI A. GAJAPATHY NAYAGAR:—"I second the amendment, Sir. While seconding I wish to say that we should make some *bona fide* beginning. A member is now permitted to put questions, I mean, supplementary questions in Tamil. Then he expects an answer in Tamil only for when he puts his supplementary in Tamil, it means that he could not follow an English answer. In fact there are some hon. Members who could not follow English and as such are prevented from participating in the discussion of the House fully. Therefore let us make some *bona fide* start in making Tamil the official language of the State. It is only by such a step that we could infuse confidence in the people. I therefore agree with the amendment suggested by

[Sri A. Gajapathy Nayagar] [22nd December 1954]

Mr. Bashyam that whenever questions are put in Tamil, as far as possible, the answers given by the Minister may be in Tamil, without causing inconvenience to other Members."

MR. CHAIRMAN :—" Amendment moved—

' Add the following as new proviso before " Explanation " :—

" Provided any member may give notice of and address any question in Tamil and such questions shall be answered in Tamil, arrangement being made to enter them in the list of questions in Tamil with their English translation." "

SRI M. P. GOVINDA MENON :—" I oppose this amendment. The present Madras State is a composite State. I do not know why there should be such a prominence for Tamil alone, when there are other regional languages of the State, viz., Malayalam and Kanarese. The present Madras State is a composite State containing the three regional languages of Tamil, Malayalam and Kanarese. Why this partiality for Tamil alone? Such a partiality for Tamil amounts to Tamil imperialism, which so long as I am here I would never tolerate. When questions are put and answered in Tamil, how can we Malayalee Members follow? Therefore so long as we continue as a composite State wherein we have the three languages of Tamil, Malayalam and Kanarese, the partiality for Tamil would not be tolerated. Therefore I would request Mr. Purushothama Mudaliar to withdraw his amendment and not to create trouble in this House in this matter."

SRI MOHAMED RAZA KHAN :—" I agree with the views expressed by Mr. Govinda Menon but not with the vehemence with which he echoed his feelings. It is not as if all hon. Members of this House are conversant with Tamil. It is not as if all Ministers are also proficient in Tamil and could reply in Tamil. We are now a composite State wherein we have the three languages of Tamil, Malayalam and Kanarese. I know, for instance, in the present Council there are some hon. Members who cannot participate in the discussion because of their not knowing English or because they do not like the discussion in English. As I said we cannot expect the Ministers to be proficient in all the languages. Suppose one were to put a question in Malayalam. We cannot stipulate that the Minister should reply only in Malayalam for all the Ministers may not know Malayalam. I know in the last Assembly three or four members were continuously putting questions only in Tamil and asking the Ministers to reply only in Tamil, for they could not follow English. It has been the practice in the old Assembly and also in the present Council that whenever an hon. Member not knowing English persistently asks the Hon. Minister to give a translation of his reply in English, his request is normally complied with. I think that practice should be continued hereafter also. Even Mr. Sitharama Reddi who was an Andhra, and who was not conversant with Tamil was always

22nd December 1954] [Sri Mohamed Raza Khan]

depending upon the help of his colleague Mr. Bhaktavatsalam for answering those questions. After all those Members who do not know English seek the aid of somebody else in putting their questions. I do think that answering questions in Tamil in the House would create confusion because we have Malayalee and Kanarese Members who cannot follow Tamil. Therefore I would request Mr. Purushothama Mudaliar to withdraw his amendment in order to avoid confusion."

SRI V. V. RAMASWAMI :—" தலைவர் அவர்களே, கனம் அங்கத்தினர் ஸ்ரீ புருஷோத்தம முதலியார் கொண்டு வந்திருக்கும் திருத்தத்தை நான் ஆதரிக்கிறேன். சட்ட சபையில் தமிழில் கேள்விகள் கேட்டு, அவைகளுக்குத் தமிழில் பதில் சொல்ல வேண்டும் என்று கோருகின்ற இந்தத் திருத்தமானது இந்த ராஜ்யத்திலுள்ள பெரும்பாலான மக்களின் எண்ணத்தையும் அவாவையும்தான் பிரதிபலிக்கிறது. அப்படியிருக்கும் போது திருவாளர் கோவிந்த மேனன் பேசும்போது, தமிழை மர்த்திரம் இந்த விதியில் சேர்த்துக் கொள்ளக்கூடாது என்று மறுப்பு சொல்வதற்கு முன், அவருடைய மொழியாகிய மலையாளத்தையும் சேர்த்துக்கொள்ள வேண்டுமென்று கேட்டுக் கொண்டிருந்தால் அது மிகவும் பொறுத்தமாக இருந்திருக்கும். அதை விடுத்து 'தமிழ் ஆதிக்கம்' என்று அவர் வற்புறுத்திச் சொல்ல முற்பட்டது மிகவும் வருந்தத்தக்கது.

" இந்த ராஜ்யத்தின் பெரும்பாலான ஜில்லாக்களில் தமிழ் மக்கள் வசிக்கிறார்கள். ஒரு மலையாள ஜில்லாவும் ஒரு கன்னட ஜில்லாவும் இந்த ராஜ்யத்தில் இருக்கின்றன. ஆகவே, பெரும்பாலாக இருக்கும் தமிழ் மக்களுடைய ஆசைகளுக்கும் நோக்கங்களுக்கும் இவர்கள் இடையூறு செய்வார்களானால் அந்தச் செய்கையானது பெரும்பாலான மக்களிடத்திலே வெறுப்பை உண்டாக்கும். இந்த அரசாங்கம் உண்மையிலேயே தமிழர்களால் இயங்கும் அரசாங்கமாகும். கனம் அங்கத்தினர் ஸ்ரீ கஜபதி நாயகர் தமிழில் உண்மையான ஆர்வமும் நம்பிக்கையும் கொண்டிருப்பதோடு தமிழ் இந்த ராஜ்யத்தின் ஆட்சி மொழியாகவும் வரவேண்டுமென்று ஆவலுடன் இருக்கிறார். இந்த ராஜ்யத்தில் பெரும்பாலான தமிழ் மக்கள் இருப்பதால் அவர்களுடைய எண்ணங்களையும் விருப்பங்களையும் சட்டசபையில் தமிழில் எடுத்துச் சொல்லி நல்ல முறையில் பணியாற்றுவதற்கான வாய்ப்பாக இந்தத் திருத்தம் அமைந்திருப்பதால் இந்தத் திருத்தத்தை எல்லோரும் ஒப்புக்கொள்ள வேண்டுமென்று நான் கேட்டுக்கொள்கிறேன். இந்த அரசாங்கத்திற்கு உண்மையாக தமிழில் ஆர்வம் இருக்கும் பட்சத்தில் இந்தத் திருத்தத்தை ஏற்றுக்கொள்ளவேண்டும்."

SRI A. CHIDAMBARA MUDALIYAR :—" தலைவர் அவர்களே, இந்தச் சபையில் கேள்விகள் தமிழில் கேட்கவும் தமிழில் பதிலளிக்கவும் கோரும் இந்தத் திருத்தத்தை நான் வரவேற்கிறேன். இந்தச் சபை அதை ஏற்றுக்கொள்ளும் என்று நான் நம்புகிறேன். இந்தச் சபையில் பெரும்பாலான அங்கத்தினர்கள் தமிழ் தெரிந்தவர்கள். அவர்கள் இந்தத் திருத்தத்தை வரவேற்கிறார்கள். தமிழ் தெரியாது என்று இந்தத் திருத்தத்தை எதிர்க்கக்கூடியவர்களும் இந்தச் சபையில் விரல்விட்டு எண்ணிவிடக்கூடிய தன்மையில் இருக்கிறார்கள். பெரும்பாலாக உள்ள தமிழர்கள் இந்தத் திருத்தத்தை வரவேற்பதன்காரணமாக இதை அங்கீகரிக்கவேண்டுமென்பதுதான் என்னுடைய அபிப்பிராயம்."

* SRI A. M. ALLAPICHAJ :—" As the hon. Member Mr. Govinda Menon said even now we are a composite State. We have got our Malayalee and Kanarese friends. Merely because we form a majority, we should not ride over others. It is not fair. There

[Sri A. M. Allapichai] [22nd December 1954]

is the States Reorganization Commission. They would be submitting their recommendations in course of time. There is no one here who does not know Tamil. Tamil is our mother-tongue. We all love Tamil. But we have got to see the practical difficulties involved. Suppose to-day a question is put in Tamil. It is very unlikely that all Ministers know Tamil. For instance, we have got Sri A. B. Shetty. If you put questions in Tamil, could you expect Sri A. B. Shetty to answer in Tamil, when he is a Kanarese man? It is very difficult. If such privilege is given to Tamil, tomorrow a Mopla may put his question in Malayalam and how could we expect answer from the Minister only in Malayalam! Let us wait for the recommendations of the States Reorganization Commission. When Tamilnad is formed, all members would be purely Tamil members and then there would be no difficulty. But so long as we continue as a composite State, we cannot have undue partiality for Tamil. Therefore I would request Mr. Purushothama Mudaliar to withdraw his amendment."

SRI M. ETHIRAJULU:—"கனம் தலைவர் அவர்களே, புருஷோத்தம முதலியார் கொண்டுவந்த திருத்தத்தை நான் மனப்பூர்வமாக ஆதரிக்கிறேன். தமிழ் பேசக்கூடிய அங்கத்தினர்கள் பெரும்பாலோர் இந்தச் சபையில் இருந்தும் தமிழில் கேள்விகள் கேட்பதும் அதற்குப் பதில் தமிழிலே சொல்லக்கூடிய நிலைமை வரக்கூடாது என்று சிலர் தடுப்பதற்கு காரணம், அவர்கள் ஆங்கிலத்தில் மிக மிகப் பயிற்சி பெற்றவர்களாக இருப்பதுதான் காரணம் என்று நான் நினைக்கிறேன். அவர்கள் எவ்வளவு தூரம் ஆங்கிலத்தில் பேசுகிறார்களோ அந்த அளவுக்குத் தமிழில் தடை இல்லாது அவர்களுக்குப் பேச வராது என்று ஒரே நோக்கத்தினால்தான் இந்தத் திருத்தத்தை எதிர்க்கிறார்கள் போலும். தமிழில் பேசவேண்டுமென்றும், தமிழ் ஆட்சிமொழியாக வரவேண்டுமென்றும் அவர்களுடைய உள்ளம் துடித்துக் கொண்டதான் இருக்கும் என்பதில் சந்தேகமில்லை."

"அசெம்பிளிக்குப் பார்வையாளர்கள் திரள், திரளாக வருவதற்கும் இங்கு ஒன்றிரண்டு பேர் மட்டும் வருவதற்கும் இதுதான் காரணம், அசெம்பிளியில் பெரும்பாலும் தமிழில் நடவடிக்கை இருப்பதின் காரணமாக அங்கு பார்வையாளர் காலரியில் பொது மக்கள் கூட்டங் கூட்டமாக வந்து அங்கு தமிழில் நடவடிக்கைகள் நடப்பதைத் தாங்கள் அனுபவித்து திருப்தியுடன் செல்கிறார்கள். இந்த ராஜ்யத்திலுள்ள மக்களுக்கு தமிழ் மொழியின் மீதுள்ள ஆர்வத்தான் அங்கு திரளாக வருவதற்கு காரணம். மக்களுடைய மொழியில் சட்டசபையில் அங்கத்தினர்கள் பேசுவதையும் மந்திரிகள் அவைகளுக்கு பதில் தமிழிலேயே சொல்வதையும் கேட்பதற்கு மக்களுக்கு ஒரு புது உற்சாகம் பிறந்திருக்கிறது. ஆகவேதான் அவர்கள் அங்கு திரள் திரளாக வந்து கொண்டிருப்பதைப் பார்க்கிறோம். ஆனால் இந்தச் சபையின் பார்வையாளர் காலரியில் ஆங்கிலம் தெரிந்த ஒன்றிரண்டு பேர்களைத் தவிர வேறு யாரும் வருவது கிடையாது. மக்களின் ஆர்வத்தையும் எண்ணங்களையும் பிரதி பலிக்கக் கூடிய வகையில் மக்களுடைய தமிழ் மொழியில் இங்கு நடவடிக்கைகள் இல்லாததால் மக்கள் உற்சாகத்தோடு இங்கு வருவதில்லை. ஆகவே தமிழில் கேள்விகள் கேட்பதற்கும், தமிழில் பதில் சொல்வதற்கும் சந்தர்ப்பம் இந்தச் சபையில் ஏற்படவேண்டும். அந்த முறையில் இந்தச் சபையின் விதி முறைகள் மாற்றியமைக்கப்படவேண்டும். தமிழில் பதில் சொல்வதற்கேற்ற திறமை மந்திரிகளுக்கு இருந்தும்சூட தமிழில் பேசமுடியாத நிலை இருப்பது மாற்றவேண்டும். ஆகவே, இந்தத் திருத்தத்தை

[22nd December 1954] [Sri M. Ethirajulu]

யாரும் எதிர்க்கக் கூடாது என்று இந்தச் சபை அங்கத்தினர்களைக்கேட்டுக் கொண்டு, இந்தத் திருத்தத்தை முழுமனதோடு ஆதரித்து, என்னுடைய வாத்தையை முடித்துக் கொள்கின்றேன்."

DR. V. K. JOHN:—"Mr. Chairman, Sir, I would very earnestly request the hon. Mover of this amendment to withdraw it because we should not create a controversy here. We are living in a composite State and it cannot be said that Malayalam and Kannada are not languages at all. Some people say that Tamil is derived from Malayalam and some other people say that Malayalam is derived from Tamil. Whatever it is, I quite agree that it is better for the people coming from Malabar and South Kanara to pick up Tamil. But the time has not yet come when we can say that answers should be in Tamil. Suppose an Hon. Minister who does not know Tamil, is asked to speak in Tamil, what will he do? It will lead to controversy. It is unfortunate that this amendment has been moved now. The hon. Mover of the amendment can bring it at a time when all people can speak in Tamil. I appeal to the Hon. Leader of the House to intervene in the matter."

* **SRI A. SUBRAMANYAM:**—"கனம் தலைவர் அவர்களே, இந்த நாடு தமிழ் நாடு. இங்கு வீற்றிருப்பவர்களும் பெருவாரியாகத் தமிழர்களே. இங்கு நடைபெறும் எல்லா நடவடிக்கைகளும் நிச்சயமாகத் தமிழிலேயே இருக்கவேண்டும் என்பதைப் பற்றி யாரும் ஆட்சேபிக்க முடியாது. ஏனெனில் இது தமிழ் ராஜ்யம். தமிழர்கள் ஏராளமாக இருக்கக் கூடிய ராஜ்யம். சட்ட சபையிலும் பெரும்பாலான அங்கத்தினர்கள் தமிழர்களாக வீற்றிருக்கும்படியான ஒரு நிலைமை ஏற்பட்டிருக்கிறது. இந்த நிலையில் தமிழ் பாஷையை மாகாண பாஷையாக ஏற்படுத்தி, சட்டசபையில் புத்தகவதனால் எந்த விதமான ஆட்சேபனையோ எதிர்ப்போ இருக்கமுடியாது. தமிழ் பாஷை சட்டசபையில் ஏற்படவேண்டுமென்பதற்கு எதிர்ப்பு இருக்கிறதென்று சொன்னால் அதைக்கண்டு நான் விசைப்படுகிறேன். ஏனெனில், நண்பர் ஒருவர் கூறினார்கள்: மலையாள, கன்னட மொழிகளுக்குத் தமிழ் பாஷை புரியவில்லை. அவர்கள் கேள்விகள் கேட்கும்போது எம் மாதிரியான பதில் கூறுவது என்ற பிரச்சனை எழுகிறது என்று இப்படிப்பட்ட ஒரு பிரச்சனை எழுப்பப்பட்டது. அந்த நிலையில் பக்கத்தில் இருக்கக்கூடிய மந்திரிமார்கள் தமிழ் தெரியாத மந்திரிக்கு அங்கத்தினர்கள் என்ன கேள்வியைக் கேட்கிறார்கள் என்பதை எடுத்துச் சொல்லி அதற்குத் தக்கவாறு பதிலளிக்க முடியும். பக்கத்தில் உள்ள மந்திரி மற்றவருக்குச் சொல்லாமல் இருக்க முடியாது. மலையாளமோ கன்னடமோ தெரியாத மந்திரிகள் தமிழில் பதிலளித்தால் மலையாள கன்னட அங்கத்தினர்கள் அதைப் புரிந்துகொள்வதில் அதிக சிரமம் இருக்காது. பக்கத்திலுள்ள தமிழ் அங்கத்தினர்களிடமிருந்து தெரிந்துகொள்ளலாம். அப்படியில்லாவிட்டாலும்கூட அவர்கள் அதைப் புரிந்துகொள்ளமுடியும். மலையாள அங்கத்தினர்களில் பெரும்பாலோர் தமிழைப் புரிந்துகொள்ளமுடியும். அதில் அவர்களுக்குச் சிரமம் இருக்காது. கன்னடத்தில் முக்கால் பங்கு தமிழ்ச் சொற்கள் இருக்கின்றன. ஒந்து, இரண்டு, மூன்று என்ற கன்னடப் பதங்களுக்கு முறையே ஒன்று, இரண்டு, மூன்று என்பது தமிழ்ப் பதங்களாகும். இந்தமாதிரி வார்த்தைகள் பல கன்னடத்தில் காணப்படுகின்றன. தமிழ் பாஷை கலந்ததாக இருக்கின்றது. ஆகையால் அவர்களுக்கும் தமிழைப் புரிந்துகொள்வதில் சிரமம் இருக்கமுடியாது. ஆகவே, பெரும்பான்மையாக தமிழர்கள் இருப்பதால் தமிழில் பேசுவதுதான் நியாயமாக இருக்க முடியும். மொழிவாரி ராஜ்யம் ஏற்படவேண்டுமென்று பல ஆண்டுகளுக்கு முன்பாக ஏற்படுத்தப்பட்டிருக்கிறது. அதைக் காங்கிரஸ் சர்க்காரும் ஒப்புக்கொண்டு

[Sri A. Subramanyam] [22nd December 1954]

டிருக்கிறார்கள். ஆனால், இம்மாதிரி சில பிரச்சனைகள் இருப்பதால் ஒத்திப் போடப்பட்டு வருகிறது. இம்மாதிரி மேலும் ஒத்திப் போட்டுக் கொண்டிருப்பது கூடாது என்றுதான் நாம் அபிப்பிராயப்படுகிறோம். மொழிவாரி ராஜ்யங்கள் ஏற்படுவதோடு கூட, இப்பொழுதிருந்தே சட்டசபையில் தமிழில் கேள்விகள் கேட்டு, தமிழில் நடவடிக்கைகளை நடத்தும்படியான நிலைமை ஏற்பட்டால் அது இந்த ராஜ்யத்திற்கே ஒரு பெரிய கவுரவம். சட்டசபைக்கு ஒரு பெரிய கவுரவம். அப்பொழுதுதான் இந்த ராஜ்யத்திலுள்ள மக்களுடைய எண்ணங்கள் என்ன என்பதையும் அவர்களுடைய அபிப்பிராயங்கள் என்ன என்பதையும் அரசாங்கம் தெரிந்துகொண்டு தங்களுடைய கொள்கைகளை வகுத்துக்கொண்டு நல்ல முறையில் பணியாற்றுவதற்கு முடியும். தமிழில் சபை நடவடிக்கைகள் இருக்கவேண்டுமென்று சொல்லும்போது மற்ற ராஜ்யத்தவர்கள் மீது வெறுப்போ பொருமையோ கொள்வதாக அர்த்தம் கொள்ளக்கூடாது. இந்த ராஜ்யத்திலுள்ள பெரும்பான்மை யான மக்கள் ஒரு பாஷையைப் பேசும்போது, அந்த மக்கள் பேசும்படியான பாஷையில் காரியங்களை நடத்த வேண்டுமென்று கேட்பதற்கு அவர்களுக்கு உரிமை உண்டு.

“ வெள்ளைக்காரர்கள் இந்த நாட்டை ஆண்டுவந்தபோது அவர்களுடைய ஆட்சி இந்த நாட்டில் நிலைத்திருக்கவேண்டுமென்ற எண்ணத்தில் ஆங்கில பாஷையை வைக்கவேண்டுமென்று விரும்பி அதை வைத்தார்கள். அவர்களுடைய ஆட்சி நீடித்திருக்கவேண்டுமென்று அதை வற்புறுத்தி வைத்தார்கள். இப்பொழுது அவர்கள் ஆட்சி போய்விட்டது. ஆகவே, நம் ராஜ்யம் தமிழ் ராஜ்யமாக இருக்கிறது. ஆந்திர ராஜ்யமும் பிரிந்துபோய் விட்டது. அவர்கள் ராஜ்யத்தில் தெலுங்கையே உபயோகித்து வருகிறார்கள். அதைப்போல தமிழ்நாட்டிலும் தமிழ் பாஷையானது அரசாங்க மொழியாக இருக்கவேண்டும். இந்த ராஜ்யம் தமிழ் நாடு. தமிழர்களால் இந்த ராஜ்யம் ஆளப்படுகிறது. தமிழர் முதல் மந்திரியாக இருக்கிறார். எல்லாக் கட்சிகளிலுள்ள அங்கத்தினர்களும் பெருவாரியாகத் தமிழர்களாக இருக்கிறார்கள். பெருவாரியான அங்கத்தினர்கள் தமிழர்களே. இதையாரும் ஆட்சேபிக்க முடியாது. அப்படியிருக்கும்போது ஏன் தமிழ் பாஷையை ராஜ்யக் பாஷையாக வைத்து தமிழில் நடவடிக்கைகளை நடத்தக்கூடாது? குறைந்தபட்சம் கேள்விகளும் பதில்களும் தமிழில் இருக்க வேண்டுமென்று கோரும் இந்தத் திருத்தத்தை நான் முழு மனதுடன் ஆதரித்து, சபை அதை ஏற்றுக்கொள்ள வேண்டுமென்று கேட்டுக் கொள்கின்றேன்.”

SRI N. ANNAMALAI PILLAI :—“ கனம் தலைவர் அவர்களே, ஸ்ரீ புருஷோத்தம முதலியார் அவர்கள் கொண்டுவந்த திருத்தத்தை ஆதரித்து நான் சில வார்த்தைகள் சொல்ல விரும்புகிறேன். தமிழ் மொழி நம்முடைய தாய் மொழியாகும். மலையாளத்திற்கும் கன்னடத்திற்கும் தமிழ் தான் தாய்மொழியாகும். தேங்காய், மாங்காய் போன்ற தமிழ் வார்த்தைகளை மலையாளத்தில் பேசவேண்டுமானால் மூக்கைப் பிடித்துக்கொண்டு தேங்காய், மாங்காய் என்று சொல்லிவிட்டால் அது மலையாளமாய்விடும். ஆகவே தமிழுக்கும் மலையாளத்திற்கும் அதிகமான வித்தியாசம் ஒன்றுமில்லை.

“ மலையாள அங்கத்தினர்களும் கன்னட அங்கத்தினர்களும் இந்தச் சபையிலும் சரி, அசெம்பிளியிலும் சரி ரொம்பக் குறைவு. அதனால் சட்டசபையில் ஆங்கிலம் இருந்துகொண்டிருவதாகச் சொல்லப்படுகிறது. ஆங்கிலத்தில் நடவடிக்கைகள் நடப்பதால் அது ஜனங்களுக்குப் புரியவில்லை. ஜனநாயக சர்க்கார் என்று சொன்னால் மெஜாரிட்டி ஜனங்களுடைய அபிப்பிராயத்தின் பிரகாரம்தான் ராஜ்யம் நடக்கவேண்டுமென்று சொல்கிறோம். ஆனால், மைனாரிட்டியாக இருக்கக்கூடிய மலையாளிகளும் கன்னடியர்களும் இருப்பதற்காக நடவடிக்கைகளெல்லாம் ஆங்கிலத்திலேயே இருக்கவேண்டுமென்று சொல்வது சரியா என்பதை யோசித்துப் பார்க்கவேண்டும்.

22nd December 1954] [Sri N. Annamalai Pillai]

“ வெள்ளைக்காரர்கள் இந்த நாட்டை ஆண்டுவந்தார்கள். அப்பொழுது ஆங்கில பாஷையைத்தான் அவர்கள் அரசாங்க பாஷையாக வைத்திருந்தார்கள். அப்பொழுது மக்கள், அரசாங்கத்தில் என்ன நடக்கிறதென்பதைப் புரிந்துகொள்ள முடியாமல் இருந்தார்கள். இப்பொழுது ஆங்கில ஆட்சி தொலைந்துவிட்டது. ஆனால், ஆங்கில பாஷை நம்மை இன்னும் விட்ட பாடியல்லை. அது எப்பொழுதுதான் போகுமோ எனக்குத் தெரியவில்லை. நான் ஏன் இப்படிச் சொல்கிறேன் என்றால், ஆங்கில பாஷை ஒரு மர்ம பாஷையைப் போல் இருக்கிறது.

“ இப்பொழுது பெரும்பாலான அங்கத்தினர்கள் ஆங்கிலம் தெரியாதவர்களாக இருக்கிறார்கள். பெரும்பாலானவர்களுக்குத் தமிழ்தான் தெரியும். இனிமேல் சட்ட சபைக்கு வரப்போகிறவர்களெல்லாரும் அனேகமாக தமிழ் தெரிந்தவர்களாகத்தான் இருப்பார்கள். ஜனநாயக சர்க்கார் நடந்து வருகிறது. ஜனங்கள் தேர்ந்தெடுத்து பிரதிநிதிகளை சட்டசபைகளுக்கு அனுப்புகிறார்கள். தமிழ்நாட்டில் ஜனங்களெல்லோரும் தமிழை விரும்புகிறார்கள். ஆகவே இனி சட்டசபைகளுக்கு ஆங்கிலம் படித்தவர்கள் வரமாட்டார்கள். அப்படி வந்தாலும் எண்ணிக்கை ரொம்பவும் குறைவாகத்தான் இருக்கும். 100-க்குப் பத்து பேர்கள் கூட ஆங்கிலம் படித்தவர்கள் வரமாட்டார்கள். தமிழ் பாஷை பேசுபவர்கள்தான் வரவேண்டும். அரைகுறையாகப் பேசுபவர்கள் வந்தாலும் பரவாயில்லை.”

SRI A. M. ALLAPICHAJ :—“ எங்களுக்குத் தமிழும் தெரியும்.”

SRI N. ANNAMALAI PILLAI :—“ டிபுடி சேர்மன் அவர்கள் தங்களுக்கு தமிழ் தெரியும் என்று சொல்கிறார். தமிழ் தெரியுமென்று சொல்லும்போது அவர் தமிழில் பேசுவதுதானே! எங்களுக்குப் புரியாத பாஷையில் அவர்கள் பேசிவிட்டு எங்கனையெல்லாம் திணற அடிக்கிறார்களே. நான் மனமாற இதைச் சொல்கிறேன். வேடிக்கைக்காக ஒன்றும் சொல்லவில்லை. பரிசைக்குப் போய்வந்த மாணவனை இங்கிலிஷ் பரீட்சையில் அவன் எப்படி எழுதினான் என்று கேட்டால், “ நன்றாக எழுதிவிட்டு வந்திருக்கிறேன்; ஆனால், ‘ஸ்பெல்லிங் மிஸ்டேக்’ இருக்கும் என்று சொல்கிறான். அந்தமாதிரி நமக்கு ஒத்துக்கொள்ளாத பாஷையில் ஆட்சி நடந்து கொண்டிருந்தது. அன்னிய ஆட்சி ஒழிந்துவிட்டதெயொழிய அன்னிய பாஷை இன்னும் நம்மைவிட்டு ஒழியவில்லை. ஆகவே, ஆங்கில மொழி மறையவேண்டும். போகவேண்டியதுதான். 15-வருஷ காலத்திற்குள் ஆங்கிலம் இந்த நாட்டிலிருந்து ஒழியவேண்டுமென்று திட்டம் வகுத்திருக்கிறார்கள். 15 வருஷம் வரையில் ஏன் காத்திருக்கவேண்டும்? இதன் நடுவில் நடவடிக்கை எடுத்துக்கொள்ளலாம். மத்திய சர்க்காருக்கும் ராஜ்ய சர்க்காருக்கும் இடையில் இருக்கும் கடிதப் போக்குவாத்தை வேண்டுமானால் ஆங்கிலத்தில் வைத்துக்கொள்வதில் ஆட்சேபணை இல்லை. சட்டசபையில் தமிழில் பேசுவதற்கும் நடவடிக்கைகளை நடத்துவதற்கும் வாய்ப்பு இருக்க வேண்டும். அப்படிப்பேசினால் அது எல்லோருக்கும் புரியும். ஒன்றிரண்டு பேர்களுக்குப் புரியாமல் இருக்கலாம்.

“ ஸ்ரீ கஜபதி நாயகர் தமிழில் பேசவேண்டுமென்று நினைக்கிறார். ஆங்கிலத்தில் படித்தவர், ஆங்கிலத்தில் உத்தியோகம் பார்த்தவர். அதிலே முழுசிப் போனவர். அவர் தமிழ் பேசத் திணறுகிறார். தமிழ் பாஷை அவருடைய நாக்கில் நுழைய மறுக்கின்றது. அதனால்தான் ஒரு நாள் தமிழிலும் ஓர் நாள் ஆங்கிலத்திலும் திடீர் திடீரென்று தன்னுடைய கொள்கையை மாற்றிக்கொண்டுவிடுகிறார். சட்டசபையில் தமிழில்தான் பேசுபேசுகிறேன் என்று வைராக்கியமாகச் சொன்னவர் ஆங்கிலத்தில் பேசுவதற்கு ஆரம்பித்துவிட்டார் என்றால் அது எனக்கு ஆச்சரியமாக இருக்கிறது. அவர் ஏன் ஆங்கிலத்தில் பேச ஆரம்பித்திருக்கிறார்? காரணம் என்ன? தொட்டில் பழக்கம் சுடுகாடு மட்டும் என்ற பழமொழிப்படி, ஆங்கிலத்தில் படித்த தோஷத்தினால் தாய் யாஷையை அவர் நேசித்தாலும் அதன் மூலம் பேச அவருக்குச்

[Sri N. Annamalai Pillai]

[22nd December 1954]

கஷ்டமாக இருக்கிறது. ஆகையால், இவ்வளவு கஷ்டமான ஒரு நிலைமையை எல்லோருக்கும் உண்டுபண்ணாமல் சபையிலே தமிழில் பேசுவதற்கு ஏற்பட்ட இந்தத் திருத்தத்தை ஏற்றுக்கொண்டால், அது நாட்டின் முன்னேற்றத் திற்கே ரொம்பவும் நல்லது. அமைச்சர் அவர்களும் மற்ற அங்கத்தினர் களும் பேசக்கூடிய பலப்பல விஷயங்களையும் அங்கத்தினர்கள் தெரிந்து கொண்டு, தங்களுடைய யோசனைகளைச் சொல்வதற்குப் பிரயோஜனப்படும். ஆகவே, தமிழ் பாஷையிலே சபை நடவடிக்கைகள் நடத்தப்படுவது அவசியம்.

“எனது நண்பர் ஸ்ரீ கோவிந்த மேனன் நான் தமிழில் பேசுவதை நன்றாகப் புரிந்துகொண்டுவிடுகிறார். டாக்டர் ஜான் அவர்களும் ஓரளவுக்குப் புரிந்துகொண்டு விடுகிறார். தமிழில் சரியாகப் பேசுவதற்கு வேண்டுமானால் ஆங்கிலத்தில் பேசிக்கொள்ளட்டும். ஆனால், பெரும்பாலானவர் கள் தாய் பாஷையாகிய தமிழிலே பேசவேண்டும். அதனால்தான் நாட்டுக்கு நன்மை ஏற்படும். அப்பொழுதுதான் இந்தச் சபைக்கு கவரமும் கண்ணிய மும் ஏற்படும்.

“அசெம்பிளியிலுள்ள பெரும்பாலான அங்கத்தினர்கள் நேற்றைய தினம் தமிழிலேயே பேசினார்கள். 100-க்கு 60 பேர்கள் தமிழிலேயே அங்கு பேசினார்கள். மந்திரி அவர்கள்கூட தமிழில் பேசினார். சட்டசபை யில் தமிழில் நடவடிக்கைகளை நடத்த முடியும் என்று அங்கத்தினர்களும் ஆங்கிலம் இன்னும் நம்மை விடப்பாடில்ல. சமஸ்கிருதத்தில் ஒருவர் பேசினால் மற்றவருக்குப் புரியாமல் சங்கடமாக இருக்கிறதே. அதுபோல இங்கு ஆங்கிலத்தில் நடவடிக்கைகள் நடப்பதும் இருக்கிறது. ஆங்கிலம் புரியாத அங்கத்தினர்கள் வேதனைப்படுகிறார்கள். பொதுஜனங்களும் அப் படித்தான் நினைக்கிறார்கள். ஆகையால், சபை நடவடிக்கைகளைத் தாய் பாஷையில் நடத்துவதுதான் மக்களுக்கு நன்மை பயக்கக்கூடியதாக இருக் கும். அதைத்தான் எல்லோரும் ஒப்புக்கொள்ளவேண்டும். மலையாள ராஜ்யம் வந்தால் அவர்கள் தாய் பாஷைதான் அங்கு ஆட்சி மொழியாக வரப்போகிறது. ஆகவே, அதுவரையில் தமிழ் மொழியில் இங்கு நடவடிக்கைகள் நடப்பதை அவர்களும் ஆட்சேபிக்காமல் ஏற்றுக்கொள்ள வேண்டுமென்று கேட்டுக்கொண்டு சபைமுன் இருக்கும் திருத்தத்தை முழு மனதோடு ஆதரித்து என்னுடைய வார்த்தையை இத்துடன் முடித்துக்கொள்கிறேன்.”

Sri A. M. ALLAPICHAJ :—“On a point of order, Sir. Those who know English also know Tamil.”

* Sri T. M. NARAYANASWAMY PILLAI :—“Mr. Chair-
man, Sir . . .”

AN HON. MEMBER :—“Please speak in Tamil.”

Sri T. PURUSHOTHAM :—“On a point of order, Sir. Can an hon. Member compel another hon. Member to speak in Tamil?”

* Sri T. M. NARAYANASWAMY PILLAI :—“Mr. Chair-
man, Sir, the amendment of Sri Purushotham is a very modest one and he is prepared to accept the amendment of Sri Bhashyam. So the amendment as sought to be modified by Sri Bhashyam will not be a bar either to our Malayalee or to our Kannada friends. Article 345 provides for any language other than English being made the official language if our Legislature wills it. That is what my hon. Friend Sri Gajapathi Nayagar has been trying to do.

[22nd December 1954] [Sri T. M. Narayanaswamy Pillai]

Therefore, let us, as a first step, make Tamil one of the language in which questions may be put and answers may be given. This would not be such a violent change and it would be just a good beginning and we shall see how we get on with it. I have no objection to Malayalam also being one of the languages. The motion before the House is that if a question is put in Tamil it should be answered in Tamil. We shall not cause any difficulty to any Hon. Minister who does not know Tamil and that is why the hon. Member Sri Bhashyam was kind enough to add the words ‘as far as possible’ in his amendment.”

* Sri P. UMMER KOYA :—“Mr. Chairman, Sir, can I have the privilege to speak in Malayalam?” (The hon. Member then began to speak in Malayalam.)

MR. CHAIRMAN :—“We have the same difficulty this even-
ing also as there is no Malayalam Reporter here.”

* Sri P. UMMER KOYA :—“Sir, Malayalam, being one of the recognized languages in this State, we, the people coming from Malabar, must have the right and privilege to ask questions in Malayalam and get answers to them in Malayalam as far as possible. As for me, I have no objection to any question being asked in Tamil or answer given in Tamil. But let us not forget, as the hon. Member Sri Govinda Menon has pointed out, that the Madras State is a composite State consisting of Tamilians, Kana-
rese and Malayalees. Therefore, let us not make all of a sudden Tamil as the official language because there are Malayalees and Kanarese in this House who may not be able to follow Tamil very well. Therefore, I request the House to give as much convenience as possible for non-Tamil speaking people to ask questions in their regional language or mother-tongue. In this connexion, I want the House to remember the difficulty felt by Tamil Members in the Lok Sabha when discussions are being carried on in Hindi. The Members of Parliament coming from South India are making a lot of noise in the Lok Sabha when questions are answered in Hindi. They demand translation in English there because they find it very difficult to understand the North Indian Hindi. So also here they must understand that the people coming from Mala-
bar and South Kanara find it difficult to understand Tamil. Let us not fight in the name of language in this House and let us give opportunities to all people to speak and ask questions in their own languages. I also request the House and the Hon. Chairman to have a Malayalam Reporter hereafter. With these few words, I resume my seat.”

MR. CHAIRMAN :—“There is a Malayalam Reporter but he is not on the scene to-day.”

* Sri P. UMMER KOYA :—“So, we can speak and ask questions in Malayalam.”

[22nd December 1954]

* **SRI T. M. DAIVASIKAMANI ACHARIAR** :—“ அவைத் தலைவர் அவர்களே, இச் சபை முன் இருக்கும் பிரேரணையை நான் முழு மனதுடன் ஆதரிக்கின்றேன். ஏனெனில், இங்குள்ள நடவடிக்கைகள் வேறு, லோக் சபையில் உள்ள நடவடிக்கைகள் வேறு. இந் நாட்டிலிருந்து அங்கு போனவர்களுக்கு ஹிந்தி தெரிவது இல்லை. ஆனபடியினால், அந்த நடவடிக்கைகள், சிலர் ஹிந்தியில் இருக்க வேண்டுமென்றும், சிலர் தமிழில் இருக்கவேண்டுமென்றும், இரண்டுக்கும் பொதுப்படையாக பலர் ஆங்கிலத்தில் இருந்துவிடுவதே நல்லது என்றும் பொதுப்படையாக பலர் பொழுது நமது நாட்டில் தமிழ் மொழியை அறிந்துக்கொள்ளக்கூடாதவர்கள் இல்லை. ஆனால், சிலருக்குத் தமிழ் பேச வராது என்பதை நான் ஒத்துக் கொள்கிறேன். அதாவது நாம் பேசுவது என்ன, என்று விவரமாகத் தெரிந்துகொள்ளாவிட்டாலும், வைகிறோமா, வாழ்த்துகிறோமா என்று தெரிந்துகொள்ளும் அளவுக்கு ஞானம் இருக்கிறது. நம் தீர்மானங்களையும் கேள்விகளையும் தமிழிலும் கொடுப்பது மிக உசிதம் என்று நான் எண்ணுகிறேன்.

“ஸ்ரீ கஜபதி நாயகர் அவர்கள் தமிழ் என்று சொல்லும்போது குளிர்ந்த முகம் காட்டி சிரித்த முகத்துடன் இருக்கின்றார். எனவே தமிழை எவர்தான் வெறுக்க முடியும்?

“இந்தத் தமிழ்நாட்டில் தமிழ் பாஷையானது எவ்வளவோ புராதனமான பாஷையாக இருந்துவருகிறது. அப்படிப்பட்ட புராதன பாஷைக்கு நாம் உயர்ந்த ஸ்தானத்தைக் கொடுக்க வேண்டியது மிக அவசியமே.

“ஸ்ரீ கஜபதி நாயகர் அவர்களுடைய மசோதாவானது சட்டமாக்கப்படும் வரை நாம் ஒரு பரிசார்த்தமாக கேள்விகளையாவது தமிழில் அச்சிட்டு தமிழுக்கு எதிரில் ஆங்கிலத்திலும் அச்சிட்டு வெளியிடுவதில் யாருக்கும் ஆட்சேபணை இருக்கமுடியாது. எனவே, நான் இதை முழுமனதுடன் ஆதரித்து இனி சட்டசபைக் கேள்விகளையும் தீர்மானங்களையும் அச்சிட்டு கொடுக்கும்போது ஆங்கிலத்திலும், தமிழிலும் கொடுக்கும்போது தமிழும் ஆங்கிலமும் சேர்ந்து அவைகள் அங்கத்தினர்களுக்கு பரிமாறப்பட வேண்டும் என்பது என்னுடைய அவா. ஆகையால், இந்தத் தீர்மானத்தை நான் முழு மனதுடன் ஆதரிக்கிறேன்.”

3-40
p.m.

* **THE HON. SRI M. BHAKTAVATSALAM** :—“ Mr. Chairman, Sir, I must state at once that I entirely sympathize with the object of this amendment and the proposal made by the hon. Mover of this amendment. Sir, this will not be taken as a controversial matter. This amendment suggests that if written questions are put in Tamil written answers that would be given by the Hon. Ministers should also be in Tamil. That is the substance of the amendment moved by the hon. Member Sri T. Purushotham,

“Hon. Members are all well aware that there are hon. Members who are not well-versed in English. If they are to put interpellations, they have to seek the aid of somebody else. I am now reminded of my days with the hon. Member Sri Annamalai Pillai in a far away jail in Madhya Pradesh. We were together in that jail for two years. As detenus we had the privilege to write letters to our dear ones. The hon. Member Sri Annamalai Pillai, though he was learning English, was not well-versed in it. He used to write to his wife and for that purpose he used to seek my aid, because the jail authorities told us that they had not made arrangements for censoring letters written in Tamil and that, therefore, they would accept only letters in English.

22nd December 1954] [Sri M. Bhaktavatsalam]

Sri Annamalai Pillai had, therefore, to seek my aid in writing letters to his own wife. He used to tell orally in Tamil what he wished to convey and, of course, I put that in English. That was the serious embarrassment which some of our friends had to experience. If an hon. Member who cannot put his ideas in English wants to send an interpellation to the Hon. Chairman, he has to seek somebody else's aid. Therefore, the idea behind the amendment must be appreciated that every hon. Member should be enabled to carry on his duties in this Legislature without anybody's aid. But, Sir, the hon. Member from Malabar raised the question whether there was to be discrimination between one language and another. He pointed out that there are Members in this House whose mother-tongue is Malayalam or Kanarese. But, I am quite sure and you will all agree with me that there is no hon. Member in this House who does not follow and understand Tamil.”

SRI MOHAMED RAZA KHAN :—“ There are many.”

* **THE HON. SRI M. BHAKTAVATSALAM** :—“ It may be that the hon. Member Sri Mohamad Raza Khan, in spite of his long habitation in this City, is still backward in understanding Tamil. The people of this State have got the fame of mastering a number of languages. I have seen people going to Delhi learning to speak in simple Hindi language within a few months. There may be a few hon. Members in this House who may be somewhat backward, but that is not my point with regard to non-Tamil Members in this House. I have no doubt and I can say without fear of contradiction that there is none among them who is not able to follow English. But that cannot be said of all the Tamil Members, and with due respect to the Tamil Members, I must say that. I am afraid, my hon. Friend Sri Annamalai Pillai might question that statement. In spite of his enthusiasm for Tamil, he feels it an insult if I tell him that he does not follow English. He takes offence at it just as the most enthusiastic Tamil Member in this House chooses to wax eloquent in English.”

SRI A. GAJAPATHY NAYAGAR :—“ Because I was told that I should not make a fetish of it, I spoke in English.”

* **THE HON. SRI M. BHAKTAVATSALAM** :—“ The hon. Member has completely misunderstood me. I am really very seriously disappointed that he should have revived his love or glamour for the English language and started speaking in that language so eloquently. Apart from that, my point is that there is no non-Tamil Member in this House who is unable to follow English, if the proceedings are conducted in English. But there are a few Tamil Members who are not quite well-versed to follow the proceedings in English and I must state that fact with all due respect to them. They cannot put questions in English themselves. They may not be able to follow the answers to their own

[Sri M. Bhaktavatsalam] [22nd December 1954]

3-50
p.m.

questions if the answers are given in English. That handicap must be looked into. There is no question of discrimination. There is no question of domination of one language over another. It is this aspect that has to be considered dispassionately by all hon. Members of this House whether they speak Tamil or Malayalam or Kanarese as their mother-tongue. So a way out has to be found. When I was in Delhi recently, I found that, without an actual amendment of the rules, an informal rule was being followed in the Lok Sabha and the Rajya Sabha for some time past. If any hon. Member sends a question written in Hindi, the Minister is required to give the written answer in Hindi. I heard there that some Ministers and Deputy Ministers found some difficulty in reading the Hindi answer. Still they could not help and this arrangement was followed.

“As I said, I entirely sympathise with the object of this amendment. If we take a decision on this matter suddenly, there may be certain practical difficulties in carrying out the decision. Sri Bhashyam envisaged these difficulties and suggested the addition of the words ‘as far as possible’. I am unable to appreciate the introduction of words like ‘as far as possible’ in Statutes. If the answers are sometimes in English and sometimes in regional languages, it will be something like the speeches made by Sri Gajapathy Nayagar which are sometimes in eloquent English and sometimes in eloquent Tamil. There is no use of adding words like ‘as far as possible’. If a rule that the questions put in Tamil should be answered only in Tamil is to be enforced, a Minister who is not well-versed in Tamil will find it difficult to read the answer written in Tamil. Because there is joint responsibility, some other Minister who knows Tamil can read the answer on his behalf. That need not be an insurmountable difficulty.

“I want the hon. Members to view this question not from the point of view of exercising one's right to speak in this or that language. We have to take into account the practical convenience of Members and enable them to discharge their duties satisfactorily. It is from that angle that we should examine this amendment. There may be certain administrative difficulties if this amendment is straightway accepted by the House. If questions are put in Tamil, they have to be translated into English and the answers to them which are prepared in English will have to be translated into Tamil. A similar practice is followed in the Lok Sabha in respect of Hindi questions. For adopting that practice, we will have to look into the arrangements that will have to be made. I propose and it is the intention of the Government to take up the matter presently. We shall discuss with you and the others concerned as to how we can carry out the idea behind this amendment. Perhaps when we meet in February next, we shall be able to set down a procedure even without laying it down as a rule. I have once given an assurance to the hon. Member Mr. Gajapathy

22nd December 1954] [Sri M. Bhaktavatsalam]

Nayagar that there will be no difficulty in replying in Tamil to speeches made or questions put in Tamil, so far as I am concerned. If any hon. Member puts questions in Tamil, I shall answer them in Tamil. It is not at all necessary for the Members to view the question from the point of view of exercising their right to speak in any recognized language. Tamil, Malayalam and Kannada are already recognized languages. If still any Member chooses to exercise his right, we might arrange to answer him in the same language. But that is neither necessary nor useful. The Government will take up the matter and see how the procedure could be revised to meet the idea behind this amendment. So I request the Mover to withdraw the amendment.”

* SRI T. PURUSHOTHAM :—“I did not want to interrupt the Hon. Minister. I am sure hon. Members would like to hear from the Hon. Minister whether the jail regulations have since been amended so as to permit the inmates to write letters in Tamil.”

* THE HON. SRI M. BHAKTAVATSALAM :—“I was referring to the position in the Amraoti Jail in the Madhya Pradesh. Just as there is no Malayalam Reporter in this House only to-day, only for two or three months there was no arrangement for the censoring of Tamil letters in that jail. Subsequently, arrangements were made and the inmates were allowed to write letters in Tamil.”

SRI MOHAMED RAZA KHAN :—“May I have an assurance from the Hon. the Leader of the House that, if some Members speak and put questions in Hindi, the Ministers will reply in Hindi?”

* THE HON. SRI M. BHAKTAVATSALAM :—“I cannot give that assurance. If there is any hon. Member who knows only Hindi, I am prepared to take up the challenge and answer in Hindi. But there is no such Member here.”

* SRI T. PURUSHOTHAM :—“I thank the Hon. Minister for the assurance he has given and I withdraw my amendment. At the same time, you would remember, Sir, that you had a proposal some time back for appointing translators for translating the speeches made here into the regional languages by means of mechanical device as in other places.”

MR. CHAIRMAN :—“Does the hon. Member mean simultaneous translation?”

* SRI T. PURUSHOTHAM :—“Yes. I do not know what has become of that proposal. I request you, Sir, to examine this question pending introduction of any scheme for the conduct of proceedings in the regional languages in our Legislatures.”

[22nd December 1954]

The amendment was, by leave of the House, withdrawn.

Rule 61 was put and carried.

Rules 62 to 70 were put and carried.

Rule 71.

* THE HON. SRI M. BHAKTAVATSALAM :—" Sir, I move—

'In sub-rule (5), in lines 2 and 3, for the words "who challenged the division to rise", substitute the following words :—

"who supported and who challenged his decision successively to rise".'

This amendment is intended to bring the rule in conformity with the corresponding Standing Order in the House of Commons."

4 p.m. * SRI T. PURUSHOTHAM :—" Instead of the words 'who supported and who challenged', the words 'who support and who challenge' may be used."

* THE HON. SRI M. BHAKTAVATSALAM :—" The modification is not necessary, Sir."

MR. CHAIRMAN :—" The question is—

'In sub-rule (5), in lines 2 and 3, for the words "who challenged the division to rise", substitute the following words :—

"who supported and who challenged his decision successively to rise".'

The amendment was carried.

Rule 71, as amended, was put and carried.

Rules 72 to 94 were put and carried.

Rule 95.

* THE HON. SRI M. BHAKTAVATSALAM :—" Sir, I move—

'In sub-rule (1), in line 2, after the word "may", insert the words "after giving six days' notice".'

"At present, a member in charge of a Bill can make one of the motions referred to in the sub-rule after the expiry of six days from the date of publication of the Bill in the gazette. The amendment provides that six days' notice should be given before such a motion is made. Such a provision has been made in the corresponding rule of the Assembly Rules also. Therefore, this amendment may be accepted."

MR. CHAIRMAN :—" The question is—

'In sub-rule (1), in line 2, after the word "may", insert the words "after giving six days' notice".'

22nd December 1954]

The amendment was carried.

Rule 95, as amended, was put and carried.

Rules 96 to 101 were put and carried.

Rule 102.

* THE HON. SRI M. BHAKTAVATSALAM :—" Sir, I move the following amendment :—

'In sub-rule (1), in line 2, after the word "interests" and before the word "affected" insert the words "likely to be".'

"This is only a verbal amendment, Sir."

MR. CHAIRMAN :—" The question is—

'In sub-rule (1), in line 2, after the word "interests" and before the word "affected," insert the words "likely to be".'

The amendment was carried.

Rule 102, as amended, was put and carried.

Rule 103.

* SRI T. PURUSHOTHAM :—" Sir, I move the following amendment :—

'In the proviso, for the word "Chairman," substitute the words "Chairman of the Committee".'

"I move this amendment to make the intention clear. The Chairman referred to here is the Chairman of the Committee."

The amendment was duly seconded.

MR. CHAIRMAN :—" Amendment moved—

'In the proviso, for the word "Chairman," substitute the words "Chairman of the Committee".'

* THE HON. SRI M. BHAKTAVATSALAM :—" The word 'Chairman' will have to be read in the context in which it occurs. There should be no difficulty in interpreting that word. The Chairman in the context will mean only the Chairman of the Committee. Therefore, this amendment is not necessary."

* SRI T. PURUSHOTHAM :—" In rule 154 (4), the words 'the Chairman of the Committee' are used."

* THE HON. SRI M. BHAKTAVATSALAM :—" That is a different thing."

The amendment was, by leave of the House, withdrawn.

Rule 103 was put and carried.

Rules 104 to 125 were put and carried.

[22nd December 1954]

Rule 126.

* THE HON. SRI M. BHAKTAVATSALAM :—" Sir, I move the following amendment :—

' In line 3, after the words " from the " and before the word " receipt ", insert the words " date of " . '

MR. CHAIRMAN :—" The question is—

' In line 3, after the words " from the " and before the word " receipt ", insert the words " date of " . '

The amendment was carried.

Rule 126, as amended, was put and carried.

Rule 127.

* THE HON. SRI M. BHAKTAVATSALAM :—" Sir, I move the following amendment :—

' In line 1, for the words " On the day on which, " substitute the words " On the day, for which " . '

" This amendment is intended to make it clear that the rule refers to the day for which the motion is set out in the list of business and not the day on which the list of business is circulated. "

MR. CHAIRMAN :—" The question is—

' In line 1, for the words " On the day on which " , substitute the words " On the day for which " . '

The amendment was carried.

Rule 127, as amended, was put and carried.

Rules 128 to 137 were put and carried.

Rule 138.

* SRI T. PURUSHOTHAM :—" Sir, I move the following amendment :—

' In line 2, after the word " member " and before the word " may " , insert the words " or Minister in charge of the Bill " . '

" Sir, ' Member ' is defined as meaning a member of the Council. So, I thought a Minister might also be authorized to make such a motion. "

The amendment was duly seconded.

MR. CHAIRMAN :—" Amendment moved—

' In line 2, after the word " member " and before the word " may " , insert the words " or Minister in charge of the Bill " . '

22nd December 1954]

* THE HON. SRI M. BHAKTAVATSALAM :—" Sir, instead of that, I move the following amendment :—

' For the words " any member " , substitute the following words :—

" in the case of a Government Bill, any Minister and in any other case, any member. " . '

The amendment of Sri T. Purushotham was, by leave of the House, withdrawn.

MR. CHAIRMAN :—" The question is—

' For the words " any member " , substitute the following words :—

" in the case of a Government Bill, any Minister and in any other case, any member. " . '

The amendment was carried.

Rule 138, as amended, was put and carried.

Rules 139 to 170 were put and carried.

Rule 171.

* SRI T. PURUSHOTHAM :—" Sir, I move the following amendment :—

' In sub-rule (1), in line 9, for the word " may " substitute the word " shall " . '

" Instead of saying that two members may be nominated to the Committee, it should be better to provide that two members shall be nominated to the Committee. In the corresponding Assembly Rule also, this amendment has been made. "

The amendment was duly seconded.

MR. CHAIRMAN :—" Amendment moved—

' In sub-rule (1), in line 9, for the word " may " , substitute the word " shall " . '

* THE HON. SRI M. BHAKTAVATSALAM :—" Sir, we need not make it mandatory. Two members are invariably being nominated by the Chairman. The Chairman is required to nominate the members. There is no meaning in making it mandatory. This amendment is not necessary. "

The amendment was, by leave of the House, withdrawn.

* SRI T. PURUSHOTHAM :—" Sir, I move the following amendment :—

' Add the following as new sub-rule (3) :—

" (3) The proceedings of the House Committee with a report of the action taken thereon shall be placed on the table of the House from time to time. " . '

[Sri T. Purushotham] [22nd December 1954]

Sir, I want the reports of the House Committee proceedings to be placed on the table of the House so that the hon. Members of the House may know what the House Committee is doing."

The amendment was duly seconded.

MR. CHAIRMAN :—" Amendment moved—

' Add the following as new sub-rule (3) :—

" (3) The proceedings of the House Committee with a report of the action taken thereon shall be placed on the table of the House from time to time." "

* THE HON. SRI M. BHAKTAVATSALAM :—" Even without such a provision, a statement of action taken on the resolutions of the House Committee is placed on the table of the House at the end of the year. Therefore, this amendment is not necessary. But if the idea of the hon. Member is to draw the attention of the House specifically to this statement, I accept this amendment."

MR. CHAIRMAN :—" The question is—

' Add the following as new sub-rule (3) :—

" (3) The proceedings of the House Committee with a report of the action taken thereon shall be placed on the table of the House from time to time." "

The amendment was carried.

Rule 171, as amended, was put and carried.

New Rules after Rule 171.

* SRI T. PURUSHOTHAM :—" Sir, I propose that we may provide for the appointment of a Committee on Government Assurances. Provision has been made in the Assembly Rules for the appointment of such a Committee of that House. There has been reference now and then in this House that some of the assurances given by Hon. Ministers on the floor of the House are not carried out. If there is a Committee on Government Assurances, it can watch how far such assurances are carried out. I, therefore, move—

' That the following rules be added after Rule 171 and the rules be renumbered :—

(4) Committee on Government Assurances.

171-A. Subject to the provisions of these rules, a Committee on Government Assurances shall be constituted to scrutinize the assurances, promises and undertakings given by Ministers, from time to time, on the floor of the House and to report on—

(a) the extent to which such assurances have been implemented; and

22nd December 1954] [Sri T. Purushotham]

(b) where implemented, whether such implementation has taken place within the minimum time necessary for the purpose.

171-B. (1) The Committee shall consist of not more than five members who shall be nominated by the Chairman.

(2) The term of office of the members of the Committee shall be one year.

(3) The Chairman may, if he thinks fit, discharge a member from the Committee, if such member is absent from three consecutive meetings thereof, without the permission of the Chairman of the Committee.

171-C. (1) The Chairman of the Committee shall be nominated by the Chairman of the Council.

(2) If the Chairman of the Committee is absent from any meeting, the Committee shall choose another member to act as Chairman of the Committee for that meeting.

171-D. In order to constitute a meeting of the Committee, the quorum shall be three.

171-E. In the case of an equality of votes on any matter, the Chairman of the Committee shall have a second or casting vote.

171-F. The Committee shall make a report to the House at least once in six months.

171-G. The report of the Committee shall be presented to the House either by the Chairman of the Committee or, on his behalf by any other member of the Committee.

171-H. Except as aforesaid, the Committee shall follow the same procedure as a Select Committee of the Council."

The amendment was duly seconded.

DR. V. K. JOHN :—" I support the amendment, Sir."

* THE HON. SRI M. BHAKTAVATSALAM :—" Mr. Chairman, Sir, I have no objection to accept this amendment. The Assembly has amended the rules so as to have this committee. But we need not have as many as seven members on the committee of this House. The Assembly Committee will have the maximum strength of seven. I think three or five will do for the Committee of this House. (Hon. Members : ' Let it be five '.) "

SRI MOHAMED RAZA KHAN :—" We can also follow the convention adopted by the Assembly of having a Member of the Opposition as the Chairman of the Committee."

* THE HON. SRI M. BHAKTAVATSALAM :—" That is the Committee on Accounts, Sir."

[22nd December 1954]

MR. CHAIRMAN :—" What about quorum? "

* THE HON. SRI M. BHAKTAVATSALAM :—" We shall have ' three ' itself."

MR. CHAIRMAN :—" The question is—

' That the following rules be added after rule 171 and the rules be renumbered :—

(4) *Committee on Government Assurances.*

171-A. Subject to the provisions of these rules, a Committee on Government Assurances shall be constituted to scrutinize the assurances, promises and undertakings given by Ministers, from time to time, on the floor of the House and to report on—

(a) the extent to which such assurances have been implemented; and

(b) where implemented, whether such implementation has taken place within the minimum time necessary for the purpose.

171-B. (1) The Committee shall consist of not more than five members who shall be nominated by the Chairman.

(2) The term of office of the members of the Committee shall be one year.

(3) The Chairman may, if he thinks fit, discharge a member from the Committee, if such member is absent from three consecutive meetings thereof, without the permission of the Chairman of the Committee.

171-C. (1) The Chairman of the Committee shall be nominated by the Chairman of the Council.

(2) If the Chairman of the Committee is absent from any meeting, the Committee shall choose another member to act as Chairman of the Committee for that meeting.

171-D. In order to constitute a meeting of the Committee, the quorum shall be three.

171-E. In the case of an equality of votes on any matter, the Chairman of the Committee shall have a second or casting vote.

171-F. In the case of an equality of votes on any matter, the at least once in six months.

171-G. The report of the Committee shall be presented to the House either by the Chairman of the Committee or, on his behalf by any other member of the Committee.

171-H. Except as aforesaid the Committee shall follow the same procedure as a Select Committee of the Council."

The amendment was carried.

Rules 172 to 192 were put and carried.

Rule 1 was put and carried.

22nd December 1954]

* THE HON. SRI M. BHAKTAVATSALAM :—" Mr. Chairman, Sir, I move—

' That the rules, as amended, be approved.' "

MR. CHAIRMAN :—" Motion moved—

' That the rules, as amended, be approved '."

DR. V. K. JOHN :—" Mr. Chairman, Sir, may I ask your leave to put down on record that this House is deeply obliged to you and the other hon. Members of the Select Committee on the Madras Council Rules for the trouble you and the hon. Members have taken and for producing a set of rules which were so acceptable to this House? I am quite sure the entire House will agree with me when I say we are deeply obliged to you and the other hon. Members of the Select Committee."

* SRI T. PURUSHOTHAM :—" Mr. Chairman, Sir, I join with the hon. the Deputy Leader of the Opposition in congratulating you and the Hon. the Leader of the House and also the Members of the Select Committee on having so expeditiously completed the framing of these rules. As is stated in the report of the Select Committee several changes have been made which are intended to enlarge the rights of hon. Members of this House and make their control over the Executive more effective.

" In this connexion, I would like to refer to one point—I have referred to this point very often in the past—namely, delay in answering questions. In the rules, provision is made for answering questions within seven days. But questions are pending for months and even years. I am aware of your difficulty and also the difficulty of the Hon. Ministers in this matter. I would request you, Sir, if it is possible, to convene a conference of the Secretaries to Government with, of course, the Hon. the Leader of the House and see what best could be done in this matter. I know we have got the most efficient Secretariat. I do not see any reason why we should not have some arrangement by which all the questions could be answered in time.

" I would also suggest in this connexion that we may have a number of consultative committees consisting of members of both Houses of the Legislature. By the formation of such committees I feel we can enable hon. Members to have a glimpse into the working of the various Government Departments. If that is done there would not be the necessity for members to put so many questions. These need not be statutory committees. No power need be given to them. We can form informal committees consisting of Members of the Legislature and attach one committee to each department of Government. The Minister concerned could summon each of the Committees once during every session. I hope Government will consider this suggestion sympathetically.

" Sir, with regard to the Budget, we have now passed a rule that it shall be presented to this House on the day fixed by the Governor. We hope it will be presented on the same day it is

[Sri T. Purushotham] [22nd December 1954]

presented to the other House. We pressed for this being done on the last occasion also. (An hon. Member: 'Not at the same time.') I said 'on the same day'. Last time, Sir, the Budget was presented to this House a few days after it was presented to the other House. A convention for simultaneous presentation of the Budget in both the Houses is most desirable.

"Another matter to which I would like to make reference is this. More Bills should be introduced in the Council first. That would greatly help matters. I would request the Hon. the Leader of the House to note the general desire of this House in this matter. When forming committees on Bills, I would like that they be constituted as Joint Select Committees. (An hon. Member: 'Except Money Bills.') Yes, of course, Money Bills excepted. For instance, we are having the Dramatic Performances Bill. It would have been better if we had had a Joint Select Committee. In future, I hope, we will have Joint Select Committees on all important Bills.

"Then, Sir, the citizens' right to petition the Council should be widened. The present rules state that petitions may be presented only on matters connected with the business pending before the House. The public should have the right to present petitions to the Council on all matters of public importance so that the House may take cognizance of and refer them to Government after examination by a petitions committee. I hope such wholesome conventions would be established.

"Lastly, I would propose, Sir, that we should have a separate Secretariat for the Council. There is provision in the Constitution to have a separate Secretariat for the Council. I would therefore request you to take necessary action in this direction. Of course, if there are any difficulties, in regard to establishment matters, the Constitution itself provides that we can create joint establishments for the Council and the Assembly. You know, Sir, the whole Secretariat of the Madras Government is treated as one unit for promotion to the cadres of Superintendents and Assistant Secretaries. So also we can come to some understanding with regard to the establishments of the Council and the Assembly. There should be a separate Secretariat as I said for us and I would propose, Sir, that you should move in the matter. With these remarks, I support the motion and I thank you once again for all that you have done in getting the rules amended with far-reaching statutory changes."

SRI MOHAMED RAZA KHAN:—"Mr. Chairman, Sir, I congratulate the Hon. the Leader of the House on the very accommodating spirit which he has shown not only on the floor of the House, but also in the Select Committee. He has been very helpful and he wanted that, now that we are revising the rules, we should have the best of rules possible. More than anybody else,

22nd December 1954] [Sri Mohamed Raza Khan]

the hon. Member Sri T. Purushotham deserves our congratulations for the pains he has taken in submitting so many amendments and getting an unusual number of amendments accepted by Government, especially the amendment introducing new rules after rule 171. Under that rule we are going to have a Committee on Assurances. This will act as a check on Hon. Ministers and hereafter they will be very careful, I would say, they will be extra careful, in giving assurances and promises."

THE HON. SRI M. BHAKTAVATSALAM:—"The assurances 4-20
given on the floor of the House should also be properly under- p.m.
stood."

SRI MOHAMED RAZA KHAN:—"That will save our trouble. Otherwise we will have to write a book on assurances and promises which have not been fulfilled.

"I want to draw the attention of the House to one important matter, namely, who should be in charge of the House when there is a joint sitting of both the Houses. I feel that both yourself and the Hon. Speaker in consultation with the Leaders of both the Houses can decide this issue. In the course of the discussion of the rules to-day, we tried to provide for certain contingencies and for some hypothetical cases, that is, if such and such a thing were to happen, how can we meet that situation. That shows how careful we are. Rule 8, which deals with the observance of order during Governor's Address, is not clear. It says: 'When the Houses of the Legislature are assembled together under Article 175 or 176 or when the Members of the Council alone have assembled, under Article 175 of the Constitution, no member shall obstruct or interrupt the Address either before or after the Address or during its duration, with any speech or point of order or in any other manner.' When there is a joint session of the Legislature, we do not know who is really in charge of the House. If I remember right, formerly when we were in the Assembly there was a joint session—I think it was the only joint session we had before the inauguration of the Constitution—when Sir Archibald Nye delivered the Address. It was the Chairman of the Council who was in possession of the House, and we were under the charge of the Chairman who could order us to sit down or even clear out of the House in case we obstructed or interrupted the Address. Now the position is nebulous. Because an incident had already taken place, I want the matter should be made clear. I do not wish to dilate upon the incident, but the House knows that at one joint session a prominent member interrupted the Address of the Governor by making a speech with regard to some matter. He may be right or wrong. But it looks as though that neither His Excellency the Governor nor the Chairman nor the Speaker can do anything. It is only afterwards that a motion can be made in the House censuring the behaviour or attitude of the member concerned. I know there is the other House and it is not my intention that there should be competition between this House and the other House. I only wish to say that some procedure must be

[Sri Mohamed Raza Khan] [22nd December 1954]

laid down. I understand that this question was raised at the conference of the Speakers and Chairmen of the various State Legislatures. We should have a rule which should clearly lay down that somebody will be in charge of the House so that if any untoward incident takes place, action can be taken immediately. To put His Excellency the Governor in charge of the House will drag him into this controversy, and if some member raises a point of order or interrupts the proceedings of the House in any other manner, it will be awkward. Sir, in consultation with yourself, the Speaker, the Leaders of both the Houses and the Leaders of the Opposition, we can come to a decision in this matter rather than leave the matter vague."

* THE HON. SRI M. BHAKTAVATSALAM :—" Mr. Chairman, Sir, I am indeed very much obliged to you and to all the hon. Members of this House for so expeditiously recording their approval to the rules that have been framed by the Select Committee. About the delay in getting answers prepared and submitted to the Council, I would also like to be told periodically by the office of the Legislature about the delay with reference to particular questions so that I may also look into them, but I may assure the House and you, Sir, that we are doing everything in the Secretariat to see that there is no avoidable delay in sending answers to questions. About the proposal of the hon. Member Sri T. Purushotham to have a number of Consultative Committees, I do not think it would serve any useful purpose. A few members may be put on a Committee and they may meet periodically. That will not serve any real purpose. But still Government have been constituting a number of Advisory Committees consisting not only of the hon. Members of the Legislature but also of others. Besides these, there are other committees consisting exclusively of the hon. Members of the Legislature. About the point raised by the hon. Member who spoke last, Sri Mohamed Raza Khan, that is a matter that should have been examined already at the Conference of the Speakers and Chairmen. I do hope that the ensuing Conference of Speakers and Chairmen would take up this matter and decide the issue so that it may be a guide to be followed by all the Legislatures concerned."

MR. CHAIRMAN :—" Before putting the new rules to the vote of the House, I would, in the first place, like to thank the Committee which was formed for revising the rules and the excellent co-operation which I got from it, particularly from the Hon. the Leader of the House. There was not much difference of opinion and the Leader of the House has helped us a great deal. Even now while discussing the rules, the House has been most co-operative and that is why we have been able to approve of all the rules in one afternoon's sitting.

" There was a suggestion made by the hon. Member Sri T. Purushotham that there should be a separate Secretariat for the Council. I am all in favour of that and the sooner we get a separate Secretariat for the Council and a separate one for the Assembly, the better it would be for us. At the present moment, the

22nd December 1954] [Mr. Chairman]

Deputy Secretary to the Legislature is the Secretary to the Council. The two offices are far away from each other and co-operation is not very easy if we take into account the distance between the two. Of course, the services can be a conjoint one as suggested by the hon. Member Sri T. Purushotham and promotions can be made from both the offices, treating them as a single unit. It would be a great advantage to have a separate Secretariat and I shall move in the matter.

" Then there was a suggestion that there should be simultaneous translation of the speeches made by hon. Members in the different languages. Well, that is an arrangement which is most expensive. I have seen that in some places and our prominent Leader of the Opposition, when he was in Europe last time, sent me the papers relating to that and they are now in the Secretariat. That arrangement will cost about one or two lakhs of rupees and further we have to employ very efficient people who can do instantaneous translation. But, there is another method by which a certain amount of difficulty can be overcome and that is what is known as 'tape recording'. That won't be much expensive. To-day the Malayalam Reporter is not available. Even the Tamil Reporters find it very difficult to record verbatim the Tamil speeches and a certain amount of editing is done. If the tape recorder is there, it will record the whole speech. The Reporter can play back what has been recorded and type the speech as it is being played back. For a whole session, I think, it may cost about Rs. 200. Further, the tape can be used over and over again. I will take up this suggestion also in the near future.

" Then, the delay in receiving answers to questions is a very important thing. We have been sending reminders very often and finally, some time ago, I wrote to the Hon. the Chief Minister and the Chief Minister has sent a note to the Chief Secretary to see that as many questions as possible are answered. But whatever anybody may say, I feel there is something wrong in our system of Secretariat work, because if questions can be answered within a maximum period of seven days in the House of Commons, I do not see any reason why we here should take two months and three months. I hope that the Government will see that replies to questions are sent as early as possible instead of going through a terrific amount of red-tapism. I once again thank all hon. Members and the Hon. the Leader of the House.

" I shall now put the motion to the vote of the House. The question is—

' That the rules, as amended, be approved.' "

The motion was carried and the rules were approved.

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

The House then adjourned.

[22nd December 1954]

APPENDIX I.

[Vide answer to starred question No. 89 asked by Sri T. Puroshotham at the meeting of the Legislative Council held on 22nd December 1954, on page 454 supra.]

Statement showing the number of cases of prosecution and conviction for non-payment of sales tax during 1952-53.

District.		Number of cases of prosecution and conviction.	Amount involved.		
(1)		(2)	(3)	Rs.	A. P.
North Madras	.. ..	295	46,846	15	4
South Madras	.. ..	287	21,952	6	11
Chingleput	.. ..	192	21,781	15	3
South Arcot	.. ..	114	7,231	11	5
Salem	.. ..	953	95,074	1	4
Coimbatore (South)	.. ..	673	88,175	7	2
Coimbatore (North)	.. ..	823	1,27,673	15	4
South Kanara	.. ..	595	63,105	4	4
Tanjore	.. ..	208	16,416	3	5
Tiruchirappalli	.. ..	292	38,895	7	3
Madurai (North)	.. ..	27	5,215	9	5
Madurai (South)	.. ..	80	17,810	14	8
Ramanathapuram	.. ..	462	45,019	9	7
Tirunelveli (East)	.. ..	99	4,888	7	0
Tirunelveli (West)	.. ..	28	1,050	14	0
Malabar (North)	.. ..	353	50,681	9	7
Malabar (South)	.. ..	239	27,417	11	4
North Arcot	.. ..	14	2,590	7	5

APPENDIX II.

[Vide answer to starred question No. 90 asked by Sri Mohamed Raza Khan (on behalf of Sri M. K. M. Abdul Salam) at the meeting of the Legislative Council held on 22nd December 1954, on page 457 supra.]

Report of the Collector of Madurai, dated 16th July 1954, on the Administration Report of the Kodaikanal Municipal Council for 1953-54.

I. *Communications.*—A length of 5 furlongs and 73 yards was metalled and 138 yards tarred during the year. The expenditure incurred on maintenance of roads was Rs. 19,273 as against rupees

[22nd December 1954]

16,204 in the last year. The programme of metalling the unmetalled roads should be implemented speedily, in view of its importance as a place of summer resort.

II. *Encroachments.*—The number of cases pending was 80, as in the last year. Steps should be taken to reduce the pendency. All cases of encroachments should be detected and booked.

III. *Education—Elementary.*—Compulsory education was not in force. The total strength in the Municipal Schools was 476 as against 463 in the last year. The percentage of average attendance to average strength was 82.5. The percentage of children of school-age unprovided for was 16.7 for boys and 9.4 for girls as against 14.7 and 4.6 respectively in the last year.

Secondary.—The Council continued to maintain one High School. An additional block was constructed during the year at a cost of Rs. 23,567. The result in the S.S.L.C. Examination, which was good in the previous year was very poor during the year. The Municipal Commissioner should investigate and try to improve the efficiency in the High School and show better results in the coming year. The possibility of opening more adult schools should be considered by the Commissioner and the Council.

IV. *Tree-planting.*—During the year, 205 fruit-bearing trees and 86 other trees were planted. The progress is not satisfactory. The Commissioner and the Council should pay more attention to this item of work, as remarked by me in the last year.

V. *Public health and sanitation.*—There were 23 public latrines and 5 urinals. Steps should be taken to enforce the construction of more private latrines. The sale-proceeds of compost had fallen from Rs. 1,925 in the previous year to Rs. 728. The Commissioner should try to increase the income from the sale of compost.

The 'Goschen Hospital' is reported to be well equipped. The medical facilities available appear to be quite sufficient for the existing population. Out of 404 births, 361 cases received skilled medical aid. The rate of infantile mortality was 96.5 as against 111.3 in the previous year. The town was free from any epidemic and endemic diseases during the year. Sanitation was generally satisfactory. There is no drainage scheme. The possibility of providing underground drainage as recommended by me in the last year, should be considered, at least in crowded localities like the Bazaar area and Anandagiri.

VI. *Remunerative enterprises.*—There was an all round fall in the income under the markets and slaughter-houses. The Commissioner and the Council should investigate the cause for such a fall and try to augment the finances of the municipality in the coming years.

VII. *Finance.*—The percentage of tax collection for the year was 96.7 as against 97.6 for the previous year. The financial position of the municipality can be said to be sound.

[22nd December 1954]

VIII. *General state of administration.*—It is pleasing to note that the municipality has taken various items of improvement such as construction of additional block to the high school, revetment wall by the side of post offices, a wooden bridge on the Ben Shola road, a culvert near the observatory post offices, road improvements, improvements to municipal markets and provision of fountains and flood lights around the lake during the year.

There was adequate co-operation between the Chairman, Commissioner, Municipal Health Officer and Municipal Engineer and also the members of the Council, though on certain occasions it came to my notice that there were rival parties in the Council.

The general state of administration is good.

APPENDIX III.

[Vide item V (1) on page 462 supra.]

L.A. BILL No. 48 OF 1954.

(As passed by the Assembly.)

A Bill further to amend the Madras Tenants and Ryots Protection Act, 1949.

WHEREAS it is expedient further to amend the Madras Tenants and Ryots Protection Act, 1949 (Madras Act XXIV of 1949), for the purpose hereinafter appearing;

BE it enacted in the Fifth Year of the Republic of India as follows :—

1. *Short title.*—This Act may be called the Madras Tenants and Ryots Protection (Amendment) Act, 1954.

2. *Amendment of section 1, Madras Act XXIV of 1949.*—In section 1, sub-section (3), of the Madras Tenants and Ryots Protection Act, 1949 (Madras Act XXIV of 1949), as in force immediately before the commencement of the Madras Tenants and Ryots Protection (Amendment) Ordinance, 1954 (Madras Ordinance I of 1954), for the words, figures and letters " the 7th October 1954 ", the words, figures and letters " the 7th October 1955 " shall be substituted.

3. *Repeal of Madras Ordinance I of 1954.*—(1) The Madras Tenants and Ryots Protection (Amendment) Ordinance, 1954 (Madras Ordinance I of 1954), is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken in the exercise of any power conferred by or under the Madras Tenants and Ryots Protection Act, 1949 (Madras Act XXIV of 1949) as amended by the said Ordinance shall be deemed to have been done or taken in exercise of the powers conferred by or under the said Act, as if this Act were in force on the day on which such thing was done or action taken.

22nd December 1954]

APPENDIX IV.

[Vide item V (2) on page 470 supra.]

L.A. BILL No. 49 OF 1954.

(As passed by the Assembly.)

A Bill further to amend the Madras Entertainments Tax (Amendment) Act, 1949.

WHEREAS it is expedient further to amend the Madras Entertainments Tax (Amendment) Act, 1949 (Madras Act XVII of 1949), for the purpose hereinafter appearing;

BE it enacted in the Fifth Year of the Republic of India as follows :—

1. *Short title.*—This Act may be called the Madras Entertainments Tax (Amendment) Act, 1954.

2. *Amendment of section 1, Madras Act XVII of 1949.*—In section 1 of the Madras Entertainments Tax (Amendment) Act, 1949 (Madras Act XVII of 1949), sub-section (3) shall be omitted.

R. V. KRISHNA AYYAR,
Secretary to the State Legislature.

17th December 1954.

I certify that this is a Money Bill.

J. SVASHANMUGAM PILLAI,
Speaker, Madras Legislative Assembly.

17th December 1954.

APPENDIX V.

[Vide item V (3) on page 474 supra.]

L.A. BILL No. 51 OF 1954.

(As passed by the Assembly.)

A Bill to amend the Madras Indebted Agriculturists (Temporary Relief) Act, 1954.

WHEREAS it is expedient to amend the Madras Indebted Agriculturists (Temporary Relief) Act, 1954 (Madras Act V of 1954), for the purpose hereinafter appearing;

BE it enacted in the Fifth Year of the Republic of India as follows :—

1. *Short title.*—This Act may be called the Madras Indebted Agriculturists (Temporary Relief) Amendment Act, 1954.

[22nd December 1954]

2. *Amendment of section 3, Madras Act V of 1954.*—In section 3 of the Madras Indebted Agriculturists (Temporary Relief) Act, 1954 (Madras Act V of 1954) (hereinafter referred to as the principal Act),—

(i) in the main paragraph, for the words “before the expiry of a year from the date of commencement of this Act”, the words, figures and letters “before the 1st March 1955” shall be substituted;

(ii) in Explanation II, for the words “before the expiry of the period”, the words “before the date” shall be substituted.

3. *Amendment of section 4, Madras Act V of 1954.*—In section 4, sub-section (1), of the principal Act, for the words “until the expiry of a year from the date of commencement of this Act”, the words, figures and letters “until the 1st March 1955” shall be substituted.

4. *Amendment of section 6, Madras Act V of 1954.*—In section 6 of the principal Act, for the words “before the expiry of a year from the commencement of this Act”, the words, figures and letters “before the 1st March 1955” shall be substituted.

APPENDIX VI.

[Vide item VI on page 487 supra.]

REPORT OF THE SELECT COMMITTEE ON THE RULES OF PROCEDURE OF THE MADRAS LEGISLATIVE COUNCIL APPOINTED IN THE YEAR 1954.

To

THE HONOURABLE THE LEGISLATIVE COUNCIL.

MADRAS.

The Committee appointed to make suggestions for the amendment of the Madras Council Rules has the honour to make the following report.

2. The Rules of Procedure which at present govern the conduct of business in the Legislative Council are those that were in force immediately before the commencement of the Constitution of India with such modifications and adaptations as have been made therein by the Chairman under clause (2) of Article 208 of the Constitution.

3. Under clause (1) of that Article, a House of the Legislature of a State may make rules for regulating, subject to the provisions of the Constitution, its procedure and conduct of its business.

4. For the purpose of formulating the necessary rules for regulating such procedure and conduct, a Committee was constituted by a motion made in the Council on the 13th August 1954.

5. The Committee met in the Congress Party Room, Fort St. George, on the 7th, 8th and 9th December 1954.

[22nd December 1954]

6. The existing Madras Council Rules are the same as the Madras Legislative Assembly Rules with necessary omissions and changes necessitated by the Constitution. The Committee took up, as the basis of their discussion the Madras Assembly Rules as revised by the Rules Committee with such omissions and changes as were necessitated by the Constitution. The rules as amended are in greater conformity with the rules of the Rajya Sabha. In particular, provision has been made for the constitution of a Business Advisory Committee.

7. The important changes made in the original rules and approved by the Committee are as follows:—

Rule 4.

The rules in regard to the debate on the Governor's Address under Article 176 of the Constitution have been made applicable also to the Governor's Address to the Council only under Article 175 of the Constitution.

Rule 5.

A specific rule has been added to the effect that when the Houses of the Legislature are assembled together or when the members of the Council alone have assembled under Article 175 or Article 176 of the Constitution, no member shall obstruct or interrupt the Address either before or after the Address or during its duration, with any speech or point of order or in any other manner and such obstruction or interruption shall be regarded as a gross breach of order of the House and shall be dealt with by the Chairman as such at the next sitting of the Council.

Rule 9.

At present, on the prorogation of a session, all pending notices and business lapse, except Bills which have been introduced. The rule has been amended to the effect that on the prorogation of a session all pending notices and business shall be carried over to the next session and a sub-rule has been added, that prorogation shall not affect the work of a Committee of the House or a Joint Select Committee.

Rule 15.

The rule has been amended so as to determine also the Vice-Chairman who is to preside in the absence of both the Chairman and the Deputy Chairman.

Rule 19.

The quorum has been fixed as 10 in accordance with Article 189 (3) of the Constitution.

Rule 24.

The Committee considered it desirable to have ‘Saturdays’ instead of ‘Wednesdays’. The rule has been re-drafted accordingly also providing that in a case where a Saturday has been taken

[22nd December 1954]

over for the transaction of Government business under this rule, the Chairman may allot in lieu thereof any other day in the following week for the business of non-official members.

Rule 26.

The present rule is not clear as to whether the non-official business appointed for any day, and not disposed of on that day should be included in the next ballot or be carried over. The rule has been amended so as to make it clear that all non-official business appointed for any day and not disposed of on that day shall stand over until the next day of a continuous meeting available for business of the class to which it belongs, and shall be included in any ballot held for any other day of a subsequent meeting and, if selected, set down in the list of business for such other day according to the priority gained at the ballot held with reference to that day.

New Rule after Rule 40.

Following the rule in the Lok Sabha, a new provision has been made providing for members to call the attention of a Minister to any matter of urgent public importance and for such Minister to make a statement himself on such a matter with the consent of the Chairman.

New Rule after Rule 49.

A new provision has been introduced in the rules which enables a member to raise a discussion for not more than an hour on an important matter of administration.

New Rule after Rule 51.

Rule 52 provides for the conduct of members while speaking. A new rule has been introduced providing the rules to be observed by members while present at a sitting of the House and not speaking.

New Rules after Rule 74.

New provisions have been inserted insisting on a Financial Memorandum in the case of Bills involving expenditure and a Memorandum explaining the legislative power delegated in the case of Bills involving proposals for the delegation of legislative power.

Rule 78.

In the absence of a specific provision, the time and labour spent at present on the consideration of a Bill is wasted in case the mover is unable to be present in the House owing to serious illness or any other cause and thus prevented from carrying the Bill through its further stages. A proviso has been added enabling any other member authorized in writing by such member to carry the Bill through its further stages.

22nd December 1954]

New Rule after Rule 85.

Following the rules in the Rajya Sabha, an addition has been made that a Select Committee may appoint a Sub-Committee to examine any special point or points connected with the Bill.

Rule 117-A.

At present every resolution has to be in the form of a specific recommendation addressed to the Government. There is a specific rule in the Rajya Sabha that a resolution may be in the form of a declaration of opinion by the Council. The rule has been amended so as to include within its scope resolutions in the form of declaration of opinion by the House or a motion for the appointment of a Committee of the House.

Rule 118.

The rule has been amended so as to enable the Chairman to determine the order of precedence in the list of business of short notice resolutions.

New Rules after Rule 138.

New Rules have been introduced providing the procedure for the expunging of words from the proceedings and the authorization of printing and publication of documents laid on the table of the House.

8. Several other changes have also been made and it may be said that all of them are intended to extend the rights of members and make their control over executive administration more effective.

9. The rules as revised by the Committee are annexed.

FORT ST. GEORGE, MADRAS,
9th December 1954.

P. V. CHERIAN,
Chairman.

[22nd December 1954]

THE MADRAS COUNCIL RULES.

CHAPTER I.

DEFINITIONS.

- Short title.** 1. These rules may be called the Madras Council Rules.
- Definitions.** 2. In these rules—
- (a) "Assembly" means the Madras Legislative Assembly.
 - (b) "Constitution" means the Constitution of India.
 - (c) "Council" means the Madras Legislative Council.
 - (d) "Finance Minister" means the Minister in charge of Finance or any other Minister to whom he may delegate his functions for the purpose of these rules.
 - (e) "Gazette" means the *Fort St. George Gazette*.
 - (f) "Leader of the House" means the Minister appointed by the Government as the Leader of the Council.
 - (g) "Member" means member of the Council.
 - (h) "Member in charge of a Bill" means—
 - (i) in the case of a Government Bill, the Minister introducing the Bill on behalf of the Government;
 - (ii) in any other case, the Member who has introduced the Bill; or
 - (iii) where the Bill is one which was introduced in the Assembly and received in the Council, the Member who has given notice of his intention to move that the Bill be taken into consideration.
 - (i) "Minister" includes any Deputy Minister or Parliamentary Secretary to whom a Minister may delegate his functions.
 - (j) "Rules" means the Madras Council Rules.
 - (k) "Secretary" means Secretary to the Council and includes any gazetted officer of the Council authorized by him with the consent of the Chairman to perform the duties of the Secretary.
 - (l) Words and expressions used in the Constitution and not defined in these rules shall have the meaning assigned to them in the Constitution.

22nd December 1954]

CHAPTER II.

SUMMONING OF COUNCIL.

3. The Secretary shall intimate to each member the date and place appointed for a meeting of the Council. Summons of Council

GOVERNOR'S ADDRESS.

4. At the first sitting of the Council, after the Governor has addressed both the Houses of the Legislature under Article 176 of the Constitution or the Council under Article 175 of the Constitution, a copy of the Governor's Address shall be placed on the table of the House. Governor's Address.

5. (1) The Chairman shall, in consultation with the Leader of the House, allot the time necessary for the discussion of the matters referred to in the Governor's Address. Discussion on the Address.

- (2) Such discussion may take place on a Motion of Thanks moved by a member and seconded by another member.

- (3) Amendments may be moved to such motion in such form as may be allowed by the Chairman.

6. The Chairman shall report to the Council the Governor's reply, if any, to the Motion of Thanks. Governor's reply.

7. The rules of debate relating to Government motions shall apply *mutatis mutandis* to the debate on the Governor's Address. Rules of debate on Governor's Address.

8. When the Houses of the Legislature are assembled together under Article 175 or 176 or when the members of the Council alone have assembled, under Article 175 of the Constitution, no member shall obstruct or interrupt the Address either before or after the Address or during its duration, with any speech or point of order or in any other manner; and such obstruction or interruption shall be regarded as a gross breach of order of the House and shall be dealt with by the Chairman as such at the next sitting of the Council. Observance of order during Governor's Address.

PROROGATION OF COUNCIL.

9. (a) A session of the Council is terminated by prorogation. Prorogation of Council.
- (b) On the prorogation of a session, all pending notices and business shall be carried over to the next session.
- (c) Prorogation shall not affect the work of any Committee or Select Committee under these rules or of any Joint Select Committee.

[22nd December 1954]

CHAPTER III.

LEAVE OF ABSENCE TO MEMBERS AND VACATION OF SEATS.

Attendance
list.

10. The Secretary shall keep a list showing the attendance of each member and such list shall be made available to members for inspection.

Leave of
absence

11. (1) Leave of absence from the sittings of the House may be granted by the House to a member on a motion made by him or any other member in his behalf, stating the period of absence, and such motion shall be voted upon without amendment or debate.

(2) If without such leave a member is absent from all meetings of the Council for sixty days computed in accordance with clause (4) of Article 190 of the Constitution, any member of the House may move that his seat be declared vacant, and such motion shall be voted upon without amendment or debate.

CHAPTER IV.

ELECTION OF CHAIRMAN AND DEPUTY CHAIRMAN.

Election of
Chairman.

12. (1) When, owing to the existence of any vacancy in the office of Chairman, the election of a Chairman is necessary, the Governor shall fix as early a date as possible for the holding of the election and the Secretary shall send to every member notice of the date so fixed.

(2) At any time before noon on the day preceding the date so fixed any member may nominate another member for election. The nomination paper shall contain the name of the member nominated, shall be signed by the proposer and seconder and also contain a declaration by the nominee that he is willing to serve as Chairman, if elected. It shall be delivered to the Secretary *in person* either by the proposer or the seconder, or the candidate nominated.

(3) The election shall take place at a meeting of the Council.

(4) On the date fixed for election, the person presiding at the meeting shall read out to the Council the names of members who have been duly nominated together with those of their proposers and seconders, and, if only one member has been so nominated, shall declare that member to be elected. If more than one member has been so nominated, the Council shall proceed to elect a Chairman by ballot.

(5) For the purpose of sub-rule (4), a member shall not be deemed to have been duly nominated or be entitled to vote if he and his proposer and seconder have not, before the reading out of the names by the person presiding, made the oath or affirmation as members of the Council.

[22nd December 1954]

(6) Where more than two candidates have been nominated, and at the first ballot no candidate obtains more votes than the aggregate votes obtained by the other candidates, the candidate who has obtained the smallest number of votes shall be excluded from the election and balloting shall proceed, the candidate obtaining the smallest number of votes at each ballot being excluded from the election until one candidate obtains more votes than the remaining candidate or than the aggregate votes of the remaining candidates, as the case may be.

(7) Where at any ballot any of three or more candidates obtain an equal number of votes and one of them has to be excluded from the election under sub-rule (6), the determination, as between the candidates whose votes are equal, of the candidate who is to be excluded shall be by the drawing of lots.

13. (1) When owing to the existence of any vacancy in the office of Deputy Chairman, the election of a Deputy Chairman is necessary, the Governor, when there is no Chairman, or the Chairman, when there is a Chairman, shall fix as early a date as possible for the holding of the election and the Secretary shall send to every member notice of the date so fixed.

Election of
Deputy
Chairman.

(2) At any time before noon on the day preceding the date so fixed, any member may nominate another member for election. The nomination paper shall contain the name of the member nominated, shall be signed by the proposer and seconder and also contain a declaration by the nominee that he is willing to serve as Deputy Chairman if elected. It shall be delivered to the Secretary *in person* either by the proposer or the seconder or the candidate nominated.

(3) The election shall take place at a meeting of the Council.

(4) On the date fixed for election, the person presiding shall read out to the Council the names of the persons who have been duly proposed together with the names of their proposers and seconders, and if only one member has been so proposed for election, shall declare that person duly elected. If more than one person has been so proposed, the Council shall proceed to elect a Deputy Chairman by ballot.

(5) For the purpose of sub-rule (4), a member shall not be deemed to have been duly proposed or be entitled to vote if he and his proposer and seconder have not, before the reading out of the names by the person presiding, made the oath or affirmation, as members of the Council.

(6) Where more than two candidates have been proposed and at the first ballot no candidate obtains more votes than the aggregate votes obtained by the other candidates, the candidate who has obtained the smallest number of votes shall be excluded from the election and balloting shall proceed, the candidate obtaining the smallest number of votes at each ballot being excluded

[22nd December 1954]

from the election until one candidate obtains more votes than the remaining candidate or than the aggregate votes of the remaining candidates, as the case may be.

(7) Where at any ballot any of three or more candidates obtain an equal number of votes and one of them has to be excluded from the election under sub-rule (6), the determination, as between the candidates whose votes are equal, of the candidate who has to be excluded shall be by the drawing of lots.

PANEL OF VICE-CHAIRMEN.

Panel of
Vice-
Chairmen.

14. (1) At the commencement of every session, the Chairman shall nominate from amongst the members of the Council a panel of not more than four Vice-Chairmen, any one of whom may preside over the Council in the absence of the Chairman and the Deputy Chairman when so requested by the Chairman or, in his absence, by the Deputy Chairman or, in his absence also, by the Vice-Chairman presiding. If the Chairman and Deputy Chairman are absent, one of the panel of Vice-Chairmen present in the House, in the order of the announcement regarding their nomination by the Chairman will take the Chair.

(2) The Vice-Chairmen nominated under sub-rule (1) shall hold office until a new panel of Vice-Chairmen is nominated.

Powers of
person
presiding.

15. The Deputy Chairman or Vice-Chairman, when presiding over the Council, shall have the same powers as the Chairman when so presiding and all references to the Chairman in the rules shall, in these circumstances, be deemed to be references to the person presiding.

CHAPTER V.

SITTINGS OF THE COUNCIL AND ARRANGEMENT OF BUSINESS.

Adjourn-
ment of
meetings.

16. The Chairman or person presiding shall have power to adjourn the Council from time to time within a session.

Change in
the date of
meetings.

17. When the Council has been adjourned to a particular date, the Chairman may summon the Council for an earlier or later date.

Quorum.

18. The presence of at least ten members inclusive of the Chairman or person presiding shall be necessary to constitute a meeting of the Council for the exercise of its powers.

Adjournment
for want of
quorum.

19. If at any time it is brought to the notice of the Chair that a quorum is not present, the division bells shall be rung and if, after an interval of not less than fifteen minutes a quorum is still not present, the person presiding shall adjourn the House to the next day on which the Council ordinarily sits or to a later hour on the same date to be named by him.

22nd December 1954]

20. Sittings of the Council shall, unless the Chairman otherwise directs, ordinarily commence at 11 a.m. and conclude at 5 p.m. Ordinary hours of sitting.

21. (1) A list of business for each day shall be prepared by the Secretary and circulated to all members. List of business.

(2) Except as provided in these rules, no business not included in the list of business for the day shall be transacted at any sitting except business of a formal or ceremonial nature.

(3) The order of business as arranged in the list shall not be revised except on a motion accepted by the House.

(4) Except as provided in these rules, no business requiring notice shall be set down in the list of business for a day earlier than the period of the necessary notice.

(5) A paper shall be deemed to have been placed on the table of the Council or laid before the Council on the date on which a note to that effect is entered in the list of business for the day or is found in the proceedings of the Council. Copies of all such papers shall be made available to members.

22. The first hour of every sitting shall, unless the House unanimously resolves otherwise, be available for the asking and answering of questions. Time for questions.

23. (1) On all Saturdays on which the Council is sitting, except— Allotment of time for non-official business and precedence of business.

(i) Saturdays allotted for the discussion of financial matters under Articles 202 to 206 of the Constitution; and

(ii) Saturdays allotted for the discussion of any motion on the Governor's Address

the business of non-official members shall have precedence:

Provided that, on a motion made by a Minister for the suspension of this rule, the Council may resolve to give precedence to Government business even on those Saturdays on which the business of non-official members has precedence under this rule:

Provided further that where a Saturday has been taken over for the transaction of Government business under the above-mentioned proviso, the Chairman may allot in lieu thereof any other day in the same or next week for the business of non-official members.

(2) On other days, no business other than Government business shall be transacted, except with the consent of the Leader of the House.

24. The arrangement of Government business shall be in the order determined by the Leader of the House. Arrangement of Government business.

[22nd December 1954]

Arrangement
of non-
official
business.

25. (1) The arrangement of the business of non-official members shall be in the following order, namely :—

(i) Bills returned by the Governor with a message under Article 200 of the Constitution;

(ii) Bills which have been passed by the Council and returned by the Assembly with amendments;

(iii) Bills which have been passed by the Assembly and transmitted to the Council;

(iv) Bills in respect of which a motion has been carried that the Bill be taken into consideration;

(v) Bills in respect of which the Report of a Joint Select Committee or a Select Committee has been presented;

(vi) Bills which have been circulated for the purpose of eliciting opinion;

(vii) Bills introduced and in respect of which no further motion has been made or carried;

(viii) Bills in respect of which the motion is that leave be granted to introduce the Bill; and

(ix) Resolutions.

(2) As among Bills falling under the same class, precedence shall be determined according to the priority of their introduction in the Council.

(3) The relative precedence of Bills to be introduced shall be determined by ballot.

(4) The relative precedence of resolutions shall likewise be determined by ballot.

(5) A separate ballot shall be held—

(a) for motions for leave to introduce Bills; and

(b) for resolutions.

(6) The ballot shall be for the names of the members who have given notices of motions for leave to introduce Bills or of resolutions which are eligible for discussion at the meeting in respect of which the ballot is held.

(7) No member can ballot for more than one Bill and one resolution. The Bill or the resolution to be entered against the name of a member shall be in accordance with the preference indicated by him, and in the absence of such indication, in accordance with the order of priority of the receipt of notice.

(8) The ballot shall be held at such time and as often as may be determined by the Chairman.

(9) All non-official business appointed for any day and not disposed of on that day shall stand over until the next day of a continuous meeting available for business of the class to which it

[22nd December 1954]

belongs, and shall be included in any ballot held for any other day of a subsequent meeting and, if selected, set down in the list of business for such other day according to the priority gained at the ballot held with reference to that day :

Provided that any motion which is under the actual consideration of the Council at the time of an adjournment shall be placed in the list of business for the next day available for non-official business of the same class and shall be placed as the first item in that class of business according to the precedence given to that class by this rule.

(10) Whenever any difficulty arises in applying this rule, it shall be referred to the Chairman for decision.

26. (1) Except as otherwise provided, every notice required by these rules shall be given in writing addressed to the Secretary and shall be left at the office of the Council which shall be open for this purpose between the hours of 11 a.m. and 3 p.m. on every day except Sunday or other public holidays.

(2) Such notice may be left at the office even when the Council is not in session or by a member even before he is sworn in.

(3) A notice left on a holiday or after 3 p.m. on a working day shall be treated as notice given on the next working day.

(4) Every notice or communication by a member to the Secretary shall be written legibly on good paper and signed by him, and shall contain the name of the member. Otherwise, it shall be liable to be rejected.

27. Unless otherwise requested by a member in writing, every notice or other communication issued to him by the Council office shall—

(a) on meeting days and on two days before the commencement of a meeting, be sent to his address at the place of meeting of the Council, and

(b) on other days be sent to his permanent address, as registered in the Council office :

Provided that on meeting days, such notice or other communication may be placed on the seats allotted to the members in the Council Chamber or distributed to them in the House.

CHAPTER VI.

QUESTIONS.

28. A question may be asked for the purpose of eliciting information on a matter of public importance within the cognizance of the Minister to whom it is addressed.

29. Any member who desires an oral answer to his question may, at the time of giving notice in respect of it, distinguish it by an asterisk. Such a question is called a starred question.

[22nd December 1954]

Chairman to decide whether question is to be starred or unstarred.

30. If in the opinion of the Chairman any question put down for oral answer is of such a nature that a written reply would be more appropriate, the Chairman may direct that such question be placed on the list of questions for written answer:

Provided that the Chairman may, if he thinks fit, call upon the Member who has given notice of a question for oral answer to state in brief his reasons for desiring an oral answer and, after considering the same, may direct that the question be included in the list of questions for written answer.

Matters to which question must relate.

31. A question must relate to public affairs with which the Minister to whom it is addressed is officially connected or to a matter of administration for which he is officially responsible.

Form and contents of questions.

32. In order that a question may be admissible, it must satisfy the following conditions, namely:—

(1) it must be permissible under the Constitution and the rules;

(2) it must not publish any name or statement not strictly necessary to make the question intelligible;

(3) if a question contains a statement, the member asking it must make himself responsible for the accuracy of the statement;

(4) it must not contain extracts from newspapers;

(5) it must not contain arguments, inferences, ironical expressions or defamatory statements;

(6) it must not ask for an expression of opinion or the solution of an abstract legal question or of a hypothetical proposition;

(7) it must not refer to the character or conduct of any person except in his official or public capacity;

(8) it must not relate to a private or purely parochial grievance;

(9) it must not relate to any matter which is under adjudication by any Court of law or to the conduct of a Judge of the Supreme Court or of a High Court in his judicial capacity;

(10) it must not be of excessive length;

(11) a question once fully answered in the Council must not be asked again;

(12) it must not anticipate a question of which notice has already been given;

(13) it shall not raise a question of policy too large to be dealt with within the limits of an answer to a question; and

(14) it shall not seek information about matters relating to the proceedings of the Council of Ministers.

22nd December 1954]

33. (1) The Chairman shall decide on the admissibility of a question and shall disallow any question when, in his opinion, it is an abuse of the right of questioning or is in contravention of the rules.

(2) Where the form or the subject-matter of a question is, in the opinion of the Chairman, in contravention of the rules, he may amend the question to secure its compliance with the rules and inform the member concerned accordingly.

34. Questions which have not been disallowed shall be entered in the list of questions for a day not earlier than seven clear days from the date on which notice thereof was received by the Secretary:

Provided that the Chairman may, with the consent of the Minister concerned, order a question to be entered in the list of questions with shorter notice than seven days; and

Provided also that, in case the answer to a question cannot be sent to the Secretary before the sitting of the Council immediately following the period of seven days' notice, the Chairman may extend the time for answering the question.

35. (1) Starred questions entered in the list of questions for a day shall be called, if the time made available for questions permits, in the order in which they stand in the list.

(2) If on a question being called, a member in whose name it stands is absent, the Chairman at the request of any member may direct that the answer to it be given.

(3) When all the questions for which an oral answer is desired have been called, the Chairman may, if time permits, call again any question which has not been asked by reason of the absence of the member in whose name it stands, and may permit the member, if present, to ask the question.

(4) All starred questions which are not called and all unstarred questions with their answers shall be included in the printed proceedings of the Council.

36. Questions requiring long statements or statistics shall not be starred, and the Chairman may direct that lengthy answers or statistics given in answer to a starred question shall be laid on the table and printed in the official report of the proceedings of the Council instead of being given orally.

37. Subject to the rules, questions shall be put and answers given in such manner as the Chairman may, in his discretion, determine.

[22nd December 1954]

Supplementary questions and their admission.

88. (1) Any member may put a supplementary question for the purpose of further elucidating any matter of fact regarding which an answer has been given to a starred question.

(2) The Chairman may disallow any supplementary question if, in his opinion, it infringes the rules regarding questions or if a sufficient or reasonable number of supplementary questions has already been put in respect of the same question.

Minister may decline to answer question or supplementary question without notice.

39. A Minister to whom a question or supplementary question is put may decline to answer it on the ground that to answer it would be against public interest and a Minister to whom a supplementary question is put may decline to answer it without notice.

Restriction on discussion.

40. No discussion shall be permitted at question-time in respect of a question or of any answer given to a question :

Provided that on request made to the Chairman at question-time, the Chairman may, in his discretion, allow half an hour after the conclusion of the business of the day, to enable a member to raise a debate on any matter of urgent importance which has been the subject of a question on that day. No vote shall be taken on such debate and such time shall not be available for the transaction of any other business.

CHAPTER VII.

CALLING ATTENTION TO MATTERS OF URGENT PUBLIC IMPORTANCE.

Calling attention to matters of urgent public importance.

41. (1) A member may, after questions, and with the previous permission of the Chairman, call the attention of a Minister to any matter of urgent public importance and the Minister may then make a brief statement on the matter or ask for time to make a statement later.

(2) There shall be no debate on such statement at the time it is made.

(3) Not more than one matter shall be raised under this rule for the same day.

(4) In the event of more than one matter being presented for the same day, priority shall be given to the matter which, in the opinion of the Chairman, is more urgent and important.

(5) The proposed matter shall be raised only after questions and before the list of business is entered upon and at no other time during the sitting of the House.

22nd December 1954]

CHAPTER VIII.

MOTION FOR ADJOURNMENT ON A MATTER OF PUBLIC IMPORTANCE.

42. A motion for an adjournment of the business of the Council for the purpose of discussing a definite matter of urgent public importance may be made in accordance with the rules in this Chapter. Motion to adjournment.

43. A member desirous of moving a motion for an adjournment of the business of the House for the purpose of discussing a definite matter of urgent public importance shall, before the commencement of the sitting of the Council at which he proposes to ask for leave of the House to make his motion, hand to the Chairman a statement in writing of the matter proposed to be discussed, and obtain his consent to his asking for leave to make the motion. Chairman's consent to asking for leave.

44. If the Chairman gives consent under rule 43, the member may, after questions and before the list of business for the day is entered upon, ask the leave of the House to make the motion. Time of asking for leave.

45. The Chairman will then read the statement referred to in rule 43 to the House and decide whether the matter proposed to be discussed is or is not in order. Chairman to decide admissibility of the motion.

46. If the Chairman holds that the motion is not in order, he may state the reasons for his opinion. Chairman's discretion to state reasons for ruling out motions.

47. If the Chairman is of opinion that the matter proposed to be discussed is in order, he shall ask whether the member has the leave of the House. If objection is taken by any member, the Chairman shall request those members who support the motion to rise in their places. If ten or more members rise accordingly, the Chairman shall intimate that the member has the leave of the House. If less than ten members rise, the Chairman shall inform the member that he has not the leave of the House. Mode of asking for leave of the House.

48. If leave of the House has been given for making the motion, the Chairman shall intimate to the House that the motion will be taken up at such hour on the same day or at such hour on any other day as may be fixed by him in consultation with the Leader of the House. Time for taking up the motion.

49. A motion which fails to obtain the requisite support shall not, during the same session, be brought up again under rule 42. Repetition of motions.

50. The right to move the adjournment of the business of the Council for the purpose of discussing a definite matter of urgent public importance shall be subject to the following restrictions, viz. :— Restrictions on right to make motions.

(i) Not more than one such motion shall be discussed on the same day.

[22nd December 1954]

(ii) Not more than one matter can be discussed on the same motion.

(iii) The motion must be restricted to a specific matter of recent occurrence.

(iv) The motion must not revive discussion on a matter which has been discussed on an adjournment or otherwise in the same session.

(v) The motion must not anticipate a matter which has been previously appointed for consideration, or with reference to which a notice of motion has been previously given, regard being had to the probability of the matter anticipated being brought before the House within a reasonable time.

(vi) The motion shall not raise a question of privilege.

(vii) The motion shall not raise any question which under the Constitution or the rules, can be raised only on a distinct motion after giving notice.

(viii) The matter to be discussed must involve more than the ordinary administration of the law.

(ix) The motion must not refer to grievances which can be remedied only by legislation.

(x) The motion must refer to a matter in which the responsibility of the Government is clearly involved.

Limitation
of time of
discussion.

51. The debate on a motion to discuss a matter of urgent public importance, if not earlier concluded, shall automatically terminate at the end of two hours after the commencement of the debate and thereafter no question can be put.

CHAPTER IX.

RESOLUTION FOR THE REMOVAL OF THE CHAIRMAN OR DEPUTY CHAIRMAN.

Resolution
for removal
of Chairman
or Deputy
Chairman.

52. A resolution for the removal of the Chairman or the Deputy Chairman of the Council from his office may be moved with the leave of the House:

Provided that no resolution for the purpose shall be moved unless at least fourteen days' notice has been given to the Secretary of the intention to move the resolution.

Time for
discussion.

53. On receipt of notice of such a resolution, the Chairman shall, in consultation with the Leader of the House, appoint a date for its discussion. The Secretary shall cause the resolution to be circulated to all the members of the Council, together with an intimation about the date appointed for its discussion.

Leave of the
House.

54. On the date appointed under rule 53, the person presiding over the Council shall read the resolution to the Council and request the members who are in favour of leave being granted

[22nd December 1954]

to move the resolution to rise in their places. If not less than ten members rise, the person presiding over the Council shall allow the resolution to be moved. If less than ten members rise, he shall inform the member giving notice of the resolution that he has not the leave of the Council to move it.

CHAPTER X.

MOTION EXPRESSING WANT OF CONFIDENCE IN THE MINISTRY AND EXPLANATION BY A MINISTER WHO HAS RESIGNED.

55. (1) A motion expressing want of confidence in the Ministry or a motion disapproving the policy of the Ministry in a particular respect may be made with the consent of the Chairman and subject to the following restrictions, namely:—

Motion
expressing
want of
confidence in
the Ministry.

(a) leave to make the motion must be asked for after questions and before the list of business for the day is entered upon; and

(b) the member asking for leave must, before the commencement of the sitting of the day, leave with the Secretary a written notice of the motion which he proposes to make.

(2) If the Chairman is of opinion that the motion is in order, he shall read the motion to the House and shall request those members who are in favour of leave being granted to rise in their places and if not less than twenty members rise accordingly, the Chairman shall intimate that leave is granted and that the motion will be taken on such day, not being more than ten days from the day on which leave is asked for, as he may appoint. If less than twenty members rise, the Chairman shall inform the member that he has not the leave of the House.

56. (1) A member who has resigned the office of Minister may, with the consent of the Chairman, make a personal statement in explanation of his resignation.

Explanation
by a member
who has
resigned the
office of
Minister.

(2) Such statement shall be made after questions and before the list of business for the day is entered upon.

(3) There shall be no debate on such statement, but after it has been made, a Minister may make a statement pertinent thereto.

CHAPTER XI.

DISCUSSION FOR SHORT DURATION ON URGENT MATTERS OF ADMINISTRATION.

57. (1) Any member desirous of raising a discussion on an urgent matter of administration may give notice in writing to the Secretary specifying clearly and precisely the matter to be raised.

Notice of
raising
discussion.

(2) The notice shall be accompanied by an explanatory note stating reasons for raising a discussion on the matter in question.

[22nd December 1954]

Chairman to decide admissibility.

58. If the Chairman is satisfied that the matter is urgent and is of sufficient importance to be raised in the House at an early date, he may admit the notice and in consultation with the Leader of the House fix the date on which such matter may be taken up for discussion and allow such time for discussion not exceeding one hour.

Conditions of admissibility.

59. In order that a matter may be admissible under this rule for discussion, it shall satisfy the following conditions, namely, that—

- (i) it shall raise substantially one definite issue;
- (ii) it shall be restricted to a matter of recent occurrence;
- (iii) it shall not raise a question of privilege;
- (iv) it shall not revive discussion of a matter which has been discussed in the same session;
- (v) it shall not anticipate discussion of a matter which is likely to be discussed in the same session;
- (vi) it shall not relate to any matter which is under adjudication by a court of law having jurisdiction in any part of India.

Time-limit for speeches.

60. The Chairman may, if he thinks fit, prescribe a time-limit for the speeches.

CHAPTER XII.

GENERAL RULES OF PROCEDURE.

Language of the Council.

61. The business of the Council shall be transacted in English, provided that any member may address the Council in any recognized language of the State or in Hindi, and provided further that the Chairman may permit any member who cannot adequately express himself in any of the aforesaid languages to address the Council in his mother-tongue.

Explanation.—For purposes of this rule, "recognized language" shall mean any one of the following languages, namely, Tamil, Telugu, Malayalam, Kannada or Hindustani.

Members' places.

62. The members shall sit in such order as the Chairman may fix.

Rules to be observed by members while present in the House.

63. A member present at a sitting of the House, and not speaking,

- (i) shall not read any newspaper except in connexion with the business of the House,
- (ii) shall maintain silence,
- (iii) shall not interrupt a member, while speaking, by disorderly expressions or in any other disorderly manner,
- (iv) shall bow to the Chair when taking or leaving his seat.

[22nd December 1954]

(v) shall not pass between the Chair and any member who is speaking.

(vi) shall not leave the House when the Chairman is addressing the House.

64. A member desiring to make any speech on any matter before the House shall rise from his seat and being called by the Chairman address his remarks to him from his place. At any time, if the Chairman rises, any member speaking shall resume his seat. **Members to rise when speaking.**

65. When, for the purpose of explanation during discussion or for any other sufficient reason, any member has occasion to ask a question of another member on any matter then under the consideration of the Council, he shall ask the question through the Chairman. **Explanations.**

66. Every speech must be strictly relevant to the matter before the Council. **Limitations on debate.**

67. A member while speaking must not—

- (i) give his opinion about or refer to any matter on which a judicial decision is pending;
- (ii) make a personal charge against a member;
- (iii) use offensive expressions about the conduct or proceedings of the Parliament or any State Legislature or of the other House;

Rules to be observed by members while speaking.

(iv) reflect upon the conduct of the President or any Governor or Rajpramukh or any Court of Justice or use the Rajpramukh's or Governor's or President's name for the purpose of influencing a debate;

(v) utter treasonable, seditious, defamatory or unparliamentary words; or

(vi) use his right of speech for the purpose of obstructing the business of the Council.

68. A matter requiring the decision of the Council is brought forward by means of a motion proposed by a member and a question stated or read out by the Chairman thereon. **Motion.**

69. Every motion must be proposed by one member and seconded by another though the seconder of a substantive motion may reserve his speech till a later stage of the debate. A motion not seconded is forthwith dropped: **Seconding of motions.**

Provided that a motion need not be seconded if the motion is one which is moved by a Minister.

70. After the Chairman has stated or read out the motion members may speak on it in the order in which they are called by the Chairman. **Order of speeches.**

[22nd December 1954]

Method of taking votes.

71. (1) On the conclusion of the debate on the motion, the Chairman shall put the question to the vote of the House and shall decide it by voices. If the opinion of the Chairman as to the decision of the House is challenged, he shall take the votes of the House by division.

(2) The Chairman shall determine the method of taking votes by division.

(3) The result of a division shall be announced by the Chairman and shall not be challenged.

(4) Before the Chairman has announced the result of a division, he may, if satisfied that any mistake has been committed in the recording of the votes, allow the same to be corrected.

(5) If in the Chairman's opinion, a division is unnecessarily or frivolously claimed, he may call upon the members who challenged the division to rise in their places, and may, after counting them, declare the result of the division.

Restriction on motions.

72. A motion must not raise a question substantially identical with one on which the Council has given a decision in the same session.

Explanation.—Subject to the provisions of Articles 197 and 198 of the Constitution, the Council shall not be deemed to have given a decision in respect of a Bill unless it has either passed the Bill or has rejected the Bill.

Withdrawal of motions.

73. (1) A member who has moved a motion or an amendment to a motion may withdraw the same with the leave of the Council expressed without a dissentient voice :

Provided that if an amendment has been proposed to the motion, the original motion shall not be withdrawn until the amendment has been disposed of.

(2) If, at the time of putting the question on a motion to the vote of the House, the mover of the motion is absent, it shall be considered to have been withdrawn by him, unless any member of the House asks that the question on the motion be put.

Second speech and right of reply.

74. Except in the exercise of a right of reply or as otherwise provided, no member shall speak more than once on any motion, provided that any member to whom a reference has been made or against whom a reflection has been cast in the debate may, with the permission of the Chairman, make a personal explanation; but such explanation must be strictly relevant to the reference or reflection sought to be explained and should not introduce new or debatable matter.

Mover's right of reply.

75. (1) A member who has moved a substantive motion, may speak again by way of reply, and the mover of an adjournment motion under rule 42 shall have a right of reply, if the motion is

[22nd December 1954]

moved by a non-official member, the Minister to whose department the matter relates shall, after the mover has replied, have the right of speaking whether he has previously spoken in the debate or not.

Explanation.—A 'substantive motion' shall not include—

- (i) an amendment to a resolution, or
- (ii) an amendment to a motion on the Governor's Address.

(2) A member may speak on an amendment though he may have spoken on the original motion or on another amendment.

(3) A member when replying shall confine himself to matters raised during the debate and shall not introduce new debatable matter.

76. (1) An amendment must be relevant to, and within the scope of, the subject-matter of the Bill or motion to which it relates. Rules as to amendments.

(2) An amendment may not be moved which has merely the effect of a negative vote.

(3) After a decision has been given on an amendment to any part of a Bill, clause or motion, no amendment, which arises at an earlier part of the Bill, clause or motion shall, except with the leave of the House, be moved.

(4) An amendment on a question must not be inconsistent with any previous decision on the same question given at any stage of the same Bill or motion.

(5) The Chairman may refuse to put an amendment which is, in his opinion, frivolous.

77. In respect of any motion or any Bill under consideration, Selection of amendments for discussion.

(1) the Chairman may select one of several identical or substantially identical amendments to be proposed, or

(2) he may, if he thinks fit, call upon any member who has given notice of an amendment to give such explanation of the object of the amendment as may enable him to form a judgment on it.

78. (1) At any time after a motion has been made, a member may move 'that the question be now put,' and unless it shall appear to the Chairman that such motion is an abuse of the rules of the House or an infringement of the rights of reasonable debate, the question 'that the question be now put' shall be put forthwith and decided without amendment or debate. Closure.

(2) When the motion 'that the question be now put' has been carried the question on the particular motion, the debate on which has thus terminated, shall be put and decided without amendment or further debate.

[22nd December 1954]

Adjourn-
ment.

79. A motion that any meeting or business be adjourned or postponed or that the House pass on to the business next in order in the list of business may be moved at any time and without previous notice as a distinct question, but not so as to interrupt a speech. If the motion is carried, the meeting or business shall, subject to the provisions of sub-rule (3) of rule 21, be adjourned or postponed accordingly, or if the motion carried be that the House pass on to the business next in order in the list of business the business then under discussion shall be considered to be disposed of :

Provided that nothing in this rule shall enable a member to move, that any meeting or business fixed by a special order of the Chairman or the Governor for a purpose for which they have power to appoint a day under the Constitution or rules, shall be adjourned or postponed :

Provided further that if the Chairman is of opinion that a motion under this rule is an abuse of the rules of the House, the motion may be disallowed.

Provided further that a motion under this rule cannot be made more than once during the debate on any question.

Duration of
speeches.

80. (1) No member except a Minister or the Leader of the Opposition or a member moving a Bill or a no-confidence motion in the Ministry shall speak for more than 30 minutes unless allowed by the Chairman.

(2) The Chairman may prescribe a time-limit for speeches on Bills or resolutions or amendments to Bills or resolutions, or on adjournment motions under rule 42 or on any other matter under discussion in the House.

Personal
explanation

81. A member may, with the permission of the Chairman, make a personal explanation although there is no question before the House, but in this case no debatable matter may be brought forward, and no debate shall arise.

Statement
by a
Minister.

82. A statement may be made by a Minister on a matter of public importance with the consent of the Chairman but no question shall be asked at the time the statement is made.

Decision on
points of
order.

83. (1) The Chairman shall decide all points of order which may arise, and his decision shall be final.

(2) Any member may at any time submit a point of order for the decision of the Chairman, but in doing so shall confine himself to stating the point.

(3) No debate shall be admissible on a point of order but the Chairman may, if he thinks fit, hear members before giving his decision.

Preservation
of order.

84. The Chairman shall have all powers necessary for the purpose of enforcing the rules and preventing disorder.

[22nd December 1954]

85. The Chairman, after having called the attention of the House to the conduct of a member who persists in irrelevance or in tedious repetition either of his own arguments or of the arguments used by other members in debate or is speaking for the purpose of obstructing business, may direct him to discontinue his speech.

86. The Chairman may direct any member whose conduct is in his opinion grossly disorderly to withdraw immediately from the House, and any member so ordered to withdraw shall do so forthwith and absent himself during the remainder of the day's meeting. If any member is ordered to withdraw a second time in the same session, the Chairman may direct the member to absent himself from the meetings of the Council for any period not longer than the remainder of the session, and the member so directed shall absent himself accordingly. If such member refuses to withdraw, the Chairman may order his removal by force. The member so directed to be absent shall not be deemed to be absent for the purposes of clause (4) of Article 190 of the Constitution.

87. The Chairman may, in case of grave disorder arising in the House, adjourn the House or suspend a sitting until a specified hour.

CHAPTER XIII.

LEGISLATION.

Section 1.—Bills originating in the Council.

88. Any member desiring to move for leave to introduce a Bill shall give five days' notice of his intention and shall, together with the notice, submit to the Secretary a copy of the Bill and a full Statement of Objects and Reasons.

89. A Bill involving expenditure shall be accompanied by a financial memorandum which shall invite particular attention to the clauses involving expenditure and shall also give an estimate of the recurring and non-recurring expenditure involved in the Bill is passed.

90. A Bill involving proposals for the delegation of legislative power shall further be accompanied by a memorandum explaining such proposals and drawing attention to their scope and stating also whether they are of normal or exceptional character.

91. (1) If notice is given of any motion in respect of a Bill or an amendment which, in the opinion of the Chairman, cannot be made except on the recommendation of the Governor or with the previous sanction of the President, the Chairman shall, as soon as possible after the receipt of the notice, refer the Bill or the amendment to the authority who would have the power to grant the

[22nd December 1954]

recommendation or sanction, and the motion shall not be placed on the list of business unless the recommendation or previous sanction required has been granted.

(2) If any doubt arises whether any motion in respect of a Bill or amendment is or is not a motion which cannot be made except on the recommendation of the Governor or with the previous sanction of the President, the question shall be referred by the Chairman to the authority who would have the power to grant the recommendation or the previous sanction if it were necessary, and the decision of that authority on the question shall be final.

Motion for leave to introduce a Bill.

92. (1) If a motion for leave to introduce a Bill is opposed, the Chairman, after permitting, if he thinks fit, a brief statement from the member who moves and from a member who opposes the motion, may, without further debate, put the question thereon.

(2) If such a motion is agreed to, the Bill may be introduced.

Publication.

93. As soon as may be after the Bill has been introduced, the Bill with the Statement of Objects and Reasons shall be published in the Gazette:

Provided that the Governor may order the publication of any Bill with the Statement of Objects and Reasons in the Gazette although no motion has been made for leave to introduce the Bill and in such a case it shall not be necessary to move for leave to introduce the Bill and, if the Bill is afterwards introduced, it shall not be necessary to publish it again.

Persons by whom motions in respect of Bills may be made.

94. No motion that a Bill be taken into consideration or be passed shall be made by any member other than the member in charge of the Bill and no motion that a Bill be referred to a Select Committee or be circulated or recirculated for the purpose of eliciting opinion thereon shall be made by any member other than the member in charge except by way of amendment to a motion made by the member in charge:

Provided that, where a member in charge of the Bill is unable to be present in the House, any other member may, if authorized in writing by such member, be permitted by the House to carry the Bill through its further stages.

Introduction and motion thereafter.

95. (1) At any time after the publication of a Bill in the Gazette, the member in charge of the Bill may make one of the following motions in regard to his Bill, namely:—

(a) that it be taken into consideration; or

(b) that it be referred to a Select Committee of the House;

or

(c) that it be circulated for the purpose of eliciting opinion thereon:

Provided that any member may object to any such motion being made unless copies of the Bill have been made available to

[22nd December 1954]

the members for at least two days before the day on which the motion is made, and such objection shall prevail unless the Chairman allows the motion to be made.

(2) On such motion, the principle of the Bill and its general provisions may be discussed, but the details of the Bill must not be discussed further than is necessary to explain its principle.

96. Where a motion that a Bill be circulated for the purpose of eliciting opinion thereon is carried and the Bill is circulated in accordance with that direction and opinions are received thereon, the member-in-charge, if he wishes to proceed with his Bill thereafter, must move that the Bill be referred to a Select Committee; unless the Chairman, in the exercise of his power to suspend this rule, allows a motion to be made that the Bill be taken into consideration.

97. (1) The Minister in charge of the department to which the Bill relates and the member who introduced the Bill shall be members of the Select Committee.

(2) No Select Committee on a Bill shall, without the leave of the House, consist of more than 15 members and no Select Committee shall, in any case, consist of more than 25 members. Such leave shall be asked for by motion made in the House and shall specify the number of members (not exceeding 25) which the Select Committee shall contain. In calculating the number of members of a Select Committee, any person appointed to it under Article 177 of the Constitution shall be excluded.

98. (1) Every member intending to move for the appointment of a Select Committee shall endeavour to ascertain previously whether each member proposed to be named by him on such Committee will give his attendance thereupon.

(2) No member shall be appointed to a Select Committee if he is not willing to serve on it.

99. (1) The Chairman shall nominate one of the members of the Committee to be its Chairman. The person so nominated shall preside at the meetings of the Committee and in his absence one of the members of the Committee elected by the Committee shall preside.

(2) A Select Committee may proceed with its work, notwithstanding the absence of any of its members and notwithstanding any vacancy which may have occurred in it after its constitution.

100. A Select Committee may sit even during prorogation. It shall sit at the place fixed by the Governor as the place of session of the Council, provided that it may sit at any other place, with the leave of the Council given on a motion made by a Minister.

[22nd December 1954]

Sub-committee.

101. A Select Committee may appoint a sub-committee to examine any special point or points connected with the Bill. The order of reference to such sub-committee shall clearly state the point or points for investigation. The report of the sub-committee shall be considered by the whole Committee.

Powers of Select Committee to hear evidence.

102. (1) A Select Committee may hear expert evidence and the representatives of any special interests affected by the measure before it.

(2) It may, for this purpose, require any person residing within the limits of the State to attend before it as witness or to produce before it such papers and records as it may think necessary and thereupon a requisition in writing shall be sent to the person concerned, over the signature of the Secretary.

Presence of strangers at meetings of Select Committee.

103. Strangers shall not be permitted to be present at a meeting of a Select Committee except when it is engaged in examining witnesses when the Select Committee may by majority decide to allow strangers to be present :

Provided that a Minister may, with the permission of the Chairman, address the Committee of which he may not be a member.

Procedure at Select Committee.

104. The rules of procedure in the Council shall apply to procedure in a Select Committee except

- (i) that previous notice of an amendment is not necessary,
- (ii) that a motion or amendment need not be seconded, and
- (iii) that a member may with the consent of the Chairman speak more than once on the same question.

Instruction to Select Committee.

105. It shall be an instruction to every Select Committee on a Bill that it has power to make such amendments therein as it may think fit, provided that such amendments are relevant to the subject-matter of the Bill, but that, if any such amendments shall not be within the title of the Bill, they do amend the title accordingly and do report the same specially to the House.

Report by Select Committee.

106. (1) The Select Committee to which a Bill has been referred shall make a report thereon.

(2) Reports may be either preliminary or final and shall be authenticated by the signature of the person presiding.

Printing and publication of reports.

107. The report, the minutes of the proceedings of the Committee as approved by the person presiding and, if the Bill has been amended the Bill as amended by the Committee, shall be printed and copies furnished to each member of the Council. The report, and if the Bill has been amended, the Bill as amended shall also, unless otherwise directed by the Select Committee, be published in the *Fort St. George Gazette* in the languages in which the original Bill was published.

[22nd December 1954]

108. (1) After the Select Committee has made its report the member-in-charge may move—

Procedure on report after presentation.

(i) in case the Select Committee has made any changes in the Bill as referred to it, that the Bill as amended by the Select Committee, and

(ii) in case where it has not made any changes in the Bill, that the Bill as introduced, be taken into consideration :

Provided that any member of the House may object to its being so taken into consideration if a copy of the report of the Select Committee and of the Bill, in case where it has been amended, has not been made available to the members for five days; and such objection shall prevail unless the Chairman allows the Bill to be taken into consideration.

(iii) that the Bill as reported by the Select Committee be recommitted either

- (a) as a whole, or
- (b) with respect to particular clauses or amendments only, or
- (c) with instructions to the Select Committee to make provision in regard to any specified particular.

(2) If the member-in-charge moves that the Bill as reported by the Select Committee be taken into consideration, any member may move as an amendment that the Bill be recommitted.

109. 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.

110. (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. Notice of amendments.

(2) The Secretary shall, if time permits, cause to be made available for the use of members every notice of amendment received in respect of a Bill.

111. Amendments shall, unless the Chairman otherwise directs, be considered in the order of the clauses to which they respectively relate. Order of consideration of amendments.

112. It shall be in the discretion of the Chairman, when a motion that a Bill be taken into consideration has been carried, to submit the Bill or any part of the Bill to the Council, clause by clause. When this procedure is adopted, the Chairman shall call each clause separately and, when the amendments relating to it have been dealt with, shall put the question that such clause or, as the case may be, such clause as amended, stand part of the Bill. Submission of Bill clause by clause.

[22nd December 1954]

Order of
consideration
of clauses.

113. The order in which the clauses of the Bill should be taken up for consideration shall be as follows :—

- (i) the clauses in order, except the clause relating to the short title of the Bill,
- (ii) the schedules in their order,
- (iii) the clause relating to the short title,
- (iv) the Preamble :

Provided that the Chairman may, if he thinks fit, postpone the consideration of any clause until some or all of the subsequent clauses have been considered.

Passing of
Bills.

114. (1) If, during the consideration of a Bill in the Council, no amendment is made, the member-in-charge of it may, at the conclusion of such consideration, move that the Bill be passed.

(2) If, during the consideration of a Bill in the Council 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 to be moved at the same sitting, but the Bill shall be brought up for further consideration at a subsequent sitting.

(3) When the Bill is so brought up for further consideration at a subsequent sitting, no amendments not being of a verbal or consequential nature shall be made by the Council.

(4) At any time after the conclusion of such further consideration, if any, the member in charge of the Bill may move that the Bill be passed.

(5) Sub-rules (2), (3) and (4) shall not apply to Money Bills.

Authentica-
tion of Bills.

115. When a Bill is passed by the Council, a copy thereof shall be signed by the Chairman and transmitted to the Assembly for its concurrence.

Submission
of Bill for
assent.

116. When a Bill which has been introduced in the Council has been passed by both Houses of the Legislature, it shall be signed by the Chairman and the Speaker and shall be submitted to the Governor for his assent.

Reconsidera-
tion of Bills
returned by
Governor.

117. When a Bill which has been passed by both the Houses of the Legislature of the State is returned by the Governor to the Council for reconsideration, the point or points referred for reconsideration or the amendments recommended by the Governor shall be put before the Council by the Chairman and shall be discussed and voted upon in the same manner as amendments to a Bill or in such other manner as the Chairman may consider most convenient for their consideration by the Council.

[22nd December 1954]

Section 2.—Bills originating in the Council and not agreed to by the Assembly.

118. If a Bill which has once been passed by the Council is received back from the Assembly with amendments made in that House, copies of the Bill with such amendments shall be laid on the table at a meeting of the Council.

Return of
amended
Bill to
originating
Chamber.

119. After a Bill, with such amendments has been laid on the table, any Minister in the case of a Government Bill or, in any other case, any member, after giving three days' notice, may move that the amendments be taken into consideration.

Appoint-
ment of
time for
considera-
tion of
amendments.

120. If a motion that the amendments be taken into consideration is carried, the Chairman shall put the amendments to the Council in such manner as he thinks most convenient for their consideration.

Procedure
on considera-
tion of
amendments.

121. Further amendments, relevant to the subject-matter of the amendments made by the Assembly, may be moved, but no further amendment shall be moved to the Bill, unless it is consequential upon, or an alternative to an amendment made by the Assembly, or is made necessary by the delay in the passage of the Bill.

Further
amendments.

122. (1) If the Council agrees to the amendments made by the Assembly, a message intimating its agreement shall be sent to that House.

Procedure
consequent
on considera-
tion
of amend-
ments.

(2) If the Council disagrees to the amendments made by the Assembly or any of them, the Bill with a message intimating its disagreement shall be sent to that House.

(3) If the Council agrees to the amendments or any of them with further amendments or proposes further amendments in place of amendments made by the Assembly, the Bill, as further amended with a message to that effect, shall be sent to that House.

(4) If the Bill is again returned with a message intimating that the Assembly insists on its amendments, the Council may either—

- (i) agree to the Bill as passed by the Assembly, or
- (ii) allow the Bill to lapse.

123. The member in charge of a Bill may at any stage of the Bill move for leave to withdraw the Bill, and if such leave is granted, no further motion shall be made with reference to the Bill.

Withdrawal
of a Bill.

[22nd December 1954]

Section 3.—Bills originating in and passed by the Assembly and received therefrom in the Council.

Bills which have passed originating House.

124. 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.

Notice.

125. At any time after copies have been laid on the table, in the case of a Government Bill, any Minister and in any other case, any member may give notice of his intention to move that the Bill be taken into consideration.

Motion for consideration.

126. 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 date of receipt of the notice.

Discussion.

127. 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. On that date or on any subsequent day to which the discussion of the motion is postponed, the principle of the Bill and its general provisions may be discussed, but the details of the Bill must not be discussed further than is necessary to explain its principle.

Reference to Select Committee.

128. 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, and if such motion is carried, the Bill shall be referred to a Select Committee and the rules regarding Select Committees on Bills originating in the Council shall then apply.

Consideration and passing.

129. If the motion that 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:

Provided that, in the case of a Money Bill, the Council may make only recommendations and the rules of the Council regarding amendments to Bills shall apply with necessary changes to the moving, consideration and adoption of such recommendations:

Provided further that, in the case of an Appropriation Bill, no amendments shall be proposed to any such Bill which will have the effect of varying the amount or altering the destination of any grant so made or of varying the amount of any expenditure charged on the Consolidated Fund of the State.

Bill passed without amendment.

130. If the Bill is passed without amendment, a copy of the Bill with a message to the effect that the Council has agreed to the Bill without any amendment shall be transmitted to the Assembly.

22nd December 1954]

131. If the Bill is not a Money Bill and is passed with amendments, the Bill shall be returned with a message asking for the concurrence of the Assembly to the amendments. If the Bill is a Money Bill, it shall be returned with its recommendations.

132. If the Assembly disagrees with the amendments made by the Council or any of them or agrees to any of the amendments made by the Council with further amendments or proposes further amendments in place of amendments made by the House, the Bill as further amended shall on receipt by the House be laid on the table.

133. After the amended Bill has been laid on the table, any Minister in the case of a Government Bill, or, in any other case, any member after giving two days' notice, may move that the amendments be taken into consideration.

134. (i) If a motion that the amendments be taken into consideration is carried, the Chairman shall put the amendments to the House in such manner as he thinks most convenient for their consideration.

(ii) Further amendments relevant to the subject-matter of the amendments made by the Assembly may be moved, but no further amendments shall be moved to the Bill, unless it is consequential upon, or an alternative to, an amendment made by the Assembly.

135. The House may either agree to the Bill as originally passed in the Assembly or as further amended by the Assembly, as the case may be, or may return the Bill with a message that it insists on an amendment or amendments to which the Assembly has disagreed.

136. The Chairman may, in his discretion, dispense with the provisions of this Chapter regarding notice, periods of notice, or interval between any two stages of legislation, and may, in his discretion, allow any motion regarding a Bill or any amendment to be moved without notice or after such shorter interval, as he may think fit.

Section 4.—Joint Select Committees.

137. (1) The Council may by motion desire to obtain the concurrence of the Assembly in setting up a Joint Select Committee of the two Houses to consider a Bill, and such a motion shall state the total number of members of both the Houses to be appointed to the Committee and the names of members of the Council who in accordance with the proportion mentioned in sub-rule (3), are to serve thereon. The member in charge of the Bill, and the Minister in charge of the department to which the Bill relates, shall be nominated as members of the Joint Select Committee.

Bill passed with amendments.

Procedure consequent on consideration of amendments.

Appointment of time for consideration of amendments.

Procedure on consideration of amendments.

Disposal of amendment.

Chairman's powers to dispense with notice.

Constitution of Joint Select Committee.

[22nd December 1954]

(2) On the adoption of such a motion, a message shall be sent to the Assembly informing it accordingly and desiring its concurrence to the appointment of a Joint Select Committee and its proposed total strength and requesting it to nominate the members required under sub-rule (3).

(3) The total number of members of a Joint Committee shall not exceed forty-five and on every Joint Committee the number of members to be nominated by the Assembly and the Council shall be in the proportion of 2 : 1.

(4) The time and place of the first meeting of the Committee shall be fixed by the presiding officer of the House in which the Bill originated.

(5) The Joint Select Committee shall elect its own Chairman. The Chairman shall have no casting vote. If the votes on a question before a Joint Select Committee be equal, the question shall be deemed to have been decided in the negative.

(6) Except as aforesaid, a Joint Select Committee shall follow the same procedure as a Select Committee of the Assembly.

(7) The Secretary of the Assembly shall be the ex-officio Secretary of the Joint Select Committee.

Joint Select
Committee
for Bills
originating
in the
Assembly.

138. In the case of a Bill originating in the Assembly, any member may, after receipt of a message from the Assembly asking for the concurrence of the Council to set up a Joint Select Committee to consider the Bill, move that the House concurs with the Assembly in setting up a Joint Select Committee and name the members of the Council to serve on such Committee.

CHAPTER XIV.

GOVERNOR'S ORDINANCES.

Discussion of
Governor's
ordinances.

139. On the receipt by the Council of a message from the Assembly forwarding a copy of a resolution disapproving the ordinance, any member of the Council may, after giving one day's notice to the Secretary, move that the Council do concur in the resolution of the Assembly and if the resolution is agreed to, it shall thereupon be forwarded to the Governor.

CHAPTER XV.

RESOLUTIONS.

Conditions
for admissi-
bility of
resolutions.

140. Subject to the restrictions contained in the Constitution and the rules, any member may move a resolution relating to a matter of general public interest within the cognizance of the State Government :

Provided that no resolution shall be admissible which does not comply with the following conditions, namely :—

(a) it shall be clearly and precisely expressed and shall raise a definite issue;

22nd December 1954]

(b) it shall not contain arguments, inferences, ironical expressions or defamatory statements, nor shall it refer to the conduct or character of persons except in their official or public capacity; and

(c) it shall not relate to any matter which is under adjudication by a Court of Law.

141. A resolution may be in the form of a recommendation addressed to Government or of a declaration of opinion by the House or in the form of a motion for the appointment of a committee of the House for any purpose or in any other form suitable to the subject-matter of the resolution. Form of resolution.

142. A member who wishes to move a resolution shall give fifteen clear days' notice of his intention to move the resolution and shall, together with the notice, submit the text of the resolution which he wishes to move : Notice of resolutions.

Provided that the Chairman, with the consent of the Minister in charge of the department concerned, may allow a resolution to be entered on the list of business with shorter notice than fifteen days and without the procedure of a ballot under rule 25 and also fix its order of precedence in such list.

143. The Chairman shall decide on the admissibility of a resolution. Where the resolution or a part thereof is, in the opinion of the Chairman, in contravention of the rules, he may, in his discretion, give the member concerned an opportunity of amending it or disallow the same. Chairman to decide admissibility of resolutions.

144. (1) A member in whose name a resolution appears on the List of Business shall, when called on, either— Moving and withdrawal of resolution.

(a) withdraw the resolution, in which case he shall confine himself to a mere statement to that effect; or

(b) move the resolution.

(2) If the member when called on is absent, the resolution standing in his name shall be considered to have been withdrawn.

(3) It shall be open to the Council to allow a resolution withdrawn under clause (a) of sub-rule (1), or deemed to have been withdrawn under sub-rule (2) of this rule to be moved by any other member.

145. After a resolution has been moved any member may, subject to all the restrictions regarding the admissibility of resolutions, move an amendment to such resolution. Amendments.

146. (1) If a copy of such amendment has not been sent to the Secretary two clear days before the day fixed for the discussion of the resolution, any member may object to the moving of the amendment, and such objection shall prevail, unless the Chairman, in the exercise of his power to suspend the operation of this sub-rule, allows the amendment to be moved. Notice of amendments.

[22nd December 1954]

(2) The Secretary shall, if time permits, cause every amendment to be printed and copies thereof made available to the members.

Splitting of
resolution.

147. When any resolution involving several points has been discussed the Chairman may divide the resolution, and put each or any point separately to the vote, as he may think fit.

Copy
to Govern-
ment.

148. A copy of every resolution which has been passed by the Council shall be forwarded to the Government by the Secretary.

CHAPTER XVI.

FINANCIAL BUSINESS.

Presentation
of Budget.

149. (1) The annual financial statement or the statement of the estimated receipts and expenditure of the State in respect of every financial year (hereinafter referred to as "the Budget") shall be presented to the Council on such day as the Governor may appoint.

(2) There shall be no discussion of the Budget in the Council on the day on which it is presented to it.

General
discussion of
the Budget.

150. The Chairman, in consultation with the Leader of the House, shall fix and appoint sufficient number of days not exceeding five for the general discussion of the Budget.

Allotment of
time for
discussion.

151. (1) During the days appointed under rule 150 for the general discussion of the Budget, the Council shall be at liberty to discuss the Budget as a whole or any question of principle involved therein, but no motion shall be moved at this stage, nor shall the Budget be submitted to the vote of the Council.

(2) The Finance Minister shall have a general right of reply at the end of the discussion.

(3) The Chairman may, if he thinks fit, prescribe a time-limit for speeches during the discussion.

Appropriation
Bills.

152. Subject to the provisions of the Constitution, the procedure in regard to an Appropriation Bill shall be the same as for Bills generally, with such modifications as the Chairman may consider necessary.

Supplemen-
tary or
additional
demands.

153. (1) The Governor may, at any time during a financial year, appoint a day for the presentation of a statement of supplementary or additional expenditure under Article 205.

(2) The Chairman shall allot one or more days not earlier than three days after the day allotted for such presentation for the discussion of supplementary or additional expenditure.

(3) No motion shall be moved on the supplementary or additional statement of expenditure nor shall it be submitted to the vote of the Council.

[22nd December 1954]

CHAPTER XVII.

COMMITTEES OF THE HOUSE.

(1) Committee of Privileges.

154. (1) A Committee of Privileges shall be constituted which will consist of the Deputy Chairman and nine other members to be elected by the Council on a date to be fixed by the Chairman according to the principle of proportional representation by means of the single transferable vote and in accordance with the regulations framed in this behalf by the Chairman.

Constitution
of the
Committee.

(2) The members of the Committee so elected will cease to hold office at the end of each financial year but any member shall be eligible for re-election. There shall be a fresh election before the end of the financial year for constituting the Committee for the ensuing financial year.

(3) Casual vacancies shall be filled as soon as possible after they occur in the manner prescribed in sub-rule (1) and any person elected to fill such a vacancy shall hold office for so long only as the person in whose place he is elected would have held office.

(4) The Chairman of the Committee shall be nominated by the Chairman from amongst the members of the Committee. The person so nominated shall preside at the meetings of the Committee and in his absence one of the members of the Committee elected by the Committee shall preside.

155. A member wishing to raise a matter of privilege shall, before the commencement of the sitting of the day on which he proposes to raise the point, leave with the Chairman a written notice of the matter proposed to be raised.

Notice of
the matter
proposed to
be raised.

156. If the Chairman is of opinion that the matter which the member proposes to raise does involve a question of privilege of the House, he may consent to the matter being raised.

Consent of
the Chairman
for raising
the matter.

157. A matter of privilege must be raised after questions and before the list of business for the day is entered upon.

Time for
raising the
matter.

158. The right to raise a question of privilege shall be subject to the following restrictions, viz. :—

Restrictions
on questions
of privilege.

(i) The alleged breach of privilege must refer to a matter of recent occurrence;

(ii) A *prima facie* case of a breach of privilege must be made out.

159. When a member has with the consent of the Chairman raised a matter of privilege, the Chairman shall read the matter to the House and decide whether a *prima facie* case of breach of privilege has been made out or not therein.

Chairman to
decide *prima
facie* case.

[22nd December 1954]

Motion.

160. If the Chairman holds that a *prima facie* case exists, he may allow a motion to be made by any member that the alleged breach of privilege be referred to the Committee of Privileges, or in the alternative, that it be dealt with by the House itself.

Report of the Committee.

161. If the matter is referred to the Committee of Privileges, the Committee shall follow, as far as possible, the same procedure as a Select Committee of the Council and make a report to the House.

Procedure after presentation of the report.

162. The House may, on such report, or where no reference has been made to the Committee of Privileges, by itself, on a motion made in the House, deal with the case in such manner as it may think fit.

Power of Chairman to refer questions of privilege to Committee.

163. Notwithstanding anything contained in these rules, the Chairman may *suo motu* refer any question of privilege to the Committee of Privileges for examination, investigation or report,

(2) *Business Advisory Committee.*

Constitution of the Committee.

164. (1) At the commencement of the House or from time to time, as the case may be, the Chairman may nominate a committee called the Business Advisory Committee consisting of not more than nine members including the Chairman who shall be the Chairman of the Committee.

(2) The Committee nominated under sub-rule (1) shall hold office for one year or until a new committee is nominated.

(3) If the Chairman, for any reason, is unable to preside over any meeting of the Committee, he shall nominate a Chairman for that meeting.

(4) Casual vacancies in the Committee shall be filled by the Chairman and any person nominated to fill such a vacancy shall hold office for the period for which the person in whose place he is nominated would under the provisions of sub-rule (2) have held office.

Quorum.

165. In order to constitute a meeting of the Committee the quorum shall be three.

Functions of the Committee.

166. (1) It shall be the function of the Committee to recommend the time that should be allocated for the discussion of the stage or stages of such Government Bills as the Chairman, in consultation with the Leader of the House, may refer to the Committee.

(2) The Committee shall have the power to indicate in the proposed time-table the different hours at which the various stages of the Bill shall be completed.

(3) The Committee shall have such other functions as may be assigned to it by the Chairman from time to time.

22nd December 1954]

167. The time-table in regard to the Bill or group of Bills as settled by the Committee shall be reported by the Chairman to the House.

168. As soon as may be after the report has been made to the House, a motion may be moved by a member of the Committee designated by the Chairman "that this House agrees with the allocation of time proposed by the Business Advisory Committee in regard to such and such Bill or Bills," and if such a motion is accepted by the House, it shall take effect as if it were an Order of the House.

169. At the appointed hour in accordance with the Order of the House referred to in rule 168 for the completion of a particular stage of a Bill, the Chairman shall forthwith put every question necessary to dispose of all the outstanding matters in connexion with that stage of the Bill.

170. No variation in the Order shall be made except on the request of the Leader of the House with the permission of the House.

(3) *House Committee.*

171. (1) There shall be appointed a House Committee to consider and advise upon all matters connected with the comfort and convenience of members of the Council, which shall consist of the Deputy Chairman as ex-officio Chairman and six members to be elected by the Council, on a date to be fixed by the Chairman, according to the principle of proportional representation by means of the single transferable vote and in accordance with the regulations framed in this behalf by the Chairman. In addition to the above, two members may be nominated to the Committee by the Chairman at his discretion.

(2) The members of the Committee so elected, or as the case may be, so nominated, will cease to hold office at the end of each financial year, but any member shall be eligible for re-election or re-nomination. There shall be fresh elections and nominations before the end of the financial year for constituting the Committee for the ensuing financial year.

CHAPTER XVIII.

COMMUNICATIONS BETWEEN THE GOVERNOR AND THE COUNCIL.

172. Communications from the Governor to the Council are made—

(1) by a speech, or

(2) by a written message addressed to the Chairman.

173. Communications from the Council to the Governor shall be made by formal address, after motion made and carried in the Council, and forwarded to the Governor by the Chairman.

[22nd December 1954]

CHAPTER XIX.

PETITIONS TO THE COUNCIL.

Form and contents of petitions.

174. Petitions to the Council must—
- relate to some matter actually under the consideration of the Council;
 - be addressed to the members of the Council;
 - be dated and signed by the petitioner or petitioners;
 - be in respectful and temperate language; and
 - must not propose expenditure of public moneys or the imposition of any charge on public revenues.

Presentation of petitions.

175. No petition addressed to the Council shall be presented except by a member of the Council.

Duties of members offering to present a petition.

176. Every member offering to present a petition to the Council shall confine himself to a statement of the parties from whom it comes, of the number of signatures attached to it and of the material allegations contained in it and to the reading of the prayer of the petition.

Procedure to be followed.

177. If a petition is in conformity with rule 174, the Secretary shall if so required by the Chairman, read it to the Council or make an abstract of it and read or circulate the abstract to the Council. There shall be no debate or speech in the Council on any such petition.

CHAPTER XX.

AMENDMENT OF RULES.

Notice of amendment to the rules.

178. (1) Unless the Chairman otherwise directs, not less than ten days' notice of a motion for leave to amend the rules shall be given and the notice shall be accompanied by a draft of the proposed amendments.

- (2) The motion shall be set down for such day as the Chairman may direct.

Procedure to be followed.

179. When the motion has been made, the Chairman shall read the draft amendments and ask whether the member has the leave of the Council. If objection is taken, the Chairman shall request those members who support the motion to rise in their places, and if more than ten members rise accordingly, the Chairman shall intimate that the member has the leave of the Council.

Reference to Select Committee.

180. Where the member has the leave of the Council to proceed, the draft amendments shall be referred to a Select Committee of which the Chairman shall be Chairman, and of which

[22nd December 1954]

the Deputy Chairman, the member giving notice of the amendment and, in case he is a non-official member, the Minister concerned also and a member to be nominated by the Chairman from the current panel of Vice-Chairmen of the Council shall be members. The remaining members who shall be six in number shall be elected by the Council by means of the single transferable vote and in accordance with the regulations framed in this behalf by the Chairman.

181. After a draft has been referred to a Select Committee, ^{Subsequent procedure.} the procedure in regard to Bills similarly referred shall, as far as may be, be followed with such necessary alterations that may be made as the Chairman may direct.

182. When a rule or amendment of a rule is passed by the Council, a copy thereof shall be signed by the Chairman and until the Chairman has signed such copy and the fact has been announced by him to the Council, the rule or amendment shall not be deemed to have come into force. ^{Rule or amendment not valid until signed by Chairman.}

CHAPTER XXI.

MISCELLANEOUS.

183. An official report of the proceedings of the Council shall be published under the supervision of the Secretary and shall be made available to every member. ^{Official report.}

184. If the Chairman is of opinion that a word or words has or have been used in debate which is or are defamatory or indecent, or unparliamentary or undignified, he may, after giving the member concerned an opportunity to explain in person to the Chairman in his chamber, in his discretion, order that such word or words be expunged from the official report of the proceedings of the House, and all consequential alterations made in such report and make an announcement in the Council of the fact of his having made such order. ^{Expunging of words from debates.}

185. The portion of the proceedings of the House so expunged shall be marked by asterisks and an explanatory footnote shall be inserted in the proceedings as follows:— ^{Indication in printed debates of expunged proceedings.}

“ Expunged as ordered by the Chair.”

[22nd December 1954]

Printing and
publication
of other
documents,
etc.

186. (1) The Chairman may authorize the printing, publication, distribution or sale of any paper, document or report in connexion with the business of the House or any paper, document or report laid on the table of the House or presented to the House or a Committee thereof.

(2) A paper, document or report printed, published, distributed or sold in pursuance of sub-rule (1) shall be deemed to have been printed, published, distributed or sold under the authority of the House within the meaning of clause (2) of Article 194 of the Constitution.

Strangers.

187. The admission to the Council Chamber of strangers and officials during the sittings of the Council shall be regulated in accordance with regulations made by the Chairman.

Power to
order with-
drawal of
strangers.

188. The Chairman, whenever he thinks fit, may order strangers to withdraw or the press gallery to be cleared.

Secretary to
be ex-officio
Secretary
to all
Committees.

189. The Secretary shall act as Secretary to every Committee or Select Committee under these rules and shall arrange for the conduct of all correspondence connected with its business.

Chairman to
regulate
conduct of
business not
otherwise
provided for.

190. The Chairman shall have power to regulate the conduct of business in the Council in all matters not provided for in the Constitution or the rules.

Delegation
of powers of
Chairman.

191. The Chairman may, by order in writing, delegate to the Deputy Chairman all or any of his powers under the rules.

Motion for
suspension
of rules.

192. Any member may, with the consent of the Chairman, move that any rule may be suspended in its application to a particular motion before the House and if the motion is carried by three-fourths of the total number of members present and voting at the meeting, the rule in question shall be suspended for the time being.

22nd December 1954]

PROCEEDINGS OF THE SELECT COMMITTEE ON THE MADRAS COUNCIL RULES.

Tuesday, the 7th December 1954.

(As approved by the Chairman)

The Select Committee on the Madras Council Rules met in the Congress Party Room, Fort St. George, at 3 p.m. on the 7th December 1954.

The following Members were present :—

- (1) Dr. P. V. CHERIAN (*Chairman*).
- (2) Sri A. M. ALLAPICHAI.
- (3) The Hon. M. BHAKTAVATSALAM.
- (4) Sri K. BALASUBRAMANIA AYYAR.
- (5) Sri V. BASHTAM AYYANGAR.
- (6) Sri MOHAMED RAZA KHAN.

The existing rules were then taken up one by one with their proposed amendments circulated in print.

CHAPTER I.

Rule 1.

The rule was approved.

Rule 2.

Sri K. Balasubramania Ayyar suggested that the 'Leader of the House' should be a Member of the Council. The Hon. Sri M. Bhaktavatsalam pointed out that in that case the Leader of the House might sometimes happen to be a non-Minister.

After some discussion the definition as proposed to be amended was approved.

Rule 2 was approved.

CHAPTER II.

Rule 3.

The rule was approved.

Rule 4.

Sri K. Balasubramania Ayyar said that the rule should be amended suitably so as to admit of a discussion by the Council of the Governor's Address to any one House of the Legislature under Article 175 (1) of the Constitution.

[22nd December 1954]

The Hon. Sri M. Bhaktavatsalam said that whatever the Constitution might say, he felt that the Governor should address only the two Houses assembled together and that the rules might be revised later on if such a contingency arose.

Sri K. Balasubramania Ayyar pressed his view.

The Committee then decided to insert the words,

'or the Council under Article 175 of the Constitution' after the words 'under Article 176 of the Constitution'.

The rule, as amended, was approved.

Rules 5 to 8.

The rules were approved.

New rule 8-A.

Sri Mohamed Raza Khan said that the rule prescribed the procedure to be adopted by the Hon. Chairman against Members, who either interrupted the Governor's Address or otherwise obstructed his Address, only at the next sitting of the Council, and not at the time of committing the alleged breach of order or interruption. He said that provision should be made for dealing with the Member then and there.

The Hon. Sri M. Bhaktavatsalam pointed out that at the time of the Governor's Address, the Governor was in sole charge of the House, and, therefore, neither the Hon. Speaker nor the Hon. Chairman could take any action.

After some discussion the rule was passed.

Rule 9.

The rule was passed.

CHAPTER III.

Rules 10 to 12.

Rules 10 to 12 were approved.

CHAPTER IV.

Rule 13.

Sri K. Balasubramania Ayyar thought that in sub-rule (1), it was desirable to fix a specific time-limit for the election of a Chairman instead of merely saying 'as early a date as possible'.

Sri Mohamed Raza Khan felt that it might lead to complications, and was also not necessary.

The Hon. Sri M. Bhaktavatsalam supported the idea of fixing a time-limit.

[22nd December 1954]

The Committee, after some discussion, approved sub-rule (1) as amended.

The Committee also decided to retain the existing sub-rule (5) without any amendment.

Subject to this, the rule as amended was approved.

Rule 14.

The Committee approved of the existing sub-rule (5) instead of the sub-rule as proposed to be amended. Subject to this, the rule was approved.

Rule 15.

Rule 15 was passed with the addition of the following at the end of sub-rule (1):—

"If the Chairman and the Deputy Chairman are absent, one of the panel of Vice-Chairmen present in the House, in the order of announcement regarding their nomination by the Chairman, will take the Chair."

Rule 16.

The rule was approved.

CHAPTER V.

Rules 17 and 18.

Rules 17 and 18 were approved.

Rule 19.

In the place of the amended rule, the following rule was substituted, namely:—

'Rule 19.—The presence of at least ten members inclusive of the Chairman or person presiding shall be necessary to constitute a meeting of the Council for the exercise of its powers.'

Rules 20 to 23.

Rules 20 to 23 were approved.

Rule 24.

The Committee approved of this rule, with the substitution of 'Saturdays' and 'Saturday' for the words 'Wednesdays' and 'Wednesday' respectively wherever they occurred in the rule.

Rules 25 to 28.

Rules 25 to 28 were approved.

[22nd December 1954]

CHAPTER VI.

Sri Mohamed Raza Khan said that the Hon. Chairman of the Council should have the power to unstar questions, which had been given notice of by Members as starred questions, for other reasons also than that the questions required long statements or statistics. He said that this power would reduce the number of inconvenient supplementary questions.

The Hon. Sri M. Bhaktavatsalam said that the Hon. Chairman had powers to admit questions and also to disallow them. When once a question was admitted, supplementaries might, if necessary, be restricted. The Hon. Chairman might allow only one supplementary and then pass on to the next question. But to unstar questions for reasons other than the lengthiness of the answers, was not correct.

It was then decided to adopt the Lok Sabha Rule 63 which runs as follows with the substitution of "Chairman" for "Speaker":—

'63. If in the opinion of the Speaker any question put down for oral answer is of such a nature that a written reply would be more appropriate, the Speaker may direct that such question be placed on the list of questions for written answer:

Provided that the Speaker may, if he thinks fit, call upon the Member who has given notice of a question for oral answer to state in brief his reasons for desiring an oral answer and, after considering the same, may direct that the question be included on the list of questions for written answer.'

Rules 29 to 32.

Rules 29 to 32 were approved.

The Committee at this stage adjourned to meet again at 2-30 p.m. on Wednesday, the 8th December 1954.

Wednesday, the 8th December 1954.

The Select Committee on the Madras Council Rules met in the Congress Party Room, Fort St. George, at 2-30 p.m. on Wednesday, the 8th December 1954.

The following Members were present:—

- (1) Dr. P. V. CHERIAN (Chairman).
- (2) Sri A. M. ALLAPICHAJ.
- (3) The Hon. Sri M. BHAKTAVATSALAM.
- (4) Sri K. BALASUBRAMANIA AYYAR.
- (5) Sri K. BHASHYAM.
- (6) Sri MOHAMED RAZA KHAN.
- (7) Sri V. BASHIAM AYYANGAR.

[22nd December 1954]

At the outset Sri K. Bhashyam re-opened Rule 2 and said that the Leader of the House should be a Member of the Council so that one of the Ministers would necessarily be a Member of the Council. The Hon. Sri M. Bhaktavatsalam pointed out that such an arrangement might result in difficult situations. For instance, if the particular Minister, who was a Member of the Council and also the Leader of the House, resigned, the question whether the Council should adjourn *sine die* would arise. Therefore, he maintained that Government must have the power to appoint any Minister as the Leader of the House.

The definition, as originally amended, was then allowed to stand.

The Committee then proceeded to consider the rules left over at the last meeting.

Rules 33 to 38.

Rules 33 to 38 were approved.

Rule 39.

Sri K. Bhashyam wanted an addition to be made to the rule giving power to the Chairman to put the supplementary question down for answer later on. He said that this addition was quite necessary to safeguard the rights of Members. In support of his claim, he stated that Sir P. Rajagopalachari, when he was the President of the Legislative Council, actually put down for answer a question, which was not answered by the Government Member when put in the form of a supplementary question, and had the question answered.

The Hon. Sri M. Bhaktavatsalam opposed it stating that this addition might result in embarrassment to the Hon. Chairman. Moreover, there was the possibility of this rule being taken advantage of unduly by the Members.

Sri K. Bhashyam said that the Hon. Chairman would put it down for answer only if he thought that the supplementary was a fit one to be answered as a separate question.

The Hon. Sri M. Bhaktavatsalam pointed out that Members could even now give notice of fresh questions, if they wanted, and that this amendment was unnecessary.

To a question from Sri Allapichai, whether the Government would not take the supplementary question itself as notice, and give the answer in seven days, the Hon. Sri M. Bhaktavatsalam said that that was not possible.

The rule was then approved.

Rule 40.

Sri K. Bhashyam suggested that the words 'notice given' be substituted by the words 'request made'. This was accepted.

[22nd December 1954]

The Hon. Sri M. Bhaktavatsalam said that only the unsatisfactory nature of the reply to the question should be the basis for allowing a half-hour debate and not the urgency or importance of the question. This was, however, not accepted.

The rule, as amended, was approved.

CHAPTER VI-A.

Rule 40-A.

Sri K. Bhashyam moved that in sub-rule (3) for the words 'at the same sitting' the words 'for the same day' be substituted. This amendment was accepted.

The rule, as amended, was approved.

CHAPTER VII.

Rules 41 to 44.

The Rules 41 to 44 were approved.

Rule 44-A.

The word 'will' was substituted for the word 'shall' in the rule. The rule, as amended, was approved.

Rule 44-B.

Sri K. Bhashyam wanted that the words 'in his discretion' should be removed, and that for the word 'may' the word 'will' should be substituted.

The Hon. Sri M. Bhaktavatsalam said that it was to be mandatory, it was likely to give rise to the question whether the reasons given were adequate or not. It was also sometimes possible that the Hon. Chairman disallowed the motion on the score that he accepted the statement of the Leader of the House.

Sri K. Bhashyam said that that also was a reason, and that all that he wanted was that the Hon. Chairman should give some reason for disallowing a motion. He wanted that this right of Members should not be taken away.

After some discussion, the Committee decided to delete the words 'in his discretion'.

The other amendment of Sri K. Bhashyam seeking to substitute the word 'will' for 'may' was then taken up. Sri K. Bhashyam pressed his amendment saying that the word 'may' would mean that the Hon. Chairman need not necessarily give the reason.

This amendment was lost by a majority.

The rule, as amended, was approved.

22nd December 1954]

Rule 45.

The rule was approved.

Rule 45-A.

Sri K. Balasubramania Ayyar said that the amended rule would be infructuous if the House met for the day at 4 p.m.

The Hon. Sri M. Bhaktavatsalam said that the motion might be taken up on the next day, so that there might be greater attendance left to the discretion of the Hon. Chairman.

Sri K. Bhashyam was of the view that the motion should be taken up on the next day, so that there might be greater attendance of Members.

Sri K. Balasubramania Ayyar pointed out that Sri Bhashyam's suggestion would be rendered nugatory if the House adjourned on the day the motion was made.

Sri K. Bhashyam then moved the following amendment, namely:—

For all the words after the words 'taken up', the following words be substituted:—

'on a day and hour to be fixed by him in consultation with the Leader of the House.'

Sri K. Balasubramania Ayyar said that ordinarily the motion should be taken up on the same day and that, if the Leader of the House, however, wanted time, the motion might be taken up on any other day.

After some discussion, the Committee accepted the following amendment, namely:—

For all the words after the words 'taken up', the following words be substituted:—

'on the same day or on a day and hour to be fixed by him in consultation with the Leader of the House.'

The rule, as amended, was approved.

Rules 45-B and 45-C.

The rules were approved with the substitution of the words 'on the same day' for the words 'at the same sitting' in Rule 45-C (i).

Rule 46.

The rule was approved.

[22nd December 1954]

CHAPTER VIII.

Rules 47 and 47-A.

The rules were approved.

Rule 47-B.

Sri K. Bhashyam contended that though the Hon. Chairman might not be occupying the Chair when the resolution was moved, yet he might actually be present in the House. Therefore, he said that a person elected by the House should occupy the Chair then.

The Chairman pointed out that under Article 185, even though the Hon. Chairman was physically present in the House, he was, in the peculiar circumstances of the case, presumed to be absent.

The rule was then approved.

Rule 48.

Sri K. Bhashyam and Sri K. Balasubramania Ayyar suggested that the old rule might be retained for the reason that though the Council's want of confidence in the Ministry would not affect the Government in the least, still it enabled them to express their dissatisfaction with the Government's policy and programme.

The Chairman said that this rule was sought to be deleted on the analogy of the Council of States Rules. Further, the Ministry was responsible only to the Assembly and not to the Council.

Sri K. Bhashyam and Sri K. Balasubramania Ayyar pressed their views.

The Committee then decided to retain the old Rule 48.

Rule 49.

The rule was approved.

CHAPTER IX-A.

Rules 49-A to 49-D.

The rules were approved.

CHAPTER X.

Rule 50.

The rule was approved.

The Committee adjourned at this stage to meet again at 3 p.m. on Thursday, the 9th December 1954.

22nd December 1954]

Thursday, the 9th December 1954.

The Select Committee on the Madras Council Rules met in the Congress Party Room, Fort St. George, at 3 p.m. on the 9th December 1954.

The following Members were present:—

- (1) Dr. P. V. CHERIAN (*Chairman*).
- (2) Sri A. M. ALLAPICHAJ.
- (3) The Hon. Sri M. BHAKTAVATSALAM.
- (4) Sri K. BALASUBRAMANIA AYYAR.
- (5) Sri K. BHASHYAM.
- (6) Sri V. BHASHYAM AYYANGAR.
- (7) Sri MOHAMED RAZA KHAN.

The rules left over at the last meeting were taken up for discussion.

Rule 51.

The rule was approved.

Rule 51-A.

The rule was approved.

Rule 52.

The rule was approved with the substitution of the word 'speech' for the word 'observation.'

Rule 53.

The existing rule was retained.

Rule 54.

The rule was approved.

Rule 55.

The existing rule was retained.

Rules 56 to 58.

The rules were approved.

Rule 59.

Sri K. Bhashyam, Sri K. Balasubramania Ayyar, and Sri A. M. Allapichai opposed the new provision in sub-rule (6), as 'direct pecuniary interest' was difficult to define and was likely to lead to difficulties in actual practice.

After some discussion, sub-rule (6) was deleted.

The rule, as amended, was approved.

Rule 60.

This rule was passed with the deletion of the words 'into law' in the Explanation.

The Committee also decided to delete the words 'into law' wherever they occurred in the rules.

[22nd December 1954]

Rules 61 to 66.

Rules 61 to 66 were approved.

Rule 67.

Sri K. Bhashyam moved that in the proviso *for* all the words *after* the words 'rules of the House' the words 'the motion may be disallowed' be inserted. This was accepted.

The rule, as amended, was approved.

Rule 68.

Sri Mohamed Raza Khan desired that in sub-rule (1) the words 'unless otherwise allowed by the Chairman' be added at the end.

Sri Allapichai wanted that the word 'shall' be changed into 'will'.

Sri K. Balasubramania Ayyar felt that the rule might remain as it stood.

After some discussion, the Committee decided to add the words 'unless allowed by the Chairman' at the end of sub-rule (1).

The rule, as amended, was approved.

Rules 68-A and 68-B.

The rules were approved.

Rule 69.

The Committee decided to substitute for sub-rule (3) a provision corresponding to sub-rule (4) of Rule 376 of the Lok Sabha Rules, as follows :—

'No debate shall be allowed on a point of order, but the Chairman may, if he thinks fit, hear members before giving his decision.'

The rule, as amended, was approved.

Rules 70 to 73.

The rules were approved.

CHAPTER XI.

Rule 74.

The rule was approved.

Rules 74-A and 74-B.

The rules were approved.

22nd December 1954]

Rule 75.

The following rule was substituted for the existing rule, namely :—

'75 (1) If notice is given of any motion in respect of a Bill or an amendment which, in the opinion of the Chairman, cannot be made except on the recommendation of the Governor or with the previous sanction of the President, the Chairman shall, as soon as may be after the receipt of the notice, refer the Bill or the amendment to the authority who would have the power to grant the recommendation or sanction, and the motion shall not be placed on the list of business unless the recommendation or previous sanction required has been granted.

(2) If any doubt arises whether any motion in respect of a Bill or amendment is or is not a motion which cannot be made except on the recommendation of the Governor or with the previous sanction of the President, the question shall be referred by the Chairman to the authority who would have the power to grant the recommendation or the previous sanction if it were necessary, and the decision of that authority on the question shall be final.'

Rule 76.

The rule was approved.

Rule 77.

The rule was approved with the substitution of the words 'the Bill has been introduced' for the words 'leave to introduce has been granted.'

Rules 78 to 85.

The rules were approved.

Rule 85-A.

The rule was approved.

Rules 86 to 97.

The rules were approved.

Rule 97-A.

The rule was approved.

Rules 98 and 99.

The rules were approved.

Rule 99-A.

The rule was approved.

Rules 100 to 102.

The rules were approved.

[22nd December 1954]

Rule 103-A.

The rule was approved.

Rules 104 and 104-A.

The rules were approved.

At this stage, Sri Bhashyam suggested that a convention should be established by which all controversial Bills should originate in the Council so that the Assembly would have the views of the Council in the matter while considering Bills.

Sri K. Balasubramania Ayyar and Sri V. Bhashyam Ayyangar supported the suggestion.

The Hon. Sri M. Bhaktavatsalam stated that as far as possible the Government would try to introduce all Bills in the Council first.

Rules 105 and 106.

The rules were approved.

Rule 107.

Sri K. Balasubramania Ayyar and Sri K. Bhashyam wanted that the notice of three clear days after the receipt of Bills as passed by the Assembly should be insisted upon.

The Chairman said that he would look into this.

The rule was approved.

Rules 108 to 112.

The rules were approved.

Rule 113.

The following rule was substituted for the existing rule, namely :—

Procedure consequent on consideration of amendments. 113. (1) If the Assembly disagrees with the amendments made by the Council or any of them or agrees to any of the amendments made by the Council with further amendments or proposes further amendments in place of amendments made by the House, the Bill as further amended shall on receipt by the House be laid on the table.

Appointment of time for consideration of amendments. (2) After the amended Bill has been laid on the table, any Minister in the case of a Government Bill or, in any other case, any member, after giving two days' notice, may move that the amendments be taken into consideration.

Procedure on consideration of amendments. (3) (i) If a motion that the amendments be taken into consideration is carried, the Chairman shall put the amendments to the House in such manner as he thinks most convenient for their consideration.

[22nd December 1954]

(ii) Further amendments relevant to the subject-matter of the amendments made by the Assembly may be moved, but no further amendments shall be moved to the Bill, unless it is consequential upon, or an alternative to, an amendment made by the Assembly.

(4) The House may either agree to the Bill as originally passed in the Assembly or as further amended by the Assembly, as the case may be, or may return the Bill with a message that it insists on an amendment or amendments to which the Assembly has disagreed.

Rules 114 and 115.

The rules were approved.

Rule 115-A.

The rule was approved.

CHAPTER XII.

Rule 116.

The rule was approved.

CHAPTER XIII.

Rule 117.

The rule was approved.

Rule 117-A.

The rule was approved.

Rules 118 to 122.

The rules were approved.

Rule 122-A.

The rule was approved.

Rule 123.

The rule was approved.

CHAPTER XIV.

Rules 124 and 125.

The rules were approved.

Rules 125-A and 125-B.

The rules were approved.

Rule 126.

The rule was approved.

CHAPTER XIV-A.

Rules 126-A to 126-R.

The rules were approved.

[22nd December 1954]

CHAPTER XV.

Rules 127 and 128.

The rules were approved.

CHAPTER XVI.

Rules 129 to 132.

The rules were approved.

CHAPTER XVII.

Rules 133 to 137.

The rules were approved.

CHAPTER XVIII.

Rule 138.

The rule was passed.

Rule 138-A.

Sri K. Bhashyam said that the Chairman, before ordering the expunction of the alleged offensive word or words, should give notice of his intention to the Member concerned.

The Hon. Sri M. Bhaktavatsalam said that if the alleged offensive word was brought to the notice of the Chairman at the time it was made, the Chairman could give his ruling in the matter. But if it came to his notice after the event, the Chairman might give notice to the Member concerned and then order the expunction.

Sri K. Balasubramania Ayyar was of the view that the Member should not be allowed to have his say in the matter in the Council.

After some discussion, the Committee decided to *insert* the words 'after giving the Member concerned an opportunity to explain to the Chairman in person' *after* the words 'he may,'

The rule, as amended, was approved.

Rules 138-B, 138-C, 139, 140, 140-A, 141, 142 and 142-A.

The rules were approved.

The Select Committee then dispersed.

FORT ST. GEORGE, MADRAS,
9th December 1954.

A. J. SABESA AYYAR,
Secretary to the Council.

THE MADRAS LEGISLATIVE COUNCIL.

Thursday, the 23rd December 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.

Proposals with regard to the District Headquarters Hospital, Cuddalore.

* 91 Q.—SRI M. ETHIRAJULU: Will the Hon. the Minister for Health be pleased to state whether in regard to the District Headquarters Hospital at Cuddalore, the Government have any proposals under consideration—

(i) to increase the bed strength;

(ii) to open a blood bank; and

(iii) to construct quarters for doctors and nurses?

THE HON. SRI A. B. SHETTY:—"Proposals for increasing the bed strength of and for opening a blood bank in the Government Headquarters Hospital, Cuddalore, are under consideration. There is no proposal now for constructing new quarters for doctors or nurses of the hospital."

SRI M. ETHIRAJULU:—"May I know, Sir, for how long the request for increasing the bed strength is pending with the Government?"

THE HON. SRI A. B. SHETTY:—"Sir, it is not pending.

The increase of bed strength will be considered in connexion with the next budget."

SRI M. ETHIRAJULU:—"May I know, Sir, the number of beds at present and the number of patients lying on the floor for want of beds?"

THE HON. SRI A. B. SHETTY:—"The number of beds at present is 160. The average number of in-patients during the last three years exceeded 250."

Applications for post-graduate courses for M.S. and M.D.

* 92 Q.—DR. A. SREENIVASAN: Will the Hon. the Minister for Health be pleased to state—

(a) whether applications were recently called for from candidates for post graduate courses for M.S. and M.D.

(b) if so, how many applications were received;

(c) whether a committee was constituted for the selection of the candidates from among the applicants;

[23rd December 1954]

(d) if so, how many were asked to appear for interview; of whom how many were Andhras and how many belonged to the residuary State;

(e) how many candidates actually appeared for the interview and of whom how many were Andhras and how many belonged to the Madras State; and

(f) how many of them were selected by the Committee and of whom how many were Andhras and how many belonged to the residuary State?

THE HON. SRI A. B. SHETTY :—“ A statement* is placed on the table of the House.”

DR. A. SREENIVASAN :—“ Sir, a number of Andhra candidates must have interviewed the Selection Committee for M.D. and M.S. Courses. But the Dean, Government General Hospital, Madras, sent a number of phonograms to the candidates not to appear before the Selection Committee, because the Government interfered. Is this a fact, Sir? ”

THE HON. SRI A. B. SHETTY :—“ There was no necessity to interview candidates from the Andhra State when there was a sufficient number of candidates from the Madras State for filling up the places available.”

SRI MOHAMED RAZA KHAN :—“ May I know, Sir, who are the persons that constitute the Selection Committee? ”

THE HON. SRI A. B. SHETTY :—“ The Members of the Committee are—

For the M.D. Degree Course—

- (1) Dr. C. K. Prasada Rao, Dean, Madras Medical College and Government General Hospital, Madras.
- (2) Dr. K. N. Pisharoty, Dean, Stanley Medical College and Stanley Hospital, Madras.
- (3) Dr. M. D. Anantachari, Professor of Medicine, Stanley Medical College, Madras.
- (4) Dr. N. Vaidyanathan, Professor of Medicine, Madras Medical College, Madras.

For the M.S. Degree Course—

- (1) Dr. C. K. Prasada Rao, Dean, Madras Medical College and Government General Hospital, Madras.
- (2) Dr. C. Raghavachari, Professor of Surgery, Stanley Medical College, Madras.
- (3) Dr. R. Mahadevan, Professor of Surgery, Madras Medical College, Madras.

* Printed as Appendix I on page 660 infra.

23rd December 1954]

DR. A. SREENIVASAN :—“ Sir, if Andhra candidates are not supposed to be selected, why the Dean took into his head to send phonograms to candidates not to interview the Selection Committee? Did he take the permission of the Government before he sent orders? Did the Government give him any prior instructions? ”

THE HON. SRI A. B. SHETTY :—“ All eligible candidates were called for interview, Sir.”

SRI MOHAMED RAZA KHAN :—“ Sir, may I ask whether the selection of candidates for M.D. and M.S. courses was purely on merit or on other considerations also? ”

THE HON. SRI A. B. SHETTY :—“ It was purely on merit, Sir.”

DR. A. SREENIVASAN :—“ Sir, my question has not been answered. I want to know whether the Government gave instructions to the Dean as to the candidates who should be asked to appear for interview before the Selection Committee. The point is that a number of people who had no business to appear before the Selection Committee were sent letters at the last moment. The Dean incurred an expenditure of several hundreds of rupees on sending phonograms to candidates not to appear before the Selection Committee.”

THE HON. SRI A. B. SHETTY :—“ I have already said, Sir, that all eligible candidates were called for the interview.”

Number of men thrown out of employment consequent on the decontrol of rice.

* 93 Q.—SRI P. P. UMMER KOYA (on behalf of Sri E. H. Parameswaran): Will the Hon. the Minister for Agriculture be pleased to state—

(a) the total number of men thrown out of employment by the lifting of all controls on food with effect from 10th July 1954;

(b) the number of such men for whom jobs have been found in other Government Departments;

(c) the total number of cars, buses and lorries that are under the control of the Civil Supplies Department; and

(d) whether the Government have considered the advisability of continuing the Transport Organization of the Civil Supplies Department?

THE HON. SRI M. BHAKTAVATSALAM :—“ (a) Following the decontrol of rice with effect from 10th July 1954, 114 employees were reverted to their parent departments and 215 persons were discharged from service from the Civil Supplies Department up to the end of September 1954.

“ (b) Out of 215 persons discharged from service up to 30th September 1954, 64 employees have so far been employed. The rest of the retrenched persons have been asked to register their names with the Employment Exchange.

[23rd December 1954]

(c) The strength of vehicles now held under the control of the Civil Supplies Department is given below :—

Lorries—58.

Jeeps—37.

Landrovers—8.

Bedford van—1.

Motor cycle—1.

Jeep trailers—20.

(d) The question of continuing the Civil Supplies Transport Organization with certain modifications as a workshop to attend to the repairs of the motor vehicles of all Government Departments is under consideration."

Building grants to First and Second Grade Colleges in the State.

* 94 Q.—SRI MOHAMED RAZA KHAN: Will the Hon. the Minister for Finance and Education be pleased to state the present rate of building grants paid to First Grade and Second Grade Colleges in the State?

THE HON. SRI C. SUBRAMANIAM:—"Grant towards the cost of construction of buildings for the aided Arts Colleges is sanctioned on the basis of one half of the actual cost of construction subject to a maximum of Rs. 75,000 in the case of First Grade Colleges and Rs. 50,000 in the case of Second Grade Colleges."

SRI MOHAMED RAZA KHAN:—"Sir, is the Hon. Minister satisfied the maximum grant of Rs. 75,000 will really help in having more colleges in the State when there is great need for them?"

THE HON. SRI C. SUBRAMANIAM:—"Because more and more colleges are coming up, we have to restrict the grant."

SRI MOHAMED RAZA KHAN:—"Sir, is the Hon. Minister aware that the cost of construction has gone up five times, and that it is therefore time now that the Government revised their orders which were passed in 1947 or so?"

THE HON. SRI C. SUBRAMANIAM:—"Sir, I do not think that we have now so financially improved as to revise the orders."

Revised scales of pay of attenders.

* 95 Q.—SRI M. ETHIRAJULU: Will the Hon. the Minister for Finance and Education be pleased to state whether the revised scales of pay for peons sanctioned in G.O. No. 510, Finance, dated 12th April 1954, are applicable to attenders also?

[23rd December 1954]

THE HON. SRI C. SUBRAMANIAM:—"The revised scales of pay, sanctioned in G.O. No. 510, Finance, dated 12th April 1954, are not applicable to attenders."

SRI M. ETHIRAJULU:—"இப்பொழுது அடெண்டர்களாக சர்க்கார் உத்தியோகத்தில் இருப்பவர்கள் பெரும்பாலும் எஸ்.எஸ்.எல்.ஸி. படித்தவர்களாக இருக்கிறார்கள். அவர்களுக்கு ரூ. 24 மாதச் சம்பளம் வழங்கப்படுகிறது. அதை ரூ. 30-ஆக உயர்த்துவதற்கு சர்க்கார் ஆலோசனை செய்வார்களா?"

THE HON. SRI C. SUBRAMANIAM:—"That is with reference to the general revision of scales of pay. I do not think this is the time to consider it."

SRI M. ETHIRAJULU:—"அப்படி எஸ்.எஸ்.எல்.ஸி. படித்தவர்கள் ஓராசிரியர் பள்ளிக்கூடங்களில் உபாத்தியாயர் வேலைக்கு நியமிக்கப் படுவார்களா என்று கேட்க விரும்புகிறேன்."

THE HON. SRI C. SUBRAMANIAM:—"When sufficient number of passed candidates are available, I do not see why we should give preference to failed candidates."

Transfer of teachers in elementary and middle schools of ex-Pudukkottai State area.

* 96 Q.—SRI G. KRISHNAMOORTHY: Will the Hon. the Minister for Finance and Education be pleased to state—

(a) the number of teachers in elementary and middle schools of ex-Pudukkottai State area now transferred outside that area; and

(b) the reasons for such transfer?

THE HON. SRI C. SUBRAMANIAM:—" (a) & (b) Nine elementary and middle school teachers were transferred from the ex-Pudukkottai State, of which five were transferred on request, one because of complaints, one was replaced by a Pandit and the last on account of reversion."

SRI G. KRISHNAMOORTHY:—"Sir, in view of the settled conditions which these teachers are able to command with their meagre resources, will the Government instruct the concerned district board to restrict the transfers, as far as possible, to Pudukkottai area itself unless the transfer is with their consent?"

THE HON. SRI C. SUBRAMANIAM:—"The hon. Member, will find from the answer that five of them were transferred on request and one was transferred because there was complaint. I do not think any transfer has been made unnecessarily."

SRI G. KRISHNAMOORTHY:—"In the case of transfers on account of complaints, will it not be much better in the interests of the teacher and his family just to limit the transfer to the various schools in the Pudukkottai area itself?"

[23rd December 1954]

THE HON. SRI C. SUBRAMANIAM :—“ Pudukkottai area should not be considered as a separate area. Now it forms part of the Tiruchirappalli district, which has to be taken as a unit.”

Continuance of the Certified Schools and Vigilance Service as an independent unit.

* 97 Q.—**SRI K. BALASUBRAMANYA AYYAR** (on behalf of Srimathi Mary C. Clubwala Jadhav) : Will the Hon. the Minister for Finance and Education be pleased to state whether the present arrangement whereby Certified Schools and Vigilance Service form an independent unit, is likely to be made permanent and when?

THE HON. SRI C. SUBRAMANIAM :—“ The present arrangement under which the Certified Schools and Vigilance Service form a separate department under the control of one officer is temporary. The Government propose to review the position some time in March 1955.”

Proposals for appointment of Special Women Police.

* 98 Q.—**SRI K. BALASUBRAMANYA AYYAR** (on behalf of Srimathi Mary C. Clubwala Jadhav) : Will the Hon. the Minister for Finance and Education be pleased to state—

(a) whether the Government are considering any proposals for appointing Special Women Police in the branches of patrolling, accompanying girls and women for their cases in various courts and escorting them back to their residences in the mufassal; and

(b) if so, at what stage the matter stands?

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

“ (b) Does not arise.”

SRI T. PURUSHOTHAM :—“ Is there any discrimination against women for employment in the Police service? ”

THE HON. SRI C. SUBRAMANIAM :—“ There is no discrimination against them. But the fitness for the post has to be taken into consideration.”

SRI T. PURUSHOTHAM :—“ Will the Government consider the desirability or feasibility of employing women in the traffic and C.I.D. Branches of the Police department? ”

THE HON. SRI C. SUBRAMANIAM :—“ I am afraid it is a very dangerous suggestion.”

Opening of a Thermal station in the South Arcot district.

* 99 Q.—**SRI M. ETHIRAJULU** : Will the Hon. the Minister for Public Works be pleased to state whether there is any proposal to open a Thermal station in South Arcot district and, if so where?

[23rd December 1954]

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI :—“ There is a proposal to establish a lignite burning Thermal station near the Lignite Mining centre at Neiveli in South Arcot district. The feasibility of the scheme would, however, depend on the success of the Lignite Mining Project.”

Recruitment of Municipal Commissioners.

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

(a) the categories of public servants from which Municipal Commissioners are recruited; and

(b) the number or proportion of such vacancies reserved for promotion of municipal officers to the Commissioner's rank?

THE HON. SRI S. S. RAMASWAMI PADAYACHI :—“ (a) Recruitment of Third-grade Municipal Commissioners is made from the following categories of employees in Government, Local Fund and Municipal service :—

A. *Government service*.—(1) Superintendents of the office of the Inspector of Municipal Councils and Local Boards.

(2) Second-grade District Panchayat Officers.

(3) Deputy Panchayat Officers.

(4) Upper division clerks of the Departments of the Secretariat.

(5) Head clerks of the offices of the Regional Inspectors of Municipal Councils and Local Boards.

B. *Local Fund service*.—Second-grade District Board Secretaries and Superintendents and Accountants of District Board offices who have done duty in such posts for at least three years.

C. *Municipal service*.—Managers of municipalities of all grades and Accountants and Revenue Officers of first-grade Municipalities who have done duty in the post for at least three years.

Ten per cent of the vacancies in second grade are filled in by appointing District Panchayat Officers and District Board Secretaries of first grade.

“ (b) A minimum of 10 per cent of the total number of candidates to be selected for appointment as third-grade Municipal Commissioners will be Managers of Municipalities.”

SRI T. PURUSHOTHAM :—“ Will the Government consider the desirability of increasing the proportion of municipal officers for promotion to the Commissioner's rank in view of the fact that they are experienced people and better fitted for the post than all the other categories of persons referred to by the Hon. Minister in his answer? ”

[23rd December 1954]

THE HON. SRI S. S. RAMASWAMI PADAYACHI :—" Yes, Sir."

SRI MOHAMED RAZA KHAN :—" The Hon. Minister has read the answer at great speed."

MR. CHAIRMAN :—" Hon. Members are complaining that the Hon. Minister was very fast in reading his answer and that they were not able to follow it."

Allotment of funds to the South Arcot district for Schemes under the Five-Year Plan.

* 101 Q.—SRI M. ETHIRAJULU : Will the Hon. the Chief Minister be pleased to state—

(a) the total amount allotted to the South Arcot district for schemes under the Five-Year Plan; and

(b) whether the Government will be pleased to lay on the table of the House the details of the schemes sanctioned, the schemes undertaken, the amount spent so far and the works yet to be undertaken?

THE HON. SRI M. BHAKTAVATSALAM (on behalf of the Hon. the Chief Minister) :—" (a) & (b) The Five-Year Plan has been made in the interests of the State as a whole. It includes individual schemes for the benefit of particular areas as also schemes of a general nature which benefit individual districts also. The schemes which will benefit the South Arcot district in particular are—

(1) Sinking of artesian wells;

(2) Sathanur Project; and

(3) Bridge across the Coleroon at Anaikaranchatram.

The schemes of a general nature which may benefit the South Arcot district are many, e.g., agricultural improvements including repairs to minor irrigation sources, opening of adult literacy schools, primary and basic schools, providing protected water supply for rural and urban areas, etc. It is not practicable to compile a complete list of such schemes showing the amount allotted and the expenditure incurred in the South Arcot district alone."

Incident in the Women Students' Hostel attached to the Stanley Medical College.

* 102 Q.—DR. A. SREENIVASAN : Will the Hon. the Minister for Health be pleased to state—

(a) whether the attention of the Government has been drawn to the recent disorderly behaviour of the women students of the Women Hostel attached to the Stanley Medical College;

(b) if so, whether the Government will be pleased to make a statement on the incident;

[23rd December 1954]

(c) whether it is a fact that the Warden of the Women's Hostel pulled up certain women students for coming late in the night into the hostel contrary to rules;

(d) whether it is a fact that she communicated with the parents of the girl students concerned about their indiscipline;

(e) whether it is a fact that hand-bills were printed and circulated among the students containing defamatory allegations against the authorities;

(f) whether it is a fact that the Dean of the Stanley Medical College called for a meeting of the students and pacified them holding out certain promises;

(g) if so, whether the Dean implemented the promise so held out by him to the students;

(h) whether it is a fact that the Dean called upon the Warden to tender resignation of her post and, if so, the reasons for the same;

(i) whether it is a fact that discipline in the hostel has been demoralized;

(j) whether it is a fact that the Warden was locked up by the students in her room and to let her out, the lock had to be broken open; and

(k) whether the Government will be pleased to state the administrative offices that were held by the present Dean, prior to his appointment as Dean in the Stanley Medical College?

Maintenance of accounts of the hostel by the Warden.

* 103 Q.—DR. A. SREENIVASAN : Will the Hon. the Minister for Health be pleased to state—

(a) whether the Warden of the Women's Hostel attached to the Stanley Medical College has been maintaining accounts for expenditure incurred in the management of the institution;

(b) if the answer to clause (a) is in the affirmative, whether the students of the hostel had been given any opportunities to scrutinize such accounts and, if so, how often; and

(c) whether there have been any complaints in regard to the accuracy of accounts so maintained?

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

DR. A. SREENIVASAN :—" Will the Hon. the Minister for Health be pleased to institute an enquiry into the unfortunate and indecent things that have taken place in the Women's Hostel of the Stanley Medical College? "

THE HON. SRI A. B. SHETTY :—" There is no need for appointing a committee. Everything is quiet there and the matter has been settled."

[23rd December 1954]

DR. A. SREENIVASAN :—" The man on the spot has completely suppressed facts. I have got lot of information in my possession which will be placed at the disposal of the committee if only the Hon. Minister will accept my challenge to appoint a committee."

THE HON. SRI C. SUBRAMANIAM :—" The hon. Member may pass on the information to the Government."

DR. A. SREENIVASAN :—" Why should I? I know definitely that the man on the spot has suppressed the whole thing."

MR. CHAIRMAN :—" The hon. Member should not shout. He will kindly speak through the mike."

THE HON. SRI A. B. SHETTY :—" The hon. Gentleman may furnish to the Government whatever information he has in his possession and a due enquiry will be made."

DR. A. SREENIVASAN :—" I am sure it will go into the waste paper basket as other things have gone into it. Why not the Hon. Minister accept my challenge and appoint a committee? "

MR. CHAIRMAN :—" The hon. Member must be moderate in his language."

SRI MOHAMED RAZA KHAN :—" The Hon. Minister said that everything was quiet there and the matter had been settled. Am I to understand that the inmates of the hostel are now returning by 10 p.m.?"

THE HON. SRI A. B. SHETTY :—" Yes, Sir. Everything is going on according to the rules laid down."

SRI K. BALASUBRAMANYA AYYAR :—" Sir, it has been stated in the paper laid on the table that the matter may be considered as closed. How can such a matter be considered as closed? It may come up again."

THE HON. SRI A. B. SHETTY :—" Anything may come up in any hostel at a later date. How can we prevent it? "

DR. V. K. JOHN :—" May I know from the Hon. Minister whether he visited the hostel and saw the girls? " (Laughter.)

THE HON. SRI A. B. SHETTY :—" I have visited the hostel after the incident, Sir."

Retention of the Lady Assistant, Barnard Institute of Radiology in this State.

* 104 Q.—DR. A. SREENIVASAN: Will the Hon. the Minister for Health be pleased to state—

(a) whether it is a fact that the present Lady Assistant, Barnard Institute of Radiology, Madras, was allotted to Andhra State; and

[23rd December 1954]

(b) if so, the circumstances under which she has been retained in this State?

THE HON. SRI A. B. SHETTY :—" (a) There is no post of Lady Assistant Surgeon in the Barnard Institute of Radiology, Government General Hospital, Madras. The member apparently refers to Dr. (Kumari) S. Lakshmi Bhanu, Assistant Surgeon, who was undergoing training in the Barnard Institute of Radiology and, if so, the answer is in the affirmative.

" (b) According to an agreement reached with the Government of Andhra, all officers who have been permanently allocated to the Andhra State as 'Allotted Officers' and who were undergoing post-graduate course in the medical institutions in this State, at the time of the partition, were allowed to continue to remain in this State as on deputation to enable them to complete their courses. Dr. (Kumari) Lakshmi Bhanu accordingly continued to remain in this State beyond 1st October 1953 to finish her D.M.R. course in the Barnard Institute of Radiology. On a representation since made by the officer that she was domiciled in Madras and that all her interests were only in the Madras State where she possessed landed property also, she has been taken back for service in this State in consultation with the Government of Andhra."

DR. A. SREENIVASAN :—" If an Andhra servant were to have property in the residuary Madras State, will he be entitled to retention in the Madras State service itself without being sent to the Andhra State? "

THE HON. SRI A. B. SHETTY :—" Kumari Lakshmi Bhanu and her father were domiciled in Madras for a number of years. The City of Madras is her house and all her interests are in Madras State where she possesses landed property also, viz., a building site in Ambattur near Madras. Apart from these, her services are very useful to the Madras State. She is an M.B.B.S., D.G.O. and D.M.R. The services of a lady doctor with these qualifications are quite necessary for the Madras Women and Children Hospital where the cancer bed strength is for 100 patients."

" DR. A. SREENIVASAN :—" It has been possible for the Government to always find excuses to retain Andhra officers in the Madras State much to the detriment of the Tamil people. Is it not possible for Tamil doctors to be trained in similar circumstances by providing suitable opportunities to them also? "

THE HON. SRI A. B. SHETTY :—" All opportunities are offered. We have in the Madras State only two women doctors in our service with D.M.R. qualifications. One is a Christian who is at Madurai. The other is this lady, Kumari Lakshmi Bhanu."

[23rd December 1954]

SRI T. PURUSHOTHAM :—" May I know whether there is a general bar against the employment of Andhras in the Madras State services? "

THE HON. SRI A. B. SHETTY :—" There is no such bar. The Andhra Government have accepted our proposal and we have taken her back for service in this State. "

DR. A. SREENIVASAN :—" Was not this lady allotted for service in the Andhra State by the Selection Committee? "

THE HON. SRI A. B. SHETTY :—" Yes, Sir. She was allotted to the Andhra State but as far back as February 1953, she had made a request that she should be allotted to the Madras State. "

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DR. V. K. JOHN :—" Are the Government aware of the provision in our Constitution that no discrimination should be made between the residents of one State and those of another? "

THE HON. SRI A. B. SHETTY :—" Yes, Sir, The hon. Gentleman, Dr. Sreenivasan, may take note of this. "

Amount received from the Central Government out of the Handloom Cess Fund.

* 105 Q.—SRI MOHAMED RAZA KHAN: Will the Hon. the Minister for Agriculture be pleased to state the amount received by the Madras Government from the Central Government out of the Handloom Cess Fund up to September 1954 and how that amount was spent to help the handloom industry in Madras?

THE HON. SRI M. BHAKTAVATSALAM :—" A statement giving the particulars asked for is placed on the table of the House. "

SRI MOHAMED RAZA KHAN :—" Is it not a fact that most of the grant given by the Government of India has been given to the Madras State Handloom Weavers' Co-operative Society for carrying on the various activities of the Society? "

* Expunged as ordered by the Chair.

Printed as Appendix III on pages 664-668 infra.

[23rd December 1954]

THE HON. SRI M. BHAKTAVATSALAM :—" That may not be quite a correct statement. The scheme of rebate has also been extended to the sales in fair price shops and other societies. "

SRI MOHAMED RAZA KHAN :—" Is it the view of the Hon. Minister that all money given to the Madras State Handloom Weavers' Co-operative Society helps in increasing the demand for handloom cloth in the State? "

THE HON. SRI M. BHAKTAVATSALAM :—" Yes, Sir, Certainly it should help in increasing production of cloth and demand therefor to the extent to which the co-operative societies can contribute. "

SRI MOHAMED RAZA KHAN :—" May I know whether the sum of Rs. 23,10,000 given by the Government of India towards rebate to consumers of handloom cloth is enjoyed only by a few co-operative societies and a few wholesalers and not by all people who deal in handloom cloth? "

THE HON. SRI M. BHAKTAVATSALAM :—" Government have their own difficulties in enforcing this order without giving room for any abuse. That is why it is not possible to extend it to all dealers. "

SRI MOHAMED RAZA KHAN :—" If the Government could allow this concession only to a few people, is it not likely that all people will rush to such shops and, therefore, does it not amount to a discrimination between the dealers themselves? "

THE HON. SRI M. BHAKTAVATSALAM :—" There is no question of discrimination at all. Government are trying to extend this facility to as many dealers as possible. "

Assurances given by the Ministers on the floor of the House.

* 106 Q.—

MR. CHAIRMAN :—" The hon. Member is not in his place. The answer will be printed in the proceedings. "

SRI T. M. DAIVASIKHAMANI ACHARIAR: Will the Hon. the Minister for Finance and Education be pleased to state whether the Government has issued or proposes to issue any instructions to the departments concerned to note the assurances given by the Hon. Ministers on the floor of the House and give effect to them as early as possible?

THE HON. SRI C. SUBRAMANIAM :—" Under the existing instructions, assurances given by the Ministers on the floor of the House are duly taken notice of by the departments of the Secretariat and necessary action taken. It is not proposed to issue any further instructions in the matter. "

[23rd December 1954]

Change in the place of payment of salary to elementary school teachers in the Villupuram Municipality.

* 107 Q.—SRI G. KRISHNAMOORTHY: Will the Hon. the Minister for Finance and Education be pleased to state—

(a) whether any complaint has been received by the Government recently regarding the change in the place of payment of salary to elementary school teachers in the Villupuram Municipality; and

(b) if so, the action taken thereon?

THE HON. SRI C. SUBRAMANIAM:—“(a) No, Sir.

“(b) Does not arise.”

SRI G. KRISHNAMOORTHY:—“Are the Government aware of the fact that teachers have to go to the municipal offices to receive their salary, whereas some years ago, the municipal cashier was disbursing salary to teachers at their respective schools?”

THE HON. SRI C. SUBRAMANIAM:—“We found it very difficult to disburse salary at the various institutions because the system led to many irregularities. That is why now the teachers are required to take their salary at the municipal offices.”

SRI G. KRISHNAMOORTHY:—“Will the Government at least instruct the municipal offices to fix a particular hour for disbursing the salary of teachers so that the teachers' whole day's work may not be disturbed?”

THE HON. SRI C. SUBRAMANIAM:—“I shall consider that suggestion.”

Basic education for the primary schools.

* 108 Q.—SRI A. GAJAPATHY NAYAGAR: Will the Hon. the Minister for Finance and Education be pleased to state—

(a) whether the Government have adopted the system of basic education for the primary schools; and

(b) whether all primary schools are proposed to be converted into basic schools?

THE HON. SRI C. SUBRAMANIAM:—“(a) Government have favoured the adoption of the basic system for primary schools.”

“(b) Yes, Sir, in due course.”

SRI A. GAJAPATHY NAYAGAR:—“May I ask whether any comprehensive curriculum of studies has been drawn up and, if so, may I know the subjects dealt with thereunder and the language in which the subjects are to be taught?”

[23rd December 1954]

THE HON. SRI C. SUBRAMANIAM:—“Yes, Sir. As far as the primary schools are concerned, a basic training curriculum has been drawn up and the regional language is the language in which instruction will be given.”

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

II.—GOVERNMENT BILL.

THE MADRAS DRAMATIC PERFORMANCES BILL*, 1954
(L.A. BILL NO. 37 OF 1954).

THE HON. SRI C. SUBRAMANIAM:—“Mr. Chairman, Sir, I move—

‘That the Madras Dramatic Performances Bill, 1954 (L.A. Bill No. 37 of 1954), as passed by the Assembly, be taken into consideration.’*

“Sir, this Bill has attracted a good deal of attention. I am sure hon. Members are aware of the various provisions of the Bill, which has been passed by the Assembly. The first point for consideration is whether there is any necessity for a separate enactment to control and regulate dramatic performances. When I say ‘to control and regulate dramatic performances’, I do not mean to say that it is the intention of the Government to interfere with the growth and development of this fine art. But we have to guard against certain tendencies which are noticeable now in the several dramatic performances that we see. We have to guard against unhealthy and objectionable developments in this particular field. That is why we have thought it necessary to have a separate enactment to deal with dramatic performances, as we have even considered it necessary to have a separate enactment to control objectionable matter appearing in print, in newspapers and books. As far as the dramatic performances are concerned, it has now become a subject on which this Legislature is entitled to legislate. The original Act which regulated dramatic performances is the Central Act of 1876. That is a little bit out of date now in that some of the provisions that it contains go against the provisions of our Constitution. Our legal advisers have given their considered opinion that it is necessary to have a separate enactment in place of the 1876 Act in so far as it applies to these performances.”

DR. V. K. JOHN:—“In what respects that Act offends the Constitution?”

THE HON. SRI C. SUBRAMANIAM:—“The hon. Member, I am sure, would have gone through the existing enactment. He will see therein that if the Government, or any officer who is authorized to do so, passes an order that a certain performance is objectionable, there is absolutely no provision for appeal or revision by any authority. Even the person who passes such an order cannot review his order. Therefore, the whole thing is final. Of course, we know that the aggrieved persons can go up to the High

[Sri C. Subramaniam] [23rd December 1954]

Court with an application for the issue of a writ but the scope of enquiry in a petition for the issue of a writ is strictly restricted and we cannot canvass the validity of the order either on its merits or on the facts of the case. This is the thing that is considered repugnant to the Constitution. We thought we could amend the Act so as to remove the repugnant provisions. But subsequently however we felt that instead of amending it, we could as well take into account the present situation in the State and bring in a new enactment. Therefore, hon. Members will have to consider whether we should have powers to regulate dramatic performances. After all, it is very well known that drama and other performances like pantomimes, etc., are a powerful propaganda weapon. This very powerful propaganda weapon should be so regulated in its use that it would be of benefit to society as a whole. Sir, I have already said that the Central Legislature, the Parliament, has passed an Act to control objectionable matters appearing in the newspapers and printed books. When that is so, the Government should have power to control dramatic performances which are objectionable. As I already pointed out what we are now concerned with is not so much the growth or development of the dramatic art as the particular objectionable direction in which the dramatic art is used. Apart from it, we have every sympathy for the promotion of the dramatic art on right lines; in fact, that is our intention. So much so hon. Members not need go with the impression that with this enactment we are putting a seal upon the entire growth of the dramatic art. That is not at all correct. Suppose we say that in the City of Madras people are entitled to walk in whatever path they like; they can use the road, pathways, etc. But we say it is wrong to go into the drain, because it is an unhealthy thing. That does not mean that we restrict the freedom of movement of the people. If we say a person should not walk along a drain, we say it because it is unhealthy to do so. So also when we say that there should not be objectionable dramatic performances, it does not mean that we are trying to have a stranglehold on the growth and development of the dramatic art and that we want to divert the dramatic art in a particular way and in a particular method. Now only if a drama is, according to accepted notions, objectionable, it is prohibited. We are not at all interfering with the growth of the dramatic art. In fact in clause 2 of the Bill, we have defined what are the dramas that are 'objectionable'. Therefore hon. Members would see clearly that we are not trying to divert the dramatic art in a particular direction and that we are not trying to stifle its growth. Such a criticism is absolutely unfounded. I wish to make it clear on the floor of this House also that it is not the intention of Government to interfere in any way with the development of this art. On the other hand, it is the intention of the Government to help it in every possible way so that it may have a healthy and proper growth. This Bill has become necessary because of certain tendencies which of late have been exhibited in the dramas. Therefore it becomes necessary to have an enactment

23rd December 1954] [Sri C. Subramaniam]

to say that those are objectionable things and that those are things which the Legislature, representing the whole society, considers objectionable. Apart from this there shall be no further restriction on the dramatic art so far as the Government are concerned. If this point of view is taken, I have absolutely no doubt that hon. Members would agree that as in the case of every other powerful weapon which is used for the purpose of influencing the mind of the people, a certain amount of control and regulation is also necessary in the case of drama, so that it may not take a turn which is considered to be objectionable as far as the entire society is concerned. If we once concede that this enactment is necessary, then we have to consider whether the provisions of this Bill go far enough to satisfy our needs or whether they go far enough to restrict the freedom of development of the dramatic art. That is the point of view from which the different provisions of this Bill should be examined. As a matter of fact we are trying to examine it from the point of view of the development of the dramatic art and not to stifle its growth. We want to prohibit only objectionable dramas. What are the dramas that are objectionable, have been stated in clause 2. I am glad to say that persons who are vitally concerned with the dramatic art, I mean the artistes and others, have welcomed the provisions of this Bill as it is now. Therefore I do not think there could be very much objection to this Bill, once hon. Members view it in the proper perspective, which I have analysed already.

"I shall particularly refer to some of the important provisions in this Bill, not that hon. Members do not know them, but with a view to explain their correct meaning and to make a few observations with reference to the general provisions of the Bill. Hon. Members would find that clause 2 is the most important clause in this Bill. That defines what are objectionable performances. Sub-clauses (1) (i), (ii) and (iv) relate to incitement to violence or incitement of people to commit offences involving violence. They form one category. Sub-clause (1) (iii) is with reference to seducing any member of any of the armed forces of the Union or of the police forces from his allegiance or his duty, or prejudice the recruiting of persons to serve in any such force or prejudice the discipline of any such force. That is a separate category by itself. Sub-clause (1) (vi) is also a separate category; it deals with dramas which are grossly indecent or scurrilous or obscene or intended for blackmail. Sub-clause (1) (v) is the most important clause, which has attracted a good deal of attention. It deals with prohibition of dramas which are intended to outrage the religious feelings of any class of the citizens of India by insulting or blaspheming or profaning the religion or the religious beliefs of that class. These are the four categories which are objectionable, viz., sub-clause (1) (i), (ii) and (iv) dealing with incitement to violence, incitement to commit murder, sabotage or any offence involving violence and incitement of any section to acts of violence against another section (first category), sub-clause (1) (iii) dealing with seduction

[Sri C. Subramaniam] [23rd December 1954]

of any member of armed forces (second category), sub-clause (1) (ii) dealing with grossly indecent, scurrilous, obscene dramas (third category) and sub-clause (1) (v) dealing with the outraging of the religious feelings and religious beliefs of any class of citizens (fourth category). The first three categories outlined by me are self-explanatory. The fourth category, I mean sub-clause (1) (v) requires a little bit of explanation. Government know that sub-clause (1) (v) has attracted a good deal of attention and some people are opposed to it thinking that we are interfering with the freedom of expression of opinion with reference to religion and religious belief. I may assure this House that it is not the intention of Government to propagate atheism or theism, or pro-religion or anti-religion or pro-God or anti-God. Everybody is entitled to his own individual opinion in the matter. That freedom of expression has been granted to us and has been recognised for centuries, nay, for thousands of years. Therefore it is not the intention of Government to say that holding a particular opinion is objectionable or that propagation of those opinions is objectionable whether it be in favour of God or against God. But we have to take note of the fact whether that is good or bad taking into account the interest of the society as a whole. A large majority of our people believe in God. They are religious-minded and whether it is good or bad, people may have their own particular opinions. It is not necessary to canvass opinion about it in this House this way or that way. We have to take note of the fact that our people are religious-minded. They are believers in God. It may be that the degree of belief in God and degree of faith in religion may vary from person to person. But I may make a broad statement that, on the whole, our people are religious-minded and that they believe in the existence of god. Therefore when some people, who do not believe in God, propagate their opinions which are anti-religious and anti-God, we have to take into consideration whether that expression of opinion and propaganda conform to certain standards which are not likely to affect or disturb as such the feelings of a large section of our people who are religious. Of course if a person is truly religious and has attained almost the highest degree of faith in religion, he does not care what the other man, who is anti-religious, says. He is so cultured and is so advanced in his mental outlook that he sees in that anti-religious propaganda also a divine purpose. But we are not concerned with those advanced persons. We are concerned with the religious feelings and faith of a very large section of the ordinary people who constitute the majority. In respect of these persons, we have got to see, when we give freedom to other people to preach their own point of view, namely, 'that religion is opium to the people, that belief in God is injurious to the proper development of society, etc.',—not that we object to any such propaganda—that their feelings are not wounded in any way. We have also got to see whether such a propaganda is not likely to have a deleterious effect on society as a whole. All those persons who believe in God are not likely to feel wounded

[23rd December 1954] [Sri C. Subramaniam]

because of a particular expression of opinion; but when it is deliberately intended for the purpose of wounding the feelings of those persons, certainly we have to take note of it. Is it necessary for the purpose of exercising this freedom of expression of opinion with regard to 'anti-religion and anti-God' to do certain things or to express certain things with the deliberate intention of wounding the feelings of others? Even from the point of view of those who are doing such propaganda, I say that it is not likely to have any effect if they begin to wound the feelings of anybody. Their propaganda will not have any effect . . ."

SRI A. GAJAPATHY NAYAGAR:—"May I request the Hon. Minister to illustrate his proposition?"

THE HON. SRI C. SUBRAMANIAM:—"If it is a question of merely doing propaganda, we do not have any objection. But if it is the deliberate intention of those who do such propaganda to insult or wound the feelings of other people, it cannot be said to be propaganda. It is something else. It is not freedom of expression of opinion. It is freedom to wound the feelings of others or insult others. I do not think it should be allowed. The hon. Member, Sri A. Gajapathy Nayagar, wants an illustration. I can, Sir, easily give an illustration. Let us, for example, take up the question of our belief in Ahimsa. I am a believer in 'Ahimsa'. Suppose another person does not believe in it. It is open to him to do propaganda against 'Ahimsa' saying that this doctrine will not apply to the doctrines of human life. He may put forward various arguments to show that it is not a dogma worthwhile to be followed by society as a whole. In order to show that 'Ahimsa' is bad, is it necessary to impute motives to those who preach 'Ahimsa'? Is it necessary to slander or abuse those who preach the doctrine of 'Ahimsa' or even beat them for the purpose of showing that the doctrine of 'Ahimsa' is bad? Gandhiji preached 'Ahimsa'. But supposing a person does not believe in that doctrine, is it necessary for him to impute motives to Mahatma Gandhi or to slander or defame him and say all sorts of things, true or false? I will give another illustration. I do not believe in Communism. Suppose I want to preach against Communism. Should I, for that purpose, slander Karl Marx or defame him? Is it necessary to impute all sorts of motives to him? For the purpose of doing propaganda against Communism, is it necessary to slander Lenin and Stalin who are held in high esteem by those people who believe in Communism? Therefore, it is absolutely unnecessary to slander or defame personalities or characters or figures concerned if it is merely a question of propaganda and freedom of expression of opinion. That is the point of view, Sir, . . ."

* SRI A. GAJAPATHY NAYAGAR:—"I wish to have another clarification from the Hon. Minister. Sub-clause (1) (v) reads as follows:—

"Is deliberately intended to outrage the religious feelings of any class of the citizens of India by insulting or blaspheming or profaning the religion or the religious beliefs of that class; or"

[Sri A. Gajapathy Nayagar] [28rd December 1954]

May I request the Hon. Minister to explain what is meant by 'class'?

THE HON. SRI C. SUBRAMANIAM :—" I am explaining the general scope of the Bill. When I come to that particular point, I shall certainly refer to it.

" Therefore, it is necessary that even in exercising the freedom of expression of opinion and freedom of doing any propaganda for a particular point of view, we should see that such propaganda does not go beyond a particular limit. But if the intention of those who do such propaganda is not to do propaganda but is something else, they certainly cannot claim the right to say, ' I have got the fundamental right of freedom of expression of opinion and freedom of propaganda.' That is why, Sir, we have provided in sub-clause (1) (i), (ii) and (iii), ' likely to incite, likely to seduce any member, likely to incite any section . . . ' and with reference to ' (1) (v), ' which is deliberately intended to outrage the religious feelings of the citizens of India . . . ' clause '.

" The hon. Member, Sri A. Gajapathy Nayagar, wanted to know what was meant by ' class '. In our country we have got people practising various religions. We have got the Hindu religion practised by the Hindus. We have got the Muslim religion followed by Muslims. We have got the Christian religion practised by the Christians. As the clause stands, if it is the intention of certain persons to wound the feelings of Muslims or Christians, such an act will come under this clause. Amongst the Hindus there are various sections, Saivites, Vaishnavites, etc. As a matter of fact, among Hindus there are also people who believe in some formless Absolute—Brahman. Therefore, ' class ' would mean a class of persons believing in certain dogma or doctrine or a particular faith. If it is the intention of any particular person purposely to wound the feelings of that particular class, such an act comes under the mischief of this clause. Suppose there is a class of people believing in the doctrine propounded by Ramanujacharya. Is it necessary for the purpose of saying that that doctrine is false that people should go about slandering Ramanujacharya? Let us take Krishna, who is the author of the Gita. We all believe that Krishna is the author of the Gita. For saying that the Gita is a worthless doctrine and that it should not be respected, it is not necessary that we should slander Krishna. The expression ' class ' is a well-recognized word and it is being used not only in this Bill but also in several other enactments. The hon. Member, who was a Judge, I am sure, would have come across this expression used in many of the enactments. I am sure he himself would have been a party to decisions on that point. (Interruption.) If he were to sit again as a Judge and if I were to appear as a lawyer before him, I will give him sufficient clarification. I am hoping, Sir, that all legislators and especially persons who have got sufficient experience in the judicial line will know the expression ' class ' used in that particular context. It is not a new term brought in for the first time. It is a well-known expression,

[Sri C. Subramaniam] 28rd December 1954]

and that is why further clarification is not necessary. I have made the intention of the Government clear by giving certain illustrations. This sub-clause (1) (ii) has been deliberately worded in a particular manner, namely, ' which is deliberately intended to outrage the religious feelings of any class of the citizens of India by insulting or blaspheming or profaning the religion or the religious beliefs of that class.'

" With regard to the next item—item (vi) which says, ' is grossly indecent, or is scurrilous or obscene or intended for blackmail ', no explanation is necessary.

" Then, Sir, we have got two important explanations. They are very important, as important as the definition of ' objectionable performances '. As far as Explanation I is concerned, we do not want any protection against any sort of propaganda which may be directed against Ministers individually or against the Ministry as a whole. We do not seek protection against slandering or blackmailing or even threatening in all sorts of ways. We accept office for doing service to the people. We are not afraid of attacks against us and we can face them effectively. Ultimately, it is for the people to judge whether we have acted rightly or wrongly. After all, we are not going to remain here permanently. No act of violence is necessary for removing us from office. The Assembly is supreme with regard to the retention or turning out of Ministers and the people are supreme with regard to the retention or turning out of Members. As far as the Government are concerned, we will give everybody absolute freedom to say or do anything for the purpose of getting redress from the Government. Even if it is a question of throwing out the Government by violence or doing any violent acts against the Ministers, we as Ministers will be satisfied with getting only as much protection as any ordinary citizen gets and we do not want to claim any extra rights simply because we are Ministers. Even if there is slandering or caricaturing of Ministers on the stage, we will not invoke this Act for meeting it. We will not invoke this Act for political purposes; we can look after ourselves properly as political figures. Explanation I gives us full freedom for criticizing any policy or action of the Government as is given to every hon. Member of this House. Therefore nobody need be afraid that this Act will be invoked for silencing any criticism of any law or of any policy or administrative action of the Government.

" Explanation II also is very important. In a drama, there may be a few scenes depicting acts of violence or there may be a character depicting a particular religion as bad. In deciding whether a drama is objectionable or not, the Government will take into consideration not particular scenes or characters or acts, but the drama as a whole. Action will be taken only if it is considered, taking the drama as a whole, that it is deliberately intended to outrage the religious feelings of any class of citizens. People need not go with the impression that by this Act we are prohibiting the preaching of social reforms. That is not at all

[Sri C. Subramaniam] [23rd December 1954]

the intention. If hon. Members study the clauses relating to the declaration of a performance as an objectionable performance and the explanations thereto, I have absolutely no doubt that they will realize that, if at all we have erred, we have erred on the side of taking less power than what is necessary. That being the case, I do not think hon. Members need have any apprehension that this Bill will stand in the way of any section of people carrying on propaganda for their particular views or notions.

"Sub-clause (2) of Explanation II has necessarily to be as comprehensive as it is, because dramas are conducted in all sorts of buildings.

"Clause 3 empowers the Government to prohibit a performance if it is found objectionable. I have announced on the floor of the Assembly and I would like to give the assurance in this House also that it is the intention of the Government to associate recognized artistes, playwrights and other persons interested in the art of drama so that their views may be available to the Government before they come to a conclusion as to whether a particular drama is objectionable or not. My intention is to constitute a small representative committee consisting of these persons. But, for doing this, no provision in the Bill is necessary. I intend doing it by executive action.

"The other important clause is clause 4 and this is an emergency provision. If a drama is of an objectionable nature and if its performance is likely to lead to a breach of the peace, then alone this clause will come into operation and not otherwise. Even that power is given to the District Collector. This is only an emergency power given for a short period. An amendment has been made in the Assembly providing for the review of his order on an application made by the party affected by the order. Two conditions have to be satisfied for prohibiting a performance—one is the objectionable nature and the other is the likelihood of its leading to a breach of the peace. Conditions may change and there may arise a time when there may not be any likelihood of the breach of the peace. In such a situation, he can review the order.

"Clause 10 is another important clause. It provides for appeal to the High Court against the prohibitory order of the Government or the Collector. When an appeal is preferred, it is the High Court that will ultimately decide the validity of the order passed by the Government or the Collector. Besides, every such appeal shall be heard by a Bench of not less than two Judges. In important cases, there may be more than two Judges. The fears expressed that the Government are taking more power than is necessary and that they will utilize that power for political purposes is a little far-fetched and imaginary. We will not pass any order in a light-hearted manner. We know that the order we pass will be subjected to judicial scrutiny by the highest Court of the State. The judgment will be published in all the newspapers. With all these restrictions, there is not likely to be any

23rd December 1954] [Sri C. Subramaniam]

miscarriage of justice. Considering all these, I am sure this House will give a very sympathetic consideration to this Bill. I am hoping to have, if not unanimous support, an almost unanimous support to this Bill. I commend the motion to the House."

MR. CHAIRMAN :—"Motion moved—

'That the Madras Dramatic Performances Bill, 1954 (L.A. Bill No. 37 of 1954), as passed by the Assembly, be taken into consideration.'"

* DR. V. K. JOHN :—"Members of the Opposition are free to express their opinions on this Bill." 12 noon.

SRI K. BHASHYAM :—"It is not a matter for the Council."

* SRI T. M. NARAYANASWAMY PILLAI :—"Mr. Chairman, Sir, I welcome this Bill. I do not know whether I am justified in referring to a news which appeared in the yesterday's issue of 'The Mail'. That shows that perhaps the atmosphere at present is surcharged with something not merely of discussion but something more than that. People are perhaps violence-minded. So, this Bill has to be considered in an atmosphere of that kind. So far as the Government are concerned, it is not as though it is the work of one Minister alone, but it is the work of the Government as a whole. They have brought in this Bill and have done perhaps all that they can reasonably do to meet the wishes of the artistes as well as of the Members of the Opposition in the Assembly. My only grievance is that this Council has been entirely ignored. It would have been more graceful, more constitutional and more proper if the Government had taken into their head to move for the constitution of a Joint Select Committee on this Bill. Anyway, that is not going to stand in the way of my considering the Bill. I am not going to treat it as a serious objection. I shall respond to the appeal made by the Hon. Minister and try to judge the Bill on merits.

"The first question that the Hon. Minister wanted us to address ourselves to is whether there is necessity for this Bill. I agree with him in this respect. It is said by those who oppose the Bill that the provisions of the Penal Code and the Criminal Procedure Code are enough to meet a situation of the kind contemplated in this Bill. I should think that they are enough perhaps to deal with individual offences. But if the Government are satisfied that there is a situation in the country where there is something more than the commission of mere individual offences, that there is something like an atmosphere where attempts are made to incite people to commit offences and that there are people who deliberately intend to outrage the religious feelings of a class of people, then I ask, 'Are not the Government responsible to meet a situation of that kind?' Everybody is anxious to preserve the freedom of discussion or the freedom of expression of opinion. It is perhaps one of the most fundamental of individual rights. No democracy, I agree, can function effectively without the grant of this right. In this country, again, there must be the freedom

[Sri T. M. Narayanaswamy Pillai] [23rd December 1954]

of religion and conscience and freedom to propagate one's faith. If such a freedom is not guaranteed, we cannot at all progress. But, at the same time, can we allow unbridled liberty or freedom in these matters having regard to the existing feelings in the country? Freedom is, no doubt, zealously guarded, but the more important and ultimate thing is the liberty of the people of the whole State. We cannot relegate our duties to the entire society to an inferior position. The welfare of the whole society is a more fundamental factor. If, on account of the abuse of these liberties, there is a danger of the society being split into two warring sections, so to say, one of which tries to incite people to acts of violence or deliberately tries to outrage the religious feelings of another section, then have not the Government the right and the duty to intervene and safeguard the interests of the society as a whole? Of course, in doing that, the Government must see that individual liberty is not, in any way, curtailed unduly. Having examined the provisions of the Bill in this background, I have come to this conclusion. After all, there has been the Act of 1876. It gave the Government the power of prohibition in regard to dramatic performances. After the Constitution has come into force, some provision to provide an opportunity for the individual for explanation is necessary. So, if the Government had merely amended that Act for this purpose, perhaps nobody would have taken serious notice of the amendment and it would have covered most of the things sought to be covered by the present Bill. If that had been done, the objections to this Bill would not have been so formidable. Notwithstanding the Act of 1876, the dramatic art has flourished not only in this State but all over India. How has the operation of that Act stood in the way of development and growth of the dramatic art? If that Act has not stifled or prevented its growth, I fail to see how this Bill will do it. The only new provisions which extend the ambit of the Act of 1876 are those of sub-clauses (iv) and (v) of clause 2. In every country, there are definite principles that whatever the exercise of individual right and freedom is likely to lead to acts of violence, then such a thing must be put a stop to. In all advanced countries—even in countries where it is demanded that there should be no curtailment of individual liberties—it is agreed that there should not be a liberty the exercise of which will lead to incitement of people to acts of violence. The only provision about which there is some difficulty is that relating to a drama which is deliberately intended to outrage the religious feelings of any class of the citizens of India. Unfortunately, in this country, our religion is mixed up with something most noble and most grand but, at the same time, with the practice of some things which are acknowledged as not forming part of religion but nevertheless are regarded by the majority of the people as forming part of religion. A religious reformer, a man who wants to elevate society and make all the people realize that glorious manhood visualised by the Hon. Minister may take it into his head to condemn such practices forming part of religion, of course, in a *bona fide* manner. If the

23rd December 1954] [Sri T. M. Narayanaswamy Pillai]

definition, standing as it does, would interfere with the acts of such a person, then I would be the first person to object to it. So far as I am concerned, I make no secret of it. I am an idol-worshipper. I am a person who reveres some of those people who are regarded as Avatars. Therefore, I for one living in this age would not object to another man coming in and saying 'I have no reason to think that He is God.'

"This State is not wedded to any religion. But at the same time, if a section of the people, even though it may be a powerful section, gathers together and makes up its mind to blaspheme and profane and say some things which need not be said, as the Hon. Minister himself has pointed out, then I think I am entitled to be protected. People of my views are entitled to be protected. as people of their views are entitled to be protected. Let us propagate our views. There can be no difficulty about it. After all there can be no progress without such propagation of views. If you follow the history of any country, you will find there have always been opposite views propagated but proceeding towards a goal which subserved the security of the State. Therefore there should be some power vested in the Government to protect both the views so that we may all progress taking advantage of the liberty granted to us. Therefore taking all these things together and the explanations given under clause 2 and also the right to appeal to the High Court I do not think the definitions are such as would lead to a curtailment of our fundamental liberties, namely, the liberty of expression of opinion, freedom of conscience and freedom to propagate one's own views. This is one of the objections put forward against this Bill, that is, this Bill curtails all those freedoms. Let us examine Explanation I. I am not going to give credit to this Government and say that it is a new Explanation that has been adopted by them. This is an old one. Even under section 124-A this finds a place. Therefore in a democracy a kind of view expressed—even if disapprobation is expressed—against the Government of the day with a view to have the existing things altered by lawful methods, it will never amount to any kind of outrage, etc. We must however give credit to the Government for having adopted that Explanation. Though even without the explanation, the High Court or the legal authority will bring to bear the context of the explanation on the consideration of the case, still it is better that all the persons concerned, the High Court, the District Magistrate and all the people concerned know in what atmosphere this question has to be viewed. The Explanation makes it clear to all concerned, that any disapprobation of Government will not constitute an objectionable feature under the provisions of this law. The more important of the Explanations is Explanation II which says that the drama shall be considered as a whole in judging whether it is objectionable or not. Again I must say this is not a new explanation. There was a similar provision in the Indian Press Act of 1910. Under that Act, the Chief Presidency Magistrate was given the power to forfeit the security deposit furnished by a press in case

12-10
P.M.

[Sri T. M. Narayanaswamy Pillai] [23rd December 1954]

of publication of passages treated as objectionable on grounds similar to those mentioned in this Bill except perhaps item (v). Provision is made in that Press Act that such appeals shall be heard by a special Bench consisting of three Judges. There is the famous case of the forfeiture of the security of 'New India'. I think this case was heard in the year 1916 or 1918. In that case the three Judges unanimously held that before treating a passage as objectionable the passage must be read as a whole and treated as a whole. Explanation II in this Bill makes a similar provision for considering the drama as a whole. There is no use of reading a sentence here and a sentence there, tearing it away from the context, and coming to a conclusion. I am glad that this Explanation has been incorporated in the Bill.

"My point is this. Let us consider the 1876 Act and the powers now conferred upon the Government by the present Bill along with the Explanations included under clause 2, together with the power of appeal granted to aggrieved parties, which appeal has to be disposed of by a Bench consisting of not less than two Judges. After considering all these things, can we say that the law now to be enacted is a retrograde measure, a measure which is going to curtail or completely take away the liberty of the subject or it is a measure which is going to stand in the way of honest, *bona fide* criticism of religious views or it is a measure which is going to stand in the way of propagation of progressive ideas? Of course if you read the history of religious liberty you will find there have always been two forces, one opposing the other. I am therefore satisfied with the provisions contained in this Bill. Of course, if the provisions as they were originally drafted, were allowed to stand even after the Select Committee stage, I would have had serious objection to many of the provisions. But Government have responded to the necessity of making some amendments in the definition clause and also added the two explanations. I therefore feel that this Bill is not as pernicious or as obnoxious, or as great a blow to liberty of propagation as it is pictured outside. This is not very much more stringent a measure when compared to the measure of 1876. My own feeling is that when the feelings in the country have grown to such dimensions as to call for the exercise of a power of prohibition in the interest of the State as a whole, the provisions contained in the Criminal Procedure Code to deal with individual commission of offences will not be sufficient. We have reached a stage when the State has necessarily to step in and control and regulate these things. Therefore with the scope of the Bill I am in entire agreement.

"The next point I will refer to is this. This drama . . ."

AN HON. MEMBER:—"Which drama?"

* SRI T. M. NARAYANASWAMY PILLAI:—"This Dramatic Performances Bill . . . (Laughter.) We are all enacting a drama and the world is a stage. Unless my hon. Friend asks: 'Why not prohibit this drama, this seems to be merely a show?', it will come to that. If we do not take timely steps to

[Sri T. M. Narayanaswamy Pillai] 23rd December 1954]

bring in Bills of this kind to see that democracy functions properly, if we do not take things under control and regulate them so that the liberties of the individuals may all flow in right channels, this drama of ours will end. When this will end we do not know. We must wait and see. Far beyond us, above us and without us, if some forces develop then we must bow to the inevitable. But now, here, we feel we can and must control. The better sense in our society will and must assert itself.

"Now, Sir, I know in this part of the country with regard to the performance of dramas, perhaps there is a feeling that there is nothing objectionable in blaspheming and profaning those held as heroes in some religions. In support of their actions they quote as authorities certain statements made in some text-books profaning or blaspheming those heroes. I do not know anything about these authorities, but assuming . . ."

DR. A. SREENIVASAN:—"There is Menon's book of 'Ramayana' available is Higginbothams Bookstalls."

* SRI T. M. NARAYANASWAMY PILLAI:—"I do not know that. I am so unfortunate as not to have read that book."

SRI K. BHASHYAM:—"Probably the hon. Member reads only the orthodox text of 'Ramayana'."

* SRI T. M. NARAYANASWAMY PILLAI:—"Sir, I must plead my ignorance of either the original text or translations or the book referred to by my hon. Friend. Anyway let us assume all that is said there is correct. I say this for purposes of argument; let us assume all that is said there as true. I am not against any society. I am not a partyman or anything of that sort. I take my stand only objectively. I take my stand only as a citizen of this State. I take my stand as a citizen of Tamilnad. I am as proud of it as anybody else. I want that our State should grow into a glorious future. At the same time I cannot shut my eyes to the forces that are growing up and think as though I am living in an isolated world of my own. If I did that, I will be called something else. Therefore we must take into consideration all that has happened, the forces that are coming up in this 20th century and think once, twice and thrice or perhaps many times and tune ourselves to that future which we want to attain. I am sorry I have digressed. Assuming all that is said to be true, can it be said that this clause is wide enough to cover everything? There may be some loophole and people might escape but even if somebody takes it into his head that this definition will embrace everything and that he will come within the mischief of this clause, is it not necessary to prevent slandering of persons? After all, everybody believes that chastity is the best virtue. There is nobody who denies the power of that, or the usefulness or the desirability of that. Even though I may be committing many vices, nevertheless I would be the last person to disown them. If that is so, what purpose does a drama

[Sri T. M. Narayanaswamy Pillai] [23rd December 1954]

decrying the epic model of chastity serve? Even if rightly some God or Goddess is treated as having violated chastity, what purpose does such a kind of drama serve? Does it not affect our cultural growth? What is the benefit that the society as a whole is going to get? (Interruption.) I can very well understand that. It is not so. There is a feeling behind it and the Prime Minister has given expression to it the other day. What I want to point out is that it is all due to a feeling of servility, a feeling of domination and a feeling of unjust oppression. There must be improvement on both sides. The feeling that some people who have come from the North are dominating the South should go. Similarly, there must be a change of attitude in those people who have come from the North. In the present state of our society a new psychology has to be developed and the society has to be built up. That cannot be done by bolstering divisions up like North or South, or Brahman or Non-Brahman. Such divisions should not be there. The society has to be built only on the concept of a United India. It is not as if Ravana is a Brahman as some people claim. Let him be a Brahman or Non-Brahman. After all, this Ramayanam is in our land for centuries. Kamba Ramayanam came just to give shape and expression at a particular time. We find reference to Ramayanam in the old Sangam works. Acharyas and Alvars have dealt with Ramayanam. In fact, these epics have become part and parcel of our blood and there is no use in saying what people have been believing in is wrong. There may be some exaggeration but we can try to remove them. What is the harm in believing that there is an omnipotent, omnipresent and omniscient God? What is the harm there in considering Rama as an Avatar? There is a passage in Kamba Ramayanam which says :

‘ஆம் என்றால் ஆம்
இல்லை என்றால் இல்லை
உள்தென்றால் உள’

It is all for our own self-improvement. Therefore, people who really want to encourage the growth of the dramas but not to slander persons, need not be afraid of the provisions in this clause. That is what I am anxious to say. Let them not be afraid of the future growth of the dramas. Any man who wants to propagate his own views, even in the religious field, is welcome. As the Hon. Minister has pointed out, the atheists as well the people who believe in the existence of God will have equal opportunities, but one could not slander the other. One should not slander the other man's hero. Is this conducive to the growth of drama? That is what I wish to ask. So far as the definition goes, it is much better and more liberal than the provisions originally introduced. Of course, there may be difficulties in the matter of interpretation since a kind of uniformity has been created with regard to preferring an appeal to the High Court. If, in the course of the working of the Act, something is found to violate or interfere with the growth of culture or the growth of drama, then the Hon. Minister concerned will take steps to remedy such defects. In this connection, we cannot fail to take

23rd December 1954] [Sri T. M. Narayanaswamy Pillai]

into account the unanimous opinion given by the Nataka Kazhagam. It may be that the Nataka Kazhagam is not a representative body. (Interruption.) My Friend says that it is equivalent to something in Kannada. But I took care to see who are the persons who expressed that opinion. The Hon. Minister has said that the Government would constitute a body of experts who will advise the Government as to which is an ‘objectionable performance’ coming within the purview of this Bill and the Government would take into account their opinion as regards the objectionability or otherwise of the performance. I am very glad to note that the Hon. Minister has given that assurance on the floor of this House. I also read from the newspapers that a similar assurance was given on the floor of the other House. Something like that is absolutely necessary. Of course, I myself have given notice of an amendment, which I hope, will be accepted by him, to the effect that no decision will be taken by the Government under clause 3 without consulting a body of competent experts. (Sri K. Balasubramanya Ayyar : ‘Then the Bill will have to go to the Assembly again’.) If it goes back to the Assembly, the Heavens are not going to fall. (Laughter.) If the amendment is accepted, the object which the Hon. Minister has in mind will be completely achieved. There would be absolutely no bad odour and the lame objections that are raised by some people will also fall to the ground. It would be better to incorporate a proviso like that. It would satisfy the Opposition and at the same time would allay public fears. Whether the Hon. Minister is going to accept the amendment or not, I am glad that the Government would consult a body of experts. That body will be an independent one and nobody need think that the Government are going to arrogate to themselves that power especially when they are likely to figure as a party if any appeal is preferred to the High Court. Therefore, the provision relating to the constitution of a consulting body and the one relating to appeal to the High Court are necessary safeguards and no one need think that the powers will either be abused or will be made illusory.

“Then with regard to clause 4, I have some suggestions to make. I have been feeling some difficulty with regard to that. The scheme of the Act is this, namely, the power to prohibit is given to the Government. Then a temporary power to prohibit is given under clause 4 to the District Collector. There are two conditions imposed for exercising the power. One is it must be objectionable. The other is that it must be one likely to lead to a breach of the peace. The matter may be objectionable but if it is not likely to lead to a breach of the peace, he cannot exercise that power. A temporary order under clause 4 is appealable to the High Court. We shall consider this clause along with section 144 of the Criminal Procedure Code. Where this clause does not apply, the Section in the Criminal Procedure Code applies. The Section in the Criminal Procedure Code applies to all dramas. Though it is stated that the District Collector is the sole authority under this Bill to take action against objectionable matters, the Sub-Magistrate of the Second

[Sri T. M. Narayanaswamy Pillai] [23rd December 1954]

Class will still have the power to deal with not only objectionable matters but also non-objectionable matters, if such dramas would lead to a breach of the peace. The inclusion of this clause in the Bill will not take away the power vested in the Sub-Magistrate under section 144 of the Criminal Procedure Code. The Sub-Magistrate can always exercise power under the Criminal Procedure Code. He can always stop objectionable things. The scheme of the Government seems to be that they want to clothe the District Collector alone with power. They attach sanctity to the order of the District Collector. They say that they are giving power to a respectable district official. They say that he is not likely to take sides and also not likely to go wrong. On the other hand I say that powers still inhere in the Sub-Magistrate. There are two powers here, namely, (1) the power to proceed on the ground of objectionable matter and (2) power to proceed on the ground that it is likely to lead to a breach of the peace. The power to object to the performance as on likely to lead to breach of the peace still vests in the Sub-Magistrate. If the power to declare a performance objectionable should vest in the District Collector and the power to proceed against the performance on the ground that it is likely to lead to a breach of the peace should vest in the Sub-Magistrate, I am afraid there will not be uniformity. It will lead to a legal anarchy so to say. For the same play, we can conceive of two orders, one by the District Collector and the other by the Sub-Magistrate. Therefore it is I have given notice of my amendment. Let the District Collector decide the question of objectionable performance. Let him pass an order—a temporary order. If he thinks it necessary after passing a temporary order, let him at once refer the matter to the Government. If he makes a reference to the Government, let Government pass orders within two months. If no orders are passed by the Government within these two months, the order of the Collector shall stand cancelled. If Government pass an order on the reference of the Collector, against that order there shall be an appeal to the High Court. This procedure will ensure uniformity and this should be provided in the Bill. Whether the play is objectionable or not, the breach of the peace is there. Therefore, let us not club these two. We are really now clubbing these two things in this Bill. The Sub-Magistrate must have vast powers in the interests of law and order. This is an overriding consideration. But the District Collector will be deciding the question of objectionable performance while the Sub-Magistrate will take action on the ground that the performance is likely to lead to a breach of the peace. I ask why not powers be given to the Chief Presidency Magistrate, as in the case of the Press Act, in the City and to the Judicial District Magistrate in the districts? The Government will then be completely out of the picture. No objection can then be raised saying that the Government are arrogating to themselves the powers, and no objection can also be raised against the party Government. But in a way I thought the Government must have their own reasons for taking power. I am always looking at things from the administrative point of view. The Government may think that my view is too violent a departure

23rd December 1954] [Sri T. M. Narayanaswamy Pillai]

from the scheme which they have. Therefore, I have confined myself to the things necessary to give effect to the real intentions of the Bill as I understand them.

“ I want to state another important thing. In the original Bill, service of the order could be made on anybody. But now the persons against whom proceedings can be taken for disobedience of the order are made clear. Only persons responsible for the conduct of the drama are made liable. As regards appeal to the High Court, I consider it is not necessary to allow a direct appeal to the High Court against the temporary order passed by the District Collector under clause 4 of the Bill. As I said earlier, the temporary order by the Collector shall be referred to the Government for orders. In that case, there shall not be this provision for an appeal direct to the High Court. Of course there is the rule-making power of the Government, and I have no doubt that Government will frame the rules in such a manner as not to give room for the apprehensions I have expressed. (Sri Mohamed Raza Khan : ‘ The rules will come before the Legislature.’) Sir, taking an over all picture, I do not think that there is any danger of our liberty being curtailed. After all the definition clause as well as the provision for appeal does provide for reasonable restrictions. When the Constitution was amended in 1951, they have circumscribed the limits beyond which we ought not to go. These two provisions do not go beyond those limits. In these circumstances, I welcome this Bill and support it subject, however, to what I have said in my amendments.”

SRI V. CHAKKARAI CHETTY :—“ Sir, I want to say that I am obliged to oppose the introduction of this Bill. My whole intellectual training and moral training revolt against the introduction of this measure. I do not know whether hon. Members are familiar with the fact that in the days long past—I do not know how many years ago—we were all trained in the school of liberalism of John Stuart Mill. I do not know whether, when hon. Members were in the colleges, the book by John Stuart Mill on ‘ Liberty ’ and John Milton’s books were prescribed as text-books for the B.A. class and also Milton’s great treatise on Printing, called ‘ Areopagitica ’, thunder roll, as John Morley called the great document. Having been trained in the liberal school, my feeling is against any sort of control, however circumscribed that control may be by legal provisions and guaranteed by legal pondits and pedants. Now, Sir, it seems to me that one of the real objections to the passing of this Bill is that it is not at all in consonance with the past history of the intellectual frame all over the world. Supposing a Bill like this had been in operation in England in Elizabethan days, do you think that some of the dramas of Shakespeare that are now widely read would have been tolerated? Take for example the question, like wounding the feelings of any particular class. Do you think that even such a drama as the Merchant of Venice could have been tolerated? Because it is an attack upon the money-lender—upon the Jew Shylock, who wanted his pound of flesh. There are actually Marwaris here whose religious feelings or personal feelings have

[Sri V. Chakkarai Chetty] [23rd December 1954]

been completely outraged by this play. Then again with regard to the religious feelings, take for example the drama 'King John'. There are passages in that drama against the domination of the ecclesiastical profession. In those days that drama was considered as an attack upon Catholic hierarchy. I now recall an incident that happened in England. When this drama was on one occasion played in London, Lord John Russell (who became Prime Minister of England) rose and waved his hat in the air applauding the sentiment that no priesthood should dominate and control political matters. Because at that time there was a great deal of fear that some particular religious classes were dominating. Suppose this Bill was in force in England, would they have permitted the play Othello? No. Because it is a reflection on mixed marriages and deals with the story of a marriage between the white and coloured races. People may object to the staging of this drama on the ground that it will promote jealousy between husband and wife. They may take the view that the consequences of allowing such dramas will be very serious. The whole thing may prove to be fatal and may end in the strangulation and murder of wives. It is very likely that people in England might take this view if only there was such a Bill in force in that country. I can quote scores of instances like this from the period of Elizabeth and Shakespeare, Johnson and Morley to the present time. I can also quote other instances to show the intellectual worth of dramas in the Restoration period also. In the Restoration period, certain comic dramatists indulged in the most scurrilous attack on some of the sacred institutions. They were also indulging in the most scurrilous attacks on the relationship between husband and wife.

"In the 18th century, Sheridan wrote many dramas describing the ways of life of different classes of people. This also would not have been allowed to be staged if there was such a Bill in force. Coming to the 20th century, the great playwright Bernard Shaw would not have been allowed to publish many of his plays if only such a Bill was in operation in England. Because, most of his dramas reflected certain aspects of life of the English people. For example, in his work 'Irrational Lot' he has condemned the idea that marriage is inviolable. I say all these only to show that this Bill is a retrograde measure. I know that any such measure cannot suppress the genius of the people. It will come to the forefront in spite of the Government's efforts to curb it. The artistes' genius is bound to be recognized by the people. The Government cannot repress the dramatic and artistic genius of the people. The dramatic and artistic genius will be appreciated by the general public. In some of the plays of authors like Bernard Shaw, the propertied class of people are attacked in strong terms. They clearly point out the misdeeds of men of property and the way in which they manage their affairs. All such plays may be brought within the scope of this Bill. It seems to me that a measure like this is not going to fulfil its function and purpose. It will only be an irritating piece of legislation. It will irritate certain classes of people against the

[23rd December 1954] [Sri V. Chakkarai Chetty]

attitude of other classes who have been able to persuade the Government to bring forward this measure. Take for example a situation like this. It is stated here 'deliberately intended to outrage the religious feelings of any class of the citizens of India by insulting or blaspheming or profaning the religion or the religious beliefs of that class'. It is quite possible this may be done in some way or other. There are a number of religions and people have a number of religious faiths. So, a measure like this cannot be of any use. There ought to be a restriction. If any dramatic performance, printed matter or speech is offensive and affects the person and property of other people, then the Government can come round and take steps to prohibit them. Instead of having such a provision, if we are merely to say that a dramatic performance should not outrage the religious feelings of other people, it is a very vague expression as anything might come within the scope of this expression. When the French Revolution broke out, French encyclopædists wrote violently against all religions. So, there were such attacks and counter-attacks, sometimes scurrilous attacks also against theism and atheism even in those days. One of the great authors at that time even expressed his surprise at the way in which the philosophers and others were treating this matter. Even at that time, the champions of religion came forward and answered some of the arguments. But till today nobody cares a brass button for those arguments put forward by the French encyclopædists. In England, there were great men like Bradlaugh under whose influence even Annie Beasant came before she became a theosophist. In my school and college days I used to read the articles and other works of Bradlaugh and I too practically came under the influence of his views. Later on, I became convinced that his theory cannot be a sufficient guarantee either intellectually or morally in society.

* DR. V. K. JOHN :—"On a point of order, Sir. Though the speech of the hon. Member is interesting, I wonder whether it has anything to do with this Bill."

SRI V. CHAKKARAI CHETTY :—"I am not here to argue like my friend Dr. John and other legal pandits and pedants. It is not my intention to argue these provisions one by one. What I wish to point out is this. This Bill is not worthy of the present Government in the present state of things. If anybody feels that his religious feelings are offended or a particular doctrine or belief is outraged, it is for him to put forward a counter-argument so that the people may come to a definite conclusion. Take for instance the drama against which there is some uproar and opposition. It is not necessary for the Government to take powers to ban such dramas. What the Government should do is to ask the people not to attend such dramas. If the people do not attend such dramas, then they will fall off automatically. There is no need for a legislation. This is the best way of dealing with this matter. So, I don't think the Government are well advised in bringing forward

[Sri V. Chakkarai Chetty] [23rd December 1954]

a measure like this which is bound to be impotent. In spite of these measures, good dramas will come to the forefront. The moment the Government take steps to ban such performances, the people will somehow or other like to see them at least to know what they are. Suppose the Government proscribe a particular publication or a book or some other printed matter. I will certainly like to go through it. The very fact that the Government condemn a particular publication is a recommendation for others to read it. Curiosity is an integral element in human nature. People will be curious to know what is done or enacted in a performance which the Government might have condemned. The Government cannot prevent people from attending the dramatic performances which they (Government) condemn. By condemning some performances, the Government will only be creating lot of ill-feeling between one section of people and another. For all these reasons, I do not think that our Government are well advised in coming forward with this measure, though it may be passed with certain amendments and safeguards.

Apart from the Government's appointing Committees under this Bill, I would like them to consider another aspect also. When the Government ban a certain performance which they consider objectionable, why should the Government make it the responsibility of the other party to go to the High Court for challenging the Government's order? Why don't the Government themselves take the matter to the High Court and ask for its opinion whether their order banning a particular performance is in order or not? This will be a better course instead of driving the party to the High Court and making him incur lot of expenditure on litigation. Let the Government take up the responsibility in this matter.

"In view of what I have just now said, I feel that this measure is not calculated to advance the very purpose for which it has been brought forward. It is a retrograde measure. It will not do any credit to the Government or to the people of this land. People outside will only say that we are reactionary elements who do not want real freedom of opinion and freedom of expression. The Government may say there is freedom of expression. All these things have been said over and over again only as an apology for our reactionary spirit. They do not serve any other purpose, when people are not allowed to enjoy intellectual and moral freedom. So, I oppose the Bill. I hope our legal and constitutional pandits like Dr. John, Sri Narayanaswamy Pillai and others will bring forward amendments to safeguard the small liberties that are left to us. With these remarks I point out to the Government that they are not well advised in bringing forward this measure. I once again ask the Government whether they have been well advised in bringing forward this Bill. I know there is a particular class of people and I do not belong to that class. There is a particular political party and I neither belong to that nor have read its writings. Therefore, I am not in a position to pronounce any opinion on the views of that party. It is only what I have read in

23rd December 1954] [Sri V. Chakkarai Chetty]

the newspapers about certain representations from the persons interested in the dramatic art that comes to my mind. Upon a matter like this, without going into the merits rather deeply, we cannot give an opinion whether literally and artistically there is anything in the writings of such men. We cannot say whether they are of any use. If the people find that they are of no use, they will at once come to the conclusion that they should not encourage but boycott such dramatic performances and throw them overboard, whether they preach religion or anti-religion. I appeal to the Government to have this Bill withdrawn. Otherwise, it will make them the laughing stock of the freedom-loving communities all over the world. They would say that India has not progressed far enough to understand the elementary concept of freedom and the complete emancipation of intellect. If once we are going to interfere, where are we going to stop? As a matter of fact, after a great deal of struggle, intellectual freedom and religious freedom have been obtained. Even in the lands of the West, some years ago it was considered wrong from the scientific point of view to teach the doctrine of evolution in the colleges. Some of the Christians objected to it. They said that the doctrine of evolution was anti-religion. We may even go to the extent of suggesting that a particular scientific doctrine should not be taught in the colleges or in the schools and we may undertake legislation in that connexion on the ground that such scientific doctrine offends the religious feelings of the people. For instance, it is believed that man did not come from God but came from anthropoids who, it is said, were our ancestors. It will certainly offend the feelings of my grandmother if I tell this to her. (Laughter.) Of course, she is no longer alive. (Laughter.) If she were alive, she would certainly take me to task for saying this, because she always believed God created man somehow or other. Therefore, Sir, I am not at all enthusiastic about this Bill. With these words, I oppose the motion before the House."

MR. CHAIRMAN :—" We have some half a dozen Members to speak and I fix a time-limit of fifteen minutes for each Member. If they finish their speeches within this time-limit, I shall be very grateful."

SRI MOHAMED RAZA KHAN :—" Why not put it at ten minutes, Sir? "

MR. CHAIRMAN :—" I shall call each Member to stop at the end of ten minutes."

* DR. V. K. JOHN :—" Mr. Chairman, Sir, let me congratulate the Hon. the Minister for Law on the very clear, forceful and comprehensive way in which he presented this Bill. It is very rarely we hear him in this House but this is one of his best performances and I want to compliment him on it. It does not mean, however, that I am in agreement with the provisions of the Bill."

[Dr. V. K. John] [23rd December 1954]

" Sir, yesterday, I read a news item in the papers which created an oppression in my mind. It pained me to know that there were people in our State who could threaten Ministers and their lives. It is a very wrong thing to do. I believe the Police will be able to trace the culprits. I once heard about a demonstration before the house of the former Chief Minister, Mr. Rajagopalachari. I condemned it. After all certain persons occupy certain positions in life. We select them as Ministers and they discharge their duties as Ministers. To threaten them later with letters that their lives are in danger does little credit to our State. Our State ought to set an example for the security of life and harmony. I want the Government to take proper steps to see that such things were not repeated.

(At this stage, the Deputy Chairman occupied the Chair.)

" Sir, I should like to say that a Bill like this (not exactly this Bill) is necessary. In 1951, when the first amendment to the Constitution was approved, a clause was added to Article 19. Article 19 (1) says—

' All citizens shall have the right—

- (a) to freedom of speech and expression ;
- (b) to assemble peaceably and without arms ;
- (c) to form associations or unions ;
- (d) to move freely throughout the territory of India ;
- (e) to reside and settle in any part of the territory of India ;
- (f) to acquire, hold and dispose of property ; and
- (g) to practise any profession, or to carry on any occupation, trade or business.

The new clause introduced is—

' Nothing in sub-clause (a) of clause (1) shall affect the operation of any existing law, or prevent the State from making any law, in so far as such law imposes reasonable restrictions on the exercise of the right conferred by the said sub-clause in the interests of the security of the State, friendly relations with foreign States, public order, decency or morality, or in relation to contempt of court, defamation or incitement to an offence.'

I feel it is the duty of the Government to legislate for the purposes mentioned in the clause I have just now read. If legislation is not there, there will be unlimited freedom of speech and expression. Of course, the High Court is bound to see whether such legislation goes beyond the bounds of reasonable restriction. It will do it on a petition for the issue of a writ under Article 226 of the Constitution. I think the Government are right in bringing forward a Bill but at the same time, I wish they had enumerated in this Bill the various categories mentioned in Article 19, subject of course, to the condition that the restrictions placed were only reasonable.

" Sir, in considering the Bill before the House, one or two principles have to be kept in mind. The first principle is we should not put in the way of the growth and development of the dramatic art any obstruction at all. There should not be any obstruction to developing this art, either in theory or in practice. The second

[Dr. V. K. John] 23rd December 1954]

principle is based on the fact that drama is an effective method of political propaganda. None should think that the restrictions contained in the Bill—rather the provisions of the Bill—will be used oppressively or abused by the Government. At the time of, or before the elections, various political parties may do propaganda by means of dramas. We must not allow the impression to gain ground that the ruling political party may abuse the right given to it under the Act. What the Government should have done is to introduce a Bill containing additional provisions, very important provisions, to the effect that anybody having a drama written may go to an impartial committee and get his drama 'passed' or 'censored'. And once it is passed, it is not for the Police—the Government to interfere with the performance of that drama. I am glad that the Hon. Minister understood and appreciated this point of view but he would not provide for it in the Bill. He would only give an undertaking, but I am not sure whether under the rules to be framed under the Act, an impartial committee can be appointed, whose decision would be binding on the Government, because rules are framed only to enforce the provisions of the Act. Such a rule, if framed, may be even *ultra vires*. I think Government would bring in an amending Bill by which if a person who wants to enact a drama were to get it certified by an impartial committee constituted by the Government, not consisting of partymen but others who are proficient in the art, and impartial persons appointed by Government, then he should be free to enact the drama without the interference of the Magistrate or the Police. The other provisions of the Bill should not be brought into operation against him once he gets the certificate from that impartial committee constituted by Government. If a person wants to avoid the Magistrate or the Police, he must then be entitled first to get his drama certified by the committee and then he must be free to enact the drama. If only such a provision were to be in this Bill, there would have been no criticism against it because the fear among the different political parties now is that the power given to the Police might be abused. I am not moving now an amendment for constituting such an impartial committee. Let Government bring in an amending Bill making such a provision in it. No doubt the power of appeal is given to the High Court. But Government have not realized the fact that this appeal may become infructuous. It may take several months before that appeal is decided by the High Court. The main purpose of the actor in staging his drama is defeated by the order of the Magistrate. He appeals to the High Court. Suppose his appeal is allowed, there is no purpose in staging the drama after six months (it may take normally six months before the judgment is delivered). Of course under Article 226, any aggrieved person may move the High Court for the issue of a writ. The High Court will certainly give its opinion on the writ application. Therefore under Article 226 the provision for moving the High Court for the issue of a writ is always there. So it is not very much to say that we have provided for appeal to the High Court. I do not say it is wrong. It is good that the High Court is given the appellate jurisdiction. But what I say is

[Dr. V. K. John] [23rd December 1954]

even otherwise the High Court is given the jurisdiction to hear a writ application under Article 226. That is why I say this provision for appeal is more or less infructuous in the nature of things. What is immediately required is to have a committee, an impartial committee, which will certify the dramas. As I have said before let the Government bring in an amending Bill for constituting such a committee. It is good that the present Bill has been brought in. Government must have the power to protect the religious feelings of a large majority of our people. Government should not allow persons to condemn great personalities in our great puranas and personalities whom millions of our country men hold in very great respect. In Madura, a riot had taken place due to the staging of a particular drama. I have condemned it and condemned it strongly on a previous occasion. I am sorry that that incident has happened. It does not do credit to our State or to our Government or to our country or to any section of the people. I do not wish that certain persons should be allowed to injure the religious feelings of millions of our people. This Government could not stop the riot that took place in Madura. After all the seat of Government is in Madras. I cannot find fault with the Government. I am quite sure that the officers had acted with *bona fide* intentions. No doubt they could have foreseen things and prevented the riot. We should not allow such things hereafter. It is good that this measure has been brought in now. But it is not merely enough to make statements on the floor of the House. Government should provide for the constitution of an impartial committee which could certify these dramas. If a person chooses to apply for a certificate to the committee and if the drama has been certified not objectionable by that committee, then there should be no more interference by the Police or the Magistrate.

"I endorse the remark made by the hon. Member Sri T. M. Narayanaswamy Pillai that it is wrong on the part of Government not to have constituted a Joint Select Committee on this Bill. Some Members of this House ought to have been taken into the Select Committee. In fact it ought to have been a Joint Select Committee of both the Houses and not simply a Select Committee of the Assembly. Many of us, who do not want to be in the Select Committee generally, would have willingly agreed to serve on the Joint Select Committee if one was constituted and would have offered our suggestions. But I do not think it is the intention of the Government to neglect this House. I think, from the observations made by the Hon. Minister who moved this Bill in this House, that Government are well-intentioned in piloting this Bill. The Bill is welcome, as I have said before, in that it intends to protect the religious feelings of a large majority of our people and that it seeks to prohibit dramas outraging the religious beliefs of a large section of our people. There is only one omission in the Bill and that I have pointed out, viz., the provision for the constitution of an impartial body, which could have the power to certify whether a drama is objectionable or not if a person were to choose within

23rd December 1954] [Dr. V. K. John]

himself to present his drama after getting the certificate from that impartial body. After the certificate is got from that impartial body that a particular drama is not objectionable, then that drama should be allowed to be staged without any interference from the Police. I request the Hon. Sri C. Subramaniam to bring in an amending Bill incorporating what I have said, viz., the provision for the constitution of an impartial body. If that provision were to be incorporated, I think it will create confidence in all the parties concerned and a happy atmosphere will be created. But the Bill, as it is, is welcome and I think we must accept the assurance given by the Hon. Minister that it is not intended to stifle the growth of the dramatic art but is intended only to prohibit dramas outraging the religious feelings of a large section of our people. I wish that this Bill had enumerated all the various categories mentioned in Article 19 (1) of the Constitution of course with the reasonable restrictions prescribed under Article 19 (2). In conclusion I once more request the Hon. Minister to bring in an amending Bill incorporating in it a provision for constituting an impartial body which could certify the dramas that may come to them for their scrutiny. I do hope that the amending Bill would enumerate all the various categories mentioned in Article 19 (1) of course with the reasonable restrictions prescribed under Article 19 (2)."

* SRI K. BHASHYAM :—"Sir, so far as this Bill is concerned, all hon. Members feel the necessity for some sort of control over dramas which are objectionable. I think all are agreed on that point. We have got censorship of films. We have got rules for regulating press publications. But so far as the drama is concerned, we have only the old Act of 1876. The present Bill is timely. I think there is a serious omission in the present Bill. One of the important provisions in the old Act of 1876 prohibited dramas which were intended to deprave or corrupt the morals of the people. But that provision has not been incorporated in clause 2 of the present Bill. I think Article 19 (2) of the Constitution does allow such a provision being enacted. There are the words 'decency or morality' in Article 19 (2). But all the same I think it would be better to incorporate that provision in the Act of 1876, in this Bill also. I think that defect should be rectified by an amendment. The controversy that has arisen is only so far as sub-clause (v) of clause 2 is concerned. That is to say in the matter of deliberately outraging the religious feelings of the people. Sir, apart from legality and other things, it is wholly ungentlemanly to talk ill of any person or outrage his feelings. It may be we may have difference of opinion with others; but all the same we should not outrage their religious feelings. It is ungentlemanly, it is unpleasant. Under Article 19 (2) if it is indecent and immoral, it is prohibited. If anybody were to deliberately outrage the religious feelings of a large section of the people, such a thing should be proscribed. Dramas intending to outrage the religious sentiments of people not only do harm but also deprave the people. A person enacting such a drama after all lives in our society. After all he is of the same

[Sri K. Bhashyam] [23rd December 1954]

1-10 p.m. community. But all the same if he were to outrage the feelings of the large section of people among whom he lives, then he is not entitled to call himself one among the people. He becomes enemy No. 1 of the people. Our country is a religious country. Of course, there are people in this country who believe in things which are not desirable, but on that score, we cannot slander or defame them. It is absurd or nonsense to defame or slander them. As far as this Bill is concerned, I must say, it has been brought in good time. The Government's action in bringing forward this Bill is very creditable. I am only sorry that the Bill does not include some more provisions. It would have been good if the Government had included in the Bill a provision to prohibit dramas which are likely to deprave and corrupt persons present at the performance.

"A question may be asked whether sufficient provisions have been included in the Bill for the promotion of dramatic art. Of course, in the name of culture, several things are being done. The film industry is thriving not so much upon what they show as films but something behind the scenes. In spite of the Censorship Board, plenty of things are being shown in films which are not desirable. Prohibition of dramatic performances which are very very objectionable is a desirable thing. The Government should work the provisions of this Act even more strictly than the censorship of films by the Censorship Board. But the Government have provided more safeguards under this Bill than in the case of films in that the appeal by aggrieved parties under the provisions of this Bill shall be heard by a Bench of not less than two judges. Therefore, nobody need be afraid that Government will do anything to stifle art. If we wish to encourage dramatic art really, we should not encourage vulgarity or slandering of people or indecency. Dramatic art is too delicate, too high and too fine to lend itself to such objectionable treatment. Therefore, there need be no apprehension in the minds of the people that dramatic art is likely to be stifled as a result of passing this Bill.

"Clause 11 says that where no order under section 3 or section 4 has been made in respect of any performance, nothing in this Act shall bar a prosecution under the Indian Penal Code. Under clause 10, every appeal shall be heard by a Bench of the High Court. Suppose an order under section 3 or 4 has been set aside by the High Court. In that case, prosecution under the Indian Penal Code or any other law may not be possible. I would suggest to the Government to omit the clause or to retain clause 11 as it is with the following words added 'or an order made under section 3 or section 4 reversed on appeal' at the appropriate place. The clause will then read better.

"Besides Sir, this clause affects the personal rights of the people. It looks as if this clause takes away, indirectly though not directly, the personal rights of the people. Suppose in a dramatic performance, the ancestors of a particular person are

23rd December 1954][Sri K. Bhashyam]

defamed; in that case, the particular person concerned has got a right to file a complaint under the provisions of the Indian Penal Code for defamation. That may be affected by this Bill. Evidently this clause has been copied from the Dramatic Performances Act, 1876, but the wording has been changed. It would be better if the wording adopted in the old Act is retained.

"I am also glad that all rules made by the State Government will be laid on the table of both the Houses. We have been asking the Government, in the past, that all rules made by the Government under the different enactments should be laid on the table of both the Houses. The Government promised to do so at one time but have not carried out in the past that promise. Now that the Government have agreed to place the rules on the table of the House, we should welcome it.

"Therefore, Sir, with these suggestions for improvement I think the Bill must be supported."

* SRI K. BALASUBBRAMANYA AYYAR :—"Sir, I wholeheartedly support the Bill and I congratulate the Government and especially the Hon. the Minister for Law, Finance and Education who so boldly, so correctly and so judiciously brought a Bill of this kind at this particular juncture of evolution of our society, especially in our State. We must remember, Sir, that similar Acts are in force in all civilized countries in the world. We have been priding ourselves that we are following parliamentary practice followed in Britain, in the United States of America, etc. In Britain, even as early as 1843, a Dramatic Performances Act was enacted for the purpose of licensing dramatic performances. Here, in this Bill, we are not asking for that. We give full liberty for all kinds of dramas to be enacted on the stage. We are not prohibiting anything. We are only prohibiting certain dramas which are likely to incite any person to violence or are deliberately intended to outrage the religious feelings of any class of the citizens of India by insulting or blaspheming or profaning the religion or the religious beliefs of that class. Therefore, it is for a very limited purpose, this Bill has been drafted. The dramatic art has not been controlled or prevented. The Government have not adopted the principle of licensing as has been done in England. Hon. Member Sri K. Bhashyam was mentioning certain things but I do not wish to discuss them now. Let the Bill be passed. In the name of freedom of propaganda, liberty, fraternity, etc., many things have been said, with regard to this Bill. I do not want that we should give room to such feelings. This Bill may really do some good. The provisions of this Bill are entirely in consonance with the spirit of the various Articles in the Constitution. It is written on every page of the Constitution that freedom is subject to public order, decency or morality. In any great movement of social reform, there has always been a line of demarcation between licence and freedom; there has always been a line of demarcation between liberty and libertinism. A person is at liberty to carry

[Sri K. Balasubramanya Ayyar] [23rd December 1954]

an umbrella to protect himself from sun and rain. But he cannot hold the umbrella in such a way as to hurt other people. From the very ancient times, there has been a clear line of demarcation. Let us not think of great revolutions like the revolution which took place in Russia, when we are progressing in a peaceful way. For thousands of years, this land has been known as the land of Gods. Lord Buddha lived for eighty years and carried on propaganda for his tenets without molestation from anybody. This land is a land of tolerance and peace, a land which allowed free thinking of every kind. During the days of the Nayanmars, great revolutions in the realm of thought took place in South India. Even during such times, there was no violence or incitement to violence. In the letter written by a 'Citizen of India' to our Hon. Finance Minister, which was published in *The Mail* of 22nd December, it is said: Remember the seven Ministers of Burma who were shot dead. Our broadcasts give out the information and it goes to the hearts of some people and affects their feelings. Violence is foreign to the genius, intellect, culture and the very nature of our country. Let us therefore proceed on a realistic and practical basis. Let us see whether the provisions of this Bill affect even in the least the liberty of the individual. The liberty of the Press and the liberty of speech cannot be put on the same level as the liberty of the stage. It has been pointed out by eminent writers that the liberty of the Press and the liberty of speech are quite different from the liberty of the stage. The writings in the Press will influence only the reading public and the speeches made will influence only the limited number of people who hear them or read them reported in the Press. But visual representation affects the minds of the people in a more effective manner than any other method. The stage has always been a powerful instrument of propaganda. Therefore the regulations governing the freedom of the Press and the freedom of speech should be quite different from those governing the freedom of the stage. But in this Bill, our Government have not proceeded on this basis of differentiation. This Bill proceeds on the basis that everybody is entitled to stage dramas. Power is taken to ban only objectionable dramas—dramas inciting people to violence, dramas which seduce any member of the armed forces or police force from his allegiance or duty and dramas which are deliberately intended to outrage religious feelings.

"The freedom we have got has been secured by Mahatma Gandhi, the Father of our Nation, who believed in Sri Rama. In 1946 he visited several parts of South India. Lakhs and lakhs of people gathered round him and they were asked to say:

'Raghupathi Raghava Rajaram
Pathitha Pavana Sitaram.'

Hindus, Muslims and others joined together and uttered Ram nam. He was shot at when he was on his way to the prayer ground. This great freedom of ours has been brought about by one who had always the name of Rama on his lips. (An hon. Member: 'Still he was shot.') But did anybody approve of it? The whole nation

[23rd December 1954] [Sri K. Balasubramanya Ayyar]

condemned the act and mourned the death of the Mahatma. But the person who shot him was given a fair trial for about two years and was hanged only after conviction. That has been the genius of our country.

"I wholeheartedly approve the provisions of this Bill. The Bill as it is, is quite proper. I do not want any changes, even verbal changes, to be made, because it will delay the passage of the Bill.

"The Hon. the Finance Minister promised to set up a committee of dramatists for consultation before deciding whether a drama is objectionable or not. Dramatists alone cannot judge a drama. I am not a dramatist and yet, as a citizen of India, I would like to be on the committee. There are thousands of people who witness a drama and their representatives also should be on the committee. That the committee should be composed of only dramatists is quite unacceptable."

* SRI K. BHASHYAM:—"The committee must consist of representatives of the different communities, as then only it can be judged whether the religious feelings of any class of people are outraged or not."

* SRI A. GAJAPATHY NAYAGAR:—"Sir, I require fifteen minutes."

MR. CHAIRMAN:—"The hon. Member can speak for fifteen minutes, but other Members should give him the time."

* SRI A. GAJAPATHY NAYAGAR:—"Mr. Chairman, I propose to speak in English, because my friend, Mr. Raza Khan, wants to understand me. Some Members take me lightly when I talk in Tamil; they do not want to understand me. I speak in English because I want to impress my ideas on the other Members,

"The first question I would ask is whether there is any precedent for this type of legislation in any other part of Indian Union. If only a precedent is quoted, I will be satisfied.

"We have got freedom and we have got a Constitution. We are living in a Welfare State. In a Welfare State, religion and nationality are irrelevant. India consists of several nationalities. No man gets precedence or power by reason of his belonging to a particular nationality. Everyone is a common citizen of India. I want to impress this point. With regard to religion, there are thousand religions, the forms of worship in them ranging from the most advanced type to the most ignorant idol worship. South India is famous for its tolerance of all these kinds of worship. I regret that a legislation of this kind should have been brought forward in such a land.

"Everyone in South India is against violence. Poet Tiruvalluvar says:

கொல்லாவி புலால் மறுத்தானைக் கைகாப்பி
எல்லா வயிருந் தொழும்

I support those clauses of the Bill which want to prohibit violence.

[Sri V. V. Ramaswami] [23rd December 1954]

“புண்படுத்தக்கூடிய நிலையிலே நாடகம் நடந்தால், அதை ஆட்சேபித்தால் இந்த மசோதா வரவேண்டுமென்ற நிலைமை ஏற்பட்டது என்று சொன்னார்கள். நூற்றுக்கணக்கான வருடங்களாக இப்படிப்பட்ட நாடகங்கள், காலட்சேபங்கள் நடந்துவந்திருந்தும் யாரும் ஆட்சேபினை சொல்லாமல் இருக்கும்போது இப்பொழுது மாத்திரம் வருவதற்குக் காரணம் என்ன?”

“ராமாயணம் என்று சொல்லப்படுகிற நாடகத்தைக் கம்பன் காவியத்திலிருந்து பாத்திரத்தைக் கடவுள் அவதாரம் என்று பரப்பச் செய்வதன் மூலம் சந்தேகமும் குழப்பமும் ஏற்படுகிறது.

“வால்மீகி ராமாயணத்தில் உள்ளபடி, எந்தவிதமான மாறுதலும் இல்லாமல் நடத்தினால் சர்க்காருக்கு அதைத் தடை செய்வதற்கு அதிகாரம் இதில் இருக்கிறதா என்று அறிய விரும்புகிறேன். ஒரு ஆதாரத்தை வைத்து, ஒரு வரலாற்றை அடிப்படையில் வைத்து ஒருவர் ஏதாவது நாடகத்தைக் காட்டினால் அதற்கு எந்த ஆட்சேபினை இருக்கமுடியுமா என்று கேட்கிறேன். ஆதாரத்தை வைத்து நடத்தினால், புண்படுத்துகிறதென்று சொன்னால் மூலத்தை, ஆதாரத்தைத்தானே மாற்றவேண்டும்.

“ராமாயணத்தைப்பற்றி மக்களிடையே சர்ச்சை நடந்துக்கொண்டிருக்கும்போது திடீரென கனம் ராஜாஜி அவர்கள் மதச்சார்பற்ற சர்க்காரைச் சேர்ந்தவரானால் நிலையத்தில் ராமாயணத்தைப்பற்றி பேச முன் வந்தார். அதில் நம்பிக்கை இல்லாதவர்கள் தாங்களும் இந்த மாதிரி வானொலியின் மூலம் பேசுவோம் என்று கேட்டதற்கு இடம் மறுக்கப்பட்டது. உடனே தெருத் தெருவாக ராமாயணப் பிரசங்கங்கள், நாடகங்கள் நடைபெற ஆரம்பித்துவிட்டன.

“இந்நிலையில் நமது அமைச்சர் அவர்கள் சரியாக எடுத்துக்காட்டியபடி, தங்களிடத்தில் சரியான சட்டம் இல்லாதபடியால் தடுப்பதற்கே நடவடிக்கை எடுப்பதற்கோ ஒரு மசோதா கொண்டுவருவதாக கவர்னர் உரையிலே சொல்லப்பட்டது. அந்த உரையிலே சொல்லப்பட்ட இந்த மசோதா யாரும் என்று சொன்ன மறு நாளை மதுரையில் கலவரம் நடந்தது. புண்படுத்தக்கூடிய நாடகங்களைத் தடுக்கக்கூடிய மசோதா கொண்டுவருவதற்கு முன்வந்திருக்குபோது கொஞ்சமும் தாமதித்துப் பார்க்காமல், ஆலோசனை செய்து பார்க்காமல், சட்டப்படி தடை செய்கிறார்களா என்று பொறுத்துப் பார்க்காமல் பலாத்காரம் ஏற்பட்டது யாரால் என்று சர்க்கார் ஆலோசனை செய்ய வேண்டும்.

“இந்த இடத்தில் ஒரு விஷயத்தைக் குறிப்பிட விரும்புகிறேன். இவ்வளவு நாளாக சரியான நிலையில் இல்லாத நாடு இப்பொழுது ஒரு மாதிரியாகச் சீர்திருத்த முறையில் போய்க்கொண்டிருக்கிறது. திடீரென்று இவ்வித மசோதா கொண்டுவந்து அவ்விதமான சீர்திருத்தக் கருத்துக்களைக் கடவுள் நம்பிக்கை உள்ளவர்களையும் மத நம்பிக்கை உள்ளவர்களையும் மனம் புண்படுத்துகிறது என்று சொல்லி தடை செய்யக்கூடாது. ஆகவே, இந்த மாதிரி நாடகங்களிலும் பிரசங்கங்களிலும் சீர்திருத்தக் கருத்துக்கள் வந்து கொண்டிருக்கும்போது இம்மசோதா தடைகள் ஆகும் என்ற அச்சம் ஏற்படுகிறது.

“க்யமரியாதைத் திருமணம் செல்லாது என்று உயர்நீதி மன்றம் தீர்ப்பு சொல்லியபோது, சர்க்கார் அந்த சமயத்தில் அந்தத் திருமணங்களைல்லாம் செல்லும் என்று சொல்வதற்கு மாறாக, சீர்திருத்தத் திருமணம் செய்துகொண்டவர்கள் பதிவு செய்துக்கொள்ள வேண்டுமென்று தீர்மானம் கொண்டுவந்ததின் விளைவு என்ன?”

“சினிமாவைப் பார்த்தால் புரோகிதர்களை வைத்துத் திருமணம் நடப்பதைக் காட்டுகின்றன. தம்பதிகளுக்கும் புரியாத மொழியில் வேதம் என்று சொல்லி, புரோகிதர்களை வைத்துத் திருமணம் செய்யும் முறையை சினிமாக்கள் பரப்ப ஆரம்பித்து வருகிறார்கள். ‘சாமி, சேக்கிரம் நடத்துங்கள்’ என்று சொல்லிக் காட்டுகிறார்கள். சர்க்கார் போகும் போக்கிலே நிலைமையை அனுசரித்து சினிமா வர ஆரம்பித்துவிட்டது.

[23rd December 1954] [Sri V. V. Ramaswami]

“எதற்காகச் சொல்லுகிறேன் என்றால், சீர்திருத்தங்கள் ஏற்பட வேண்டும் என்று மக்கள் விரும்பும் இந்தக் காலத்தில், சீர்திருத்தக் கருத்துக்களை மக்களுக்குப் புகட்டவேண்டிய ஒரு காரியத்தைக் கலையில் சம்பந்தப்பட்டவர்கள் செய்யவேண்டியிருக்க, கலையில் ஆர்வம் உள்ளவர்கள் என்று சொல்பவர்கள் சீர்திருத்தக் கருத்துக்களைக் கெடுத்துவிடக் கூடாது என்பதுதான் என்னுடைய வேண்டுகோள்.

“பாரதத்தில் வரும் கீதையை உபதேசித்த கிருஷ்ணர் என்பவரை கடவுளாகப் பாவிக்கிறார்கள். ஆனால், திருக்குறளை இயற்றிய திருவள்ளுவர் பகவன் என்ற பிராம்மணனுக்கும் ஆதி என்ற புலிச்சிக்கும் பிறந்தவர் என்று சொல்லி சினிமாவில் காட்டுவது எவ்வளவு தூரம் மக்களுடைய மனத்தைப் புண்படுத்தும் என்பதை யோசித்துப் பார்க்கவேண்டும். கிருஷ்ணரைக் கடவுள் என்று காட்டும்போது திருவள்ளுவரை மேற்சொன்ன முறையில் சினிமாவில் காட்டுவதெனில் மக்களுடைய மனத்தைப் புண்படுத்தக்கூடிய அளவுக்கு இருப்பதால் ‘மனம் புண்படுத்தல்’ என்ற காரணத்திற்காக அப்படிப்பட்ட சினிமாப் படங்களைத் தடுக்க முன்வருவார்களா என்று கேட்கிறேன். புண்படுத்தக்கூடிய நிலைமை என்று வரும் போது சர்க்கார் எடுக்கும் நடவடிக்கைகள் மூட நம்பிக்கையை ஒழித்து சீர்திருத்தக் கருத்துக்களைப் புகுத்தக்கூடிய நாடகங்களைத் தடை செய்யக் கூடிய முறையில் இருக்கக்கூடாது. பண்டைக் காலத்திலிருந்து ஒரே நிலையில் இருக்கின்ற போக்கை சீர்திருத்தக் கருத்துக்களைக் கொண்டு மாற்றுவதற்குத் தடையான காரியங்களைச் செய்யவேண்டாம் என்பது என்னுடைய வேண்டுகோள். ஆகவே, இந்தச் சட்டத்தின்படி நடவடிக்கை எடுக்குமுன் சர்க்கார் ஒரு குழுவைக் கலந்து செய்வார்கள் என்று சொன்னதினாலே நாடகக் கலைக்கு எந்த விதமான கேடும் வராது என்றும், நல்ல கருத்துக்களுக்கு எந்த விதமான தடையும் வரக்கூடாது என்றும் தமிழ்க் கலையில் ஆர்வமுள்ள அமைச்சர் அவர்கள் கட்டாயம் அதை ஆதரிப்பார்கள் என்று நான் நம்புகிறேன்.

“முதல் மந்திரி கனம் ஸ்ரீ காமராசர் அவர்கள் இந்தப் புதுவியை ஏற்றவுடன் நாட்டில் அமைதி நிலவ வேண்டும், நல்ல எண்ணம் வளர வேண்டும் என்றும், எல்லோரும் ஒத்துழைக்க வேண்டும் என்று கேட்டுக் கொண்டார். நாட்டிலே எந்த விதமான அபிப்பிராய பேதங்களுக்கு இடம் இருந்த போதிலும் ஏதாவது ஒரு காரணத்தைக் காட்டி குழப்பம் ஏற்பட்டால் அதைத் தடுக்க வேண்டும் என்பதற்காக இந்தச் சட்டம் அவசியம் என்று கருதி ஸ்ரீ காமராசர் அமைச்சர் அவை முடிவு செய்து கொண்டு வந்திருக்குமாயின் அந்தக் கொள்ளையில் ஒத்துழைப்பதற்கு நாங்கள் தயங்க மாட்டோம் என்று சொல்லிக் கொண்டு என்னுடைய வார்த்தையை முடித்துக்கொள்ளுகிறேன்.”

SRI N. ANNAMALAI PILLAI :—“அவைத் தலைவர் அவர்களே, 2-40
இன்று இங்கு கொண்டுவரப்பட்டிருக்கும் நாடக மசோதாவை ஆதரித்துச் P.m.
சில வார்த்தைகள் சொல்ல விரும்புகிறேன். புதிதாக திடீரென்று ஒரு சட்டத்தைக் கொண்டு வந்து நாடகங்களைக் கட்டுப் படுத்தி நாடகக் கலையை அழித்து விட சர்க்கார் முயலுகிறார்கள் என்று சில அங்கத்தினர்கள் இந்தச் சபையிலும் சரி, அசெம்பிளியிலும் சரி பேசினார்கள். சபைக்கு வெளியே இருக்கும் மக்களிடையேயும் இரண்டு வித அபிப்பிராயங்கள் இருந்துவருகின்றன. நாடகக் கலை அழிந்துவிடும் என்று யாரும் பயப்படுவதற்குக் காரணமே இல்லை.

“இந்த தேசத்தில் அனேக வருஷங்களாக நாடகங்கள் நடந்து கொண்டுவந்திருக்கின்றன. அந்த நாடகங்களை இதுவரை யாரும் தடை செய்தது கிடையாது; ஆட்சேபித்ததும் கிடையாது. உண்மையில் நடக்காததை, நாவல் நாடகங்களெல்லாம் நடத்தப்படுகின்றன. அவைகள் தடுக்கப்பட்டதில்லை. ஆனால் சரித்திர பூர்வமாகவுள்ள மனிதர்களின் வாழ்க்கையைச் சித்திரித்துக் காட்டி, மனிதர்கள் மனிதர்களாக வாழ்வதற்கு, அவர்களுடைய வாழ்க்கையை சீர்படுத்துவதற்கு ஆதாரமாக இருக்கின்ற காவியங்களில் உள்ள பாத்திரங்களை ஆட்சேபகரமான முறையில் நடத்திக்

[Sri N. Annamalai Pillai] [23rd December 1954]

காட்டுமபோதுதான் மனிதன் சற்று அதிலே கவனம் செலுத்த வேண்டி வருகிறது. நாடகக் கலை எவ்வளவோ நாட்களாக வளர்ந்துவருகிறது. பாடினார்கள், ஆடினார்கள். ஆடுவதைப் பார்த்திருக்கிறார்கள். எல்லாம் நடந்தது. அதை ஆட்சேபிக்க வில்லை. ஆனால், இந்த இடத்தில் என்ன நடக்கிறதென்றால் ராமாயணத்தைக் கீமாயணம் என்று சொல்லி ஒரு நாடகத்தை சிருஷ்டித்து நடத்தப்பட்டு வந்தது. ராமாயணத்தைக் கீமாயணம் என்று பெயர் வைத்து நடத்தத்தற்காகத்தான், அதற்காக மட்டுமே இந்தச் சட்டம் கொண்டுவந்திருக்கிறார்கள் என்று சில பேர்கள் சொல்கிறார்கள். அதற்காக மட்டும் இது வரவில்லை. இன்றைக்கு ராமாயணத்தைக் கீமாயணம் என்று நடத்துக் காட்டினால், நாளைக்கு பாரதத்தை கீரதம் என்று நடப்பார்கள். கீதையைக் காதை என்றும், பைபிளைக் கைபிள் என்றும், குராளைக் கிரான் என்றும் திரித்துச் சொல்ல ஆரம்பித்து விடக்கூடும். அதனால் இந்த நாட்டில் அமைதிக்கும் பங்கம் உண்டு பண்ணக்கூடிய நிலைமை ஏற்படும். அமைதிக்குப் பங்கம் உண்டு பண்ணவேண்டுமென்ற நோக்கத்தோடு, கருத்தோடு, ஊக்கத்தோடு தான் அந்தக் கீமாயண நாடகம் நடத்தப்பட்டு வருகிறது.

“கீமாயண நாடகத்தை நடத்துவதன் நோக்கம் என்ன? அப்படி ஒரு நாடகத்தை எழுதியவரின் நோக்கம் என்ன? அந்த நாடகத்தின் காராமசம் என்ன என்பதைத்தான் நாம் கவனிக்க வேண்டும். யாராவது ஜனங்களும் இப்படிப்பட்ட நாடகத்தைப் பார்க்கிறார்களே என்று சொல்கிறார்கள். நாடகத்தைப் பார்க்கிறார்கள் என்பதற்காக அந்த நாடகம் நல்லதாக ஆகிவிடுமா? நான் கூடத்தான் அந்த நாடகத்தைப் பார்த்திருக்கிறேன். அதனால் அந்த நாடகத்தை நான் ஆதரிக்கிறேன் என்று அர்த்தமா? ஸ்ரீ ராமசாமி நாயக்கர் பிள்ளையார் பொம்மையை நடுத்தெருவில் போட்டு உடைத்தார்கள். இதுவரை எத்தனையோ பிள்ளையார் பொம்மையை அவர் உடைத்தார். பிள்ளையார் பூஜை காலத்தில் பிள்ளையாரைச் சமுத்திரத்தில் கொண்டு போய் போட்டார்களே என்று சொல்ல முடியுமா? அதையெல்லாம் யாருமே கவனிக்கவில்லை. ஆனால், ஸ்ரீ ராமசாமி நாயக்கர் பிள்ளையாரை உடைக்கும்போது திரளான ஜனங்கள் வேடிக்கை பார்க்கிறார்கள். அப்படி அவர்கள் வேடிக்கை பார்க்கிறார்கள் என்பதற்காக அதை ஜனங்கள் ஆதரிக்கிறார்கள் என்று அர்த்தமா? அவர்கள் என்ன நினைக்கிறார்கள்? இப்படியும் ஒருவர் பிள்ளையாரை உடைக்கிறாரே, அவருக்கு எப்படி நாம் புத்தி புகட்டுவது, எப்படி அவரை நாம் மகிழ்வது என்ற சிந்தனையில் அந்த மக்களெல்லாம் இருக்கின்றார்களே யொழிய, பிள்ளையாரை உடைப்பதை அவர்கள் ஆதரிக்கிறார்கள் என்று சொல்ல முடியாது. எனனைப் போலுள்ளவர்கள் அப்படித்தான் அதை மதிக்கிறோம். ஏனென்றால், அவர் ஒரு காலத்தில் காங்கிரஸினிருந்து வேலை செய்தவர் மட்டுமல்ல; நல்ல காரியங்களில் ஈடுபட்டு பல சிறப்புகளைச் செய்தார் என்ற காரணத்திற்காக மரியாதை செலுத்துகிறார்கள். அதற்காக வேதங்கள், புராணங்கள், இதிகாசங்கள் இவைகளையெல்லாம் தூற்றவேண்டுமா? இப்படியெல்லாம் செய்து சமுதாயத்திலே ஒரு பெரிய புரட்சியையும் கலகத்தையும் உண்டு பண்ணி ரத்தக்களரி ஏற்படும்படி வேலை செய்ய ஆரம்பித்தால் நாங்கள் அதை ஒத்துக்கொள்ள முடியாது. ஸ்ரீ ராமசாமி நாயக்கர் அவர்கள் எந்த நோக்கத்தோடு பிள்ளையாரை உடைத்தார் என்பது தான் கேள்வி.

“பிள்ளையார் உடைப்பு இயக்கம் சம்பந்தமாக கோர்ட்டில் விசாரணை நடந்தது. விசாரணை முடிந்து தீர்ப்பு சொல்லும்போது அந்த தீர்ப்புப்படி சொன்னார்: ‘கடைத் தெருவில் விற்கும் பிள்ளையார் அவைகள். அவைகளுக்கு மூர்த்திகரம் இல்லை. அதை யாரோ போட்டு உடைக்கிறார்கள் என்று மதிக்க வேண்டும். ஆகவே, அதற்காக தண்டனை கொடுக்க முடியவில்லை’ என்று அவர் சொல்லியதுடன் நின்றுவிடவில்லை. தெரியாததனமாகவோ, அல்லது பயித்தியக்காரத்தனமாகவோ ஒருவன் செய்திருந்தால் அதைவிட்டு விடமுடியும். ஆனால், இவர் செய்தது அப்படியல்ல. நியாயாதிபதி தீர்ப்பில் கடைசியில், இவ்வளவு முட்டாள்தனமாகச் செய்கிறார்கள் என்று குறிப்பிட்டார். அதிலிருந்து என்ன

23rd December 1954] [Sri N. Annamalai Pillai]

ஏற்படுகிறது. அவர் செய்தது முட்டாள்தனமான காரியம் என்று ஏற்படுகிறது. ஜன சமூகத்தில் குழப்பமும், பலாத்காரமும், அராஜகமும் ஏற்படக்கூடிய முறையில் அவர் செய்கை கொண்டுவர விரும்புகிறோமோ என்பதற்காகத்தான் நான் இதைக் குறிப்பிடவேண்டியிருக்கிறது.

“நியாயாதிபதி கடைசியில் சொல்லியிருக்கும் வார்த்தையின் கருத்து என்ன? பிள்ளையார் உடைப்பு இயக்கம், கிருஷ்ணர் சிலை உடைப்பு இயக்கம் என்று ஸ்ரீ நாயக்கர் நடத்தியபோது அதைப் பலர் வேடிக்கை பார்த்தார்கள் என்ற காரணத்திற்காக ஜனங்கள் அந்தக் செய்கையை ஒப்புக் கொண்டார்கள் என்று சொல்ல முடியாது. இதற்கு ஒரு சிறு உதாரணம் சொல்லி விளக்குகிறேன். தாயுடன் ஒரு சிறு பையன் கடைக்குப் போகிறான். அங்கு ஒரு பொம்மையைப் பார்த்து அதை வேண்டுமென்று கேட்கிறான். தாய் சிறியதாக இருக்கும் பொம்மையை வாங்கி அவனிடம் கொடுக்கிறாள். அந்தப் பையன் உடனே அந்தப் பொம்மையை வாங்கி கீழே போட்டு உடைக்கிறான். ஏன், அவனுக்கு பெரியதாக இருக்கும் பொம்மை தான் வேண்டுமாம். இந்தச் சிறிய பையன் பொம்மையை உடைத்ததற்கும் ஸ்ரீ ராமசாமிப் பெரியார் உடைத்ததற்கும் வித்தியாசம் இல்லையா? அந்தப் பையனும் ஸ்ரீ ராமசாமிப் பெரியாரும் ஒன்று தானா? அந்தப் பையன் பொம்மையை உடைத்ததற்கும், ஸ்ரீ ராமசாமிப் பெரியார் கிருஷ்ணன் பொம்மையை உடைத்ததற்கும் நோக்கம் வேறுபட்டதே. தானே இருக்கமுடியும்? பையன் தெரியாததனமாக உடைத்தான். இவர் வேண்டுமென்றே உடைத்தார். அவருடைய நோக்கம், இந்த நாட்டில் அராஜகம் வளரவேண்டும், ஆட்சி ஒழிய வேண்டும், காங்கிரஸ் ஆட்சியை ஒழித்துவிட்டு அவர்கள் ராஜ்ய அதிபதிகளாக உட்கார வேண்டும் என்ற ஒரே அரசியல் நோக்கம் தவிர வேறு நோக்கம் கிடையாது.

“கீமாயண நாடகத்தை நடத்தும் ஸ்ரீ எம். ஆர். ராதாவுக்கும் அதே நோக்கம் தான், ஸ்ரீ அண்ணாதுரைக்கும் அதே நோக்கம் தான், ஸ்ரீ ராமசாமிப் பெரியாருக்கும் அதே அரசியல் நோக்கம் தான். அவர் களுடைய நோக்கத்திற்கு இந்த தேசத்தில் இடம் இல்லை. இடங்களைக் காம்பல் போய்விட்டது. அதனால், சமீபத்தில் ஸ்ரீ ராமசாமிப் பெரியார் ஒரு அறிக்கையில் சொல்லியிருக்கிறார் ‘நான் எவ்வளவோ காரியங்கள் செய்து பார்த்தேன்; ஆனால், நான் தோற்றுப்போய்விட்டேன். என்னுடைய கருத்தை ஜனங்கள் யாரும் ஒப்புக்கொள்ளவில்லை. அதனால் நான் பயந்து போகப் போவதில்லை. கடைசிவரை நான் இந்தக் காரியத்தைச் செய்து தான் திருவேன்’ என்று ஒரு அறிக்கை வெளியிட்டார். நாட்டில் அராஜகம், குழப்பம், கலகம் எல்லாம் ஏற்படவேண்டும் என்று அவர் நினைக்கிறார். அப்படி ஏற்பட்டதனால், அதிலிருந்து பல கட்சிகள் பிரியும். அதிலிருந்து ராஜ்யத்தைப் பிடிப்பதற்கு ஒரு வாய்ப்பு ஏற்படும் என்று அவர்கள் நினைக்கிறார்கள். அந்த எண்ணத்தில்தான் அவர்கள் நாட்டை அராஜகத்தில் கொண்டு போகும்படியான காரியங்களைச் செய்கிறார்கள். அவர்கள் செய்யும் காரியத்தில் நோக்கத்தைத்தான் நாம் கவனிக்கவேண்டும்.

“நாட்டில் எவ்வளவோ நாடகங்கள் நடக்கின்றன. அவைகளெல்லாம் தடைசெய்யப்படுகின்றனவா? நல்லதன்கள், தேசிய ராஜ்ய கதை போன்ற நாடகங்களெல்லாம் நடந்துவந்திருக்கின்றன. சமூக சீர்திருத்த நாடகங்களும் எத்தனையோ நடந்து வந்திருக்கின்றன. அவைகளெல்லாம் தடுக்கப்படவில்லை. நாடகங்களைத் தடை செய்து நாடகங்கள் வளர்க்கிய இந்த சர்க்கார் அழிக்கப் பார்க்கிறதென்று ஒரு சிலர் சொல்கிறார்கள். நான் சொல்கிறேன் கலையை வளர்ப்பதில் எங்களைப்போல், காங்கிரஸ் கட்சியைப் போல் உயர்ந்தவர்கள் எந்த நாட்டிலும் கிடையாது. என்? உலகத்திலேகூட கிடையாது என்று நான் சொல்வேன். நாடகம் நடத்துபவர்களே இந்த மசோதாவை ஆதரித்திருக்கிறார்கள் என்பதை இந்த மசோதாவை எதிர்ப்பவர்கள் நன்கு கவனிக்க வேண்டும். இப்படியெல்லாம் சொல்லி நாட்டில் அராஜகத்தை ஏற்படுத்தி, இந்த நாட்டில் ரத்த ஆறு ஓட வேண்டுமென்று ஒரு சிலர் நினைக்கிறார்களா என்று நான்

[Sri N. Annamalai Pillai] [23rd December 1954]

கேட்கிறேன். மதத்தின் பெயரால் எவ்வளவோ சண்டைகள் நிகழ்ந்திருக்கின்றன முற்காலத்தில். சைவத்திற்கும் வைணவத்திற்கும், புத்த மதத்திற்கும் சமண மதத்திற்கும் ஒருவருக்கொருவர் வேற்றுமை இருந்து, அதனால் சண்டைகள் ஏற்பட்டு இந்த நாட்டில் ரத்த ஆறு ஓடியது. அந்த நிலைமையை மாற்றுவதற்கு பல பேர்கள் உயிரைப் பலி கொடுத்து இந்த ராஜ்யத்தில் அம்மாதிரி வேற்றுமை இல்லாமல் பார்த்துக்கொண்டு வந்திருக்கிறோம்.

“ஆதி காலத்தில் மனிதன் தோன்றிய காலத்தில் மிருகத்தைப் போல் பிறந்தான். துணி இல்லாமல் கூட வளர்ந்திருந்தான். அவர் களெல்லாம் மனிதர்களாக வாழ்வதற்கு ராமாயணமும், மகா பாரதமும் ஏற்பட்டன. நான் வால்மீகி ராமாயணத்தை நன்றாக படித்திருக்கிறேன். கீமாயணத்தில் சீதையின் இருப்புக்குக் கீழே எல்லா வஸ்துக்களும் தெரியும். அதற்குமேல் இருப்பதைத்தான் வால்மீகி எழுதி வைத்திருக்கிறார் என்று சொல்கிறார். ராமாயணத்தை நான் நன்றாகப் படித்திருக்கிறேன். கால் விரலைப் பார்த்ததைத் தவிர வேறு இல்லை என்று சொன்னார். அப்படியென்றால் அவ்வளவு அமரிக்கையாக நடந்துகொண்டிருக்கிறான். ராதா அல்லது கீதா எந்த ராமாயணத்தைப் படித்திருக்கிறாள் தெரியவில்லை.

2-50 “சீதையை விபசாரி என்று சொல்லி நடிக்கிறார்கள். இதைப்பற்றி நேற்றைய தினம் அசெம்பிளியிலும் ஒரு அங்கத்தினர் பேசினார். சீதையை ராவணன் தூக்கிக்கொண்டு போகும்போது கீழ் ஒரு கையையும் மேல் ஒரு கையையும் போட்டு தூக்கிக்கொண்டு போனான் என்று எழுதப் பட்டிருக்கிறதே, அப்படியானால் அந்த அம்மானைப் பற்றியவுடன் ராவணன் எரிந்து போயிருக்கமாட்டானா என்று ஒருவர் கேட்டார்.

“நான் அவருக்குப் பதில் சொல்கிறேன். அவர்கள் அந்தக் கதையை நன்றாகப் படித்திருந்தால் அது விஷயம் என்னவென்றும் தெரியும். சீதையை சிறை மீட்டு அழைத்து வந்த பிறகு, அவள் அக்னியில் குளித்து வெளிவரவேண்டுமென்று நிபந்தனை விதித்தார்கள், அப்படித்தான் வால்மீகி ராமாயணத்தில் எழுதப்பட்டிருக்கிறது. சீதை பதிவிரதையா அல்லது விபசாரி யா என்று இவர்கள் ஆராய்ச்சி செய்து மொட்டைத் தலைக்கும் முழங் காலுக்கும் முடிச்சு போடுவது சரியல்ல. வால்மீகி ராமாயணத்தில் சீதை யைத் திரும்பவும் ராமன் ஏற்றுக்கொள்வதற்கு முன் ஜனங்கள் முன்னி னையில் ஒரு பெரிய அக்னியை வளர்த்து, அதில் குளித்து வெளிவரும் படிச் செய்து, சீதை பதிவிரதையென்று நிரூபிக்கப்பட்டிருக்கிறது. ஆக வே, ராமாயணத்திலுள்ள பாத்திரங்களைக் கண்டபடி பேசி, ஜனங்களிடத் தில் குழப்பம் உண்டு பண்ணி, ராஜ்யத்தில் படையெடுப்பது என்பது முடியாத காரியம் என்பதை அவர்கள் உணரவேண்டும்.

“நிதி அமைச்சர் அவர்களுக்கு ஏதோ மிரட்டல் கடிதம் வந்ததாக பத்திரிகையில் பார்த்தோம். ராஜ்யத்தை ஆள வருகிறபோதே உயிரை ஒருவன் அர்ப்பணம் செய்துவிடவேண்டும். ஒரு நாட்டுக்குச் சேனாதிபதி யாக வருகிறவனும் அப்படித்தான். சிப்பாய் ஆக இருந்தாலும் அப் படித்தான். ராஜ்யத்தை ஆள வந்த மந்திரியாக இருந்தாலும், சேனாதி பதியாக இருந்தாலும், சிப்பாயாக இருந்தாலும் அவன் தன் உயிரை ஸ்சியம் செய்வதில்லை. காங்கிரஸ்காரர்களாகிய நாங்கள் ஆங்கில ஆட்சி யின் மீது படை எடுத்தோம். சுயராஜ்யம் கிடைக்கும் வரை நாங்கள் எத்தனையோ உயிர்களை இந்த நாட்டுக்காகப் பலி கொடுத்திருக்கிறோம். அதற்குப் பிறகு தான் அன்னியர் இந்த நாட்டை விட்டுப் போனார்கள். போகும்போது காங்கிரஸ்காரர்களாகிய எங்களிடம் இந்த நாட்டை ஒப்படைத் தார்கள். அதன்படி இந்த நாட்டை நாங்கள் இப்பொழுது ஆண்டுவரு கிறோம். இந்த மிரட்டல் கடிதங்களுக்கெல்லாம் நாங்கள் பயந்துவிட முடியுமா? அது தகுமா? காங்கிரஸ் சர்க்கார் இதற்கெல்லாம் பயந்து விடாது. இந்த உயிர் என்ன நிச்சயமா? இப்போ, பின்னையோ, இன்னும் சற்று நேரத்திலோ என்று ஒருவர் சொன்னபடி, இந்த உயிர் நிச்சயமில்லை. உயிரை ஸ்சியம் செய்யாமல், நாட்டில் முன்னேற்றத்தி

23rd December 1954] [Sri N. Annamalai Pillai]

லேயே அக்கரை கொண்டிருப்பவர்களாகிய நாங்கள், இந்த நாட்டை ஆங்கில ஏகாதிபத்தியத்தினிடமிருந்து விடுவித்த நாங்கள், இந்த நாட்டில் அராஜகம் ஏற்படுவதைத் தடுக்காமல் இருக்க மாட்டோம். அராஜகத்தை வளர்க்கக்கூடிய கீமாயண நாடகத்தையும், இன்னும் இதைப் போன்ற நாடகத்தையும் பிற்காலத்தில் நாங்கள் தொடர்ந்து எதிர்த்து பதில் சொல்ல வேண்டியிருக்கிறது. சண்டை போட வேண்டியிருக்கிறது. அரா ஜகத்தை வளர்ப்பவர்களை அடக்க வேண்டியிருக்கிறது.

“இந்தச் சட்டம் ஏதோ தீவிரென்று வந்திருக்கிறதென்றும், நாடகக் கலை வளர்ச்சியையே தடை செய்து விடுமென்றும் சொல்கிறார்கள். வழி படும் முறைகள் பலவற்றை வைத்துக்கொண்டு மனிதர்கள் மனிதர் களாகவே வாழ்வதற்காக மக்கள் விரும்புகிறார்கள். அதனால்தான் மனிதர் களாக உலாவிக்கொண்டிருக்கிறார்கள். அந்த நிலைமையைக் கெடுத்து விடாமல் காப்பாற்ற வேண்டியது சர்க்காருடைய கடமை. நம்முடைய சர்க்கார் மதச் சார்பற்ற சர்க்கார் ஆயிற்றே, இதிலெல்லாம் தலையிடலாமா என்று ஒரு சிலர் கேட்கின்றார்கள். எல்லாக் கட்சிகளுக்கும் பரதுகாப்பு கொடுக்க கடமை பட்டிருக்கிறது எந்த சர்க்காரும். மதச் சார்பற்ற சர்க் காரும் எல்லா மத நம்பிக்கை உள்ளவர்களையும் பாதுகாக்க வேண்டியது கடைமையாக இருக்கிறது. மக்களின் நல் வாழ்வுக்கு வழிகாட்டியாக உள்ள மத நம்பிக்கைகள், பழக்க வழக்கங்கள் இவைகளுக்குப் பாதகம் ஏற்படாமல், மனிதன் வசதியாக வாழ்வதற்கும், நாட்டில் அராஜகம் ஏற்படாமலும், கொலை, கொள்ளை, தீ வைத்தல் போன்ற காரியங்கள் ஏற்படாமலும் நாட்டைக் காப்பாற்ற வேண்டியது சர்க்காரின் கடமை யாகும்.

“கனம் அங்கத்தினர்களைக் கேட்டுக் கொள்கிறேன். நம் நாட்டைக் கெடுப்பதற்காக ஏற்பட்டிருக்கும் சக்திகளிலிருந்து காப்பாற்ற வேண்டும். அவர்களுடைய கையில் இந்த நாட்டை விட்டுவிடக்கூடாது. நாம் விட்டுவிட்டதாகச் சொல்லவில்லை. ஆனால், இது விஷயத்தில் அரசாங்கத்திற்கு பொறுப்பு அதிகம் இருக்கிறது. நாட்டை முன்னேற விடாமல் அராஜகத்தில் கொண்டுபோகும் சக்திகளை வளர விட்டால் மிக அபாயகரமான நிலை ஏற்பட்டு விடும். ‘மந்திரிக்கமகு வரும் பொரு ளுரைத்தல்’ என்பது பழமொழி. அதுபோல பின்னால் வரும் காரியங் களை முன்னாலேயே ஜாக்கிரதையாக யோசனை செய்து பார்த்து, அதன்படி செய்யாமல் போனால், மனிதனைப் படுகுழியில் வீழ்த்திவிடும். மனிதர் கள் நாசமாய்ப் போய் விடுவார்கள்.

“ராஜ்யம் நல்ல முறையில் வளர வேண்டுமானால், இந்த நாட்டு மக்கள் நல் வாழ்வு வாழவேண்டுமானால், இந்தச் சட்டத்தை நாம் நிறைவேற்றுவது மிக அவசியம். நாட்டின் நல்வாழ்வைக் கருத்தில்கொண்டவர்கள் இந்த மசோதாவை ஆதரிப்பார்கள் என்பதில் எனக்குச் சந்தேகம் இல்லை. ஆகவே, இதில் எல்லா அங்கத்தினர்களும் அபிப்பிராய பேதம் இல்லாமல் ஆதரவு கொடுக்க வேண்டும், அப்படிக் கொடுப்பார்கள் என்று நம்புகின்றேன்.

“இந்த மசோதாவை நான் முழுமனதுடன் ஆதரித்து என் பேச்சை முடித்துக்கொள்கிறேன்.”

SRI M. P. GOVINDA MENON :—“Mr. Chairman, Sir, I am afraid I am constrained to support the principles of the Bill that has been brought forward by the Government. (Laughter.) As I sit on the Opposition benches, I conceive it my duty to support the Government of the day when they are in the right. I am confident that the Hon. Minister is in the right in bringing forward this Bill. Certainly all persons have got the liberty under our Constitution to carry on propaganda according to their lights. We have the right to carry on propaganda about any ‘ism’ in this world, about any religion in this world. We can even carry on

[Sri M. P. Govinda Menon] [23rd December 1954]

propaganda against religion also. The only restriction that the State seeks to impose on this freedom and liberty is that such propaganda must not incite people to violence. I am one of those who feel that for the safety and goodness of the country and for the safety of the millions that inhabit the country, the Congress rule must end as early as possible. That is my feeling and my feeling is also very strong. Otherwise I would have been occupying a seat on the other side. However strong my feelings may be in that regard, I have no right to carry on propaganda in this State, in this country, to incite people to violence in order to overthrow the Government. My only right is to try to persuade people and convert them to my views. I have only the right to appeal to the people and change their hearts and try to get a big majority to carry out my object of changing the Government. In this way any political party in this country has the right to carry on propaganda in a restricted way. They can persuade people and get them accept their views. They can use their utmost power to convert the nation to their beliefs. They can use methods of writing, methods of printing and also drama for that purpose. But there must be a limit. No one shall have right to incite people to violence and to adopt violent methods to carry out their objective. We, the people of this country, had been taught by the great Father of our Nation that we must attach as much importance to means as to ends. In fact he even went a step further and said that the means were more important than the ends themselves because he said right ends could be reached only by adopting right means.

"Sir, the only thing that this Bill prevents is the attempt made by some people to incite people to violence. Of course, printing is a dangerous method of inciting people to violence. Writing is also a dangerous method. Vocal utterances are also dangerous. But according to me the greatest danger emanates not from these sources but from dramatisation. By dramatisation an impression can be created. A clever actor can create a very good impression in the minds of millions of illiterate people of this country and he will have greater influence with the people of this country than those who use methods of writing and speaking. So, I entirely agree with the Hon. Minister that a legislation of this sort is absolutely necessary. There are certain political parties here who are not satisfied with carrying on propaganda even vehemently. They want to go a step further and incite people to violence in order to achieve their ends. So long as such political parties exist in this country, it is absolutely necessary that we should have a legislation of this kind to prevent that method.

"Sir, item (v) in sub-clause (1) of clause 2, I submit, is rather vague. It is very difficult to restrict the aim of the Government by proper words. But all the same the danger is there, because heroes and heroines of this country worshipped by millions and millions of people for generations together, heroes and heroines whose lives have moulded the character of our nation for a long time, are publicly profaned or insulted. We must find a way out

23rd December 1954] [Sri M. P. Govinda Menon]

to stop these. I am glad that the Hon. the Minister for Law has taken courage in his hands and has introduced this legislation. I know he has to face opposition from various quarters—from the Legislature and from different sections of the country. The 'Madras Mail' has reported yesterday that his life is threatened. Perhaps he is facing opposition from some of his Colleagues also."

THE HON. SRI C. SUBRAMANIAM :—"Sir, I want to make it clear that there is absolutely no basis for that assumption."

SRI M. P. GOVINDA MENON :—"Sir, I am tempted to use the words of Dr. Johnson 'Madam, you are protesting too much'. (Laughter.) I am afraid that the *de jure* Chief Minister and the *de facto* Chief Minister do not see eye to eye on all occasions. If it is otherwise I am very happy. But my point is this. The Congress is responsible for the unfortunate position in which we are now, especially in Tamil Nad. Of course, with my veteran leader, Sri Annamalai Pillai, I have fought many a battle. I ask this question, 'Who is responsible for creating this situation in the country?' The great Indian National Congress organization nurtured by Mahatma Gandhi with its fundamental principles of non-communalism, non-casteism and non-racialism, has degenerated and is now in the hands of people with sub-communal outlook . . ."

MR. CHAIRMAN :—"The hon. Member will speak on the Bill."

SRI M. P. GOVINDA MENON :—"Sir, I am talking only with reference to this Bill, because this Bill has become necessary on account of the fact that the party in power has degenerated. In Tamil Nad, a drama called 'Keemayanam' is being staged. I say that the persons who are behind this 'Keemayanam' had been deliberately encouraged with ulterior motives by persons who are in power. I am glad that my hon. Friend and leader, Sri Annamalai Pillai, was very vehement to-day. I hope the Congress organization would realize the danger into which it had led itself before it is too late. But I would like to utter a note of warning. Whatever may be the nature of the legislation, whatever power the Government may arm themselves with, the Government cannot stop such activities unless they themselves set an example to the country by following the right path. Sir, I may be permitted to read an extract from the excellent speech delivered by our Prime Minister the other day in Parliament :

'There could not be the slightest complacency, because that would come in the way of the people working hard. There were many difficulties in the way of the country's progress, but something worse than class was caste—class petrified—which was a curse to the country. We have to fight that menace of caste, not by resolutions, because we are not going to change the caste structure by resolutions. You cannot change the fabric of India with all caste divisions and provincial divisions by some magic wand.'

"If the party in power indulges in considerations of caste, sub-communalism, and racial hatred against Malayalees or any

[Sri M. P. Govinda Menon] [23rd December 1954]

other section of the people in the State, I am sure they are heading towards a crisis. I want the Government to condemn sub-communalism. I am willing to give them any amount of power to put down these activities, and I hope they would reform themselves and set an example to the rest of the country and there will be no occasion for such a thing to recur."

* SRI V. BASHYAM AYYANGAR :—" Mr. Chairman, Sir, I wish to give my wholehearted support to the Bill that has been brought forward. Already there is the Dramatic Performances Act of 1876, which deals with public dramatic performances and gives power to the Government to prohibit dramatic performances. Now it is thought that the power given under the 1876 Act is rather too strong and as a matter of fact the Government want to moderate it by bringing in the present Bill. The Government want to give an opportunity to the persons concerned to show that the performances are perfectly valid and after hearing them to come to the conclusion whether to prohibit the performances or to permit them to be staged. I ask, 'Is this not an improvement upon the original Act?' I think that the critics of the present Bill do not realise that this Bill is more liberal and generous in favour of those who want to stage dramas than the Act of 1876. If both the Acts are compared with each other, it will be clearly seen that in this Bill more safeguards are provided in favour of those who want to give performances than in the Act of 1876. Under the old Act an arbitrary order could be passed and there was no means of challenging it, but here an opportunity is given to explain that the performances could be permitted to be staged and eventually an appeal is provided to the High Court so that the High Court may deal with the matter calmly and judicially and come to a conclusion as to whether the order is right or wrong. I again ask, 'Is this not an improvement upon the old Act?' That was the chief ground upon which the Bill was opposed.

"Another argument was that this Bill goes against the liberty of the subject. I do not understand how this Act could be construed as one which goes against the liberty of the subject. All the dramatic performances are permitted. When are they not permitted? It is not a question of whether a person may approve a certain drama or may disapprove a certain drama. Under these circumstances it cannot be prohibited. It is only when it goes further and when there is a deliberate intention to outrage the feelings of any class of the citizens by insulting or blaspheming or profaning the religion or the religious beliefs of that class that the objection comes in. I ask those who object to this Bill as to whether they are really in favour of allowing persons to outrage deliberately the religious feelings of any section of the people by blaspheming or profaning their religion. I do not think that even my hon. Friend Sri Gajapathy Nayagar intends that such a thing should be allowed and therefore I do not see how it can be said that this Bill goes against the liberty of the people, the liberty of thought and the liberty of propaganda. In our country, even from ancient

23rd December 1954] [Sri V. Bashyam Ayyangar]

times, the tradition is to allow differences of opinion and to allow people to have their own opinions and to propagate them as best as they can. It is not the intention to insist upon a certain set opinion. Everyone is allowed to have his own opinion. At the same time, that person also must give us the same right. If a person holds one opinion, it is not open to him to outrage the feelings of others by insulting them. After all, what the Bill prohibits is the intention to insult another person in holding to a religious opinion. I think it is quite necessary that no person should be allowed to insult another. That cannot come under the head of liberty of thought, liberty of speech or liberty of propaganda. One other matter I shall refer to. That relates to clause 4. I agree with my hon. Friend Sri Narayanaswamy Pillai, that against the order of the Collector, there should be a provision for referring the matter to Government, and the Government should be the final authority. As it is, against the order of the Collector an appeal lies to the High Court. It seems to be too great a jump from the order of the Collector to the High Court to challenge that order. After all the order is only temporary. The Government might have taken power to consider whether the order of the Collector is right or not, and modify or alter it. At present in clause 10, provision is made for appeal only to the High Court. There is no appeal by the aggrieved party to the Government to set matters right. (Interruption.) I think that matter must be set right by an amendment to the Act, if necessary. As it is, I do not want that the passing of this Bill should be delayed. The Bill can be passed as it is. Any alteration that may be found necessary to clause 4 may be brought forward as early as possible. With these words I support this Bill."

SRI K. GOPALAN :—" Mr. Chairman, Sir, I welcome the Bill."

MR. CHAIRMAN :—" There is no Malayalam Reporter to record the speech of the hon. Member."

SRI K. GOPALAN :—" Sir, I was asked by the hon. Member, Sri Annamalai Pillai, to speak in Malayalam."

MR. CHAIRMAN :—" The hon. Member can speak in Malayalam, but he should give a gist of his speech in Malayalam to the office."

SRI K. GOPALAN :—" Sir, I shall give a gist of my speech in Malayalam."

"അല്ലക്കനവർക്കളെ, ഞാൻ ഈ ബില്ലിനെ അനുകൂലിക്കുന്നു. സമുദായത്തെ സ്വർത്തിക്കുന്ന എല്ലാ കാര്യങ്ങളിലും ഒട്ടേറെ നിയന്ത്രണവും നിരോധനവും കൂടാതെ ക്രമസമാധാനങ്ങൾ പുലർത്തിപ്പോരുക സംസ്ഥമല്ല. എല്ലാ കലകളും സമുദായസ്വർത്തികളാണ്. വിശേഷിച്ച് നാടകങ്ങൾക്ക് മറ്റൊറ്റു കലാരൂപങ്ങളേക്കാൾ ജനഹൃദയത്തെ സാധിനിക്കാനും ഇളക്കിവിടാനും കഴിയുന്നതാണ്. സമുദായമദ്ധ്യത്തിൽ കലകളും കലാപരവും ഉദ്യോഗാർത്ഥി ആഗ്രഹിക്കുന്നവർ ഇവിടെ പല രൂപത്തിലും പ്രവൃത്തിച്ചുവരുന്നത്. കലയുടെ മറവിൽനിന്നുകൊണ്ട് വിശ്വാസകല്പചരണം നടത്താൻ അത്തരം

[Sri K. Gopalan] [23rd December 1954]

നാമുയ്യ വിരുദ്ധപക്ഷത്തികളെ ഒന്നിച്ചും അനുവദിച്ചുകൂടാത്തതാണ്. തടയപ്പെടേണ്ടത് ശമയത്തിന്നു തടയാനിരുന്നാൽ ശുഭരമായ പ്രസ്താവനയെ ഉപയോഗിക്കുകയും ഇതു നിയമം നാടക വേഷയുടെ സാദൃശ്യം വെളിപ്പെടുത്തുന്നതിനായി ഉപയോഗിക്കുകയും ചെയ്യുന്നതാണ്. ഇതിനേക്കാൾ കർമ്മമായ ഒരു നിയമമാണിവിടെ ഇല്ലാത്തതെന്ന് വ്യക്തമാക്കുന്നതാണ്. എന്നിട്ടും ഉള്ളടക്കത്തിലും ആവിഷ്കരണത്തിലും വിപ്ലവപരമായ ഉത്തമ നാടകങ്ങൾ ഉണ്ടാകുന്നതു തടയപ്പെട്ടിട്ടില്ല; നാടകവേഷയുടെ ക്രമപ്രവൃദ്ധമായ വർദ്ധനവ് മുട്ടിയിട്ടില്ല. എന്തിനാണിത് ചെയ്യേണ്ടത്? ഈ ബില്ലുകൾക്കുമുമ്പായിട്ടുള്ള നിയമങ്ങൾക്കും സമാധാനപരമായ മാറ്റങ്ങൾക്കും നിയമപരിഷ്കരണത്തിനും അനുവദിക്കേണ്ടതാണ്. നിയമങ്ങൾക്കും സമാധാനപരമായ മാറ്റങ്ങൾക്കും നിയമപരിഷ്കരണത്തിനും അനുവദിക്കേണ്ടതാണ്. നിയമങ്ങൾക്കും സമാധാനപരമായ മാറ്റങ്ങൾക്കും നിയമപരിഷ്കരണത്തിനും അനുവദിക്കേണ്ടതാണ്.

“ഇതിന്റെ നിയമങ്ങളിൽ ഒരു രണ്ടു കാര്യങ്ങൾ ഗവണ്മെന്റ് ശ്രദ്ധിക്കേണ്ടതായിട്ടുണ്ട്. വകുതിരിവിലൂടെ മട്ടിലുള്ള നിരോധനം തരം താഴ്ന്ന നാടകങ്ങൾക്കുള്ളിയും പ്രചാരം ഉണ്ടാക്കുന്ന ഉതകുകയുള്ളൂ. അതുകൊണ്ട് നിയമം അധികാരം നൽകുന്ന ഉദ്യോഗസ്ഥന്മാരെക്കാൾ ഈ വക കാര്യങ്ങളിൽ തീരുമാനമെടുക്കാൻ അർഹതയവരുടെ അഭിപ്രായം ആലോചിക്കേണ്ടതാണ് വ്യവസ്ഥയുണ്ടാക്കണം. ഇതിനായി കരണമേശപ്പരിഷ്കരണ കമ്മിറ്റിയെ നിയമിക്കുന്നതാണെന്ന ബഹു മന്ത്രിയുടെ നിർദ്ദേശത്തെ എന്റെ സ്വാഗതം ചെയ്യുന്നു. അത് സാമാന്യമായ ഒന്നാക്കിയിരിക്കാൻ ശ്രദ്ധിക്കേണ്ടതുമാണ്.”

*SRI A. SUBRAMANYAN :—“ கணம் அவைத் தலைவர் அவர்களே, நாடகத் தடை மசோதாவை இங்கு கொண்டு வந்திருக்கும் கணம் மந்திரி அவர்களை நான் போற்றுகிறேன். இந்த மசோதாவை நான் முழு மனதோடு வரவேற்கிறேன். இந்த மாதிரியான மசோதாவை வெகு நாட்களுக்கு முன்பே இங்கு கொண்டுவந்திருக்கலாம். காலம் தவறி இப்பொழுதாவது கொண்டுவரப்பட்டிருக்கிறதென்பதைக் குறித்து நான் மகிழ்ச்சியடைகிறேன்.

“ஆனால், இந்த நாடக மசோதாவிற்குப் பல ஆட்சேபணைகளைப் பலர் சொல்கிறார்கள். அதற்குக் காரணம் என்ன என்று யோசித்துப் பார்த்தேன். குறிப்பாக, பகுத்தறிவுத் தன்மையில் பல நல்ல காரியங்களைச் செய்வதற்கு எங்களுக்கு இடைஞ்சலாய் போய்விட்டது. அதைச் செய்ய முடியவில்லை”, என்று சிலர் கூறுகிறார்கள். அதாவது ஒன்றிரண்டு கட்சிகள் கூறுகின்றன.

“ஆனால், அந்தக் கட்சிகளின் கொள்கை என்ன? அவர்கள் செய்யும் செய்கை என்ன என்பதைப்பற்றி கனம் நிதி மந்திரி அவர்கள் வெகு தெளிவாகக் கூறியிருக்கிறார்கள். கம்யூனிஸ்டுக் கட்சியினுடைய கொள்கை என்னவென்றால், பலாத்காரம் போன்ற காரியங்களை நாடக மூல்மாக நடத்துக்காட்டி, மக்களிடையே பலாத்காரத்தை உண்டாக்கி புரட்சியெய்து, தங்களுடைய கொள்கைக்குத் தக்கவாறு தேசத்தைப் புனர்தாரணம் செய்யவேண்டுமென்று அவர்கள் நினைக்கிறார்கள். அதுதான் அவர்களுடைய தாத்பரியம். அதைத் தடை செய்ய வேண்டும், அந்த நிலைமையைத் தடுக்கவேண்டும் என்பதை நான் ஒப்புக்கொள்கிறேன்.

“சம தர்மம் ஒங்கி பரவியிருக்கும் ரஷ்ய நாட்டில் ரஷ்ய சர்க்காரின் கொள்கைக்கு விரோதமாக அந்த நாட்டிலுள்ள மக்கள் எவரும் எதிர்த்துப் பிரசாரம் செய்யமாட்டார்கள். அப்படிச் செய்தார்களானால் அவர்களை நிறுத்தி வைத்துச் சட்டு விடுவார்கள் என்பதை இங்குள்ள பகுத்தறிவின் பேரால் தகாத காரியங்களை செய்துவரும் அரசியல் கட்சிக்காரர்களும் மற்றவர்களும் தெரிந்துகொள்ளவேண்டியது அவசியம். நம் நாட்டில் அப்படியல்ல. நாடகக் கட்டுப்பாடு சட்டத்திற்குக்கூட பல பரிகாரங்களும் சலுகைகளும் கொடுக்கப்பட்டிருக்கின்றன.

23rd December 1954] [Sri A. Subramanyan]

“பேச்சு சுதந்திரத்திற்கு அனுமதி கொடுக்கப்பட்டிருக்கிறது. ஆனால், மத விஷயங்களிலும் கடவுளாகப் போற்றக்கூடிய புனித மனிதர்களையும், கடவுளாகக் காவியங்களில் சிருஷ்டிக்கப்பட்டிருக்கக்கூடிய பாத்நிரங்களைப் பற்றி பக்தி செலுத்துபவர்கள் மனதையும் புண்படுத்தக்கூடாது என்று சொல்லப்பட்டிருக்கிறது. அப்படி யாராவது செய்வார்களானால் அவர்கள் விஷயத்தில் இந்தச் சட்டத்தின்படி சற்று கடுமையாக நடவடிக்கை எடுத்துக் கொள்ளப்படும் என்பதானது கொண்டுவரப்பட்டிருக்கும் சட்டம். இதைப் பற்றி யாருக்கும் ஆட்சேபினை இருக்க முடியாது.

“ வெகு நாட்களுக்கு முன்பே இந்தச் சட்டத்தைக் கொண்டுவந்திருக்க வேண்டுமென்று நான் சொல்வதற்குப் பல காரணங்கள் இருக்கின்றன. இரண்டு வருஷங்களுக்கு முன்பு சென்னை பार्க் எட்டைய நகர் எலி மெண்டரி பாடசாலையின் அருகாமையில் ஒரு நிகழ்ச்சி நடந்தது. ஒரு பையன் சிகப்பு நிறமாக இருந்தான். அவன் ரோடு ஓரமாக நடந்து சென்றுகொண்டிருந்தான். அந்தப் பையன் நெற்றியிலே நாமம் இருந்தது. கறுப்பு நிறமுள்ள ஒரு பையன் திடீரென்று வந்து அவன் நெற்றியி லிருந்து நாமத்தை நாக்கால் நக்கிவிட்டான். இது என்ன வேடிக்கை ! உடனே நானும் சிலரும் அங்கு போய் விசாரித்த போது நாமத்தை நக்கின பையன், ‘ பிராம்மணன் ஒழிய வேண்டும். கடவுள் பெயரால் இட்டிருக்கும் நாமம் ஒழிய வேண்டும். இது எங்கள் பகுத்தறிவுப் பிர சாரம் ’, என்று சொல்லிவிட்டு ஓடிப்போய்விட்டான். நாமம் போட்டுக் கொண்டிருந்த பையன் பிராம்மணன் அல்ல. அவன் ஒரு நாயுடு பையன். நாமம் இட்டுக்கொள்வதில் சிலருக்கு நம்பிக்கை இருக்கிறது. கடவுள் தன்மை இருக்கிறது என்பதற்காகவோ அல்லது தலை வலி போகும் என்பதற்காகவோ ஒரு சிலர் நாமத்தை நெற்றியில் அணிந்துகொண்டிருக்க லாம். எந்தக் காரணத்திற்காக நாமம் இட்டுக்கொண்டிருக்கிறார்கள் என்பதைப்பற்றி நாம் பார்க்க வேண்டியதில்லை. ஏதோ ஒரு நம்பிக்கை யின் பேரில் அவர்கள் வைத்துக்கொண்டிருக்கிறார்கள். சிகப்பு நிறமுள்ள வன் பிராம்மணன், கறுப்பு நிறமுள்ளவன் திராவிடன் என்று சிலர் நினைத்துக்கொள்கிறார்கள். இது சரியல்ல. எந்த ஜாதியாய் இருந்தாலு என்ன ? எந்த மதத்தினனாய் இருந்தால் என்ன ? தகாத காரியத்தைச் செய்யலாமா ?

“ 1930-ம் வருஷத்தில் சாத்வீக சத்தியாக்கிரக போராட்டம் நடந்த சமயத்திலே என்னையும், இன்னும் பல தொண்டர்களையும் போலீஸார்கள் அடித்து சமுத்திரக்கரையில் போட்டார்கள். அதைக் கண்டிக்க சர்வ கட்சிப் பொதுக்கூட்டம் கூடப்பட்டது. அன்று நடந்த சம்பவமொன்றை கேள்விப் பட்டேன். அதை இங்கு கூறுகிறேன். ‘அடியுங்கள், அடியுங்கள்’ என்று சொல்லிக்கொண்டு போனார்களென்றும், ஒரு சிவப்பு நிறப் பையனைக் கறுப்பு நிறப் பையன் அடித்தான் என்றும், பக்கத்திலுள்ளவர்கள் ‘என்டா அடித்தாய்?’ என்று கேட்டதற்கு, ‘அவன் பிராமணன், ஆகவே அடித்தேன்’ என்று பதில் சொன்னனாம். அந்தப் பையன் அடிபட்ட பையனை ‘யாரப்பா நீ, என்ன ஜாதி?’ என்று கேட்டால், ‘நான் ரெட்டியார் வகுப்பைச் சேர்ந்த பையன்’ என்று பதில் சொன்னாம். பகுத்தறிவு எப்படி உபயோகிக்கப்படுகிறது பாருங்கள் ! இதுதான் பக்கத்திலுள்ளது என்று நான் கேட்கிறேன்.

“திராவிடக் கழகத் தலைவர் ஸ்ரீ ராமசாமி நாயக்கர் முன்பு பிரசாரம் செய்து வந்தார். அதாவது ‘பதினான்கு வயது பெண்ணை நாற்பது வயது வாலிபின் கல்யாணம் செய்து கொள்ளக்கூடாது. அப்படிச் செய்தால் அதைத் தடை செய்யுங்கள். அதற்காக புரட்சி செய்யுங்கள். வாலிபர்களே! திரண்டு எழுங்கள், எழுமின்’ என்று. ஆனால், கடைசியில் அவர் என்ன செய்திருக்கிறார் என்று பார்த்தால் முப்பது வயதுள்ள ஒரு பெண்மணியை எழுப்பத்தைந்து வயதுள்ள கிடூவர் திரு. ஈ. வெ. ராமசாமிப் பெரியார் கல்யாணம் செய்துகொண்டிருக்கிறார். இது புகுத்தறிவா என்று நான் கேட்கிறேன். இம்மாதிரியான முறையில் புகுத்தறிவுப் பிரசாரத்திற்கும் நடைமுறையில் செய்யும் காரியத்திற்கும் சம்பந்தம் இல்லாமலிருக்கிறது. தற்போது இந்திய சட்டசபையில், கல்யாணம்

[Sri A. Subramanyan] [23rd December 1954]

செய்துகொள்ளும் தம்பதிகளின் வயதை நிர்ணயித்து ஒரு சட்டம் செய்யப் பட்டிருக்கிறது. இதை நாம் மனமார வரவேற்கக் கடமைப்பட்டிருக்கிறோம்.

“பகுத்தறிவின் பேரால் செய்யத் தகாத காரியங்களைச் சிலர் செய்து கொண்டுவருகிறார்கள். படித்தவர்கள் பலர் இருக்க, அறிவாளிகள் பலர் இருக்க, தெய்வ நம்பிக்கை உள்ளவர் பலர் இருக்க பகிரங்கமாக இம்மாதிரி நாடகம் நடத்தப்படுகிறது. இம்மாதிரி பகுத்தறிவின் பேரால் பல காரியங்கள் நடக்கிற விஷயங்களை யெல்லாம் அடக்கவேண்டும், ஒடுக்கவேண்டும். அவர்களுக்கெல்லாம் நல்ல பாடம் கற்பிக்கவேண்டும். இந்த நிலைமையில் இம்மாதிரி சட்டங்கள் மிக மிக அவசியம்.

“பல நாடகங்கள் இத்தனை நாட்களாக நடந்துவருகின்றன. ஆனால், யாராவது ஆட்சேபினை செய்தார்களா? நாடகங்களை யாராவது ஆட்சேபினை செய்வார்களா? எத்தனையோ நாடகங்கள் நடந்தன. கலைவாணர்களும், வித்வான்கள் யாரும் ஆட்சேபிக்கவில்லை. ஆனால், எம். ஆர். ராதா நாடகம் நடத்தியவுடனே இன்றைக்குப் பல கிளர்ச்சிகள் ஏற்படுவானேன்? இதை நாம் கவனிக்கவேண்டும்.

“இரண்டு மூன்று வருஷங்களுக்குமுன் சேலம் தர்மபுரியில் அரசாங்கத்தால் தடை செய்யப்பட்ட ‘போர்வாள்’ என்ற நாடகம் மாற்றுப் பெயரில் மாற்றி நடத்திக் காட்டப்பட்டது. அதில் அரசாங்கத்திற்கு விரோதமாக பல புரட்சிகளும் கிளர்ச்சிகளும் காட்டப்பட்டன. அரசாங்கத்தை எந்த வகையெல்லாம் குறை கூற முடியுமோ அந்த முறையில் நாடகம் நடத்தப்பட்டது. அதை அரசாங்கம் தடை செய்தது. மறுபடியும் வேறு பெயர் வைத்து, நாடகத்தை நடத்தினார்கள். எனவே, இம்மாதிரியான, அரசாங்கத்தை கவிழ்க்கக்கூடியதும், பிறர் மனதை புண்படுத்தக்கூடியதுமான ஆட்சேபகரமான நாடகங்கள் நடந்தால் அதைத் தடை செய்ய வேண்டும். இம்மாதிரி மோசமான பல நாடகங்கள் நடக்கின்றன.

“ராமன் வடநாட்டான், பிராமணன் என்று நினைத்துக்கொண்டு திராவிடக் கழகத்தினர் எதிர்க்கின்றனர். ராமருடைய நல்ல காரியங்களையும் உபதேசங்களையும் ஏற்றுக்கொள்வதில்லை. ராமர் வடநாட்டார் அல்ல. ராமர் பிராமணரும் அல்ல. அவர் ஒரு கூத்திரியர். இதை முக்கியமாக தெரிந்துகொள்ளவேண்டும். இப்படியெல்லாம் தெரியாததனமாக சில தகாத கிளர்ச்சிகள் செய்யப்பட்டு வருகின்றன. காமாலைக் கண்ணனுக்கு கண்டதெல்லாம் மஞ்சளாகத் தெரியும். அதைப்போல யாரோ தவறுதல் செய்கிறார் என்று அதற்காக கடவுளாகப் பாவிக்கக்கூடிய ராமாயண பாத்ரிகங்களைக் குறைகூறுவது தகாத காரியம் என்று நான் தெரிவித்துக்கொள்ள ஆசைப்படுகிறேன்.

“மற்றொரு விஷயம். சட்டசபை அங்கத்தினர்களில் சிலர் சொல்லிய எதிர்ப்புக் கருத்துக்களை நான் ஆட்சேபிக்கிறேன். அரசியல் காரணங்களுக்காகவும், சீர்திருத்தத்திற்காகவும் இந்த சட்டத்தை எதிர்ப்பவர்கள் வேண்டுமானாலும் தேர்தலின்போது இதைப்பற்றி மக்களிடம் தெரிவிக்கட்டும். சட்டசபைக்கு தேர்தல் வரும்போது, ராமாயணத்தை வேண்டாமென்று சொல்கின்றோம். அது பொய்யான கதை. பாரதத்தை ஒப்புக்கொள்ளவில்லை, அதை நாங்கள் மதிப்பதில்லை” என்று ஜனங்களிடத்தில் சொல்லட்டும். தேர்தலில் ஈடுபட்டும், வெற்றி பெறட்டும். அதை அவர்கள் செய்யாது, திராவிடர்கள் கட்சி என்று பெயர் வைத்துக்கொண்டு சட்டசபையிலிருந்து எதிர்த்து வெளியேறுவதில் அர்த்தமில்லை. திராவிட பார்லிமெண்டரி பார்ட்டி என்று சொல்லிக்கொண்டு இந்த மசோதாவை எதிர்க்கிறார்கள். ஜனங்கள் அதை எதிர்க்கின்றார்கள் என்று ஆரவாரம் செய்வது யாரை ஏமாற்றுகிற வேலை என்று நான் அவர்களைக் கேட்க விரும்புகிறேன். பொதுவாக, இவர்களுடைய செயல் மக்களை ஏமாற்றுவதாக இருக்கிறது. அவர்கள் அம்மாதிரிதான் காரியங்களைச் செய்வார்கள். அவர்கள் மைனாரிட்டி. ஜனங்களால் ஒப்புக்கொள்ளத் தகாதவர்கள். நாட்டிலுள்ள யாரும் அவர்களை நம்புவதில்லை. இது நிச்சயம். ஆகையால்

23rd December 1954] [Sri A. Subramanyan]

இந்தச் சட்டம் தகுந்த காலத்திலே தகுந்த முறையிலே கொண்டுவரப்பட்டிருக்கிறது. இது ஏகமனதாக இந்தச் சட்டசபையிலே நிறைவேற்றப்பட்டு, ஆட்சேபகரமான நாடகங்கள் இனி நடக்காமலும், விரும்பத்தகாத நிகழ்ச்சிகள் நாட்டில் நடக்காமலும் இனி இருக்கும் என்று நம்புகிறேன்.

“கனம் ஸ்ரீ சுப்ரமணியம் அவர்களை பயமுறுத்திக் கடிதங்கள் யாரோ எழுதியிருக்கிறார்கள். இது தப்பு. மதத்திற்கும் தேசத்திற்கும் நாங்க னெல்லோரும் உயிரைத் தியாகம் செய்திருக்கிறோம். ஒரு சுப்ரமணியத்திற்கு ஆபத்தோ அல்லது மரணமோ நேர்ந்தால் ஆயிரம் சுப்ரமணியங்கள் தோன்றுவார்கள். அதுமட்டுமல்ல. மதத்தைக் காப்பாற்ற நாங்கள் எந்த விதமான தியாகமும் செய்வதற்குத் தயாராய் இருக்கிறோம். இந்த மாதிரி பயமுறுத்தல்களுக்கு யாரும் அஞ்சப்போவதில்லை.”

SRI MOHAMED RAZA KHAN :—“Sir, by now most of the speeches have proved amply that there is almost unanimity of opinion in this House to support this Bill. My hon. Friend, Mr. Gajapathy Nayagar, from whom I expected a good deal of opposition, concentrated only on paragraph (v) of sub-clause (1) of clause 2, and he did not oppose the Bill as such. Even my hon. Friend, Mr. Govinda Menon, while supporting the Bill, started his tirade against the Ministry. When he has no points either to support or oppose, he starts a tirade against the Ministry. But I am not bothered about that here. It has been the tradition of the Madras State that all Finance Ministers are patrons of art, dramas, etc. (Laughter). In the last Assembly, the Finance Minister, for whom we developed so much of friendship, affection, and love, was a patron of art and drama. Now I find the Hon. the Minister for Finance, Mr. Subramaniam, is also a patron of art, drama, etc. Even in the composite State he was filling up the role of a patron of art, drama, etc. Whenever there are functions of this sort, he is much in demand. (Interruption.) Therefore, when he himself has come forward with this measure, he should have thought over the matter very deeply, because it is not a pleasure for any Minister or Government to come forward with Bills of this sort particularly when there is controversy about it. Because every moment there may be parties for and against any Bill. But what we should know is there is always difference between one drama and another and there is difference between one art and another. There may be thousands of people who have dedicated their lives for the development of art and culture. I admit they are doing so in the best interests of the society at large and with the best of intentions. There may be some dramatists whose main idea is to vilify somebody or other. Their idea may be to write something vilifying some people and thereby make cheap money. We have got such people in our society. Don't we find cinemas produced exhibiting trash in our society. The main purpose of these trash cinemas is only to make money? The main purpose of these trash cinemas is to make money. There are dramatists who make money by vilifying a particular community or sections of the community. There are others who indulged in attacks against the Government and thereby made money. When dramatists should stage plays which affect the feelings of the community, should not Government have some power to check them? Therefore, I think the Government are right in coming forward with this Bill.

[Sri Mohamed Raza Khan] [23rd December 1954]

“ I have tried to analyse the Opposition both in this House and outside. While people are in sympathy with the Government in trying to exercise check on these dramas, their only objection is, if it can be taken as an objection at all, that the Bill is not necessary and that there is ample power given in the Criminal Procedure Code. They say ‘why should the Government bring forward this Bill, when there is sufficient power given in the Criminal Procedure Code?’ This is a matter for the Government to decide. Because the Government feel that though there may be provision in the Criminal Procedure Code they may not exercise complete control over these dramatic performances, they have brought forward this measure. They feel that this Bill is necessary. The Hon. Minister in his opening speech mentioned what were objectionable performances, and he gave several kinds of dramatic performances. To the first four, nobody can take any objection. It is the right of every party or individual to change the Government or to change the party in power. But when dramas are resorted to for the purpose of vilifying people and inciting people to violence, I feel strongly that the Government should have control over them. I do not think there are many cases of objectionable dramatic performances now. Previously in the composite State, there have been a number of occasions when objectionable dramas have been banned, particularly in the State of Andhra where dramas were staged mainly for political consideration. All of us who have got some experience of the last General Elections know that drama played a very, very important part. In many of the constituencies there were no platform speeches, but there were many dramas. This shows that dramas played a very important role. When they leave the real object and go to the other object, viz., vilifying certain people or inciting one section against another and so on, the Government of Madras should deem it their duty to prohibit those dramas.

“ Sir, I do not like to indulge in the controversy regarding wounding the feelings of the different sections of the people. We are not concerned with E. V. Ramaswamy Naicker or his marriage or with M. R. Radha and others. Let us have the discussion purely on the merits of the Bill. The Hon. the Minister for Finance and most of the supporters of the Bill have said that there is wide scope for everyone to preach in favour of religion and also scope for others to preach against it. But if the motive of a performance was to deliberately outrage the religious feelings of certain sections of the people, then the Government must step in. If the Government fail to take action in such cases, there will be a breach of peace and confusion. I would like the House to remember that the Madurai incident has no bearing on this Bill. That is a separate question by itself. Even before that incident took place, this Bill was under the consideration of the Government. It only took some time for the Government to bring forward this measure. So, the Madurai incident has nothing to do with this Bill. It is quite possible that this measure, when it is passed, will prevent such incidents taking place in other parts of the country.

23rd December 1954] [Sri Mohamed Raza Khan]

“ I have to refer to another aspect of the matter. My hon. Friend, Sri Balasubramanya Ayyar, referred the other day to Muslims and Christians. I may not be following the principles and tenets of my religion; but I am sure none of us will tolerate if anything is said against our religion. I may not follow the tenets of my religion. But that does not matter. I may be bad. All the same I will not condemn my religion. It is one thing not to follow a religion and it is completely another to condemn those who follow a particular religion. For generations people had faith and belief in religion which they were respecting most. It is not a wholesome principle to condemn those people. This should not be allowed. Therefore, I feel that the time has come for the Government of Madras to put into force a measure of this kind.

“ Sir, there may be an apprehension in the minds of certain sections of the people that when once power is given to the Government, to what extent it will be used and to what extent they will have control over matters. After all, the Government are not infallible. They are responsible to both the Houses of the Legislature and particularly to the Legislative Assembly. If anybody feels that the Government are overstepping their limits, do you mean to say that the Members in the Assembly and the Council will keep mum? Do you mean to say that public opinion cannot be created against the Government for the extraordinary action which they have taken? After all, they are answerable to both the Houses of the Legislature and to the people at large. So, we can be confident that the Hon. Minister concerned, the Government as a whole, and the concerned officials also will not overstep their power. Moreover, the concerned party can also take the matter in appeal to the High Court and get its decision. Hence, we need not be afraid that the power which this Bill gives to the Government will be misused. Even according to this Bill there is scope for the development of dramas conducted on right lines. When people go in the wrong direction, then the Government are quite justified in taking action to prevent them from going in the wrong direction.

“ Most of the hon. Members of the House are agreeable to the banning of such dramas which incite people to acts of violence. To prevent such dramas from being staged, the Government must have powers. Otherwise, they cannot be banned. If such a drama is staged in a small village, the Government may not have any information at their disposal. To cover such dramas also the Government must have adequate powers with them.

“ Let me now refer to another matter. When the Collector of a district or the Commissioner of Police in the City passes an order, the remedy open to the aggrieved party is only to go to the High Court. I need not say that nowadays going to High Court and contesting these orders is a very costly affair. Can we not make a provision in this Bill itself that the aggrieved person, who is not satisfied with the order of the Collector of a District or Commissioner of Police, can appeal to the Government

[Sri Mohamed Raza Khan] [23rd December 1954]

of Madras by submitting a petition? There may be a particular officer who may be prejudicial to a party and who may pass a certain order. In such a contingency, are we to put the parties to the trouble of going to the High Court for putting in an appeal? Are we to make them incur a large expenditure? Could we not incorporate a provision here itself whereby the parties may be enabled to submit a petition to the Government of Madras? The Government of Madras can examine this petition and see whether the officer concerned has acted within the scope of the Act and whether he has adopted the prescribed and stipulated procedure. It may be said that there is the Advisory Committee. After all, the recommendation or the decision of the Advisory Committee will not be binding on the Government. I think a provision like the one suggested by me will greatly help the aggrieved parties.

"Over and above these suggestions, I do not have much to say on the subject except to request hon. Members not to read more than what is contained in the Bill. After all, a necessity has arisen. This has been clearly established by the speech of the Hon. the Minister for Finance this morning. So there can be no doubt about the necessity for a measure of this kind. All the time he spoke with the best of sincerity and feeling and I hope everybody will be convinced as to the necessity for this measure.

"Sir, reference was made to some threats. I feel it was wrong on the part of the Hon. Minister for Finance to have given publicity to such matters. These are matters which should not be even thought of. I do not know how these matters have appeared in the Press. After all, there may be 1,000 fools writing such nonsense. Publicity should not be given to these matters. They should be ignored.

"Sir, I also feel that it was wrong on the part of the Hon. the Minister for Finance to have openly contradicted the other day that there had been dissension in the Cabinet. There was no necessity to make any reference to that matter. Nobody, either here or in the other House suggested that there was dissension in the Cabinet. When such things are denied, people take it just the other way and begin to spread rumours that there is dissension in the Cabinet. At least to prevent such rumours gaining ground, the Hon. Minister should avoid reference to such matters."

*SRI A. CHIDAMBARA MUDALIAR:—"கனம் தலைவர் அவர்களே, நான் இந்த மசோதாவை வரவேற்கிறேன். பொதுவாக இந்த மசோதா வானது வரவேற்கப்படவேண்டியது என்பதற்கு சமீபத்தில் நிகழ்ந்த நிகழ்ச்சியே ஆதாரமாகும். மதுரையிலுள்ள பொது மக்கள் எவ்விதமாக அன்புறுத்தப்பட்டார்கள் என்பது இந்த ராமாயணத்தின் விளைவே. அதை யாரும் மறுக்கமுடியாது. பொதுவாக, மதுரையில் கொலை, கொள்ளை இত্যெய்யாட்டி நடந்திருக்கிறது. பொதுமக்களுடைய சொத்தானது பறிமுதல் செய்யப்பட்டிருக்கிறது. இதேரீதியில் நகரசபைக்குக் கூட மூன்று ஆயிரம் ரூபாய் மதிப்புள்ள சொத்துக்கள் இந்த நிகழ்ச்சியினால் நஷ்டமடைந்திருக்கின்றன.

23rd December 1954] [Sri A. Chidambara Mudaliar]

"நல்ல ரீதியில் வளர்க்கப்படும் கலை எப்பொழுதும் வளர்க்கப்படும். இந்தச் சட்டத்தினால் அவைகள் பாதிக்கப்படமாட்டா. கலை வளர்ச்சி தடைப்படும் என்று யாரும் பயப்படவேண்டிய அவசியம் இல்லை. பொதுவாக, நல்ல ரீதியில் நடக்கும் கலைக்கு எப்போதும் இடம் உண்டு.

"மனதைப் புண்படுத்தக்கூடிய வழியில்தான் இப்பொழுது கலையானது வளர்க்கப்பட்டுவருகிறது. அந்த ரீதியிலேயே இனியும் வளர்க்கப்படவேண்டுமென்று யாரும் விரும்பமாட்டார்கள். இந்த மாதிரியான சட்டமானது இதற்கு முன்னாலேயே வந்திருக்கவேண்டும் என்று கனம் அங்கத்தினர் ஸ்ரீ சுப்ரமணியம் அவர்கள் குறிப்பிட்டதை நானும் வரவேற்கிறேன். துவேஷத்தைத் தொழிலாகக் கொண்டவர்களிடமிருந்து கலைக்குப் பாதுகாப்பு அளிக்கவும், நாடகத்தின் மூலம் அறிவை வளர்க்கவும் ஆக்க முறையில் தூண்டுதலும் ஊக்கமும் அளிக்கக்கூடியதாக இருக்கும் இந்த மசோதாவை நான் முழுமனதுடன் ஆதரிக்கின்றேன்."

MR. CHAIRMAN:—"I think I will have to call the Hon. the Minister for Finance to reply to the debate, now. I am sorry I have not been able to call two or three hon. Members in my list. They will be called to-morrow so that they may make their speeches during the third reading stage. Now, the Hon. Minister for Finance will speak."

THE HON. SRI C. SUBRAMANIAM:—"Mr. Chairman, Sir, 3-40 p.m.
I am more than grateful to hon. Members of this House for the favourable reception they have given to this measure. I am particularly happy about the speech made by hon. Member Mr. Ramaswami Nadar. Persons who think with him feel the necessity for a measure of this kind. I may assure him that in working this measure, it shall be my endeavour always, as long as I continue to be responsible for its working, to see that it is not misused in any way. In this connection, one important thing we have to bear in mind and that is that in the development of our country to-day, the entire resources and the energy available in the country have to be utilized in constructive channels and that this energy and the resources are likely to be dissipated if there is discord between one section of the people and another. Therefore, in the public interests and in the interests of the country as a whole, when we are engaged in this important task of building our nation after attaining Independence, it is the duty of the Government to see that an atmosphere is created and maintained wherein everybody will feel secure and everybody will feel that his liberty of thought, speech, expression and movement is properly safeguarded. Freedom and liberty, after all, cannot be safeguarded if some persons violate the elementary principles of law. Any liberty exercised by a person in a manner which infringes the rights of another person cannot be called liberty. It becomes licence at that stage. The Government have to take into account the two things and balance them so much, so that the maximum amount of liberty can be exercised by all people.

"Sir, a point was made by the hon. Member, Mr. Gajapathy Nayagar, that this Bill was introduced for the purpose of protecting a minority community and that vested interests were behind this move. I do not know wherefrom he got his idea that there

[Sri C. Subramaniam] [23rd December 1954]

were vested interests behind the Bill. If I represent any vested interests according to the hon. Member, I cannot dis-
abuse his mind of this view. I may assure the House that it is an independent decision that the Government took. It is not even my independent decision and I would like to assure my friend, Mr. Govinda Menon, that it is the decision of the Government. It was said that I was protesting too much against the suggestion and that it should have been left uncontroverted. That is what Mr. Raza Khan said. If I keep silent, people say silence amounts to consent. If I protest, they say I protest too much and so the contrary must be the fact. I may tell the House with all the sincerity that I possess that there is absolutely no question of difference of opinion in the Cabinet as far as this measure is concerned. It has been the unanimous decision of the Government that this measure is necessary and this decision was taken months before the Bill was published. Here, I may be permitted to divulge a small secret for it has ceased to be a secret now. It was our intention to promulgate an Ordinance and, as a matter of fact, a decision had also been taken to that effect. But after the decision was taken, I stayed it because I felt that that would create a very bad atmosphere and that a regular Bill should be introduced in the Legislature and passed into law. So, hon. Members need not be under the impression that this Minister is for the Bill and that the other Minister is not for it and try to set one against the other. If there is any honest difference of opinion on the part of any Minister on an issue which he is vitally concerned with, he will not be in the Cabinet but will go out. No self-respecting Minister will stay on in the Cabinet, if any Bill goes against the wishes of that Minister. So, let us not imagine things. There is absolutely no basis for the opinion expressed by Mr. Govinda Menon and I would request hon. Members to give up the idea that the Bill was introduced only at the instance of a particular Minister. We as Government are interested in the Bill and we want it to be pushed through as expeditiously as possible.

"Sir, it is not necessary for me to go into any detail at this stage because the House has expressed its approval which is almost unanimous. But certain points have been made and it is necessary that I should deal with them now because it may not be necessary at all to move any amendments to the Bill in connection therewith. A point was made by the hon. Member, Mr. Narayanaswamy Pillai that there should be a provision in the Bill for the formation of an advisory committee. I thought over the matter. After a good deal of thought, I have come to the conclusion that a statutory provision for the formation of a committee will not work properly. After all, in the present context, if a committee is formed and an opinion is expressed by that committee, certainly questions will arise as to which party the Members belong, to which particular community the Members belong and which particular religion the members profess."

23rd December 1954]

DR. A. SREENIVASAN :—"What about the Films Censor Board?"

THE HON. SRI C. SUBRAMANIAM :—"I am not concerned with that."

DR. A. SREENIVASAN :—"But it is there."

THE HON. SRI C. SUBRAMANIAM :—"If you know what is being talked of you will not support it. After the experience which I have had about the Films Censor Board, I should think it is unnecessary to provide for a committee in the Act itself. It is bound to lead to difficulties. I want to have a committee at an informal level wherein it will be possible for me to consult the interests concerned. If it works all right, there is time enough to consider whether it should be statutorily provided for. At this juncture, if we give statutory recognition to a committee like this it will lead to several difficulties. In the other House, Sir, at the third reading stage, I gave an assurance that I would have consultations with people concerned with the art before taking any decision with regard to objectionable matters in any performance."

"The hon. Member, Mr. Narayanaswamy Pillai, referred to the emergency provision in clause 4 which gives power to the District Collector and the Commissioner of Police in the Madras City to prohibit objectionable performances temporarily. He referred to the existence of section 144 of the Criminal Procedure Code and suggested: 'Why not we leave it to the existing magistrates to take action under this section?' He questioned the need for a special provision like this. Sir, I have always laid stress on two elements; one is the objectionable nature of the performance and the other is the likelihood of a breach of the peace. We should now consider the provisions of section 144, Criminal Procedure Code. Whenever there is the likelihood of a breach of the peace—from whatsoever quarters it may come—the magistrate says: 'You shall not commit a breach of the peace' and the person likely to commit it is restrained from taking any action to commit the breach. Take, on the other hand, this case. What is our intention? Here is an objectionable performance. Who objects to it? It is the people who do not like it. So, the breach of the peace is likely to be committed by these people who do not like it. If we apply section 144, here, we will be restraining those people who object to the performance and the drama will go on under the full protection of the law. That is not the intention of Government. If a drama is objectionable, protection will have to be given to those who have objection to the performance of that objectionable drama. Therefore if section 144 is applied we would be arriving at an end different from what we aimed at. That is the real difficulty. That is why we

[Sri C. Subramaniam] [23rd December 1954]

thought it was not necessary to apply section 144 but to give the discretion to the District Collector to judge whether the performance was objectionable or not."

SRI A. M. ALLAPICHAJ :—" The power could have been given to the District Magistrate (Judicial) in the districts and the Chief Presidency Magistrate in the City."

THE HON. SRI C. SUBRAMANIAM :—" This question was considered, Sir. Now we have introduced the scheme of the separation of the Judiciary from the Executive. The orders relating to security provisions, prohibitory orders, are vested only in the District Collectors. The Commissioner of Police, Madras City, has also got those powers in respect of the City. He is also the Presidency Magistrate whereas the District Collectors are District Magistrates (Independent). As such we thought that it would be better if we left judicial decisions alone to the District Magistrate (Judicial) and not orders relating to security provisions and prohibitory orders. There is absolutely no other motive. We have separated the Judiciary from the Executive. The Judiciary should be left only to interpret judicial matters and not executive matters. We do not want to bring in judiciary in respect of passing interim orders prohibiting dramas and things like that. Before the separation of the Judiciary from the Executive, the District Collector was also the District Magistrate, both Judicial and Independent. Therefore power in respect of issuing interim orders relating to prohibitory orders was in his hands. He was District Magistrate both Judicial and Independent. But once we have separated the Judiciary and the Executive and the District Magistrate (Independent), i.e., the District Collector, has the power to pass orders relating to security provisions and prohibitory orders, we thought it would not be correct to vest the power of issuing interim orders relating to prohibition of dramas and things like that in the District Magistrate (Judicial). That is why we have given the power to the District Collector. There is no other motive.

" Then a suggestion was made that appeal to Government should be allowed. We have thought of that and only after a good deal of consideration we have decided that the appeal against the decision of the District Collector should lie not with the Government but with the High Court. We have thought that the power of appeal against a quasi-judicial order should lie only with the High Court and not with the executive. I shall explain why. Suppose we give the power of appeal to Government. Then it always happens that the District Collector may not be so careful in his order for he will always say ' After all you have the power of appeal to Government. The Government are the ultimate authority.' Therefore the District Collectors would not put in that amount of responsibility in their work if the power of appeal to Government is there. Suppose we say an appeal will lie to

[23rd December 1954] [Sri C. Subramaniam]

the High Court. Then if the High Court were to decide that the particular prohibitory order on a drama was not a correct one, the Government can always pull up the Collector for the wrong decision he made. Therefore that lurking fear might be there on the District Collectors and they would feel their responsibility and would pass orders after very careful consideration, once the appeal against their decisions lies not to the Government, but to the High Court. That is why we have made that provision for appeal direct to the High Court. We have done that after a good deal of consideration. By this provision of appeal direct to the High Court, the District Collectors would always feel that the Damocle's sword is always hanging over them; they would therefore feel their responsibility very much and only after good deal of careful consideration pass an order prohibiting any particular drama. I hope hon. Members would have by now realised the necessity which impelled Government to provide the appeal against the decision of the District Collectors in the districts and the Commissioner of Police in the Madras City, direct to the High Court.

" Another suggestion has been made by the Deputy Leader of the Opposition asking us as to why Government need not refer the matter direct to the High Court. I think he is sleeping."

SRI A. GAJAPATHY NAYAGAR :—" Can the Deputy Leader of the Opposition sleep in the House, Sir?"

MR. CHAIRMAN :—" He can sleep but not snore." (Laughter.)

DR. V. K. JOHN :—" I have not made that suggestion, Sir."

THE HON. SRI C. SUBRAMANIAM :—" I am sorry then. But because it was a wrong suggestion I thought Mr. John ought to have made that suggestion. Therefore I mentioned his name. Whoever may be that has made that suggestion, I do not think that that hon. Member has understood the implications of what he said. Suppose we refer it direct to the High Court? Is it implied that we could get an ex parte order? Is it not necessary that we should issue notice to the party concerned? Is it not necessary that that party should engage a lawyer to argue his case or himself argue the case? I suppose it is not the intention of anybody that Government should straightway refer to the High Court and get an ex parte decision? It will not in any way solve the problem altogether. After a good deal of consideration we have delegated the power to the District Collector to judge for himself whether he should prohibit a drama or not. I have absolutely no doubt in most of the cases, the Collector's decision would be complied with by the parties concerned. After all only after weighing the pros and cons of the problem, the Collector would pass his order. But all the same we have made a provision for appeal to the High Court against

[Sri C. Subramaniam] [23rd December 1954]

the order of the District Collector. In case the concerned party felt aggrieved by the decision of the Collector, they can go to the High Court and try to get a decision either reversing the decision of the Collector or whatever it is. The High Court will be the ultimate authority and it will give its verdict. Therefore I do not think the suggestion made, viz., that in every case the Government should refer the matter to the High Court, get its decision and act accordingly, is a good one.

"The Deputy Leader of the Opposition in one of his very few speeches agreeing with the Government had welcomed this Bill but at the same time had pleaded for a Censorship Board which could certify whether a film was objectionable or not. I think Dr. John had not understood what his proposal would ultimately lead to. The arguments I have advanced against the Advisory Board recommended by Mr. T. M. Narayanaswamy Pillai hold good for this Censorship board also. After all if we say that a particular drama, if it is certified as not objectionable by the Censorship Board, should be allowed to be staged without interference by the Police, then all the dramatists will think that only if they could get their dramas also certified by the Board, there will not be any interference. That will then amount to a compulsory certification by the Censorship Board just as in the case of cinemas. No cinema could be exhibited without the certificate of the Film Censorship Board. But we do not want to make any such compulsion. We think the time is not yet ripe for that. After all it is not necessary also. There should not be censorship for each and every drama. Our point of view is to develop the dramatic art. We want to prohibit only objectionable performances. Nothing more than that. Therefore to have a Censorship Board for the dramas will not be proper in the present context of things. Therefore I do not think that that suggestion could be accepted. After all we have done only the reasonable thing. On the whole, we think this measure is necessary and the provisions which we have incorporated are not in excess of the requirements of the present circumstances. For the present, we should be content with the present measure. After all it is not as if the Act is unchangeable. We can work the Act for a year and if necessary we can review the working of this Act and whatever change is necessary we can bring about at that time. But, under the present circumstances, I am absolutely convinced that we have only taken absolute minimum powers required so that there may not be prejudice caused to any particular section of the people. After all, it all depends how this Act is worked by the Government and by their officers. As I had already given the assurance, it would be the endeavour of the Government to see that this Act is not misused for any purpose. We will endeavour to see that the occasions for the use of this enactment will be as rare as possible. But for achieving that, the co-operation of the people is also necessary. With the

23rd December 1954] [Sri C. Subramaniam]

enactment of this measure, I hope that all people will co-operate with the Government. Now all sections of the people are interested in the present Government carrying on peacefully and getting constructive things done for the benefit of the people rather than dissipate their energies in putting down breaches of law and order here and there and increasing our Police expenditure. If that is the object of the various sections of the people, I would appeal to all the people concerned to co-operate with the Government wholeheartedly, now that the measure has been passed into law and not try to infringe the provisions of the Act or file test cases before the High Court and create difficulties for the Government. I give the assurance on behalf of the Government that we will work the Act in the best interests of the people. I appeal to all the people concerned to co-operate with the Government and see that there are no breaches of the peace compelling the Government to take action under this enactment. I am really thankful to the various Members who have wholeheartedly supported this measure. Even though it is qualified, I value the support of Sri V. V. Ramaswami more than the support of anybody else. Therefore, I have very great pleasure in requesting the hon. Members to pass the motion unanimously that the Bill be taken into consideration."

MR. CHAIRMAN :—"The question is—

"That the Madras Dramatic Performances Bill, 1954 (L.A. Bill No. 37 of 1954), as passed by the Assembly, be taken into consideration."

The motion was carried.

MR. CHAIRMAN :—"The House will now adjourn to meet again at 11 a.m. to-morrow. There will be no question hour to-morrow."

The House then adjourned to meet again at 11 a.m. on Friday, the 24th December 1954.

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

"The Madras Dramatic Performances Bill, 1954 (L.A. Bill No. 37 of 1954), as passed by the Assembly and received therefrom in the Council.

* Sent by messengers on 21st December 1954.

[23rd December 1954]

APPENDIX I.

[Vide answer to starred question No. 92 asked by Dr. A. Sreenivasan at the meeting of the Legislative Council held on 23rd December 1954, page 592 supra.]

Clauses (a) & (c) Yes.

Clauses (b) & (d) to (f)

	Total number of applications received.	Number of candidates selected for interview.	Number of candidates who actually appeared for the interview.	Number of candidates selected for admission.
M.S., Branch I—General Surgery.	(1) 55	(2) 30	(3) 29	(4) 14
M.D., Branch I—General Medicine.	41	32	29	13
M.D., Branch III-A—Pathology (Main and Bacteriology (Subsidiary).	3	3		2
M.D., Branch III-B—Bacteriology (Main and Pathology (Subsidiary).	2	2		1

All the candidates selected for interview and admitted to the post-graduate courses, belong to the Madras State.

APPENDIX II.

[Vide answer to starred questions Nos. 102 and 103 asked by Dr. A. Sreenivasan at the meeting of the Legislative Council held on 23rd December 1954, page 599 supra.]

The Dean of the Stanley Medical College has sent the following report:—

“As per the rules of the Women Students' Hostel attached to the Stanley Medical College, Madras, the inmates of the hostel have to be inside the premises by 8 p.m. Once a week they can have a 'Late pass' which entitles them to return at or before 10 p.m. Those who came after that hour, have to sign in a book stating the time of arrival, and explain to the warden the next morning the cause of the delay. The Lady Warden of the Hostel noticed that his rule was not being strictly observed in practice and students were found returning late. She gave instructions to the watchman at the gate to close the front door at 10 p.m. stating that late-comers should enter through the adjoining men's hostel

[23rd December 1954]

gate, see the lady warden in her quarters and enter the Women's hostel through the side gate near the Lady Warden's quarters. The object was to find out and check the late-comers. The inmates of the hostel did not like this procedure.

“It so happened that a certain student who came late and found the front door locked, was told by the watchman to enter through the adjoining Men's Hostel gate and see the Lady Warden; but she did not care to do so and instead preferred to go to some relative's place and spend the night.

“The women students presented a joint petition to the Lady Warden signed by 64 members to the following effect: 'We feel it is very unreasonable to expect us to return before 10 o'clock. Government Transport is not ours and we are not children to be bossed over. We are grown up and we know our responsibilities. We will return within reasonable limit of time. So we do not think it proper on your part to lock the door and make us stay outside'.

“On receipt of this communication, the Lady Warden wrote to the parents under date 11th August 1954 pointing out the hostel rules regarding return at or before 10 p.m. 'Instances have come to the notice of the warden that certain students do not return to the hostel at the above prescribed time. A copy of the reply sent by your daughter to the warden in reply to the above instruction is given below for your information. In case your daughter is not willing to comply with this instruction, I request early arrangements may be made to accommodate her elsewhere'. The copy referred to is the extract from the joint petition mentioned in the above paragraph. Letters were sent to the parents of only a dozen women students.

“The students naturally got upset when they came to know of the letter through their parents. They approached the Dean of the College with the letter and complained to him about the Lady Warden writing to their parents [(a) that their representation was a joint communication, but the letter gave rise to the impression that each individual wrote and (b) that letters were sent to the parents of only a dozen women students and not to all']

“The instruction 'that late comers should enter through the main hostel gate, see the Lady Warden in her quarters and enter through the side gate' was put into effect for only two days as a sort of 'surprise check', and notice was put up on 30th July 1954 that late-comers could enter through the main gate, that the watchman would get the key from the house-keeper and open the gate and they could enter their names in the book kept for the purpose with the house-keeper. The usual practice had thus been resumed.

“The Dean pointed out to the students that the provocation for the Lady Warden to write to their parents was their joint communication to her which was an act of indiscipline, and their

[23rd December 1954]

general behaviour to the Warden and therefore they should express regret for the same. He undertook that in that case he would ask the Lady Warden to write a second letter to their parents couched in suitable terms. The students readily agreed to his suggestion and gave a written statement to Lady Warden signed by 64 students: 'We are sorry for the harsh words used in the petition submitted about two weeks back regarding the locking up of the gate'. The Dean advised the Lady Warden to write a second letter to the parents so that the students would be fully satisfied and the previously prevailing happy atmosphere resorted. He dictated the form of the letter which he knew would satisfy the students fully, but the second letter actually written to the parents of the twelve students was as follows:—

"In continuation of my letter, dated 11th August 1954, I wish to state that the letter was as a result of the representation by a batch of students including your daughter. I am glad to say that as they have since apologised the matter is now considered as closed. Thanking you,

Yours faithfully.

"This information reached the students on 25th August 1954 and they felt annoyed. Representations were made to the Dean both by the women students and representatives of men's section of the hostel. The Vice-Principal Dr. G. D. Valiath and the Dean met the students in their hostel that evening and they presented a typed representation in which they demanded an apology from the Lady Warden and further requested the Dean to remove her from the wardenship as she did not command the confidence of the students. The Dean promised to look into the matter and do the needful. The next day Mrs. Vatsala Ramachandran, the Lady Warden, complained to the Dean that at about 11 p.m. the previous night a batch of students shouted at her from the upstairs of the adjoining block in the hotel using abusive language and causing disturbance to the inmates of the hostel and the neighbourhood. It was also reported that the house-keeper was locked up in her room the same night and there was shouting including banging of the door and throwing of stones inside the room through the window. A written explanation was immediately called for from the students who were reported to have indulged in this behaviour and both Dr. G. D. Valiath and the Dean went to the hostel and gave a severe warning that such behaviour was subversive of discipline and would be suitably dealt with. This warning had immediate effect and the students did not resort to any further act of indiscipline.

"The allegations of mismanagement of the mess and improper maintenance of accounts are not correct. Although there was no request from the students for the accounts to be shown, the Lady Warden had put up a notice on the Notice Board that anyone who wished to check the accounts could do so, and the ledgers would be available with the clerk for perusal in the first week of

23rd December 1954]

each month morning and evening. The mess-secretary wanted to increase the quantity of milk purchase from the end of July. Since it would take some time to get more quantity of milk from Ayyanavaram, it was not possible to comply with her request at once, but the same was done from the beginning of August.

"On 26th August 1954, the Lady Warden requested the Dean to relieve her of the duties of the Warden of the Stanley Medical College Hostel for Women immediately. In view of the strained atmosphere which existed between the Lady Warden and the inmates of the Stanley Medical College Hostel for Women, the Dean thought it advisable to accede to her request, and relieved her of the duties of the Lady Warden and appointed Dr. (Mrs.) Sarada Subramaniam, Lecturer in Physiology of the College to look after the duties of the Lady Warden tentatively, in anticipation of the approval of the Director of Medical Services. The fact was immediately reported to the Director of Medical Services, soliciting approval of the action taken and requesting issue of necessary orders.

"The students of the Stanley Medical College Hostel for Women are now fully satisfied and conditions are perfectly normal."

The Government therefore consider that no further action is necessary in the matter.

APPENDIX III.

[Vide answer to starred question No. 105 asked by Sri Mohamed Raza Khan at the meeting of the Legislative Council held on 23rd December 1954, page 602 supra.]

Statement.

A sum of Rs. 1,04,36,850 as loans and a sum of Rs. 54,66,888 as grants have been allotted from the Mill Cloth Cess Fund by the Government of India up to 30th September 1954 for the development of handloom industry in this State.

The allotment of loans and grants for the several schemes and the expenditure incurred from the allotments are given in the statement below:—

Schemes.	Amounts allotted by Government of India for 1953-54.		Amount spent up to 30th September 1954 from 1953-54 allotments.		Amounts allotted by Government of India for 1954-55 up to 30th September 1954.		Amount spent from 1954-55 allotments.
	Loans.	Grants.	Loans.	Grants.	Loans.	Grants.	
	(2)	(3)	(4)	(5)	(6)	(7)	
I (i) Admission of 33,100 weavers in the existing and new Weavers' Co-operative Societies with loans towards their share capital.	Rs. 6,62,000	Rs. ..	Rs. 3,67,976	Rs. 5,93,750 (for admission of 25,000 weavers in co-operative societies).	Rs. ..	..	Scheme has been sanctioned recently.
(ii) Working capital for running the co-operative societies for the 33,100 weavers.	26,48,000	..	12,50,000	20,00,000 (for running the societies for 25,000 weavers).	..	..	Amounts sanctioned for 1954-55 against these items will be utilized after the amounts sanctioned for the items in 1953-54 have been completely utilized.
(iii) Appointment of Senior Inspectors of Co-operative Societies for supervision of the Co-operative Societies.	..	1,18,498	39,956	..	45,000	Do.	Do.

[3rd December 1954]

23rd December 1954]

II Expansion of the organization of the Madras State Handloom Weavers' Co-operative Society for internal marketing and propaganda for sale of handloom cloth—	..	4,06,204	35,902	..	1,18,000	Amounts sanctioned for 1954-55 against these items will be utilized after the amounts sanctioned for the items in 1953-54 have been completely utilized.
(i) Opening of sales depots in rural and semi-urban areas.	..	66,014	14,435	..	..	Amounts have not yet been allotted by Government of India for these items.
(ii) Opening of central depots to feed the sales depots.	..	97,976	21,032	..	Do.	Do.
(iii) Employment of Marketing Officers for supervision of depots and central depots.	..	1,05,920	..	..	Do.	Do.
(iv) Opening of depots in other States and staff for supervision of depots.	..	2,80,688	51,497½	..	Da.	Do.
(v) Purchase of motor vans to serve as mobile shops.	..	33,100	..	..	16,900	Amounts sanctioned for 1954-55 against these items will be utilized after the amounts sanctioned for the items in 1953-54 have been completely utilized.
(vi) Propaganda and publicity for popularizing handloom cloth.	..	..	..	..	..	..

[28rd December 1954]

Schemes.	Amounts allotted by Government of India for 1953-54.		Amount spent up to 30th September 1954 from 1953-54 allotments.		Amounts allotted by Government of India for 1954-55 up to 30th September 1954.		Amount spent from 1954-55 allotments.
	Loans.	Grants.	Loans.	Grants.	Loans.	Grants.	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	
Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
III Research for improvement in designs and technique used in the production of handloom cloth—	..	16,550	..	..	50,000	50,000	Amounts sanctioned for 1954-55 against these items will be utilized after the amounts sanctioned for the items in 1953-54 have been completely utilized.
(i) Supply of devices to weavers to regulate picks.	..	79,440	277	..	1,20,000	Do.	
(ii) Setting up of dye houses by Weavers' Co-operative Societies for reducing the cost of dyeing to the minimum for guaranteeing fastness of coloured yarn used in the cloth.	..	13,240	2,500	50,000	50,000	Do.	
(iii) Supply of pedal looms to weavers.	..	8,606	..	..	..	..	Amount not yet been allotted by Government of India.
(iv) Setting up of standardization committees for fixing the standards of cloth produced in co-operative societies.	..	..	..	..	..	..	

(v) Supply of standard reeds to weavers.

66,200

50,000

Do.

(vi) Supply of warping machines to Weavers' Co-operative Societies.

33,100

50,000

Do.

(vii) Appointment of technical assistants for stamping cloth.

24,825

..

[23rd December 1954]

Schemes.	Amounts allotted by Government of India for 1953-54.		Amount spent up to 30th September 1954 from 1953-54 allocations.		Amounts allotted by Government of India for 1954-55 up to 30th September 1954.		Amount spent from 1954-55 allocations.	
	Loans.	Grants.	Loans.	Grants.	Loans.	Grants.	Loans.	Grants.
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
V Grant of loan to Madras State Handloom Weavers' Co-operative Society for setting up the South India Co-operative Spinning Mills at Tirunelveli for supply of yarn to Weavers' Co-operative Societies at reasonable rates.	10,00,000	22,600	9,083	..	14,115	..	..	..
VI Administrative unit in the Office of the Registrar of Co-operative Societies to control and progress the Cess Fund Schemes.	..	..	..	..	1,18,084	..	..	..
VII Scheme for the collection of statistics relating to handloom industry (1954-55 schemes).	..	..	..	..	..	..	..	..
VIII Working capital to Madras State Handloom Weavers' Co-operative Society for purchase and supply of handloom cloth to the setting units (1954-55 scheme).	..	..	..	..	..	..	..	..
Total ..	43,43,100	47,12,784	25,89,559	60,93,750 + 43,43,100	7,54,104 + 47,12,784	10,00,000	10,00,000	10,00,000
				1,04,36,850	54,60,888			

23rd December 1954]

APPENDIX IV.

[Vide item 11 on page 605 supra.]

L.A. BILL No. 37 OF 1954.

(As passed by the Assembly.)

A Bill to provide for the better control of public dramatic performances in the State of Madras.

WHEREAS it is expedient to provide for the better control of public dramatic performances in the State of Madras;

BE it enacted in the Fifth Year of the Republic of India as follows:—

1. *Short title and extent.*—(1) This Act may be called the Madras Dramatic Performances Act, 1954.

(2) It extends to the whole of the State of Madras.

2. *Definitions.*—In this act, unless the context otherwise requires—

(1) "objectionable performances" means any play, pantomime or other drama which is likely to—

(i) incite any person to resort to violence or sabotage for the purpose of overthrowing or undermining the Government established by law in India or in any State thereof or its authority in any area; or

(ii) incite any person to commit murder, sabotage or any offence involving violence; or

(iii) seduce any member of any of the armed forces of the Union or of the police forces from his allegiance or his duty, or prejudice the recruiting of persons to serve in any such force or prejudice the discipline of any such force; or

(iv) incite any section of the citizens of India to acts of violence against any other section of the citizens of India; or which—

(v) is deliberately intended to outrage the religious feelings of any class of the citizens of India by insulting or blaspheming or profaning the religion or the religious beliefs of that class; or

(vi) is grossly indecent, or scurrilous or obscene or intended for blackmail;

Explanation I.—A performance shall not be deemed to be objectionable merely because in the course thereof words are uttered, or signs or visible representations are made, expressing disapprobation or criticism of any law or of any policy or administrative action of the Government with a view to obtain its alteration or redress by lawful means.

[23rd December 1954]

Explanation II.—In judging whether any performance is an objectionable performance the play, pantomime or other drama shall be considered as a whole.

(2) "public place" means any building or enclosure, or any place in the open air and any pandal where the sides are not enclosed to which the public are admitted to witness a performance.

3. *Power to prohibit objectionable performances.*—(1) Whenever the State Government are satisfied that any play, pantomime or other drama performed or about to be performed in a public place is an objectionable performance, they may, by order stating the grounds on which they consider the performance objectionable, prohibit the performance.

(2) No order under sub-section (1) shall be passed without giving a reasonable opportunity to the organizer or other principal persons responsible for the conduct of the performance or to the owner or occupier of the public place in which such performance is intended to take place to show cause why the performance should not be prohibited.

(3) Every order made under sub-section (1) shall be published in the *Fort St. George Gazette*.

(4) Any order made under sub-section (1) may also be notified by proclamation and a written or printed notice thereof may be affixed at any place or places adapted for giving information of the order to the persons intending to take part in the performance so prohibited.

4. *Power to prohibit objectionable performances temporarily.*—(1) The Commissioner of Police in the Presidency town or the District Collector elsewhere may, if he is of opinion that any play, pantomime or other drama performed or about to be performed being of the nature specified in section 2 is likely to lead to a breach of the peace, by order stating the grounds for such opinion, prohibit its performance:

Provided that the officer who passed such order may review it on an application made by the person or party affected by such order.

(2) Subject to any order made by the Court on appeal under section 10, an order under this section shall remain in force for two months from the making thereof:

Provided that the Commissioner of Police or the District Collector, as the case may be, may if he is of opinion that the order should continue in force, by such further order or orders as he may deem fit, extend the period aforesaid by such further period or periods not exceeding two months at a time as may be specified in such order or orders.

[23rd December 1954]

5. *Service of order of prohibition.*—A copy of the order made under section 3, sub-section (1), or under section 4, sub-section (1) or sub-section (2), may be served personally or in such other manner as may be prescribed by rules made under section 13, on the organisers or other principal persons responsible for the conduct of or any person about to take part in, the performance so prohibited or on the owner or occupier of the public place, in which such performance is intended to take place.

6. *Penalty for disobeying order.*—Any person on whom a copy of the order referred to in section 3 or section 4 is served and who does, or willingly permits any act in disobedience of such order, shall, on conviction, be punished with imprisonment for a term which may extend to three months or with fine which may extend to one thousand rupees, or with both.

7. *Penalty for disobeying prohibition.*—(1) Any person who, after the publication of an order under section 3, sub-section (3), or during the period when an order made under section 4, sub-section (1) or sub-section (2), is in force organises or is responsible for the conduct of, or who with the knowledge that such an order under section 3 or section 4 is in force takes part in, the performance prohibited thereby or any performance substantially the same as the performance so prohibited, shall, on conviction, be punished with imprisonment for a term which may extend to three months, or with fine which may extend to one thousand rupees, or with both.

(2) Any person who being the owner or occupier, or having the use of any public place, opens, keeps or uses the same for any performance prohibited under section 3 or section 4, or permits the same to be opened, kept or used for any such performance, shall, on conviction, be punished with imprisonment for a term which may extend to three months, or with fine which may extend to one thousand rupees, or with both.

8. *Power to call for information.*—(1) For the purpose of ascertaining the character of any intended play, pantomime or other drama, the State Government, or such officer as they may empower in this behalf, may, by order, require the organisers or other principal persons responsible for the conduct of, or other persons about to take part in such a play, pantomime or other drama or the author, proprietor or printer of the play, pantomime or other drama about to be performed, or the owner or occupier of the place in which it is intended to be performed, to furnish such information as the State Government or such officer may think necessary.

(2) Every person so required shall be bound to furnish the information to the best of his ability within the time specified in such order and in case of contravention shall be deemed to have committed an offence under section 176 of the Indian Penal Code (Central Act XLV of 1860).

[23rd December 1954]

9. *Power to call for copy of purport of drama, etc.*—(1) If the State Government or in the Presidency town the Commissioner of Police or elsewhere the District Collector, have or has reason to believe that an objectionable dramatic performance is about to take place, they or he, as the case may be, may, by order, direct that no such dramatic performance shall take place in any public place within any area, unless a copy of the piece, if and so far as it is written, or some sufficient account of its purport, if and so far as it is in pantomime, has been furnished, not less than seven days before the performance to the State Government, the Commissioner of Police or the District Collector aforesaid.

(2) A copy of any order made under sub-section (1) may be served on the owner or occupier of the public place in which such performance is intended to take place, and if thereafter he does or willingly permits, any act in disobedience of such order, he shall, on conviction, be punished with imprisonment for a term which may extend to three months, or with fine which may extend to one thousand rupees, or with both.

10. *Appeal to High Court.*—(1) Any person aggrieved by an order under section 3, sub-section (1), or under section 4, sub-section (1) or sub-section (2), may, within sixty days of the publication of such order under section 3, sub-section (3), or, as the case may be, within sixty days of the date on which an order under section 4, sub-section (1) or sub-section (2), is made, prefer an appeal to the High Court; and upon such appeal, the High Court may pass orders as it deems fit confirming, varying or reversing the order appealed from, and may pass such consequential or incidental orders as may be necessary.

(2) Every such appeal shall be heard by a Bench of not less than two Judges.

11. *Saving of prosecutions under other laws.*—Where no order under section 3 or section 4 has been made in respect of any performance, nothing in this Act shall bar a prosecution under the Indian Penal Code (Central Act XLV of 1860) or any other law.

12. *Protection for acts done in good faith.*—No suit, prosecution or other legal proceedings shall be instituted against any authority or officer for anything which is in good faith done or intended to be done under this Act or any rule made thereunder.

13. *Power to make rules.*—(1) The State Government may by notification in the Fort St. George Gazette, make rules to carry out the purposes of this Act.

(2) All rules made by the State Government under sub-section (1) shall, as soon as possible after they are made, be laid on the table of the Houses of the Legislature.

14. *Repeal of Central Act XIX of 1876.*—The Dramatic Performances Act, 1876 (Central Act XIX of 1876), in so far as it applies to the State of Madras, is hereby repealed.

THE MADRAS LEGISLATIVE COUNCIL.

Friday, the 24th December 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.

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

I.—PROGRESS UNDER THE FIVE-YEAR PLAN AND PROPOSALS FOR THE SECOND FIVE-YEAR PLAN—DISCUSSION OF.

* SRI T. PURUSHOTHAM :—“ Sir, before we resume the discussion on the Madras Dramatic Performances Bill, may I request the Hon. the Minister for Finance to give us at the next sitting of the Council, a picture of the progress of the works taken up under the First Five-Year Plan and also give us an opportunity to discuss the proposals adumbrated in the Second Five-Year Plan? ”

THE HON. SRI C. SUBRAMANIAM :—“ Yes, Sir. It is the intention of the Government to give an opportunity to both the Houses to discuss the progress of the First Five-Year Plan and also to discuss the proposals for the Second Five-Year Plan. I shall make a statement before the House after which there can be a discussion on the subject.”

II.—GOVERNMENT BILL.

THE MADRAS DRAMATIC PERFORMANCES BILL, 1954
(L.A. BILL NO. 37 OF 1954)—cont.

MR. CHAIRMAN :—“ We shall now take up the consideration of the Bill clause by clause.”

Clause 2 was put and carried.

Clause 3.

MR. CHAIRMAN :—“ Motion moved—

‘ That clause 3 do stand part of the Bill.’ ”

* SRI T. M. NARAYANASWAMY PILLAI :—“ Sir, I move the following amendment :—

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

“ and without consulting a body of competent dramatists, artistes, playwrights, and persons interested in the dramatic art.” ’

“ Yesterday, the Hon. the Minister for Finance dealt with this matter. He stated that it would be difficult for him to accept this amendment and incorporate it as a statutory provision under clause 3. But he added that he would see to it that he would have

[Sri T. M. Narayanaswamy Pillai] [24th December 1954]

a competent consultative body to give him advice with regard to objectionable matters in any performance. What I feel is that it would be better if there was a statutory provision for the formation of such a committee. In a matter of this kind, the best thing would be to provide for a Board of Censors. But the Hon. Minister has stated that we have not reached that stage when it will be advisable to provide for such a Board of Censors. The Hon. Minister told us that for the present we should be content with having an *Ad hoc* consultative body and that body would include all persons interested in dramatic art. Let us take the practice that has been in vogue in England for two centuries. In 1787, Field wrote a novel against the then regime. The Government brought out a coercive Act and said that they had the power to prohibit staging that novel as a drama. An agitation was carried on and a committee presided over by Lord Campbell was appointed in about 1832. That committee found it difficult to define the limits within which free speech could be allowed. The committee did not do anything useful. In 1843 an Act was passed by which the prerogative of the King was transferred to Lord Chamberlain. When Lord Chamberlain was given the power, that power was attacked as being autocratic. In 1907, the Government thought that they should be helped by a competent representative consultative committee. Even though in law it was only a consultative body, yet its opinion prevailed practically in all cases.

"My amendment seeks the setting up of a body similar to the one in England and proposes that the Government should consult it before passing any order. But having regard to the difficulties involved in it, I do not know whether the Hon. Minister will accept it."

SRI MOHAMED RAZA KHAN:—"I second the amendment."

MR. CHAIRMAN:—"Amendment moved—

'Add the following at the end of sub-clause (2):—

"and without consulting a body of competent dramatists, artistes, playwrights, and persons interested in the dramatic art." "

* SRI A. M. ALLAPICHAJ:—"Sir, I oppose the amendment for many reasons. If there is to be a body like that, every party in this State will like to have its representatives on it. Among them there may be theists, atheists, Communists and communalists and there will be lot of confusion. The Dravida Kazhagam may say that it also should have its representatives on it. When the script of a drama is considered, they may say 'No; this is opposed to our view'. If disputes like this arise, where is the end? Personally I feel that, if our country is to grow in learning and in other matters, there must be as little State interference as possible. When Socrates wanted to do something good, he was given a cup of hemlock and made to die. There are already ever so many difficulties and confusion and let us not add to them. There must

[24th December 1954] [Sri A. M. Allapichai]

be lot of freedom for the people to express themselves. If a person were to write thinking 'So and so is on the committee and I have to satisfy him,' he will not write any play worth the name. We must leave it to the good sense of the author.

"The provisions of this Bill are very wide in scope. If a drama were to outrage the religious feelings of any class of people, surely it would come within the clutches of this law.

"The creation of a body of the type proposed in the amendment will only add to the troubles of the Government. Therefore, I say: let us trust the Government and give them full discretion."

MR. CHAIRMAN:—"Dr. A. Sreenivasan will now speak. He should confine himself to the amendment."

* DR. A. SREENIVASAN:—"Sir, it is rather unfortunate that I should have reduced myself to the position of supporting an amendment. Though I had a lot of ideas about the Bill, I never had any opportunity to speak."

MR. CHAIRMAN:—"I told the hon. Member that he could speak at the third reading stage. So, he need not complain."

* DR. A. SREENIVASAN:—"Thank you, Sir.

"This amendment must be received by the Government with open arms for this reason. Instead of taking upon themselves the onerous responsibility of declaring a performance objectionable and incurring the displeasure of a certain section of the people, the Government can entrust the function and the incurring of the displeasure to a body like the Board of Film Censors. In reply to my interruption yesterday, the Hon. the Finance Minister said that, if I had known the working of the Board of Film Censors, I would not have interrupted. He must have had sufficient knowledge of its working to say this. It is a Statutory Board constituted by the Central Government. What guarantee is there that the committee proposed to be set up by executive action will not consist of handpicked men chosen to suit the convenience of the Executive? The charge that is laid at the doors of the Statutory Board can with greater force be laid at the doors of the proposed committee. The Government have got the Bar Council, the Medical Council and ever so many statutory bodies to control the activities of various professions. Why should there not be a Board of Censors for dramas also? Such a board can censor and license every drama before it is staged. Even the worst critic of the Government cannot object to this arrangement. The Hon. Minister thinks that the time is not ripe for it. But I think the time is quite ripe. The opinion of such a Board will be almost in all cases binding on the Government. Such a body will relieve the Government of a great deal of embarrassment. I think the amendment moved by Sri T. M. Narayanaswamy Pillai is reasonable and should be acceptable to the Government. The acceptance of the amendment will allay the fears—whether well-founded or not—that the

[Dr. A. Sreenivasan] [24th December 1954]

Government may pack the non-statutory consultative committee proposed to be set up with people who will subserve their interests.

11-20 a.m. "The Criminal Procedure Code is wide enough to deal with all the offences contemplated in this Bill. I need not go into the sections of that Code to draw a parallel. There are reputed lawyers here and I will be only carrying coal to Newcastle if I do so. But the Government say with a certain amount of reason that they cannot issue a general prohibitory order under section 144 of that Code for meeting situations of the kind contemplated in this Bill. I agree. Even according to this Bill, a drama must be staged, some people must witness it, the objectionable nature of it should be brought to the notice of the authorities and then only action can be taken. By the time these processes are over much mischief could have been done. Censorship and licensing are the two ways of getting rid of this trouble. The provocation for this Bill is that the Dramatic Performances Act of 1876 has become antediluvian and antiquated. If it is found that it does not suit the modern conditions of society and that it is not in accordance with the principles of the Constitution, then the best thing will be to scrap it and introduce an amendment to a section of the Indian Penal Code. Criminal law is a concurrent subject and it is very easy for us to introduce an amendment to the Indian Penal Code. If that is done, nobody will have any objection to it. It was only to fill up a lacuna in the present law that the provocation came from the legal authorities that a suitable Bill must be brought in. If it accords with the principles of the Constitution, then it is all right. But the provision is absolutely illusory. So many Members have said that the right of appeal is a cherished one. Suppose a drama is staged in Tirunelveli and a prohibitory order is issued. Then the man has to come all the way to Madras at considerable expense and inconvenience in order to get that order quashed. But, on the other hand, if action is taken under the criminal law of the land, then he will be in a better position to protect himself locally. Legal relief is made rather expensive for the poor man through this Bill whereas the present Government are very anxious to lighten the burden on the litigants.

"Regarding the question of dramas that are likely to lead to a breach of the peace . . ."

THE HON. SRI C. SUBRAMANIAM:—"We are in the second reading stage of the Bill."

* DR. A. SREENIVASAN:—"Yesterday I was given to understand that I could speak on other matters also."

MR. CHAIRMAN:—"The hon. Member should now speak on clause 3 and the amendment before the House and not on anything else. General remarks can be made at the third reading stage. That is the procedure followed in regard to Bills in Legislatures. Everybody knows that."

24th December 1954]

* DR. A. SREENIVASAN:—"Glad to know the procedure from the Chairman. I shall stick to his ruling. I support the amendment."

THE HON. SRI C. SUBRAMANIAM:—"The hon. Member opposed it saying that it was not proper."

DR. A. SREENIVASAN:—"The Hon. Minister is mistaken. I started by supporting the amendment and I conclude by supporting it."

* SRI K. BHASHYAM:—"Sir, in view of the assurance given by the Government in an informal manner and in an official way, I find it difficult to agree to the amendment as it stands. Who is to decide whether a certain performance offends the religious susceptibilities of people or not? That is the most important part of the Bill. Of course, so far as the dramatic art is concerned, the artistes are there. I have always felt that artistes have no knowledge of the practical side of things. They are so nebulous a people that they do not know much about the practical administration of affairs. Therefore, in the name of art many sins are being committed as was stated yesterday, and it is not possible for the Government or anybody else to check them and see that something is done to put a stop to such things. Therefore, neither the committee proposed by the amendment nor the committee proposed to be appointed by the Government will serve the main purpose of the Bill. To find out whether any performance will outrage the religious feelings of any section of the people, it will be necessary that representatives of all religions must gather together in a certain place and the drama must be submitted to them for their opinion. Therefore, I should like to point out that neither the committee proposed in the amendment nor the committee that may be appointed by the Government will serve the purpose for which this Bill is intended. If at all anybody can say anything about it, it is some of the leaders of particular communities, that is, persons who are recognised as competent to give advice to the Government in respect of certain tenets and religious beliefs of particular sections of the people. Therefore, while the promise of the Government is itself not a practicable one, this amendment makes it even more impracticable. So, while the Government may have some advice or other from some competent people, it is very difficult to decide who among the dramatists are competent to give advice. Therefore, this amendment is not necessary."

* SRI K. BALASUBRAMANYA AYYAR:—"Sir, the scope or nature of the Bill has to be understood before we can accept the amendment. This amendment is to clause 3 (2) of the Bill. The effect of the amendment will be that no order prohibiting a dramatic performance shall be passed without consulting a body of competent dramatists, artistes, playwrights, and persons interested in the dramatic art. Any such order can be passed only after considering whether a drama is likely to incite any person

[Sri K. Balasubramanya Ayyar] [24th December 1954]

to resort to violence or to commit murder, sabotage or any offence involving violence, seduce any member of any of the Armed Forces of the Union or of the Police Forces from his allegiance or his duty, incite any section of the citizens of India to acts of violence against any other section of the citizens of India or is one which is deliberately intended to outrage the religious feelings of any class of the citizens of India, or is grossly indecent, or is scurrilous or obscene or intended for blackmail. All these things have to be considered and a decision has to be taken whether a performance is an objectionable one or not. The most important thing to be considered is whether a drama is likely to incite persons to acts of violence. This can best be done only by the Government who are responsible for the maintenance of peace and order in the State. Whichever Party might constitute the Government, it is the primary responsibility of the Government to maintain peace in the land. What is contemplated here is not a licensing board. If the Government had proposed this Bill for the purpose of licensing dramas, then I think there would have been much greater opposition to it. But this Bill is not intended for the licensing of dramas. The Government have not yet brought in a Bill of that kind at all. This is a Bill only to see that there is no incitement of people to acts of violence and that religious feelings are not outraged. Maintenance of peace in the land being the primary responsibility of the Government, I think they are the best body to decide whether a drama is likely to incite people to acts of violence, and this duty should not be shoved on to any other body, however great and responsible it may be."

30
m.

* SRI A. GAJAPATHY NAYAGAR :—" Mr. Chairman, Sir, I understand the spirit of the amendment moved by the hon. Member to be this; that the Government should follow up the assurance given by the Hon. Minister that he would constitute a body of artistes to advise them in deciding whether a particular performance was objectionable or not. The hon. Member who has moved the amendment wants that the promise made by the Hon. Minister should not remain a pious promise. That is why I think he wants this amendment to be incorporated in the Bill. But I feel the amendment is a most impracticable one and therefore I oppose it. We do not know who are the competent artistes or the competent dramatists. If a body like the one suggested by the mover of the amendment is constituted we would be setting one set of artistes against another set of artistes. We must leave matters of this kind to the good sense of the Government. Whenever they take action under clause 3, they will have at their disposal a competent opinion, an opinion which will conduce to the public good and public peace."

* SRI T. PURUSHOTHAM :—" Mr. Chairman, Sir, I rise to oppose this amendment because I consider it unnecessary. The Hon. Minister in charge of the Bill explained yesterday during the first reading stage all the implications of this Bill. He also

24th December 1954] [Sri T. Purushotham]

pointed out that this amendment as well as others given notice of by the hon. Member Sri T. M. Narayanaswamy Pillai were really not necessary. The Government have been most considerate in bringing forward this measure. The hon. Member Sri Bhashyam told us yesterday that this Bill was an improvement on the one which we are now going to repeal by this Bill. Whether it is an improvement or not, there has been considerable watering down of the provisions contained in the old Act. I believe there is perfect unanimity of opinion that there should be such a measure on the Statute Book. The Committee now proposed is unnecessary because it would be a sort of a fifth wheel in the coach and create unnecessary complications. If at all a body of artistes or experts is considered necessary, it should be constituted to consider on what lines we should develop the art of drama. Having attained national Independence, we have to revive our ancient arts and restoration of dramas to their proper place in social advancement ought to be the vital concern of the Government. In ancient days, fine arts and drama were fostered by Rajas and Princes and the national Government as the successors of those Rajas and Princes should encourage and reform them to suit modern conditions. Instead of appointing a Committee of the kind proposed by the hon. Gentleman opposite, Government should take up the question of appointing a committee composed of artistes and experts for the development and reform of the stage in all its aspects, and to devise general lines and themes by which drama should be developed. I hope Government would consider this proposal separately. Now there is no need for appointing a committee like the one proposed by the hon. Mover of the amendment. Dramas which aim at carrying out social reforms and dramas propagating progressive views are not going to be prohibited by this enactment at all. Only certain objectionable performances will be prohibited under this enactment. There are various safeguards in the Bill. But Government have made provision for the aggrieved party to take the matter in appeal to the High Court. The Government have been very considerate. They have not reserved any power to themselves. They are not anxious to have any power in this matter. So I feel the formation of the committee proposed by the hon. Member Sri Narayanaswami Pillai is unnecessary. I would request the hon. Member to withdraw his amendment."

THE HON. SRI C. SUBRAMANIAM :—" Mr. Chairman, Sir, as already explained by me yesterday, I am sorry it is not possible to accept this amendment. Hon. Members will see that clause 3 reads : 'Whenever the State Government are satisfied . . .'. So ultimately the responsibility is that of the Government. For the purpose of coming to a conclusion, they may consult anybody or any body of persons so that they may reach the correct decision in the matter. But to put it positively as part of the statute, I am afraid, would lead to difficulties. I am sure the hon. Member who moved the amendment will appreciate the difficulties of the Government in the matter, and I would only request him not to press his amendment."

[24th December 1954]

* SRI T. M. NARAYANASWAMY PILLAI :—" Mr. Chairman, Sir, I thought the party in power had accepted the view of the Hon. Minister that a body of competent people would be consulted before taking action under this clause. Nobody denies that the Government had been very considerate in this matter. This provision is innocent and innocuous and, but for the ideas which some hon. Members belonging to the party in power seem to have at the back of their minds, I would not have moved this amendment at all. But let us be clear about this point. I do not say that the Government have no responsibility. But at the same time having regard to all that has happened there is a middle course which is open to the Government to follow. Some feel that there should be a licensing board, a pre-censorship of dramas so to say, which will divest the Government of their responsibility in this matter. That the Government were not prepared to accept, and in justification they said that the time had not arrived to create a licensing board for dramas. There is another view which holds that Government alone should pass orders in these matters. That seems to be an extreme view having regard to the fact that the matter relates to religious feelings, and the Government would be well advised to have the advice of a competent advisory body before they take any action in these matters. Government were convinced about the reasonableness of this view and the Hon. Minister in charge of the Bill said : ' Though no provision is made for it in the Bill itself, as a matter of fact, I give this assurance and I will see to it that that assurance is kept up by Government.' If I do not now press for the acceptance of my amendment, I do so only in the hope that that assurance will be kept and that the dramatic art would be allowed to flourish subject only to certain legal restrictions. The hon. Member Sri Alla Pichai and the hon. Member Sri T. Purushotham objected to the incorporation of the amendment in the Bill. I can well understand their objection. But the hon. Member Sri Balasubramanya Ayyar also objected to this amendment. He seems to be afraid of everything in the world. First of all he wants that this Bill should be rushed through. We were criticising the Government for rushing through legislations. Now there is a desire expressed by an hon. Member from this side to rush through this legislation. That seems to be a change over . . . "

* SRI K. BALASUBRAMANYA AYYAR :—" I have not made that statement. If the hon. Member infers that I want the Bill to be rushed through he can do so. Every hon. Member is free to express his opinion."

* SRI T. M. NARAYANASWAMY PILLAI :—" Sir because we are free to express our opinion, I am now expressing my opinion. I do not know why even after the assurance was given by the Hon. Minister that there should be an advisory body, a man from this side, from the opposition, should get up and say that no advisory body is necessary . . . "

24th December 1954]

* SRI K. BALASUBRAMANYA AYYAR :—" On a point of order, Sir. I should not be referred to as ' a man '. I am an hon. Member of this House."

* SRI T. M. NARAYANASWAMY PILLAI :—" I do not know whether that expression is parliamentary or not. I might have used that expression in an excited moment. If it is unparliamentary, I will be the first person to withdraw that expression and apologize to the hon. Member Sri Balasubramanya Ayyar. After all, we are proceeding on a definite understanding, and when a formal motion is moved that that understanding should be put on the Statute Book, two people on the other side should get up and say that it is unnecessary, and they are helped by two members from this side including the hon. Member Sri Gajapathy Nayagar. What is the advice that this House as a whole is going to give? Does it accept the assurance of the Hon. Minister? Does our Council want the Hon. Minister to go back on his assurance given yesterday? We must be clear about the assurance."

THE HON. SRI C. SUBRAMANIAM :—" We are now discussing an amendment, and I am not able to accept the amendment for the reasons already put forward in this House. It was only in that context that I gave that assurance. There was no necessity for me to refer to the assurance or go back on the assurance which I have already given. Therefore it is quite unnecessary to consider that aspect at all. Now we are considering an amendment to put a specific clause on the Statute Book in regard to consultation with an advisory body. I am unable to accept the amendment. Once an assurance has been given and I have not withdrawn it, it stands."

The amendment was, by leave of the House, withdrawn.

Clause 3 was put and carried.

Clause 4.

MR. CHAIRMAN :—" Motion moved—

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

" Hon. Members Sri T. M. Narayanaswamy Pillai and Sri Mohamed Raza Khan have given notice of some amendments to this Clause. The hon. Member Sri T. M. Narayanaswamy Pillai will first move his amendments."

* SRI T. M. NARAYANASWAMY PILLAI :—" Sir, I shall move the two amendments which I have given notice of, as they are inter-related."

[Sri T. M. Narayanaswamy Pillai] [24th December 1954]

“ I move the following amendments :—

(1) *In sub-clause (1) after the words “ in section 2 ” omit the words “ is likely to lead to a breach of the peace ” and add the following words after the words “ prohibit its performance ” at the end :—*

“ temporarily, and shall refer to the Government for necessary action under section 3.”

(2) *In sub-clause (2), for the word “ Court ” substitute the word “ Government ” and omit the words “ on appeal under section 10 ” and add the following sentence after the word “ thereof ” :—*

“ If no order is passed by the Government within two months the order of the Commissioner of Police in the City or the District Collector elsewhere shall stand vacated.”

My amendments are simple ones. I think I am helping the Government by bringing forward these amendments. The Government have said that it is a temporary order. I ask ‘ temporary with respect to what? ’ Is it with respect to the time or with respect to the body which is to finally pass the order? An appeal is provided to the High Court? Does that mean that the final order to be passed under Clause 4 will be that of the High Court? They want to tag on the question with regard to a breach of the peace to the question of objectionability of the performance. They want to touch upon the powers of the several Magistrates who have also got powers under section 144, Criminal Procedure Code. Now this power is similar in extent and scope to the power vested in a District Magistrate under section 144, Criminal Procedure Code. It only requires that he should first come to the conclusion that the performance is an objectionable one. If it is an objectionable performance, he can prohibit it, if it is likely to lead to a breach of the peace. Suppose the District Collector comes to the conclusion that the performance is merely objectionable but that it is not likely to lead to a breach of the peace. Is he to pass an order under Clause 3? If he does not pass an order under that Clause, what is to happen to the play? If the play is allowed to be staged and there is a breach of the peace when it is about to be performed, what is to happen? Who is to take action? Therefore, the Government contemplate the possibility of the other Magistrates exercising their powers under section 144, Criminal Procedure Code. This clause does not give power to the other Magistrates. Therefore, the scheme of the Act seems to be that the Government shall prohibit the performance. They are in the headquarters. They must have some authority in the districts. The Commissioner of Police in the City and the District Collectors elsewhere have been given power to prohibit objectionable performances temporarily if

[Sri T. M. Narayanaswamy Pillai] 24th December 1954]

they are of the opinion that the performance is likely to lead to a breach of the peace. I suggest that after the passing of the temporary order, they must refer the matter to the orders of the Government. There must be only one authority in the State who should pass the final order with regard to an objectionable performance, namely, the Government aided by an advisory body. This will lead to uniformity. An appeal is provided from the order of the Government to the High Court and it will be heard by a Bench of not less than two Judges. This I think would be very satisfactory and will enable the District Collectors to deal with objectionable performances solely. This power, as I said, does not take away the power of the Subdivisional Magistrates or the power of the Sub-Magistrates of the district. Both of them are competent authorities to deal with applications under section 144, Criminal Procedure Code. By the passing of this Bill, the Government say impliedly that the District Collector will be the exclusive authority to deal with objectionable matter. Suppose an application is made to a Sub-Magistrate in a taluk headquarters? Is he to deal with the matter or not? Under what authority can he decline jurisdiction? I can understand if there is a provision that the other Magistrates having jurisdiction under section 144, Criminal Procedure Code, are prevented from dealing with this matter. As it is, I am afraid, it will lead to overlapping of jurisdiction.”

SRI A. M. ALLAPICHAI :—“ I invite the attention of the hon. Member to clause 11.”

* SRI T. M. NARAYANASWAMY PILLAI :—“ That does not deal with this matter. I am glad that that the hon. Member has furnished me with the basis for another argument in support of my position. It only makes it clear that the powers of the other Magistrates are not taken away. Their duty to exercise that power is left intact. As I have pointed out already, there will be overlapping of jurisdiction. What we now find is that the power to pronounce upon the objectionability or otherwise of a play is given to a responsible officer, namely, the District Collector, and that it will not be exercised capriciously. On the other hand, the Government have not made the consequential provisions. If the District Collector comes to the conclusion that the play is objectionable, he will stop it. The Government will pass orders within a period of two months. If no order is passed by the Government within two months, then the order of the District Collector (or the Commissioner of Police in the City) will stand vacated. The order of the High Court is final. Therefore, I do not understand why the word ‘ temporarily ’ should be used here. Merely because of the fact that the order remains in force for two months, it does not become ‘ temporary ’. That is why I have moved my amendments.”

DR. A. SREENIVASAN :—“ Sir, I second the amendments.”

[24th December 1954]

MR. CHAIRMAN :—" Amendments moved—

' In sub-clause (1) after the words " in section 2 " omit the words " is likely to lead to a breach of the peace " and add the following words after the words " prohibit its performance " at the end :—

" temporarily, and shall refer to the Government for necessary action under section 3."

In sub-clause (2), for the word " Court ", substitute the word " Government " and omit the words " on appeal under section 10 " and add the following sentence after the word " thereof " :—

" If no order is passed by the Government within two months the order of the Commissioner of Police in the City or the District Collector elsewhere shall stand vacated." "

11-50
a.m.

* SRI S. P. SIVASUBRAMANYA NADAR :—" Sir, I oppose this amendment. The doubt raised by the hon. Member Sri Narayanaswamy Pillai is that power is simultaneously given to the District Collector and also to the executive magistrates who are empowered under section 144 of the Criminal Procedure Code to act in this matter. I may point out that under section 144 of the Criminal Procedure Code a District Magistrate, a Subdivisional Magistrate, or a Sub-Magistrate specially empowered in this behalf can act. When the District Collector, who is also the District Magistrate (Independent), seizes all jurisdiction under the provisions of this Act (he, being a superior magistrate), the subordinate magistrate, namely, the Subdivisional Magistrate and the Sub-Magistrate, cannot act simultaneously on his behalf. It is open to the District Magistrate even if action is being taken by any magistrate in the district to call for the papers and pass final orders thereon. The doubt raised is not tenable, and the District Magistrate can act independently and at the same time he can call for the papers from the other magistrates. He can also pass orders under section 144 of the Criminal Procedure Code."

* SRI K. BHASHYAM :—" Sir, I think this amendment is not necessary for this reason. The magistrates who have now the power to issue prohibitory orders under section 144 of the Criminal Procedure Code will continue to exercise their own powers. In fact if one will look into that section carefully one will see that in cases of imminent breach of the peace they can exercise the power. That is to say breaches of the peace cannot really be stopped unless prompt action is taken. In such cases the Sub-Magistrate will be there to take action under section 144 of the Criminal Procedure Code. In cases, however, where breach of the peace is not imminent, but the performance of the drama is considered objectionable from the point of view of clause 2, the provisions of this Bill will apply. The apprehensions entertained by the hon. Member are not quite justified. This is my view.

24th December 1954] [Sri K. Bhashyam]

The Magistrate taking action in his own sphere is left untouched. This Bill gives a special power to the Collector to take action when two things are present, namely, (1) there must be a threat to peace and (2) the drama must be one coming within the meaning of the objectionable dramas mentioned. It may be that a breach of the peace is not imminent, but it may lead to a breach of the peace if the drama is staged. In case of imminent breach of the peace, the Magistrate is there to promulgate an order under section 144 of the Criminal Procedure Code. The Magistrate then actually prohibits the performance of that drama. If on the other hand the preliminaries to the drama are being gone through and the play is to come off some ten days hence, and if it is feared there may be a breach of the peace if the drama is staged, then the Collector in exercise of the powers under the provisions of this Bill can pass an order prohibiting that drama. Therefore there is no confusion of two magistrates exercising powers simultaneously. If the Bill is properly understood and worked, there will be no confusion. Therefore, Sir, I oppose the amendment."

* SRI A. GAJAPATHY NAYAGAR :—" May I ask, Sir, for a clarification? I want to know whether an ordinary magistrate has got power under this Bill? "

* SRI K. BHASHYAM :—" He can act under section 144 of the Criminal Procedure Code."

* SRI A. GAJAPATHY NAYAGAR :—" Then, Sir, I rise to support the amendment. Under section 144 of the Criminal Procedure Code, the Magistrate acts on grounds of imminent breach of the peace. This does not find a place here. We know the abuses to which section 144 of the Criminal Procedure Code is put. In my personal experience I know when the High Court passes a certain decree and tries to enforce it, an order under section 144 of the Criminal Procedure Code is passed by the Magistrate so that a breach of the peace may not result. I want to know whether the authority, that is, the Commissioner of Police in the Presidency-town and the District Collector in the mufassal, will take into consideration the question whether there is imminent threat to peace, or whether the drama is one coming under the provisions of this Bill. I take it to mean that this clause 4 does not require the Commissioner of Police or the District Collector to go into the question whether there is likely to be a breach of the peace, but he should only consider whether the drama is one offending the provisions of this Bill. The Commissioner of Police or the District Collector can find out whether the staging of the drama is objectionable and also he can say whether there is a threat to peace. I find here some confusion of ideas. Will the District Collector and the Magistrate take action or only one will take action? Even then I say the Commissioner of Police or the District Collector cannot be given powers temporarily. ' Temporarily ' is unknown to law. An Act is an Act. It is final as far as

[Sri A. Gajapathy Nayagar] [24th December 1954]

it goes. An order passed under clause 4 goes in appeal under clause 10 to the High Court. Therefore, even if it is called a temporary order, the dramatists will be put to lot of trouble in that they will have to go to the High Court. It may happen that the District Collector gives a wrong opinion regarding the alleged objectionable nature or otherwise of the drama, and that the parties are made to take the matter in appeal to the High Court. To obviate all these difficulties, it is necessary that the Government accept this amendment. Temporary orders are usually referred to the Government for action. If this provision is made, the public will have some safeguard. The Government may say that in the working of this act, all these things will be taken into consideration. But we cannot say all this in public. If the District Magistrate takes action, let him refer the matter to the Government."

THE HON. SRI C. SUBRAMANIAM:—"That is the amendment."

* SRI A. GAJAPATHY NAYAGAR:—"We have no objection to passing temporary orders by the Commissioner provided he has got the sanction of the Government. Let there be sanction for it. That will obviate the difficulties and also will give the public some confidence. Therefore, Sir, I support the amendment."

THE HON. SRI C. SUBRAMANIAM:—"Sir, the point for consideration is whether we should give some authority to the Collector to act in an emergency when there is the likelihood of a breach of the peace because of the staging of an objectionable drama. The first point which the hon. Member who moved the amendment attempted to make out was that the ultimate authority should only vest in the Government, and that the Collector as such should not have the power to decide whether a drama is objectionable or not. The power to declare a drama objectionable is given to Government under Clause 3. Nobody else has got that power. But even before it has come to the notice of the Government to declare a certain drama as objectionable, if the drama is about to be staged, and objection is taken to the staging of that drama, then the Collector has to consider whether, in his opinion, the drama is one coming under the categories mentioned in Clause 8 of the Bill. If he comes to the conclusion that the staging of that drama is likely to lead to a breach of the peace, he has to prohibit the very performance and not prohibit people from interfering with the staging of that drama. He has to prohibit the drama itself. So it is a specific provision in regard to the performance which the Collector has to take into consideration. If the Collector considers the drama objectionable, he can take action under Clause 4. If the hon. Member goes through section 144, Criminal Procedure Code, he will find the difference between the provision contained therein under which the Magistrate concerned can take action and the provision contained in this Clause 4 under which the District Collector can take action to prohibit an objectionable performance.

12
noon.

[14th December 1954] [Sri C. Subramaniam]

Therefore, there is no question of overlapping of powers of the Magistrate acting under section 144, Criminal Procedure Code, and the powers which we are now giving to the District Collector under this Bill as far as objectionable performances are concerned. In the headline, we have put 'temporary'. In an emergency, the Officer on the spot must have power to take action. The Government may not have considered all the dramas and may not have passed orders. When such a contingency arises, we have to clothe the authorities on the spot with some power so that a breach of the peace may be prevented. That is why after giving full consideration to the matter, we thought that this power should be given only to an officer of the status of the District Collector so that his power may not be misused or abused by other officials. This is the very reason for our agreeing to give this power to the District Collector or a person of his status. That being the case, I do not see how there can be overlapping of powers. A final declaration that a dramatic performance is objectionable can only be made under clause 3. The other thing will be done through executive instructions. As soon as a District Collector passes an order that a particular drama is objectionable and if allowed to be staged will lead to a breach of the peace and so it should be prohibited, he will refer the matter to the Government for taking action under clause 3 to declare once and for all that it is objectionable. The Government will examine the matter and give instructions to the District Collector as to whether the performance is in the opinion of the Government, objectionable or not so that he may follow the prescribed procedure thereafter. So, finally it is the Government who will take the ultimate responsibility in coming to a decision whether a particular drama is objectionable or not. This is only an interim provision which will be used for the purpose of preventing a breach of the peace as a result of the staging of certain dramas which may be considered objectionable. Ultimately, Government will decide under clause 3 whether a particular performance is objectionable or not. Considering all these, there is nothing wrong in leaving clause 4 as it stands. I do not think that matters will in any way improve by accepting the amendment. As a matter of fact, even when there is no likelihood of a breach of the peace, the Government can still, by executive instructions, ask their officers to bring all objectionable dramas to their notice so that they can take action under clause 3. But that is quite a different matter altogether. No specific mention of this need be made. Whenever it comes to the notice of an officer that a particular drama is objectionable and is likely to be staged, even though it may not lead to a breach of the peace it will be his duty to bring that drama to the notice of the Government. The Government will then take action under clause 3. Under these circumstances, I don't think the amendment is necessary. After all, we have to see whether it improves matters and makes things easier. It is not a question of accepting amendments for amendments' sake. Even though the hon. Member's idea may be quite good, my own view is that

[Sri C. Subramaniam] [24th December 1954]

the provision as it stands at present is quite enough and it provides for every contingency. That being the case, I do not think there is any necessity for the amendment. I am sorry I have once again to request the hon. Gentleman to withdraw his amendment."

* SRI T. M. NARAYANASWAMY PILLAI :—" Sir, there is no point in my pressing my amendment when the Government say that it will not serve any useful purpose. I would only request the Hon. the Minister for Finance to read sub-clause (2) of clause 4 which states, 'subject to any order made by the Court on appeal . . .'. It implies that there will be no other order. So there will be no opportunity for the Government to pass a final order. Anyway, the Hon. Minister has said that even in cases where the District Collector might take cognizance of a particular drama, the Government have the power to pass final orders in the matter. This should be made clear, especially with reference to sub-clause (2) of Clause 4.

"With regard to the passing of executive orders, I wish to bring to the notice of the Hon. Minister the existence of section 144, Criminal Procedure Code. Under this section several curious orders may be passed with regard to the prohibition of certain performances on the plea that they will lead to riots and a breach of the peace. In this manner, objectionable and even non-objectionable performances may be prohibited. The overriding consideration will be the prevention of a breach of the peace. Therefore, I would like to ask how the Government can issue executive instructions to the Magistrates?"

THE HON. SRI C. SUBRAMANIAM :—"What I said was not with reference to section 144, Criminal Procedure Code."

* SRI T. M. NARAYANASWAMY PILLAI :—"Even with regard to the present Bill, what sort of instructions can be issued to the officers? There is already a statutory provision under section 144, Criminal Procedure Code. Can the Government issue instructions to the Magistrate or the District Collector that he should not take cognizance of a particular performance especially when an allegation is made that it is an objectionable performance? That is my difficulty. I do not know whether I am right or not. Anyway this is a question which may be examined by the Government. There is a provision in the Criminal Procedure Code which empowers the Magistrate to take certain action. Here, in this Bill, certain powers are given to the District Collectors. My only point is that there should be no overlapping of powers. Though the Hon. Minister said that there will not be any overlapping, I want that it should be made clear."

THE HON. SRI C. SUBRAMANIAM :—"Sir, evidently the hon. Gentleman has misunderstood what I said. When I said 'executive instructions' it was with reference to clause 4. Such

[24th December 1954] [Sri C. Subramaniam]

instructions will be issued to the Commissioner of Police or the District Collector who has to take action and take responsibility as far as that action is concerned. We cannot bind him after the Government's passing an order under clause 3 declaring once and for all that a particular performance is objectionable. That is why we have said that as soon as the District Collector or the Commissioner of Police passed an order under clause 4, the matter has to be referred to the Government who will take action under clause 3 and will set the matter at rest once and for all. Sir, we have further provided that the Officer himself may review his order. Under these circumstances, it is quite unnecessary to accept this amendment. This will be my respectful submission, Sir.

"The amendments were, by leave of the House, withdrawn."

SRI MOHAMED RAZA KHAN :—"Mr. Chairman, I move the amendment standing in my name, namely—

'In sub-clause (1), add the following new proviso :—

'Provided further that an appeal to the Government shall lie against any order passed by the Collector or the Commissioner of Police, as the case may be, within seven days of the date on which an order is made under this sub-section.'

My amendment is a very simple one. There may be some misunderstanding on the part of the Hon. the Minister for Finance or myself. Yesterday, while speaking on the first reading stage of the Bill, the Hon. Minister said that the power given to the District Collectors in districts and the Commissioner of Police in the City of Madras will not be misused and they would take care before passing orders as the matter could be taken in appeal to the High Court. He also said that they will not pass any order without having a proper perspective of the whole situation. He also added that those officers will pass an order prohibiting a certain performance only if they were completely satisfied that such action on their part was called for in the interests of peace and the maintenance of law and order. There is a proviso to sub-clause (1) of clause 4 which says that the officer who passed such order may review it on an application made by the person or party affected by such order. From the proceedings of both this House and the other House, we find that there has been objection to placing too much reliance on the District Collector and the Commissioner of Police. In the generality of cases, these officers may come to correct conclusions and pass correct orders. It is quite likely that in certain cases the Collector or even the Commissioner of Police does not come to a correct decision. They may at times take a wrong decision. In such a contingency, the party affected has only to go to the High Court. Going to the High Court is not an easy matter in these days. It involves quite a lot of time and expenditure. With due respect to the Lawyer Members of this House, I may state that lawyers will demand a very large amount

[Sri Mohamed Raza Khan] [24th December 1954]

—even thousands of rupees—to appear in such cases. Particularly when there is an appeal preferred by dramatists, the lawyers may think that those people have derived a good income and so they must pay enormous fees. All this means that these people will have to incur quite a lot of expenditure which many of them cannot afford to. There are dramatists who do not get an income of even Rs. 200 to Rs. 300 per month. If such people are asked to take the trouble of going to the High Court and contest the orders passed by the District Collector or the Commissioner of Police, it will be very hard on them. Therefore I say that when an order is passed by the Collector or the Commissioner of Police, an appeal should lie to the Government.

12-10
p.m.

"I feel that people should have confidence that the Government will take an impartial view of things. They can take a decision which will be proper because they have always the background of events that take place. They can judge correctly whether a particular drama will lead to a breach of the peace in a particular area. Such a provision will prevent people from rushing to the court. Sir, it is not as if all the dramas staged in the presidency-town come in for criticism. It is only in a very few cases that the Government have to see whether there is any objectionable matter contained in the drama. Let me cite an example here. We have to-day the Preventive Detention Act. Many people have objected to it on the ground that it is very rigorous. But it does not mean that all people are affected by it. Perhaps one in ten thousand or a lakh or a million is proceeded against under this Act. So, the intention of the Government is to see that where a person wilfully tries to create a breach of the peace and tries to vilify others, he should be prevented from doing so. In such cases, the party should have an opportunity to go before the Government rather than before the High Court, for the former will be in a better position to have a proper understanding of the whole situation with the help of the reports from the Police and the Collectors and also in the light of representations from interested parties."

Sri P. B. K. Thiagaraja Reddiar seconded the amendment.

MR. CHAIRMAN :—"Amendment moved—

"In sub-clause (1), add the following new proviso :—

"Provided further that an appeal to the Government shall lie against any order passed by the Collector or the Commissioner of Police, as the case may be, within seven days of the date on which an order is made under this sub-section."

* SRI K. BHASHYAM :—"Sir, I do not know if my friend's idea is to go on with this agitation about the performance of a particular drama from authority to authority. After all, it is only a temporary order likely to be reviewed by the Government. To insist on a statutory provision for appeal to the Government is

24th December 1954] [Sri K. Bhashyam]

wholly unnecessary. What happens is this. The prohibition will be in force only for two months and it is long enough period for anybody who is prohibited from staging a drama to go to the court. I do not think we need complicate these things by providing for further and more appeals. My own feeling is, as I have said more than once, provisions like the one suggested by the hon. Member, are bound to lead to a feeling among the people that the persons who are appointed as the competent authority to dispose of cases are incompetent. The Government have nominated the Collectors of districts and the Commissioner of Police in Madras City to prohibit objectionable performances temporarily. They are absolutely competent for the job assigned to them. I do not think any appeal is called for. Any provision for an appeal will only be a reflection on their character and capacity. In minor matters like this, it is good that we trust them to pass fair orders."

THE HON. SRI C. SUBRAMANIAM :—"Sir, I am really thankful to the hon. Member, Mr. Raza Khan, for the confidence he has in the Government. But this is not a matter of having confidence in the Government. The question is whether an appeal should be provided against the order passed by the District Collector or the Commissioner of Police. The Government have after all to depend on the reports of the Police and of the District Collectors. There are two elements to be taken note of. One is the objectionable nature of the performance. To deal with this question, we have power under clause 3. With regard to the breach of the peace, we have necessarily to depend on the reports of the Collector and it is quite possible that we will get only that material which would have been utilised by the Collector for the purpose of passing an order under clause 4. Therefore, I do not think any useful purpose will be served by coming up to the Government with an appeal. If at all there should be a provision like that, I feel, Sir, the best official authority to sit in judgment is the High Court. There is provision in the Bill for ordering interim stay. If an unjust order is passed, it is always open to the High Court to say that no case is made out for the issue of such an order and to order interim stay pending issue of final orders. Nevertheless, I am glad that Sri Raza Khan wants to clothe the Government with more powers."

MR. CHAIRMAN :—"Does the hon. Member, Mr. Raza Khan, withdraw his amendment?"

SRI MOHAMED RAZA KHAN :—"I withdraw my amendment, Sir."

The amendment was, by leave of the House, withdrawn.

Clause 4 was put and carried.

Clauses 5 to 9 were put and carried.

[24th December 1954]

Clause 10.

MR. CHAIRMAN :—" The hon. Member Mr. Narayanaswamy Pillai will move his amendment."

* SRI T. M. NARAYANASWAMY PILLAI :—" I am not moving it since a similar amendment was turned down previously." Clause 10 was put and carried.

Clause 11.

* SRI K. BHASHYAM :—" Sir, while it is not my intention to oppose this clause, I would like to know what it actually purports to do. It says :

' Where no order under section 3 or section 4 has been made in respect of any performance, nothing in this Act shall bar a prosecution under the Indian Penal Code. '

It looks as if, if an order under clause 3 or clause 4 is passed, no prosecution is possible. I think such a provision will lead to unnecessary interference with the private rights of persons. The private rights of the people should not at all be affected by any law that we make. I feel it would be much better if the whole clause is omitted and the language in the original Act is adopted, viz., ' no prosecution under this shall bar any remedy open to a person in respect of this matter '. If, however, this clause is to be retained, I would like it to be amended so as to read—

' Where no order under section 3 or section 4 has been made and reversed in appeal in respect of any performance, nothing in this Act shall bar a prosecution under the Indian Penal Code. '

Otherwise this provision is not quite relevant."

THE HON. SRI C. SUBRAMANIAM :—" When an order under clauses 3 and 4 is made, then any breach of that order is itself an offence. The person responsible for it can be prosecuted for it and he will not be allowed to stage that drama anywhere because it is prohibited. There is, therefore, no other question here than an attempt to countermand the order and commit a breach of the peace. But what we want is that we should provide for dealing with other cases. There may be cases which might not come to the notice of the Collector or the Government for an order to be passed either under clause 3 or 4. Because an order has not been passed, it does not mean that the person concerned can do anything he likes. Such a person has to be dealt with under the ordinary penal provisions of the law. Once an order is passed under clause 3 or 4 he is completely prohibited from staging the drama, and if there is a breach of that order certainly we will prosecute him. We cannot prosecute persons for the same offence in another form."

Clause 11 was put and carried.

Clauses 12 to 14 were put and carried.

Clause 1 and the Preamble were put and carried.

24th December 1954]

III.—ANNOUNCEMENT BY THE HON. THE CHAIRMAN.

MR. CHAIRMAN :—" I hope hon. Members would remember 12-20 p.m. that the House has approved of the new Council Rules under Article 208 (1) of the Constitution. I inform the House that a copy of those rules has been signed by me."

II.—GOVERNMENT BILL—cont.

THE MADRAS DRAMATIC PERFORMANCES BILL, 1954.
(L.A. BILL NO. 37 OF 1954)—cont.

THE HON. SRI C. SUBRAMANIAM :—" Sir, I move—

' That the Madras Dramatic Performances Bill, 1954 (L.A. Bill No. 37 of 1954), as passed by the Assembly, be passed. ' "

MR. CHAIRMAN :—" Motion moved—

' That the Madras Dramatic Performances Bill, 1954 (L.A. Bill No. 37 of 1954), as passed by the Assembly, be passed. ' "

* SRI C. RAJAGOPALACHARI :—" Sir, I wish to congratulate the Government on getting this Bill through in spite of the numerous doubts and misunderstandings that have been brought to notice. The Act which has been replaced, the law which has been replaced, has been in force for quite a long time and this Government as well as other Governments have been acting on that old law and no one has raised any serious objection to the manner in which the old law has been applied. That should satisfy hon. Members here as well as the general public that the Government are not intending to utilise this new Act in a worse manner than they were doing with regard to the old provision of law. Therefore we may rest assured that there will be no tyranny or obstruction either to the progress of social reform or dramatic literature. The history of the present proposal is clear. It is this. A very dangerously blasphemous performance was the cause of the present agitation and the present Bill. That performance took place in Madras. One great difference between a film or book and a dramatic performance should be kept in mind. In the case of a film when once it is prepared and censored, there is no room for alteration; but in the case of a performance like this, script may be previously read by any number of good gentlemen or any committee and yet the performance may be wholly different in character from what has been examined by the non-official or official censors beforehand. That is why a Dramatic Performance Act has its own place in the maintenance of law and order very different from the censorship of films or of books or published plays or other printed literature in general. Here as a matter of fact it is well-known to most of us that those who went and saw that dramatic performance and heard it, found it very bad and were satisfied that it was so bad that it could not

[Sri C. Rajagopalachari] [24th December 1954]

have been written down in the script sent for official reading. The fact that those who were responsible for the performance avoided writing down in the script what they were going to recite at the time of performance is enough evidence of their own guilty intentions. Under these circumstances the Government thought that action should be taken. Their legal advisers advised them that the old Act offended the provisions of the new Constitution, and therefore Government have brought in this measure, and they have put in a number of protective clauses in order to prevent any misuse or any abuse of the powers given under this Bill against the fundamental rights of the people or of others or of those who wish to have social reform. The delicate position with all reform work is that we have to effect reform or change opinion without committing an offence, I mean, an obvious offence. A person who wishes to improve others, will not succeed in doing it if he irritates people, if he creates passion and if he creates anger. It is not the way to carry out reform. As a matter of fact no organized Government in the world is more anxious to improve religion or put religion in such a position that it may not interfere with progress than the Soviet Government of Russia. I think hon. Members would be interested to know what the tendency of the Soviet Government is in matters of religion. Government there are very keen that religion should go. Let us see what they say. I shall read from a magazine which reviews a leading article in *Pravda*, which is practically an official organ of the Government of U.S.S.R.—

'In the spite of anti religious material which is being put out at present there is much criticism of an attitude of "appeasement" toward religion, coupled with warnings not to offend the religious sentiments of believers, and numerous appeals for an improvement in the content of scientific atheistic propaganda without any indication of the lines on which this improvement should be carried out.'

The latter part of what I read deals only with the nature of the provisions and proposals made. What I have read is enough to convince hon. Members that even in Soviet Russia where they are very keen to remove religion from the minds of people, they are equally keen and they have warned people not to offend the sentiments of believers. Now this fact should be kept in mind. No reformer can afford to ignore this important aspect in all reforms and that is what Government here is trying to impress on those who with less competency try to reform religion and social affairs in this country. That is why they have brought in this Bill. The Government are anxious that the sentiments, especially the religious sentiments of believers should *not* be offended in attempts made for the so-called reform.

"Then again what exactly is this question of sentiment. That is explained in another passage in the same article. I think it will also interest hon. Members. There was a great Philosopher in Russia by name Lomonosov, who has been resuscitated so to say. The Moscow University has been named after him. It is stated

24th December 1954] [Sri C. Rajagopalachari]

that he took a prominent part in the history of Russian atheism. The following is a passage from the preface of a book about him:—

'The Creator has given mankind two books. In the one He has manifested His majesty, in the other His will. The first book is the visible world he has created, in order that man, looking upon the immensity, the beauty and the harmony of His creations, should acknowledge the omnipotence of God according to the measure of perception which has been granted to him. The second book is the Holy scripture. In this book, the Creator's goodwill toward our salvation is manifested. The mathematician is ill advised if he seeks to measure the will of God with a pair of compasses. So too is a doctor of divinity if he thinks that one can learn astronomy or chemistry by the book of Psalms.'

This warning as to what attitude we should take with reference to religion, which is a subject not covered by science should be borne in mind. A superficial knowledge of science should not lead men to think that they could reform religion by perceiving certain errors in the opinions of people and by beating them down to death, so to say. It is not the way to reform. It is not the way to progress either. Now this Bill, in its general terms, has been provoked by what took place before our eyes recently. It was tolerated in Madras. But what happened next? In the case of a film or a book, the thing could be examined thoroughly, and a decision pronounced and it would be binding. But in the case of a dramatic performance, as was observed already, we do not know beforehand what is going to be spoken on the stage. In fact, what is spoken in the play may differ from day-to-day. Those responsible for the performance have got in their minds what they have got to say and they may vary it day-after-day in a way, different, but most objectionable, from the script produced to the Police authorities beforehand. As a matter of fact, when the particular drama was staged in Madras, it was not known what was going to be said. I speak as an ordinary layman without any information. There was also difficulty in law. It was gone through in Madras in spite of everybody who had an opportunity to see the play objecting to it strongly. Then, in spite of wide, well-known objections to the staging of the drama, it was sought to be performed in Madurai. That was how a disturbance took place and other things happened into which I need not go just now. The present Bill is intended to prevent such a thing.

"One important trouble for any Government is this. If the Government brought in a preventive law like the one now before us for acceptance by the Legislature before anything has taken place, Member after Member would rise and say, 'Why are you afraid? What has happened to bring forward such a Bill? You are afraid of a devil which does not exist at all.' That would be the sort of objection that would be raised then. But if a Bill is brought in after the event, then the objection would be, 'You have brought forward a Bill with a political motive. You want to oppress the people belonging to a certain section of politics whom you do not like and so you have brought in this Bill.' Therefore, the Government are ever in a dilemma. If they bring in a preventive measure before anything has happened, to lock the stable properly before the horse is stolen, people will say,

12-30
p.m.

[Sri C. Rajagopalachari] [24th December 1954]

'Nothing has happened necessitating the bringing in of such a Bill.' If it is brought after the horse has been stolen, then people will say 'your object is to get back the horse which is not proper; your object is politics which is improper.' Therefore, it is I congratulate the Government on the fact that they have been able to get this Bill through and that it is now ready for acceptance.

"The position should be well understood that it is a most dangerous thing to interfere with any sentiments which are another man's concern. It is much more dangerous to interfere with and wound the religious feelings of people who are as much entitled to the protection of their feelings and sentiments as anybody else. The Government are the lawful guardians in the matter of the protection of the religious sentiments of people whether they are in a minority or a majority. It is not necessary for a thing to be objectionable that it goes against the sentiments of the majority. Any group of people whose religious sentiments are wounded should be protected by the Government. Therefore, this law has been brought forward so that the religious sentiments of groups of people, whether they be small or big in number, should not be wounded. This does not, however, prevent criticism, analysis or research or anything else of that sort in respect of any matter. But what it prevents is a falsification of facts by which one lampoons and a wounding of the feelings of people. It is against that that this Bill is to be used and I do not think that any hon. Member would object to it.

"We have got into an attitude of tolerance with regard to things pertaining to Hinduism. The hon. Member Dr. V. K. John who is not now here had spoken to me about this drama. Mr. Shaffee Mohamed who died the other day had spoken to me about it. Mr. Shaffee Mohamed, who is no more now, witnessed the play referred to by me in Madras and came back with red and angry eyes and, in the course of a speech at a gathering at which I was present, began to describe with indignation all that he saw and heard with his own eyes and ears. I had to stop him. I had to tell him, 'Please do not repeat those things here. Let it stop with the performance you have seen. You need not repeat them again and add to the injury done.' It is easy to attack anything. For instance, if I said something about the immaculate conception of Christ, would it be tolerated by anybody to whatever religion he may belong? It would not be. I do not wish to say what can be said and what offence would be committed thereby. Even for argument, it would hurt my own feelings to illustrate it. I cannot possibly give utterance to such a thing. One important thing must be remembered by the people in this connection. In our enthusiasm for changing things, let us not forget that other people exist, that their sentiments are real, that our desire for progress is not, after all, so strong and warm as their own belief in their own religion. If we offend religious feelings, we draw blood. Now the world has not changed very much in this respect. Religious feelings are still dangerous to touch."

[24th December 1954]

SRI V. CHAKKARAI CHETTY :—"Can we offend the irreligious sentiments of any class of people?"

* SRI C. RAJAGOPALACHARI :—" 'Irreligious sentiments' is a phrase. What the hon. Member meant when he rose to interrupt me, I think, was about others' sense of understanding and their own idea of truth and progress. But this cannot be considered to be sentiment or feeling. Atheism or disbelief is the opposite of sentiment or feeling. It belongs to another group of truths altogether. It is reasoned conclusion, not feeling or sentiment."

SRI V. CHAKKARAI CHETTY :—"Atheism is a religion with a certain section of the people . . ."

* SRI C. RAJAGOPALACHARI :—"Those people who think atheism is a religion mislead themselves. Atheism or scepticism is a matter of reason and it should not become a matter of prejudice or emotion or feeling. There is no such thing as saying 'I feel there is no God.' To say, 'I feel there is God', is understandable. But to say, 'I feel there is no God', is not right. There is no question of feeling in it. It is a reasoned conclusion, with which we may agree or not. But that is not a feeling. What my hon. Friend means is whether it is right or proper to wound the susceptibilities of such people. It is not as if there is a religion like that of atheism. What the hon. Member means is that when one makes a speech or writes a book or enacts a drama, he should not wound the feelings of people who hold a different opinion from his. I agree with him that such a thing should not be done. If anybody does it, this law is not necessary to prevent it. There is another law which can be used for that purpose. I can very well say I would be committing a gross offence if I were to wound the feelings and sentiments of people who hold a different opinion from mine. I do not have any hesitation in saying that we should not offend the feelings and sentiments of people who hold a different opinion. But the question before us is whether we should deal with people who interfere with the religious feelings of people in any manner. I think there can be no two opinions about the need for this Bill. What I have in my mind I can only explain in this way. It is easy to break a mud pot or cut down a growing tree. It is easy to cut down a whole coconut tree or a whole banyan grove but it is difficult to grow the trees again. Would it be right to cut down a coconut grove which has been in existence for hundreds of years for opening a bus stand? It is very easy to fell down the coconut trees but it is not a wise thing to do so. We should remember that Hindu religion has grown not in a hundred years but over thousands of years.

"Dramatic performances have their own character and their own consequences. It is easy enough to lampoon and please the people who go and see them. But it is not right to enact a

[Sri C. Rajagopalachari] [24th December 1954]

drama in which you say things against the scriptures of the Hindus or the scriptures of any other people. When one writes and publishes a play or a book, there is a self-imposed censorship. One is wise and careful when writing. No one wants to make a fool of himself before the general public. People talk something when they are here but when they go to Malaya they are careful. They say they also believe in God, because they address a wider public. Dramatic performances take place in a closed house where you have a part of the audience ready to cheer you and you are thereby likely to mislead yourself. Therefore, the Government say, it is a dangerous game, do not play with fire. There is no harm in halting your dangerous processes for six weeks or so. In the meantime, you may get a decision from the High Court on what you propose and stage the drama if they see no harm in it. That is what is provided for in this Bill. I wholeheartedly support the Bill and congratulate the Government on bringing it forward."

1:40 * SRI P. P. UMMER KOYA :—" Sir, I wholeheartedly support this Bill as I think it is reasonable, timely and absolutely necessary. Circumstances warrant it and the society needs it and I hope the interests of fine arts will not be jeopardized by it. I know fully well that fine arts play an important role in the cultural development of society. Their value as a medium of education and entertainment is immeasurable and they are powerful and effective organs of propaganda. It is very unfortunate that this medium is being used for decrying our noble heritage, for demeaning our religions, for inciting people to violence, and for wounding and insulting the religious sentiments of the people. It is absolutely necessary that steps should be taken to check this tendency. Hence the introduction of this Bill is very welcome.

" Ours is a great country and this greatness is derived through ages from our heritage, religions and cultures. Our history is an inspiring one and this history takes its room from our Puranas and Ithihasas. Our country was invaded and conquered by foreign armies. But this great heritage enabled our country to stand the test of time, to go through the sufferings and tribulations of the foreign invasions and domination. The mightiest empire on the earth ruled over this country for more than a century. Yet we were able to maintain our individuality, assert ourselves and rise against the imperialism that was in this country. After attaining Independence, we are trying to build up a democratic structure which is popular, peaceful, secular and moral. A socio-economic revolution is being carried on in this country for bringing welfare and happiness to the millions of people. But, unfortunately there are some elements in this country who do not believe in democracy, though they sometimes pay lip homage to it. Those elements do not accept peaceful means even though they hold peace conferences. There are others who are narrow in outlook, who are fanatical in their faith, who do not believe in

24th December 1954] [Sri P. P. Ummer Koya]

religious toleration and who do not want communal harmony to prevail. Such forces are working in this country. Therefore, if we are not awake and alert to the dangers surrounding this infant democracy, all our hopes of peace and progress will be shattered. Even veterans like my friend Sri M. P. Govinda Menon found it convenient and expedient to join hands with such elements to attain certain ends. In their over-enthusiasm to overthrow the Congress Government, they forget the very Gandhian principle that the end does not justify the means—about which the hon. Member spoke yesterday. It is very essential that there must be a check against these tendencies as otherwise democracy will not be a success. Freedom does not mean licence and democracy does not mean anarchy. We have to be very careful and we must put down these unsocial elements which are trying to rise against democracy and secularism. I am perfectly sure that in this great country in which were born Rama, Krishna, Buddha and Mahatma Gandhi, there is no room for narrow-minded communalism and violent Communism.

" I wholeheartedly support the Bill."

* SRI T. M. DAIVASIKHAMANI ACHARIAR :—" Mr. Chairman, Sir, yesterday, when speeches on the Bill were falling fast and thick, I felt sorry for not participating in the debate. To-day the House has been rewarded by the excellent speech which has been delivered by our revered leader Rajaji. I said that I felt sorry yesterday, because I come from the very birthplace of Tamil dramas. Tamil dramas were practically unknown before the Dramatic Performances Act, 1876, came into force. After the Sepoy Mutiny, the Government felt the need for some legislation to control dramas, and the outcome of it was the Act of 1876. Dramatists from Tanjore, the most enlightened town in South India, evolved a series of dramas in Tamil. The person mainly responsible for giving a fillip to the dramatic art was one T. R. Govindaswamy Rao Bhonsle, the brother of the late R. Krishna Rao Bhonsle, who was the Secretary to the Commissioner for Government Examinations for a long time. He wrote several plays. He with his talented troupe of actors staged inoffensive plays in the Tanjore district and in the other districts afterwards. At that time legislation of this kind was not needed. Why? Because they kept themselves within the limits of decency and fairplay and catered to the real needs of the general public. Following in his footsteps, the Madras Suguna Vilasa Sabha put on boards plays written in Tamil—some of them original and some adaptations from the Shakespearean plays. Besides these, there were several amateur and school societies, which were putting on boards very good plays and in their case also no control of the kind contemplated in this Bill was found necessary. Sir, as I mentioned before, these organisations did not try to wound the religious sentiments or beliefs of the people. They did not try to wound the susceptibilities of religious-minded

[Sri T. M. Daivasikhamani Achariar] [24th December 1954]

men. Our revered leader Sri C. Rajagopalachari said more about wounding the religious feelings of people. The mischief does not stop there. In India religions are composed of several sections or compartments of people which, for the sake of convenience, are called communities. The susceptibilities of these various communities are wounded to a very great extent. I do not find a word in the Bill said against wounding the susceptibilities of these communities. The other day, when the hon. Member Sri Ethirajulu was speaking, he mentioned about a play in which the dhobi community was insulted. In that connection, he said that in the drama under the title 'Koondu Kili', the community had been belittled or ridiculed. Similarly, in the guise of play or comedy, other communities are also abused and one community is sought to be set against another community. The instance given by the hon. Member Sri Ethirajulu is not a solitary one. I know of very many cases in which the feelings of several communities have been wounded. In the olden days, some cases were taken before the Khajis who were the magistrates of that time. One such case related to the abortion of a washer-woman. The wise decision of the Khaji was that the man who was responsible for the abortion must be made responsible for restoring that woman to a state wherein she could conceive. This was depicted in one of the dramas. Then, again, it is depicted in another play that a man takes an ass to a barber and asks him to give a clean shave to the ass. What more is required than this to insult a community of this sort? Many such instances can be quoted. It would have been much better if a provision had been made to meet such a situation. I sent in an amendment to the Council Office, but that was not admitted. I only received a reply from the Council Secretary saying that I must give notice of an amendment only to the Bill as passed by the Legislative Assembly. So, I lost the opportunity of moving that amendment.

"We have been hitherto talking about the plays and dramas that are being staged. We must see who are at the bottom of dramas of such an undesirable nature. In olden days the writing of books and plays was in the hands of religious-minded and God-fearing men and cultured and learned men. Now, this responsibility is placed in the hands of men who are not even 30 years old. These hacks are writing books and plays and are blowing the bellows of irreligion through them. Therefore, I feel strongly that a check must be placed on the writers of these books and plays and it should be laid down that no man without proper experience, education and culture should write plays. As the hon. Member Sri Ummar Koya said, our land is a land of religions. It has got rich heritage and our people may really be proud of the religious sentiments derived from our ancestors.

"Then, I come to another aspect of the question, which was raised by the hon. Member Sri Annamalai Pillai yesterday. He referred to the threatening letters that were being received by

24th December 1954] [Sri T. M. Daivasikhamani Achariar]

the Hon. the Finance Minister and said that the Hon. Minister was taking a risk. But I do not agree with him. In the little time during which I have studied the Hon. the Finance Minister, I have found that he does not require any extraneous help from anybody and that he can rise above all these petty things. He need not be afraid of all these anonymous letters and threats. Apart from the fact he is a very good and staunch disciple of Rajaji in this respect, he is a strong-willed person by himself. I am reminded of one thing in this connection. When the Hon. the Minister for Finance and Education emerged out of the burning fortress of elementary education controversy, he found a companion in distress and doubt at the gate. He not only picked him up on his back but carried him safe from the burning fire. I do not know whether he is still carrying that load on his shoulders. Anyhow, he has very well shouldered the burden of administration and our unstinted praise is due to him for that reason. My only fear is that that burden should not act as the old man of the sea. I am sure that the Hon. the Finance Minister will have a glorious future in spite of the threatening letters which he receives from the illiterate and uninformed. I hope that this Bill will be a success, that it will not be misused and that the Government will see to it that everything is done in a statesmanlike manner. I wholeheartedly support this Bill and congratulate the Mover on sponsoring it."

* SRI M. ETHIRAJULU :—"கனம் தலைவர் அவர்களே, இந்த 1 p.m. நாடக மசோதாவை நான் முழுமனதுடன் ஆதரிக்கின்றேன். ஆதிகாலத்தில் நாடகத்தை எழுதியவர்களும், பல நாடகங்களை நடத்துக் காட்டியவர்களும், பல கவிதைகளையும் புத்தகங்களையும் எழுதியவர்களும் இந்த நாடு முன்னேற்றவேண்டுமென்ற நோக்கத்துடன் எழுதியிருக்கிறார்கள். ஆனால் இன்றைக்கோ நாடகம் எழுதுகின்றவர்களும் சரி, அதனை நடத்துக் காட்டுகின்றவர்களும் சரி, புத்தகங்கள் எழுதுகின்றவர்களும் சரி இந்த நாடு, இந்த நாட்டிலுள்ள சமுதாய மக்கள் எல்லாம் முன்னேற்றமடைய வேண்டுமென்ற நோக்கத்துடன் எழுதி இருப்பதாகத் தெரியவில்லை. கலை வளரவேண்டும் என்ற ஆசையிருக்கலாம். கலை சமுதாயத்தின் முன்னேற்றத்திற்கும் இந்த நாட்டின் முன்னேற்றத்திற்கு ஏற்ற முறையில் கைக்கொள்ளப்படவேண்டுமென்பதில் கருத்துடையவர்கள் அவர்கள் இல்லை அப்படிப்பட்ட கருத்துடையவர்களாக இருப்பார்களேயாகில் தங்கள் கற்பனை யை எல்லாம் நல்லவழியில் செலவழித்து நல்ல கலையையும், கவிதையையும், நாடகங்களையும் சிருஷ்டிப்பார்கள். ஆனால் இந்த நாட்டின் முன்னேற்றம், இந்த நாட்டின் பண்பாடு, இந்த நாட்டின் கலாசாரம் எல்லாம் வீழ்ச்சி அடையவேண்டும் என்ற எண்ணம் இருக்கிறதற்கு இருப்பதினால்தான் அந்தக் கருத்தைச் சித்தரிக்கும் நாடகங்களையும், புத்தகங்களையும் எழுதி காட்டுவதோடு அவற்றை நடத்துக்காட்டியும் வருவார்கள். இதை சர்க்கார் அவசியம் தடுத்தேயாதவேண்டும். இந்தக் கருத்தோடு இன்றையதினம் நமது நிதி மந்திரி அவர்கள் இந்தச் சட்டத்தை இன்னும் மைனாரிட்டி சமூகத்தார்களுக்குப் பாதுகாப்பு அளிக்க அவசியம் அவசரமாகக் கொண்டுவந்திருப்பது குறித்து நான் அவரைப் பாராட்டும் வேண்டியிருக்கிறது. அவரைக் கண்டு வருந்தவும் வேண்டியிருக்கிறது. காரணம் இந்த நாட்டின் முன்னேற்றம் இந்த நாட்டின் கலாசாரம், பண்பாடு ஆகியவைகள் அழியவேண்டுமென்ற எண்ணத்தோடு திறமையற்ற தில்தான் நாடகங்கள் நடத்துக் காட்டப்பட்டு வருகின்றன என்று அல்ல. சுமார் இரண்டு வருஷங்களுக்கு முன்பாகவே இந்தச் சட்டத்தையே நாம் கேவலப்படுத்தும் முறையில் நாடகங்கள் மூலமாகப் போட்டுப் பல கலை

[Sri M. Ethirajulu] [24th December 1954]

களின் மூலமாகவும், பிரசாரங்கள் மூலமாகவும் இழிவுபடுத்தப்பட்டுவந்திருக்கின்றன. அப்பொழுதே இந்தச் சர்க்கார் இப்படிப்பட்டதொரு நல்ல சட்டத்தை ஏன் கொண்டுவரவில்லை என்பதற்காக வருத்தப்படுகிறேன். இதுவரையில் ஹிந்துமதத்தைப்பற்றி மாத்திரம்தான் கேவலப்படுத்தும் முறையில் நடத்துக் காட்டப்பட்டு வந்தது. இனிமேல் கிருஸ்துவ மதத்தைப் பற்றியும், முஸ்லீம் மதத்தைப்பற்றியும், ஜைன மதத்தைப்பற்றியும் கேவலப்படுத்தப்படும் என்ற நோக்கம் ஆரம்பமாவதற்கு முன்பாகவே இந்தச் சட்டத்தை அவர்களுக்கு பாதுகாப்பளிக்கக் கொண்டுவந்திருப்பதற்கு அவரைப் பாராட்டுகிறேன், சந்தோஷமும் படுகிறேன்.

“இந்தச் சட்டத்தை எதிர்க்கின்றவர்கள், இந்தச் சர்க்கார்தான் மதச் சார்பற்ற சர்க்காராயிற்றே, அப்படியிருக்கும்போது இப்படிப்பட்டதொரு சட்டத்தை ஏன் கொண்டுவரவேண்டுமென்று கேட்கிறார்கள். இது மத சார்வற்ற ஜனநாயக சர்க்கார் என்பதை நாங்கள் ஒப்புக்கொள்ளுகிறோம். ஆனால் இந்த நாட்டிலே பல மதங்களைப் பின்பற்றும் மக்கள் வாழ்ந்து வருகிறார்கள். பல பழக்கவழக்கங்களை கொண்ட மக்கள் இருக்கிறார்கள். அவர்கள் எல்லோருக்கும் ஒரேவிதமான உரிமைகள், ஒரேவிதமான பாதுகாப்புகள் எல்லாம் அளிக்கப்படும் என்று உறுதி கூறியிருக்கிறது இந்தச் மதசார்பற்ற சர்க்கார் என்று அவர்கள் உணரவேண்டும். ஆகவே இந்த ஜனநாயக சர்க்கார் மதச்சார்பற்றதாக இயங்குகின்றதன் நோக்கமே, மக்கள் அவரவர்களின் மதத்தைப் பின்பற்ற சர்க்கார் இடையில் குறுக்கீடு கூடாது என்பதற்காகத்தான். ஆகவே ஒரு சாரார், மற்றொரு சாராரின் மதக் கோட்பாடுகளைக் கேவலப்படுத்தும் முறையில் நடப்பதையோ, கதைகள், நாடகங்கள் எழுதுவதையோ பொதுவான சர்க்கார் பார்த்துக்கொண்டிருக்கவும் முடியாது. நாட்டில் அமைதியை ஏற்படுத்த எல்லா மதத்தினரும், சமூகமாக, சகோதர மனப்பான்மையோடு வாழவேண்டி வழிகளை இந்தச் சர்க்கார்தான் செய்துதரவேண்டும். அதைத்தான் இந்தச் சர்க்கார் செய்து வருகிறது. அப்படியில்லையென்றால் பல மதத்தினர்கள் வாழும் இந்த நாட்டில் அடிக்கடி கலகங்களும், சண்டைகளும் ஏற்பட்டுக்கொண்டேதான் இருக்கும். குறிப்பாக இன்று யார்வேண்டுமானாலும், எவ்விதம் வேண்டுமானாலும் ஹிந்து மதத்தைப்பற்றி இழிவு படுத்திப் பேசலாம் என்று எண்ணிக்கொண்டிருந்தோம். ஆனால் இனி நடக்காது என சட்டம் எடுத்துக் காட்டுகிறது. ஆனால் இன்றைக்கும் சரி, கிருஸ்துவர்களுடைய கடவுளாகிய ஏசுநாதர் மறைந்த பின்னர் 3-ம் நாள் கல்லறையிலிருந்து வெளிவந்து கிரேக்கர்கள். இறந்தவர் எப்படி வெளிவரமுடியும் அது தவறு என்று சொன்னால் போலவே முகமதியர் வீட்டில் ஒருவர் இறந்துவிட்டாலும்கூட அவரது சடலத்தை ஊரின் நடுமத்தியில் இருக்கக்கூடிய பள்ளிவாசலுக்கு எடுத்துச் சென்று புதைக்கும் வழக்கம் இன்னும் இருந்துவருகிறது. இறந்து போனவரைக் கொண்டுபோய் ஏன் அப்பா ஊர் நடுமத்தியில் இருக்கும் பள்ளிவாசலில் புதைக்கிறாய், ஏன் ஊருக்கு கடைகோடியில் புதைக்கக் கூடாது என்று கேட்டால் அவர்கள் சும்மா விடுவார்களா என்று கேட்டால் சாப்பிடவே மாட்டார்கள். அதோடு தென்னாற்காடு ஜில்லா போன்ற இடங்களில் நான் பார்த்திருக்கிறேன், அங்குள்ள மலைகளில் அவர்களது கடவுளை பிறந்த சொருபமாக சித்தரித்து வைத்திருக்கிறார்கள். அதைப் போய் ஒருவன் பிறந்தருபமாக கடவுள் இருக்கமுடியுமா என்று கேட்டு அழித்து விடமுடியுமா என்று கேட்கிறேன். மதத்தில் நம்பிக்கையுள்ளவர்களின் மதத்தில் நம்பிக்கையுள்ளவர்களின் மனதைப் புண்படுத்தக் கூடாது என்பதற்காகத்தான் இந்தச் சட்டம் கொண்டுவரப்படுகிறது. யாரும் யாருடைய மதத்திலும் தலையிடக்கூடாது என்பதற்காக சர்க்கார் இதைச் செய்கிறார்கள். அப்படியில்லாவிட்டால் நாம் கனவு கொண்டிருக்கும், ராம ராஜ்யம், நமது தேசப் பிதா மகாத்மா காந்தி கனவு கண்ட ராமராஜ்யம் எப்படி இந்த நாட்டில் உண்டாகும் என்று நான் கேட்கிறேன். ராம ராஜ்யம் என்பது ராமாயணத்திலிருந்து கிடைத்த பொக்கிஷம். அதைக் கண்டு பிடித்தது யார்? இந்த நாட்டுக்கு சுதந்திரம் வாங்கிக் கொடுத்து,

[Sri M. Ethirajulu] [24th December 1954]

இந்த நாட்டிலுள்ள மக்கள் சுகவாழ்வு வாழவேண்டுமென்பதற்காக அரசியல் சட்டத்தை அமைத்துக் கொடுத்த காங்கிரஸ் கட்சியின் பிதா காந்திஜி அவர்கள்தான் அந்த வார்த்தையையே நம்மிடம் கொடுத்து ராமராஜ்யம் வரவேண்டுமென்று சொன்னார். அது இன்றைக்கு இழிவு படுத்தப்படுவதை பார்த்து எப்படி சகித்துக்கொண்டிருக்க முடியும்? சர்க்கார் மதசார்பற்றதாக இருந்தாலும்கூட, இந்த நாட்டிலே பல பல மதஸ்தர்கள் வாழ்கின்ற காரணத்தால், எல்லா மதஸ்தர்களும் தங்கள் தங்கள் மதத்தைப் பின்பற்ற பூர்ண உரிமையை இந்தச் சர்க்கார் வழங்கிவிட்டதன் காரணத்தால், இந்த நாட்டிலுள்ள ஒரு வகுப்பாருக்கும், மற்றொரு வகுப்பாருக்கும் கலவரம் ஏற்படாதிருக்கவேண்டுமென்பதற்காகத்தான் இந்தச் சர்க்கார் இந்தச் சட்டத்தைக் கொண்டுவருகிறார்கள் என்பதைப் பார்க்க நான் சந்தோஷப்படுகிறேன்.

“குறிப்பாக இந்த நாட்டிலே நாடகக் கலையையும், சினிமாக்கலையையும் வளர்க்கப்படுபவர்கள் பாடுபட்டு வருகிறார்கள். ஸ்ரீமான் டி. கே. எஸ். சகோதரர்கள் அருமையான கருத்துக்களை எல்லாம் கொடுக்கும் அரியபெரிய நாடகங்களை எல்லாம் எழுதி நடத்துக்காட்டிக்கொண்டு வருகிறார்கள். அவற்றைப் பார்த்து மக்களும் அறிவு வளர்ச்சி அடைகிறார்கள். அதைப் போலவே ஸ்ரீ ப. நீலகண்டன் அவர்கள் பல நாடகங்களை எழுதியிருக்கிறார்கள். சினிமாப் படங்களும் பிடித்திருக்கிறார்கள். அந்த நாடகங்களும், சினிமாக்களும் வருங்கால மக்களை வளப்படுத்தி கலையும் கலாசாரத்தையும், வளர்த்து இந்த நாட்டின் முன்னேற்றத்திற்கு மக்கள் பங்கு என்ன என்பதை சித்தரித்து காட்டியிருக்கின்றன. ஸ்ரீ வாசன் அவர்களும் ஒளவையார் படத்தைப் பிடித்து அதன் மூலம் ஒளவையாரின் அழகான கருத்துக்களை எல்லாம் மக்களுக்குக் கலையின் மூலமாகவே எடுத்துக் காட்டியிருக்கிறார்கள். அவர்கள் எல்லாம் இந்தச் சட்டம் ரொம்பவும் அவசியமானது என்று சொல்லும்போது மற்றவர்கள் இதை ஏன் எதிர்க்க வேண்டுமென்றுதான் தெரியவில்லை. இந்தச் சட்டத்தின் பிரகாரம் ஒருவர் பிற மதத்தினரின் மனம் புண்படும் வகையில் ஏதாவது நடத்துக் காட்டினால்தானே தண்டிக்கப்படுவார்கள். அவற்றைத் தடுக்க வேண்டியது அவசியம் என்பதை நாம் ஒப்புக்கொண்டுவிட்டதன் காரணமாக நிச்சயமாக இந்தச் சட்டத்தைக் கொண்டுவந்தேயாகவேண்டும். ஏதோ அரசியல் கருத்தை உள்ளடக்கி இதைக்கொண்டு வருவதாக எல்லாம் சொல்வது சுத்தத் தவறு. இந்தச் சட்டங்களினால் எல்லா நாடகங்களும் தடை செய்யப்படும் என்று சொல்வதும் சரியல்ல. கனம் நிதி மந்திரி அவர்கள் இந்தச் சட்டத்தை நல்ல முறையில் தயார் செய்து, எதிர்க்கட்சி அங்கத்தினர்களையும் கூட்டிவைத்துக்கொண்டு இதை ஒரு கமிட்டியில் வைத்துப் பரிசீலனை செய்தும், இந்த தொழிலில் ஈடுபட்டிருப்பவர்களின் யோசனையையும் கலந்துகொண்டு இந்த மசோதாவைக் கொண்டுவந்திருக்கிறார்கள். இனியும் எதிர்க்கட்சி மெம்பர்கள் கண்படி பேசுவது சரியல்ல. நமது அரசியல் விதிகளின்படியே இந்த மசோதா கொண்டுவரப்பட்டிருக்கிறது. ஒரு சாராரைப்பற்றி மற்றொரு சாரார் அவதூறு செய்யும் வகையில் நாடகங்கள் நடக்கப்பட்டால், பலாத்காரத்தைத் தூண்டும் வகையில் நடத்துக் காட்டப்பட்டால் அந்த நாடகங்கள்தான் தடை செய்யப்படும் என்று பொது ஜனங்கள் அறியவேண்டும். மற்ற நாடகங்கள் எதுவும் தடை செய்யப்படாது என்று சர்க்கார் தெளிவுபடுத்தியிருக்கிறார்கள். ஆகவே எதிர்க்கட்சிக்காரர்களின் ஒரு சிலர் இந்தச் சட்டத்தினால் கலையே அழிந்துபோய் விடும், பேச்சுரிமை, வாக்குரிமை அழிந்துவிடும் என்று சொல்லிக்கொண்டிருப்பதைக் கேட்டு இந்த நாட்டுப் பொதுமக்கள் யாரும் ஏமாறக் கூடாது. இதனால் யாருக்கும், எக்கப்பிசியினருக்கும் பாதுகாப்பு ஏற்பட நமது முதல அமைச்சர் அனுமதிக்கமாட்டார் என்று சொல்லிக்கொண்டு என் பேச்சை முடித்துக்கொள்ளுகிறேன்.”

THE HON. SRI C. SUBRAMANIAM :—“Sir, I do not think there is any point to which I will have to give an answer as far as the third reading of the Bill is concerned. But I have to refer 1-10 p.m.

[Sri C. Subramaniam] [24th December 1954]

to a small incident that took place yesterday and which has led to a certain amount of misunderstanding as far as I am concerned. The hon. Member Sri A. Subramanyam made a speech yesterday referring to the marriage of Sri E. V. Ramasami Naicker. Unfortunately some people seem to be under the impression that I made that reference. This morning I received a letter protesting against the alleged reference of mine to that matter. I am sorry such a reference was made by the hon. Member. But that only emphasises the need for having a legislation of the sort we are just now passing. After all what he referred to was a fact. Even if a reference was made to a fact, the feelings of other people are wounded, their feelings are aroused and affected. Therefore, people should not say: 'After all we are stating facts. There is a reference to it somewhere in some book. Why should others feel affected by a reference to that'. So apart from the impropriety of the reference made by the hon. Member yesterday, that incident and the protest letter I have received to-day only strengthen me in my belief and faith that a Bill of this sort is very necessary. Therefore, people should not go under the impression that simply because some reference is made in some book or other, they are entitled to stage a drama based on that, even though that might wound the feelings of others. Even though they are facts, if they are put forward in such a way as to wound the feelings of others, certainly we should avoid reference to them."

SRI A. SUBRAMANYAN :—"தலைவர் அவர்களே, நேற்றையதினம் நான் அதைக் குறிப்பிட்டதன் நோக்கமே பகுத்தறிவின் பெயரால் இப்படி யெல்லாம் நடக்கின்றது என்பதை எடுத்துக்காட்டத்தான்."

THE HON. SRI C. SUBRAMANIAM :—"Still my own opinion is that no reference need have been made to that. That is my view. Not that it was unparliamentary or objectionable, but it was quite unnecessary to refer to that. That is all I would like to say about that matter. I referred to this incident only to bring out the other point of view, namely, even reference to fact should not be made in a way which is likely to wound the feelings of others."

"Then, Sir, another point of view was put forward. There are a set of people who are praising Krishna, Rama and others. It was asked: 'Should we not have the right to do counter-propaganda; should we not have the right to abuse them and all that'. Sir, it is open to anybody to praise anybody else. But it is not open to anybody to defame or slander another. That is the ordinary law of the land. Simply because one hon. Member chooses to pay compliments to me, it does not mean others have the opportunity to defame me, abuse me or slander me, let alone criticism which is quite different. Others certainly are not entitled to take advantage of the fact that because certain people praise

24th December 1954] [Sri C. Subramaniam]

certain persons, they have been provoked and therefore they should have the right to abuse those persons, slander them and defame them. Certainly it is not the law of the land. If they do that, then no cordiality will exist in human society as such."

"Sir, I would like to say that I really feel encouraged by all that has been said in regard to this Bill by various hon. Members. I once again give the assurance on behalf of the Government that this enactment will be worked in such a way that it would pave the way for maintaining cordiality amongst the various sections of the people in this State. (Hear, hear.) It will be worked in such a way that dramatic art will grow and develop on healthy and proper lines and not go into the gutter and get stifled there or get drowned there. Therefore, I have absolutely no doubt that every right-thinking person will welcome this measure, and I have great pleasure in requesting this House to pass this Bill."

MR. CHAIRMAN :—"The question is—

'That the Madras Dramatic Performances Bill, 1954 (L.A. Bill No. 37 of 1954), as passed by the Assembly, be passed.'"

The motion was carried and the Bill was passed.

MR. CHAIRMAN :—"The House will now adjourn and meet again on the 8th February 1955, probably in the afternoon."

The House then adjourned.

THE MADRAS LEGISLATIVE COUNCIL.

Tuesday, 8th February 1955.

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

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

Strength of the Special Armed Police Force in the State.

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

(a) the strength of the Special Armed Police Force in the State at present;

(b) where they are stationed;

(c) when the Special Armed Police Force was constituted;

(d) whether it has been made into a permanent establishment and service rules have been framed for the incumbents; and

(e) what the duties and functions of the Force are?

THE HON. SRI M. BHAKTAVATSALAM (on behalf of the Hon. the Chief Minister):—“(a) & (b) The strength of the Special Armed Police is one Headquarter Company and ten Active Companies. When not on detachment duties, the Special Armed Police Companies are stationed at their headquarters at Red Hills.

“(c) & (d) The Special Armed Police was originally formed in 1947 and it has been made permanent with effect from 1st April 1954. The question of framing service rules in respect of various posts in the Special Armed Police is under the consideration of the Government.

“(e) Generally, to assist the normal police in the maintenance of law and order.”

SRI T. PURUSHOTHAM:—“In view of the answer of the Hon. Minister to clause (e), may I know whether the Government have considered the question of the merger of the Special Armed Police with the regular police as all are intended for security purposes?”

THE HON. SRI M. BHAKTAVATSALAM:—“Yes, Sir. The question of amalgamation of the Special Armed Police with the Malabar Special Police is under examination.”

SRI T. PURUSHOTHAM:—“In view of the Hon. Minister's answer to clause (b), may I know what is the special reason for stationing the Special Armed Police away from the City habitation?”

[8th February 1955]

THE HON. SRI M. BHAKTAVATSALAM :—" That is perhaps because there is a convenient place there to locate them."

SRI T. PURUSHOTHAM :—" Will the Government kindly reconsider this question and re-examine the need for the continuance of this 'war-time baby', the Special Armed Police, in a Welfare State? "

THE HON. SRI M. BHAKTAVATSALAM :—" I can assure the hon. Member that the Government will not keep any unit, whether it is the Special Armed Police or any other Force, a minute longer than is absolutely necessary and required."

SRI T. PURUSHOTHAM :—" Has there been any incident or emergency in which the Special Armed Police was drawn into service after Independence? "

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

SRI V. CHAKKARAI CHETTY :—" May I know what the speciality about this Force is? Do they have special arms like atom bomb or hydrogen bomb or any other peculiar weapon? Or, are they merely people coming from the North or the West and so on? "

THE HON. SRI M. BHAKTAVATSALAM :—" The speciality is there in training and arming people who are not trained or armed before."

DR. V. K. JOHN :—" May I know whether the Special Armed Police were engaged during the recent Congress Session at Avadi? "

THE HON. SRI M. BHAKTAVATSALAM :—" I would like to have notice. I cannot say off-hand whether they were engaged there or not."

Opening of birth control clinics in the State under Family Planning.

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

(a) whether the Government have any proposal to open birth control clinics in the State under Family Planning; and

(b) if so, the centres at which they are proposed to be opened?

THE HON. SRI A. B. SHETTY :—" (a) & (b) Sanction has been accorded to the opening of full time family planning clinics in the following eight institutions in the State :—

(1) Government Hospital for Women and Children, Egmore.

(2) Kasturba Gandhi Hospital, Triplicane.

(3) Raja Sir Ramasami Mudaliar Lying-in Hospital, Rayapet.

[8th February 1955]

(4) Government Headquarters Hospital, Madurai.

(5) Government Headquarters Hospital, Kozhikode.

(6) Government Headquarters Hospital, Coimbatore.

(7) Government Headquarters Hospital, Mangalore.

(8) Poonamallee Health Unit."

SRI V. CHAKKARAI CHETTY :—" May I know whether the Government have finally approved of birth control in spite of opposition from certain quarters? "

THE HON. SRI A. B. SHETTY :—" The Planning Commission have recommended that family planning work should be undertaken with a view to stabilising the population at a level consistent with the requirements of national economy. Spacing of births is an essential measure for promoting the health and welfare of women and children."

SRI G. KRISHNAMOORTHY :—" Is the Hon. Minister aware of the fact that this idea of birth control is foreign to our soil and is not liked by many? "

THE HON. SRI A. B. SHETTY :—" I do not think so, Sir."

SRI G. KRISHNAMOORTHY :—" Are the Government bringing forward this measure simply on account of their helplessness to feed the growing unwanted population? "

THE HON. SRI A. B. SHETTY :—" Control of parenthood is widely practised all over the world to-day."

SRI M. P. GOVINDA MENON :—" In view of the fact that the Hon. the Minister for Health has created a great furore in Malabar district by stating that the birth rate is the highest in Malabar, will the Government consider the question of opening more clinics in that district? "

THE HON. SRI A. B. SHETTY :—" It is proposed to start a clinic in the Government Headquarters Hospital, Kozhikode. In course of time there will be more clinics."

Amount due to the Madras Government by various industrial concerns in Madras State under the State Aid to Industries Act.

* 111 Q.—DR. V. K. JOHN (on behalf of Sri Mohamed Raza Khan) : Will the Hon. the Minister for Agriculture be pleased to state the amount due to the Madras Government by various industrial concerns in Madras State under the State-Aid to Industries Act and the dates on which the loans were given?

THE HON. SRI M. BHAKTAVATSALAM :—" The information is furnished in the statement* placed on the table of the House."

[8th February 1955]

Establishment of a sugar factory in Tanjore district.

* 112 Q.—SRI K. BALASUBRAMANYA AYYAR (on behalf of Sri V. Gurusundaran Row) : Will the Hon. the Minister for Agriculture be pleased to state—

(a) whether the Government are aware of any proposal for establishing a sugar factory in Tanjore district;

(b) whether the Government have been approached for any financial assistance for the same either in the shape of taking shares in the proposed company or in the shape of a subsidy; and

(c) whether the Government have any proposal to support it in any manner?

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

“(b) No, Sir.

“(c) Does not arise.”

Constitution of a Cottage Industries Board for the Madras State.

* 113 Q.—SRI T. M. DAIVASIKHAMANI ACHARIAR : Will the Hon. the Minister for Agriculture be pleased to state—

(a) whether a Cottage Industries Board has been constituted exclusively for the Madras State;

(b) if so, who the members of the Board are; and

(c) how many of them are Cottage Industrialists?

THE HON. SRI M. BHAKTAVATSALAM :—“(a) A State Khadi and Village Industries Board has been constituted for the Madras State.

“(b) —

(1) The Minister in charge of Rural Welfare. *Chairman.*

(2) Sri Sardar Vedaratnam Pillai, Vedaranyam.

(3) Sri R. Guruswamy, Honorary Principal, Model Centre for Village Industries, T. Kallupatti

(4) Sri N. Ramakrishna Iyer, M.L.A., Madras-16

(5) Sri G. Ramachandran, Director, Gandhigram, Madurai district

(6) Sri R. Srinivasan, Joint Secretary to the All-India Khadi and Village Industries Board, Bombay-1

(7) Sri M. S. Narayana Rao, Gandhi Ashram, Tiruchengode, Salem district

(8) Sri C. A. Aiyamuthu, Honorary Khadi Adviser to Government; and

(9) Sri G. Venkatachalapathy, Director of Rural Welfare, Madras. *Secretary.*

[8th February 1955]

“(c) All members are constructive workers interested in the development of Cottage Industries.”

SRI T. M. DAIVASIKHAMANI ACHARIAR :—“Are they real industrialists?”

THE HON. SRI M. BHAKTAVATSALAM :—“It is for the hon. Member to judge.”

SRI M. P. GOVINDA MENON :—“Will the Government consider the advisability of including some experienced constructive worker from the district of Malabar in the Board?”

THE HON. SRI M. BHAKTAVATSALAM :—“If the hon. Member would suggest to me a suitable person, I shall certainly have him included.”

Opening of public libraries by voluntary organizations and private agencies.

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

(a) the policy of Government with regard to the opening of public libraries by voluntary organizations and private agencies;

(b) the conditions for the recognition of such libraries by Government; and

(c) the amount of Government subsidy given to such institutions?

THE HON. SRI M. BHAKTAVATSALAM (on behalf of the Hon. the Minister for Finance and Education) :—“(a) The policy of Government is not to admit to aid from State funds the libraries opened by voluntary organizations and private agencies after 1st April 1952.

“(b) Under rule 17 of the Madras Public Libraries Rules, 1950, the Director of Public Libraries maintains a register of aided libraries. To become eligible for entry into this register, the managements of libraries should satisfy the provisions contained in the sub-rules (1) to (10) of rule 18 of the rules.

“(c) The rates at which grants are now made to the aided libraries admitted to aid prior to 1st April 1952 are—

(i) Private and co-operative libraries—Rs. 95 each.

(ii) Panchayat libraries—Rs. 40 each.

(iii) Gramasangam libraries—Rs. 25 each.”

[8th February 1955]

SRI T. PURUSHOTHAM :—“ May I know why there should be a ban against the grant of recognition to libraries organized by voluntary agencies? Will the Government kindly issue instructions to the departmental authorities that private enterprises in this direction should be encouraged and not discouraged? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ I think difficulty arises in the matter of offering aid to the private libraries. There is the Public Libraries Act in force. The Government think that libraries established after 1952 need not be given any financial aid. ”

SRI K. BALASUBRAMANYA AYYAR :—“ Is the Hon. Minister aware that the Public Libraries Act is not working properly? Last time, when I drew the attention of the Hon. the Minister for Education to this fact, he was pleased to state that he will look into the whole matter. May I know whether any steps have been taken to see that the Act is worked properly and, if so, what they are? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ Yes, Sir, the Government are aware that the Public Libraries Act is not properly working. The Government are looking into the matter. But I am sorry I am not able to tell the hon. Member just now what exactly is being done by the Government. ”

Termination of services of teachers in the various aided secondary schools in Chingleput district.

2-10 P.M. * 115 Q.—SRI G. KRISHNAMOORTHY: Will the Hon. the Minister for Finance and Education be pleased to state—

(a) the number of teachers whose services have been terminated in December 1953 in the various aided secondary schools in Chingleput district; and

(b) the reasons given by the managements therefor?

THE HON. SRI M. BHAKTAVATSALAM (on behalf of the Hon. the Minister for Finance and Education) :—“ (a) Two, Sir.

“ (b) The services of two teachers employed in the Ramakrishna Mission High School, Chingleput, were terminated for reasons of misconduct and unsatisfactory work. ”

SRI G. KRISHNAMOORTHY :—“ Will the Government kindly go into the details of these cases and render justice to the teachers? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ The teachers have appealed to the Director of Public Instruction and the Divisional Inspector of Schools and the appeals are being examined. ”

[8th February 1955]

Instructions issued to aided elementary schools to claim dearness allowance on the basis of last salary drawn.

* 116 Q.—SRI G. KRISHNAMOORTHY: Will the Hon. the Minister for Finance and Education be pleased to state—

(a) whether the Government have issued any instructions to aided elementary schools to claim dearness allowance on the basis of last salary drawn and not on the basis of grants claimed in the case of Madras Corporation pensioner-teachers employed by them; and

(b) if not, whether the Government have any proposal to issue such instructions?

THE HON. SRI M. BHAKTAVATSALAM (on behalf of the Hon. the Minister for Finance and Education) :—“ (a) No, Sir.

“ (b) No, Sir. ”

SRI G. KRISHNAMOORTHY :—“ In view of the fact that pay plus pension may exceed the grant amount, what difficulty is there in Government basing the dearness allowance of these Corporation pensioners employed in aided institutions on the last pay drawn by them as Corporation employees? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ Dearness allowance is calculated with reference to the teaching grants admissible to each teacher. If a Corporation pensioner is employed in an aided elementary school, he will be given dearness allowance with reference to the teaching grant that he will get and Government do not think it justifiable to base it on the pay last drawn by him under the Corporation as teacher. ”

SRI G. KRISHNAMOORTHY :—“ Is there not an order or a rule, Sir, that in the case of retired Government teachers seeking employment elsewhere, the dearness allowance should be calculated with reference to the pay last drawn by them as teachers under the Government and not with reference to the pay they draw as teachers on re-employment? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ I would like to have notice. I do not think whatever prevails in the case of Government servants should be applied here. ”

SRI G. KRISHNAMOORTHY :—“ May I submit to the Government that the Corporation is really gaining some money in respect of such teachers in that the re-employed teachers are not paid the five rupees temporary increase which they may otherwise get as pensioners? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ The possible gain of the Corporation cannot be a factor to be taken into account in deciding this question. ”

[8th February 1955]

Representation for the appointment of a Lecturer in the Government Arts College, Coimbatore.

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

(a) whether any representations have been received from the students of the Government Arts College, Coimbatore, for the immediate appointment of a Lecturer in the College; and

(b) if so, the action taken by the Government thereon?

THE HON. SRI M. BHAKTAVATSALAM (on behalf of the Hon. the Minister for Finance and Education):—“(a) Yes. A representation was received in July last from the students of the Third and Fourth B.Com. classes of the College for the appointment of a Lecturer in Commerce;

“(b) The Lecturer who had retired from service was re-employed until a candidate recruited by the Commission became available.”

SRI E. H. PARAMESWARAN:—“May I request the Government in the interests of education to see that frequent transfers of lecturers and professors in Government colleges are avoided?”

THE HON. SRI M. BHAKTAVATSALAM:—“I may tell hon. Members that transfers are effected only when they are unavoidable.”

SRI K. BALASUBRAMANYA AYYAR:—“Did the Principal make any representation? I understand that the students made a representation.”

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

SRI K. BALASUBRAMANYA AYYAR:—“Can the Government act upon the representations of students? Have things come to that stage?”

THE HON. SRI M. BHAKTAVATSALAM:—“There is nothing wrong about it. If students make a representation, the Government at once make a reference to the Principals and other authorities concerned and take action only after they are satisfied with it.”

Location of Fire Stations in the South Arcot district.

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

(a) the places where fire stations are located in the South Arcot district;

[8th February 1955]

(b) how many of them are in non-municipal areas; and

(c) whether the municipalities pay any contribution towards the maintenance of fire stations in their areas?

THE HON. SRI M. BHAKTAVATSALAM (on behalf of the Hon. the Minister for Finance and Education):—“(a) There are three fire stations in the South Arcot district, namely, at Chidambaram, Cuddalore and Villupuram.

“(b) None.

“(c) No, Sir.”

SRI M. ETHIRAJULU:—“சில சமயங்களில் வெளியூர்களிலிருந்து வருபவர்கள் மாரடைப்பினாலோ அல்லது வேறுவித காரணத்தினாலோ அகால மரணத்துக்குள்ளாகிறார்கள். அவர்களுடைய பிரேதங்களை எடுத்துச் செல்வதற்கு டாக்சியோ, வேறு வண்டியோ கிடைப்பதில்லை. அப்படி கிடைத்தாலும் அதிகப் பணம் கேட்பதைத் தடுக்க அந்த சமயங்களில் இந்த விதமான தீயணைக்கும் படையினருடைய லாரிகளை உபயோகப்படுத்துவதற்கு சர்க்கார் அனுமதிப்பார்களா?”

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

UNSTARRED QUESTIONS.

Memorandum presented to the then Minister for Industries by the Gold and Silver Workers' Union, Madurai.

11 Q.—SRI T. M. DAIVASIKHAMANI ACHARIAR: Will the Hon. the Minister for Agriculture be pleased to state—

(a) whether any representation was presented at Madurai in January 1953 to the then Minister for Industries by the jewellery workers belonging to Madurai, Coimbatore, Kumbakonam and Tiruchirappalli that workers employed on contract basis in jewellery workshops licensed under the Factories Act be afforded (i) security of service and employment, (ii) holidays with wages and (iii) bonus and other amenities similar to salaried workers; and

(b) if so, whether any definite action has been taken thereon and if not, why not?

A.—(a) Yes, Sir. A memorandum was presented by the Gold and Silver Workers' Union, Madurai.

(b) The Factories Act applies to piece rate workers also and they are entitled to all the benefits that are provided in the Act. The Commissioner of Labour had stated that he would take action to prosecute the offending employers if satisfactory evidence is available in support of the case. The Secretary of the Gold and Silver Workers' Union, Madurai, was informed accordingly.

[8th February 1955]

Stage of progress of each of the Community Project Schemes instituted in this State.

12 Q.—SRI T. PURUSHOTHAM: Will the Hon. the Minister for Agriculture be pleased to lay on the table of the House a statement showing the stage of progress of each of the Community Project Schemes instituted in this State, the amount of expenditure incurred on each scheme, the amount of Central Government grant received in respect of each scheme and the total cost of establishment incurred so far in respect of the Public (Community Projects) Department in this State?

A.—Four statements giving the following details are appended:—

- I. Progress^a of physical achievements under the Community Development Programmes.
- II. Statement^b showing the progressive expenditure in the Community Projects up to the end of September 1954.
- III. Statement^c showing the progressive expenditure in the Community Development Blocks up to the end of September 1954.
- IV. Statement^d showing the progressive expenditure in the National Extension Service Blocks up to the end of September 1954.

Scales of pay allowed for purposes of grant to the various categories of teachers in Aided Secondary Schools in the State.

13 Q.—SRI G. KRISHNAMOORTHY: Will the Hon. the Minister for Finance and Education be pleased to lay on the table of the House a list of scales of pay allowed for purposes of grant by the departmental auditors in respect of the various categories of teachers in Aided Secondary Schools in the State?

A.—A statement^e of the scales of pay is placed on the table of the House. It is open to the private managements to adopt either of the scales specified in the statement.

Inclusion of irrigation and power schemes in this State in the First Five-Year Plan.

14 Q.—SRI T. PURUSHOTHAM: Will the Hon. the Minister for Public Works be pleased to lay on the table of the House—

(i) a list of irrigation and power schemes in this State included in the First Five-Year Plan showing the cost and stage of progress of each of the schemes; and

(ii) a list of such new schemes recommended by this State for inclusion in the next Five-Year Plan to be considered by the Planning Commission, New Delhi?

- ^a Printed as Appendix II on page 42 infra.
- ^b Printed as Appendix III on page 43 infra.
- ^c Printed as Appendix IV on page 44 infra.
- ^d Printed as Appendix V on page 45 infra.
- ^e Printed as Appendix VI on pages 46-48 infra.

[8th February 1955]

4.—(i) The irrigation and power projects included in the First Five-Year Plan are as follows:—

Irrigation Projects—

- (1) Lower Bhavani Project.
- (2) Malampuzha Project.
- (3) Manimuthar Project.
- (4) Mettur Canals Scheme.
- (5) Drainage Improvements to Cauvery Delta—Twelve Key Schemes.
- (6) Araniar Project.
- (7) Walayar Project.
- (8) Mangalam Project.
- (9) Amaravathi Project.
- (10) Vaigai Project.
- (11) Sathanur Project.
- (12) Krishnagiri Project.

Power Projects—

- (1) Moyar Hydro-Electric Scheme.
- (2) Pykara III Stage Extensions.
- (3) Papanasam II Stage Extensions.
- (4) Madras Plant Extensions.
- (5) Madras-Mettur Inter-connexion.
- (6) Transmission lines and distribution.
- (7) Acquisition of electrical undertakings.
- (8) Periyar Hydro-Electric Scheme.

The cost of the projects and the stage of progress are given below:—

Irrigation Projects.

1. *Lower Bhavani Project—Cost—Rs. 996 lakhs.*—The dam has practically been completed. The manufacture of the spill-way gates is in progress and they will be fitted up over the spill-way when completed. The works on the main canal have been completed and about 80 per cent of the works on the distributaries have also been done.

2. *Malampuzha Project—Cost—Rs. 442.1 lakhs.*—The dam has almost been completed. The excavation of the canal up to mile 15/6 has been completed and work is in progress from mile 15/6 to 19/6. Work on the distributaries is also in full swing.

3. *Mettur Canals Scheme—Cost—Rs. 267 lakhs.*—The excavation of entire West Bank Canal is over and all the masonry works connected therewith have been completed except for some sundry items and the double conduit from low-level supply channel to inlet sluices of high-level channel. Work on the distributaries is also in progress.

Earthwork excavation for East Bank Canal is in full swing. The construction of R.C.C. Twin Boxes on either flank of Cauvery and erection of pipes in the river portion are in progress while the

[8th February 1955]

work on the Sarabanganadhi pressure aqueduct is being pushed through. Preliminary investigation of distributaries and preparation of estimates for masonry works are in progress.

4. *Manimuthar Project—Cost—Rs. 398 lakhs.*—The foundations for the masonry dam have been excavated and treated with pressure grouting except in one block where the river flows are at present diverted. Masonry dam construction is in progress and so far 25 per cent of total masonry has been completed.

In the earth dam the cut-off trench has been excavated to required depths and filled with selected soil. The formation of earth dam about ground is in progress along the several reaches. Fifteen per cent of earth dam has been completed.

Earthwork excavation for the canals is in progress along the entire length and nearly 45 per cent of excavation has been done. Work on some of the masonry works is in progress. Alignment of the distributaries is being finalized.

5. *Aranar Project—Cost—Rs. 104 lakhs.*—The work on the reservoir portion was slowed down pending settlement of some points with the Andhra State regarding reservoir submersion of certain lands in the Andhra State. Orders have been issued to proceed with the work expeditiously. A Project Division has been formed recently. Sinking of wells, to serve as cut-offs, under the bund, in the river portion, is in progress.

The anicut has been completed and channel excavation is in progress.

6. *Walayar Project—Cost—Rs. 99 lakhs.*—The progress on works is in full swing. The work is expected to be completed before April 1956.

7. *Drainage improvements to Cauvery Delta 12 Key Schemes—Cost—Rs. 30 lakhs.*—All the schemes excepting "Improvements to Singaravadigal" in Cauvery Division have been completed. This scheme (improvements to Singaravadigal) will be completed in the current year (1954-55).

8. *Mangalam Reservoir Scheme—Cost—Rs. 49 lakhs.*—The work is now in an advanced stage of construction and is expected to be completed in about 1956.

9. *Amarapathi Reservoir Project—Cost—Rs. 297 lakhs.*—The work on the project has been commenced only about a few months ago. Construction of quarters at dam site is nearing completion. The excavation of foundation for masonry dam is in progress.

10. *Vaigai Reservoir Project—Cost—Rs. 280 lakhs.*—The establishment of a township at the dam site with leading roads, quarters for staff and workmen, water-supply and sanitary arrangements are in progress. Some buildings are under construction. The

[8th February 1955]

approach roads to the dam from Andipatti and Jayamangalam have been formed. A bridge across the river Vaigai to provide access to both flanks is in progress.

Excavation of foundations for the dam has been started. In the flank, earth dam will be formed shortly.

11. *Sathanur Reservoir Project—Cost—Rs. 263 lakhs.*—Work on the project has just been started.

12. *Krishnagiri Reservoir Project—Cost—Rs. 184.03 lakhs.*—The scheme has been sanctioned on 23rd November 1954 and its execution will be started as soon as possible.

Power Projects.

1. *Moyar Hydro-Electric Scheme—Cost—Rs. 464 lakhs.*—The major works have come to a close and the full generating capacity of the station, namely, 36,000 K.W. has been brought into commission.

2. *Pykara Third Stage Extensions—Cost—Rs. 489 lakhs.*—The installation of the two additional units of 27,200 K.W. capacity has been completed and the units have been put into commission.

3. *Papanasam Second Stage Extensions—Cost—Rs. 336 lakhs.*—This work has been completed and an additional generating capacity of 21,000 K.W., that is 7,000 K.W. at the Papanasam Power House and 14,000 K.W. at the Madurai Thermal Station, has been made accessible to the grid.

4. *Madras-Mettur Inter-Connexion Scheme—Cost—Rs. 203 lakhs.*—With the exception of some minor items, the work has been completed.

5. *Transmission lines and distribution—Cost—Rs. 1,695 lakhs.*—The following are the more important transmission lines completed in the plan period to end of September 1954 :—

- (1) Erode-Tiruchirappalli-Dalmiapuram : 110 KV/66 KV Extensions;
- (2) Erode-Salem Extensions;
- (3) Tanjore-Mayuram-Chidambaram : 66/33 KV Extensions;
- (4) Negamam-Pollachi : 66 KV line; and
- (5) Kancheepuram-Chingleput-Arkonam : 33 KV Extensions.

The work on the 110 KV line for the supply of Jog powers to South Kanara and connected 33 KV lines as also numerous distribution schemes in various parts of the State are in progress.

6. *Acquisition of electrical undertakings—Cost—Rs. 386 lakhs.*—Up to the end of 1951-52, three private and twenty local authorities undertakings have been acquired by Government.

7. *Madras Plant Extensions—Cost—Rs. 1,043 lakhs.*—The first stage of the scheme providing for additional plant of 15,000 K.W. has been completed and put into commission.

[6th February 1955]

The second stage of the scheme under which a further 15,000 K.W. of generating capacity will be added to the plant is in an advanced stage of execution.

The third stage of the scheme providing for further additional plant of 30,000 K.W. capacity is expected to be completed by about 1958 during the Second Five-Year Plan period.

8. *Periyar Hydro-Electric Scheme—Cost—Rs. 1,048 lakhs.*—The execution of the scheme which provides for an ultimate generation of 100,000 K.W. is being taken up.

(ii) This Government have sent certain proposals to the Planning Commission and the matter is under correspondence with the Commission.

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

II.—FELICITATIONS ON CONFERMENT OF REPUBLIC DAY HONOUR ON AN HON. MEMBER OF THE HOUSE.

* THE HON. SRI M. BHAKTAVATSALAM :—“ Sir, you will permit me to bring it to the notice of the House the conferment of the title by the President of India of *Padma Shri* on the lady Member of this House, Mrs. Mary Clubwala Jadhav. I would like to express my happiness as well as that of this House over it. Mrs. Jadhav has been very rightly honoured by the President and you will permit me, Sir, to offer my warmest felicitations as well as those of this House to her on this occasion.”

* DR. A. LAKSHMANASWAMI MUDALIYAR :—“ Sir, I would like to associate myself with the sentiments expressed by the Hon. the Leader of the House. Everybody knows the great part that Mrs. Clubwala Jadhav has played in the social welfare activities of this State and even of all-India. I think this is a very richly deserved honour for her and we should appreciate the fact that one of the Members of this House has been conferred this honour.”

* SRI G. KRISHNAMOORTHY :—“ Sir, I am really glad that the honour has been conferred on Mrs. Mary Clubwala Jadhav. In fact, I used to wonder how it was possible for her to undertake tours, to attend the Council on most of the days of its sitting and to do pioneering work on the side of social service. It is really an astounding thing how she takes so much interest in spheres where public interest is not so much. She has really been doing very good work and we must certainly take credit that she has been honoured.”

MR. CHAIRMAN :—“ May I associate myself most sincerely with the compliments and congratulations paid to Mrs. Clubwala Jadhav? I have closely watched her activities ever since she started working through social organizations for social welfare. There is hardly any one else whom we can think of and approach for advice in regard to the various activities she is now engaged in. She does her work in such an efficient way. Go to her for

FELICITATIONS ON CONFERMENT OF REPUBLIC DAY HONOUR 721 ON AN HON. MEMBER OF THE HOUSE

[8th February 1955] [Mr. Chairman]

anything. Take the telephone and ask her, ‘ On what date a certain thing takes place or what happened on a particular day ’. At once she enlightens you. So it gives me very great pleasure to associate myself with the sentiments expressed by hon. Members.”

SRI V. CHAKKARAI CHETTY :—“ Sir, may I say how glad I am that Mrs. Clubwala Jadhav has been given this honour? It was long overdue. I myself had occasions to work along with her years ago when evacuees from South-East Asian countries were coming to Madras for fear of Japanese invasion and bombardment, and I know how ably she performed the tasks assigned to her. I am very glad that her services have been recognized, and this a signal honour that has been conferred on her.”

* SRIMATHI MARY C. CLUBWALA JADHAV :—“ Sir, I am indeed very glad to receive felicitations from this august House and am doubly thankful for the very kind sentiments expressed by the Leader of the House, the Leader of the Opposition and you. In receiving these felicitations, I deem them an honour done to the many welfare workers and agencies that have been working for social welfare. I am grateful to the Government for this honour and I hope that I shall have the health, energy and strength to do greater service to my country, especially to my State. I thank you, Sir.”

III.—ANNOUNCEMENTS BY THE HON. THE CHAIRMAN.

(1) MESSAGE FROM THE ASSEMBLY.

MR. CHAIRMAN :—“ I have to announce to the House that I have received the following message, dated the 7th February 1955, from the Hon. the Speaker, Madras Legislative Assembly : 3-20 p.m.

‘ In accordance with rule 114 of the Madras Assembly Rules, I transmit a copy of the Madras City Municipal (Amendment) Bill, 1955 (L.A. Bill No. 1 of 1955), as passed by the Assembly on the 7th February 1955, and signed by me for the concurrence of the Council ’.”

(2) EXPUNCTION OF CERTAIN REMARKS MADE BY DR. A. SREENIVASAM AT THE MEETING OF THE COUNCIL ON 23RD DECEMBER 1954.

MR. CHAIRMAN :—“ I have also to announce to the House, with reference to Rule 192 of the Madras Legislative Council Rules, that certain remarks made by the hon. Member, Dr. A. Sreenivasam, in the course of a supplementary question and answer at the meeting of the Legislative Council on 23rd December 1954 have been ordered to be expunged from the official report of the proceedings of the House, and all consequential alterations made in such report.”

[8th February 1955]

IV.—GOVERNMENT BILL.

THE MADRAS CITY MUNICIPAL (AMENDMENT) BILL, 1955
(L.A. BILL NO. 1 OF 1955).

* THE HON. SRI A. B. SHETTY :—“ Sir, I beg to move—
‘ That the Madras City Municipal (Amendment) Bill, 1955
(L.A. Bill No. 1 of 1955) * as passed by the Assembly be
taken into consideration.’ ”

The statement of objects and reasons explains why this amendment has been brought before the Legislature. Section 344 of the Madras City Municipal Act, 1919, provides that the Corporation of Madras shall enforce vaccination throughout the City in such manner as may be prescribed. Though the existing provision confers power on the executive to frame rules to enforce vaccination, it is not sufficient as it does not confer power to exempt certain classes of persons as such as conscientious objectors and their children from compulsory vaccination. It is therefore proposed to amend that section so as to bring it into line with section 300 of the Madras District Municipalities Act, 1920, and section 137 of the Madras District Boards Act, 1920, which are wide enough to enable the grant of exemption by framing rules for conscientious objectors. As section 344 of the Madras City Municipal Act of 1919 confers power on the State Government to frame rules, the amendment proposed is only of a nominal character.”

MR. CHAIRMAN :—“ Motion moved—

‘ That the Madras City Municipal (Amendment) Bill, 1955
(L.A. Bill No. 1 of 1955), as passed by the Assembly, be taken
into consideration.’ ”

DR. V. K. JOHN :—“ May I ask for information whether the
Corporation of Madras was consulted in this matter? ”

THE HON. SRI A. B. SHETTY :—“ The Director of Public
Health has been consulted.”

* DR. A. LAKSHMANASWAMI MUDALIAR :—“ Sir, I am
surprised that the Hon. the Minister for Health has brought for-
ward this measure at a time of the year when everybody is
convinced of the value and efficacy of compulsory vaccination.
If the Hon. Minister were to go to many parts of Europe he
would have seen for himself that there is absolutely no case of
smallpox where compulsory vaccination has been practised. I
do not know whether the Government are aware of the grave
dangers involved in effecting this change at this particular time
and that too in a big and crowded city like Madras. The fact
that the District Municipalities Act does not contain the same
provision as is found in the Madras City Municipal Act, I believe,
may be attributed to this fact, viz., that in the first instance, the
authorities who were responsible for the legislation should have
thought that in a big crowded city like Madras, it was far more

8th February 1955] [Dr. A. Lakshmanaswami Mudaliyar]

necessary to introduce compulsory vaccination than to enforce
it in rural areas where the same kind of danger may not exist
and relatively the difficulties in introducing compulsion may be
much greater. Far from amending the District Municipalities
Act and the Madras Local Boards Act so as to bring them in
line with the Madras City Municipal Act, I am surprised that
the Hon. Minister has come forward now for a change in the
Madras City Municipal Act so as to bring it in line with the District
Municipalities Act and the Local Boards Act. The Hon. the
Minister for Health referred to the consultation that he had with
the Director of Public Health. We have not been informed what
the result of that consultation is. I should like to know whether
the Director of Public Health actually supported the idea that
compulsory vaccination should not be enforced in the case of
the conscientious objectors, as they are called, and their children
too. If there be a conscientious objector of the adult age, I am
not much worried. But could we allow him to ride over the rights
of the subordinates and not allow his children to be vaccinated
on the basis of ‘ his conscientious objection ’ and thus allow his
progeny to fall a prey to this very dreadful disease of smallpox?
I have seen it in its worst form. I have plodded through streets
infected with smallpox. I know the dreadful effects of this
disease. I have seen pregnant women attacked with smallpox
giving birth to blind children. Do this Government wish our
children to be blind? Are we not having enough of blind people?
Do we want to increase their number? The Hon. Minister may
say that only in the case of conscientious objectors the exemption
is proposed to be given. But I know perfectly well that a large
number of people will soon claim to be conscientious objectors. The
objection will be all the greater if the persons were ignorant. What
is at present happening is that if a person were to get a medical
certificate, were he to produce a medical certificate that his children
are not in a fit condition to be vaccinated, then only could exemp-
tion be given for his children from vaccination. I have on more than
one occasion when I was connected with hospitals given such certi-
ficates if the child was suffering from a disease where the tempo-
rary indisposition that might be caused by vaccination might
perhaps make its condition a little worse. That is perfectly
understandable. Even there, when the condition of the child
warranted such an exemption, the exemption from vaccination
was given only on a *temporary* basis. I think that that provision
of exemption was put in only to exempt such genuine cases on a
temporary basis. But what do we find here in this Bill now?
In the case of the so-called conscientious objectors, permanent
exemption is sought to be given. But at what cost? Could we,
simply because there are some persons who oppose vaccination on
sentimental grounds, endanger the whole society? This type of
conscientious objection is a menace to society because even if one
person is attacked then the infection spreads to a very wide area,
and all in that vicinity are attacked by this dreadful disease. Such
is the dreadful effect produced by smallpox. Is it not necessary

[Dr. A. Lakshmanaswami Mudaliyar] [8th February 1955]

that the society as a whole should be protected and not be exposed to danger simply because there are conscientious objectors who object to vaccination because of their own sentimental reasons? I am also not able to understand the meaning of saying that the Corporation shall enforce revaccination throughout the City in respect of such persons, to such extent and in such manner as may be prescribed, when at the same time it is said that even the original vaccination is not to be enforced in the case of conscientious objectors who object to vaccination for sentimental reasons. I am speaking with some feeling. It has been unfortunately true that in many a family there have been cases of smallpox. We have lost relatives by the evil grip of smallpox. Adolescents become blind because of smallpox. We have witnessed the unfortunate spectacle wherein due to smallpox, many a man and woman have been disfigured. The disfiguring in the case of a woman is all the more glaring. It has attacked both the sturdier as well as the gentler sex. In the case of the gentler sex, the disfiguring caused by smallpox is more glaring. I hope members of the gentler sex in this House would take up their cause and speak strongly against this Bill for in these days they do not like the sturdier sex to plead on their behalf but would like to advocate their cause themselves. When such is the ghastly spectacle we find in the case of persons attacked by this dreadful disease, could we think of exempting the so-called conscientious objectors from vaccination when the possibility is there that once the disease attacks a person it will spread immediately in a city like ours which is over-crowded and wherein complete sanitation is not available so as to prevent any infection? When complete sanitation to prevent any infection is not available in our city and our city is over-crowded, this measure cannot possibly commend itself to us.

"On account of the series of research experiments now being carried on, a day may come when a new method might be evolved to effectively combat this dreadful disease of smallpox. It might be different from the present method of vaccination to which we are accustomed. When that day comes and when the new method is evolved by which this dreadful disease of smallpox could be effectively checked, I would be the first person to suggest that there should be no more vaccination, for by that time the new method could be a surer preventive against smallpox than vaccination. But until then vaccination and vaccination alone is the one that could effectively prevent smallpox. Without vaccination, it is exceedingly difficult to prevent all the dreadful consequences of smallpox. As I have remarked previously, I know how smallpox disfigures the faces of persons in some cases. Have we not seen it ourselves? I have seen that pregnant women afflicted with smallpox give birth to blind children. Are we not having enough of blind children in our country whose number is the largest in the world. Are there not enough blind people going about in the city? Is not the present blind population in India a sufficiently

[8th February 1955] [Dr. A. Lakshmanaswami Mudaliyar]

large number? Should we increase their number by allowing exemption from vaccination for the so-called conscientious objectors? Will not the infection spread no sooner than the so-called conscientious objector is attacked by smallpox? Will not the people in his immediate neighbourhood be infected with this disease? Is not the possibility of the spread of infection all the greater in our city which is overcrowded and wherein complete sanitation to prevent infection is not available? When such is the grave consequence, I am not able to understand the reason for the introduction of this Bill. As I have remarked previously I would have welcomed the Hon. Minister bringing in an amendment to the Madras District Municipalities Act and the Local Boards Act so as to bring them in line with the Madras City Municipal Act. But the contrary has happened. I would therefore request the Hon. Minister to reconsider his decision and not introduce this Bill.

"I can understand Sri K. Bashyam claiming exemption from vaccination because of his conscientious objection, but I do not think he can take the future of his children into his hands and claim exemption from vaccination for his children also because of his sentimental objection to vaccination."

SRI K. BALASUBRAMANYA AYYAR:—"He has no children."

SRI K. BHASHYAM:—"I am surrounded by children."

* DR. A. LAKSHMANASWAMI MUDALIYAR:—"I have referred to Mr. Bhashyam because he has given notice of an amendment. I hope he will not misunderstand. I beg of each and everyone assembled here not to pass this Bill so lightheartedly. Even if it is passed I hope it will not be given effect to at all. This is a serious matter and I do appeal to the Hon. Minister to think very seriously about the consequences that will follow this proposed exemption for conscientious objectors from vaccination. Immediately a large number of people will claim the proposed exemption."

"Whereas there is provision for exemption of conscientious objectors from being vaccinated under the District Municipalities Act and the Local Boards Act, we cannot have the same provision in the City Municipal Act for here in the city we have an efficient machinery (Madras Corporation) to effect the registration of births of children. Within a period of six months or one year from the date of birth, we know that the Corporation authorities go about and compulsorily vaccinate the children. Because of these restrictions, the health of the city is being maintained. Our City is in a much better condition with regard to health matters because of the existing restrictions, and we shall be introducing a dangerous thing by bringing in this particular amendment."

* SRI K. BHASHYAM:—"Mr. Chairman, Sir, it is just this danger which I had in view when I gave notice of my amendment. There are medical men and persons who practice medicine and

[Sri K. Bhashyam] [8th February 1955]

who have experience of these matters who are obsessed with some definite ideas about cures of medicine. But there are others also who believe that there are other ways of dealing with the question or who think that this is not the best way. Therefore it is, Sir, I mention that there should be a statutory provision that persons who have conscientious objection to vaccination either to themselves or to their children should be exempted from the provisions of this section. The prohibition against compulsory vaccination on conscientious objectors should be made obligatory on the part of the Government. That is why I have given notice of an amendment. Sir, almost all allopathic doctors seem to believe in the efficacy of vaccination, but there are many others who do not believe in its efficacy and who think that there is some poison in it. There are also people who feel that there are other ways of dealing with it, that is by taking Ayurvedic medicine or homoeopathic medicine. There are conscientious objectors like Christian scientists who believe in prayers. Therefore it is, Sir, I want that in these matters there should be a sort of obligation on the part of the Government that they should exempt persons who really object to vaccination. The case made out by the Hon. the Leader of the Opposition is that smallpox is a menace to society at large and that therefore vaccination should be made compulsory on all persons. I want to know whether it has been so demonstrated that vaccination is a great deterrent against smallpox. In spite of the fact that vaccination has been there for such a long time, is it not true that we see every year so many attacks of smallpox in the City, and for that matter, in the districts also? I am not quite sure whether vaccination is enforced for the purpose of either preventing the spread of smallpox as an epidemic or for curing it. Therefore, in respect of these matters, we must be very careful not to insist upon compulsory vaccination on persons who do not believe in its efficacy. Even allopathic doctors or persons who had something to do with this do not say that it is a preventive in all cases or in the great majority of cases. I do not think we have come to such a stage of belief yet. Even persons who are well versed in this subject do not subscribe to the view that vaccination is a preventive at least in ninety per cent of the cases. If that is so and if there is such vigilance in respect of vaccination, I cannot understand why there are a number of cases of smallpox still prevalent."

* DR. A. LAKSHMANASWAMI MUDALIYAR :—" Sir, it is due to imported cases spreading infection."

* SRI K. BHASHYAM :—" Well, it may be that the infection comes from outside. Even in the districts, this Act is being strictly enforced and vaccination is being insisted upon. It may be said that though vaccination is insisted upon, it is not properly and effectively done and that is why there are a number of cases of smallpox. At the outset, I may well say that the Act is strictly enforced. Every child is being vaccinated. But still there is this epidemic. Why is it so? I do not want to

8th February 1955] [Sri K. Bhashyam]

of the Corporation or persons who are connected with this work are all careless. I take it that they are very careful and that they co-operate with the people. It has not been so clearly demonstrated as to convince everybody that vaccination is either a preventive or at least a curative so far as smallpox is concerned. That is why I say that vaccination should be enforced only on those people who believe in its efficacy. We are all in a country where compulsion is not to be practised in any form. Unless dictated by a compelling necessity, I think vaccination ought not to be done. It is not as if I do not respect the opinions of persons who are well versed in allopathic medicine and who have confidence in this, like Dr. Lakshmanaswami Mudaliar. But suppose there are people who do not feel that vaccination is necessarily a preventive against the scourge of smallpox, then they ought to be given liberty not to have this vaccination. That is why I have given notice of an amendment and I request hon. Members to consider it on its merits, in spite of the fact that eminent doctors may be against it. So far as I am concerned—whether I believe in it or not—I have no children. But there are persons surrounding me who really feel that compulsory vaccination ought not to be insisted upon. I know there is fairly a large number of persons who do not believe that vaccination is a curative for, or preventive against, smallpox."

* DR. A. SREENIVASAN :—" Mr. Chairman, Sir, I wish to support the amendment of Sri K. Bhashyam only for one reason. I am a great believer in preventive medicine."

SRI T. PURUSHOTHAM :—" Is the hon. Member supporting the amendment? "

MR. CHAIRMAN :—" We are now in the first reading stage. There is no amendment before the House for discussion."

* DR. A. SREENIVASAN :—" As a believer in preventive medicine, I like this idea of a 'conscience clause' being introduced for one scientific reason. I have gone through the statistics of the Madras State supplied by the Public Health department. The one thing about which the Public Health department of the Madras State has been very particular is vaccination and revaccination. But the incidence of the disease has not gone down. Why? If vaccine is really potent, why should the incidence of disease increase? That is a question we have to answer. Is the vaccine, that is being supplied to-day by the King Institute, Guindy, not potent enough? The original seed was received from Mr. Jenner in or about 1880 and the virus has been rejuvenated from time to time and the vaccine is being produced. We cannot judge the efficacy of the vaccination. I have known no less a person than the ex-Director of Public Health, Sri R. Subramaniam, who had a very severe attack of smallpox during his student days and who got himself vaccinated a few years back. The vaccination

[Dr. A. Sreenivasan] [8th February 1955]

pure. It is said that even though vaccinated persons get an attack of smallpox, it will be very mild. But there are ever so many mild types of smallpox even among non-vaccinated persons. So, it is not possible to conclude that vaccination is responsible for the attenuated type of smallpox. As a doctor, I just keep an open mind. Science is not complete on this subject. No less a person than Sir William Osler was vaccinated a number of times and yet he himself had an attack of smallpox. The Hon. the Leader of the Opposition made a statement that in Europe this disease had been completely eradicated. I have with me statistics supplied by the League of Nations which will prove beyond all reasonable doubt that the incidence of this fell disease has been great in places where there is compulsory vaccination. In England and Switzerland where there is no compulsory vaccination, the incidence of this disease is very low. I do not want to say just at present whether I am in favour of, or against, it. It is better we keep an open mind and probe into this question very carefully and find out the efficacy of the vaccine prepared at the King Institute, Guindy. If the vaccines prepared at Guindy are really good, I do not know why there should be waves of this epidemic in the various parts of the State, from time to time. The Public Health department must look into this matter rather carefully and devise methods by which the spread of this disease may be checked. I know this is a very difficult problem. So I respect the Hon. Minister in charge of this subject to appoint a Committee of Experts. If necessary and if possible, we may get some experts from abroad also. Let this Committee carefully examine the seeds that we have in the King Institute, Guindy, and find out whether the vaccines prepared there are really efficacious. The Government must do this before asking the people to subject themselves to compulsory vaccination. I think the seeds were received long, long ago, and from time to time the virus was getting rejuvenated and we do not know whether the vaccines now used have any relation to the original virus. These are all points which will be very difficult to understand for the lay people. Most of the doctors are not able to understand this fully. Because, the virus disease is a very, very peculiar one. Even among experts there is no consensus of opinion on this matter. That being the case, I would request the Hon. Minister to keep an open mind. Let him go through this question thoroughly and well before he advises people to get vaccinated. In this connexion, I wish to draw the attention of the Hon. Minister to an opinion expressed by Mr. McKintosh. This is what he says, 'Who knows how long the virus introduced by vaccination may remain?' Dr. Lakshmanaswamy Mudaliyar has said that one of the causes for blindness is smallpox. If there is only proper nursing and hospitalisation, there is no reason why the complications of this fell disease can not be prevented. By insisting that people must be compulsorily vaccinated, let the Government not keep the public in a fool's paradise. The Government must themselves be sure about the efficacy of the vaccines prepared at Guindy. At the time when

8th February 1955] [Dr. A. Sreenivasan]

vaccination was first introduced, it was stated that those who were vaccinated would be immune from the fell disease of smallpox for a period of 10 years. Then they said that vaccination will give immunity only for 5 years. After some time, they said that it will give immunity for 3 years. Still later, they said that it will give immunity only for one year. A time may come when they may even say that it will give immunity only for six months just like cholera or plague inoculation. Therefore, these are all points which have to be carefully considered. We cannot afford to play with the lives of millions of people, and Government should not think that what they say is the last word on the subject. When even intellectual giants who are experts in virus diseases have not been able to come to a definite conclusion in this matter, it is sheer madness to insist upon compulsory mass vaccination."

SRI V. CHAKKARAI CHETTY:—"Mr. Chairman, I am not an expert and I am glad to say that I am not an expert. Because, in this House, experts are disagreeing and my safety lies in their disagreement. I am neither for nor against vaccination. But I am definitely against compulsory vaccination. It must be left to the option of the people who are said to be benefited by this process. Unfortunately, medical opinion does not seem to be quite agreed on this matter as has been pointed out by the previous speaker. I remember reading sometime ago a very scathing attack on compulsory vaccination by no less a critic than George Bernard Shaw. He was a very impartial critic and he himself has said that he was not in favour of compulsory vaccination. On the contrary, it must be noted that, wherever the incidence of smallpox is low, it is not due to compulsory vaccination, but is mainly due to the improved sanitary condition of the place. If only the Government or some other agency takes care to improve the sanitary condition of the various localities, I am sure the incidence of this disease will decrease. Without doing this, however much they insist on compulsory vaccination, it will be of no use. Sanitary and health conditions must be improved and should not be allowed to deteriorate. This is very important. I was myself a victim of revaccination some years ago. I had to agree to it as I was intimidated into submission by the Corporation authorities, who said that unless I got myself revaccinated, I was likely to get an attack of smallpox. Thus, under the fear injected or inoculated into me, so to say, I had to undergo that process. Therefore, I am glad that this amending Bill has been brought forward now giving option to some people who are termed as 'conscientious objectors'. People may doubt whether these objectors have any conscience at all. But I do believe there are people who have at least some vestiges of certain original ideas inherent in them. During recent years, general knowledge concerning these things has increased. There are people who are not so much under the influence of the so-called scientific or medical opinion in regard to these matters. I gladly support this Bill, though fears have been expressed that this will

[Sri V. Chakkarai Chetty] [8th February 1955]

lead to a large number of people asking for exemption. The parents are really the trustees of their children and they know what is good for their children. Unless and until the State says by law that the parents are unfit to be the guardians and trustees of their own children, I think the parents are entitled to have their own opinion and it has got to be respected in all these matters. I hope the Government will certainly frame rules to make it possible for conscientious objectors to get exemption from compulsory vaccination. At the same time, I hope the Government will also take necessary steps to make vaccination more effective than it has been in the past. I do not know much about virus diseases and all those things. I leave them to the expert members of the House to discuss with the Health Minister. On the whole, I think this is a salutary amending Bill, and I wholeheartedly support it."

* SRI G. KRISHNAMOORTHY :—" Mr. Chairman, I wholeheartedly support the Bill even after hearing the very eloquent plea put forward by the Hon. the Leader of the Opposition in favour of compulsory vaccination. There should be a provision for exempting conscientious objectors from compulsory vaccination. In fact, many of the laws on the protective and preventive side of health are not sufficiently made known to the public, especially to those living in the rural parts. I think it is better if the Government could just have a machinery to make all the laws (especially on the health side) public in the rural parts and also in the urban parts by making the higher elementary school or the high school course have in the final year some subjects connected with the laws framed in regard to health and other matters, by the Government up to that date. Now, with regard to the efficacy of the vaccines, we had difference of opinion here. Anyhow, on the health side, it is better we take up the evolutionary process rather than the revolutionary process of compelling people.

3-50 p.m. " Now even the procedure to be followed by conscientious objectors in the matter of exemption is not an easy one. It seems the Government want them to go to a magistrate, afford them proof of conscientious objection and inability to get themselves vaccinated. In my opinion, this procedure has to be rather simplified. I would also like to have enlightenment from the Hon. Minister piloting this Bill on the question whether this Bill covers cases of B.C.G. vaccination and those of inoculation against cholera, etc. Really there are people who are terribly afraid of compulsion being put on them in the case of B.C.G. vaccination which is so much in the air to-day. I am not quite sure, but there may be reaction on the health of the people if we adopt this preventive measure of B.C.G. vaccination compulsorily on public who take objection to it. It is but right that the Government are trying to bring the rules applicable to the City Corporation in line with the rules applicable to the district boards and municipalities, and I once again welcome this Bill."

8th February 1955]

* SRI K. BALASUBRAMANYA AYYAR :—" Sir, I did not want to take part in the proceedings either because I am not a doctor or because, I felt, I could not express an opinion on the question of vaccination at present carried out in the City. But the remarks of certain hon. Members have provoked my intervention at this stage. Some doctors, very eminent doctors, have said that vaccination is absolutely necessary. But here we have another eminent doctor, Dr. A. Srinivasan, who says something quite different. So, in between, I feel there is no safety for the layman. That is all what I can say.

" Sir, here the question is a more circumscribed one. The question now is not whether vaccination should be there but whether it is effective or not. The Government never intended to give an opinion on this question and if they did, they would not be wise in bringing in this amending legislation. It is known to every one of us that when smallpox is raging in the City, the Corporation enforces the 'vaccination laws'. Now we seek to exempt conscientious objectors. I fail to understand what we mean by 'conscientious objectors' in a matter of this kind. What is the conscience here and whose conscience, I fail to see. Is there any conscience which permits one to see one's children and neighbours being affected by infectious diseases? So, there cannot be any question of conscientious objectors arising here. It is admitted on all hands that vaccination prevents disease. If, however, there is any difference of opinion on this point, we cannot say—this Council cannot say—which opinion is correct. It is for persons eminent in the medical world to decide. For our part, we have accepted the fact that vaccination is useful and that it prevents smallpox. The new section 344 is sought to be introduced only on that basis. If we question this very thing, then the whole amendment has no place here. Therefore, let us make our position very clear. We assume that vaccination is good. The only thing to be considered is whether there is any room for conscientious objection here. The Leader of the Opposition, eminent as he is, has said that there is no question of conscientious objection in this particular matter. There cannot be any conscience being affected in medical treatment. Can there be a conscience which says 'I shall always be insanitary'?"

SRI V. CHAKKARAI CHETTY :—" It is an 'insanitary conscience'." (Laughter.)

* SRI K. BALASUBRAMANYA AYYAR :—" I am sorry, Sir, that we are unnecessarily introducing this question of conscientious objection here. I very much doubt the wisdom of this policy and I feel the Government may rest content with the original provision. I fear that, when this amendment is incorporated in the Act, it will enable a number of people, who might otherwise like to be vaccinated, to protest against vaccination on grounds of conscientious objection. We will destroy the existing faith of people in vaccination by this measure. It will become a

[Sri K. Balasubramanya Ayyar] [8th February 1955]

contagious and infectious disease, as it were, and will present great difficulty to the health staff in controlling its spread. The City's population has risen to fifteen or sixteen lakhs and all localities are crowded. On account of the absence of rain and on account of the heat that is generated, smallpox is often raging in the City. So, there must be some effective method by which it can be prevented. Eminent people who have visited America—including Dr. A. Lakshmanaswami Mudaliar—say that there is no case of smallpox in America. It may be due to the improved living conditions obtaining there, one might say. But even then there cannot be 'absolutely no case.' If there is still no case of smallpox, it is because vaccination is compulsory there. Let us not discuss the question further. Let us have compulsory vaccination and let us not introduce this amendment."

SRI T. G. KRISHNAMOORTHY :—" Mr. Chairman, Sir, I am of course for compulsory vaccination and against these conscientious objectors. Dr. Lakshmanaswami Mudaliar put forward arguments in favour of compulsory vaccination and Dr. A. Srinivasan objected to those remarks. Some time ago, I happened to be reading a book on the History of Medicine and Surgery. It was of course a layman's book and there I noted that no innovation either in Medicine or Surgery had failed to have opponents. Eminent doctors have supported innovations and equally eminent doctors have opposed them. Fortunately for humanity, these innovations have come to stay and millions of people not only in this country but all over the world acknowledge the usefulness of vaccination. If I remember aright, three quarters of a century ago, when that doctor—I forget his name—made the announcement about this vaccine for the first time, it was met with strong opposition from doctors all over the world. I was really amused, Sir, when Dr. Srinivasan, quoting the authority of some expert, said that vaccination had had no effect at all because even as early as twenty years ago, he had known that smallpox was raging in a pandemic form. It was almost an annual feature and nobody escaped. Dr. Lakshmanaswami Mudaliar is capable of expressing all this in a better form than myself. As he said, how many blind people there are and how many disfigured persons there are in the countryside? What hopeless torments these smallpox patients undergo? How many deaths there have been due to smallpox? All these things have become comparatively few in number now. We hear of smallpox not as a disease raging in a pandemic form but as one of sporadic occurrence. Here and there, there may be one or two cases even after vaccination. Let me not explain how these occur, how people contract this disease and how people are immunised also. So far as the reaction in the rural areas is concerned, the villager is convinced that vaccination has its own part to play in the matter of prevention of smallpox. The mind of the villager to-day is not the same as it was ten years ago. To-day, in rural areas, the people take their children before the vaccinator when he presents himself in that village and get them vaccinated.

8th February 1955] [Sri T. G. Krishnamoorthi]

As Dr. Lakshmanaswami Mudaliyar and Mr. Balasubramania Ayyar said, what is this conscientious objection? Mr. Bhashyam may try to prevent his progeny from getting some hereditary property that may be left behind. But is this allowed under the law relating to properties? Can a father disinherit his heirs if he has hereditary property? The law does not allow it. Long 4 p.m. before Mr. Bhashyam developed sufficient intelligence to have conscientious objection to vaccination, he was compulsorily vaccinated and immunised from the disease. He now objects to his children being compulsorily vaccinated. Of course he does not have children. But he has said that he is surrounded by children. He says it is a question of conscience. If it is a question of property, a minor can sue the creditors of his father. But in the case of vaccination, suppose a child is not vaccinated and he contracts the disease and suffers its consequences, who is to be held responsible? One comforting feature is that the villagers, I mean the illiterate people in our rural areas, have evinced sufficient enthusiasm for vaccination, not to mention the conscientious objectors. When vaccination was introduced in 1930, I believe, all the villagers were readily prepared to get their children vaccinated, so that they may be immunised from the dreadful evils of smallpox. Smallpox has been held in effective check by vaccination throughout the State. That is what I have known as a layman. As a layman I am the best judge. Of course the doctors may quarrel amongst themselves on the efficacy or otherwise of vaccination. But so far as I am concerned I am convinced that vaccination against smallpox has had the desired effect so far as our State is concerned.

" My position so far as the present Bill is concerned is inviolable. On principle I support the arguments of the Leader of the Opposition, Dr. A. L. Mudaliar. But as a partyman I do not know whether to support or oppose the Bill. As Edward Gibbon sighed as a lover and obeyed as a son, I sigh as an individual and obey as a partyman and most reluctantly support the Bill while at the same time fully supporting Dr. A. L. Mudaliar.

" Thank you, Sir."

SRI E. H. PARAMESWARAN :—" Mr. Chairman, Sir, I wish to make only a few observations. Especially on a matter where many doctors have disagreed it is very dangerous for a layman to offer any opinion. We find from medical reports of Western countries that on account of vaccination, they have completely eradicated this disease called smallpox. There were times when smallpox and plague were virulent in European countries; but on account of vaccination and on account of several other medical measures taken by the European countries, smallpox and plague have been completely got rid off. When such is the case why should not our Government carry on propaganda, why should not our medical men do propaganda on the benefits of vaccination and say that by vaccination this smallpox should be got rid off from our country also?

[Sri E. H. Parameswaran] [8th February 1955]

"I also wish to point out that there are really conscientious objectors. My hon. Friend Mr. K. Bhashyam says that from the point of view of conscience, he objects to vaccination. I remember about thirty years ago there was an eminent Congressman in Palghat who adopted all forms of satyagraha against vaccination, saying that vaccination was not at all conducive to good health, etc. He printed so many pamphlets and carried on vigorous propaganda against vaccination. For years he carried on propaganda. He would not allow his people to be vaccinated. He was prosecuted. He was arrested and he was taken to Court. Even the Judge in the Court did not know how to deal with him. I may also say that he wrote to Mahatma Gandhi himself about his conscientious objection to vaccination. He said: 'The same vaccine that is taken from the body of the cow, which is a sacred animal, is injected into the body of the man to make him immune from smallpox. Cow is a sacred animal to me. I am very devoted and am a very devout Hindu. Therefore I will not allow this poison to be injected into the body of my child.' He was so convinced of his objection that he would prefer going to the jail rather than allow his child to be vaccinated, which from the point of view of conscience was considered to be a sin. My friend Mr. Bhashyam has said that even in 1955 there are people in this country who think that vaccination is not beneficial to children.

"I do not want to enter into any discussion. On account of the discussion that this matter has had, I only request the Government to go into this question more fully. I know that that gentleman from Palghat produced a lot of literature. He cited the opinions of many eminent American and German doctors supporting his view. I think his literature against vaccination came to 200 pages. I do not know whether this Government has gone into that literature (numbering about 200 pages) on the evils of vaccination. I should request this Government to provide proper and effective vaccination to the ignorant villagers. Let the Sanitary Inspector and his staff go about the villages and provide proper and effective vaccination to the ignorant villagers."

* DR. V. K. JOHN:—"Mr. Chairman, Sir, the Government have thought it fit to commence this session with smallpox. I mean a Bill for preventing smallpox (laughter). This Bill is evidence, manifest evidence, of the autocratic way in which the Government proceed in a matter like this. It is also evidence of want of clear thinking and is evidence of bad drafting. Before I expatiate on the three matters which I have mentioned, I think I must make a reference to the difficulties which the hon. Member Mr. T. G. Krishnamoorthy felt in having to support, as a matter of conscience, the point of view of the Leader of the Opposition while at the same time having to vote in support of Government as a partyman against his conscience. The Speaker of the Bombay Assembly the other day said that nowadays members of the Congress Party were like 'Rubber stamps' who voted and

[8th February 1955] [Dr. V. K. John]

voted blindly for their party. It is wrong to vote in this manner when we have a democratic form of Government. Except in a matter where there is a motion for want of confidence in the Government, I think freedom of voting should be given to members. Mr. T. G. Krishnamoorthy and others should not regret that they must feel one way and vote in another way. After all I do not know why in a matter like this, freedom of voting should not be given. Let it be left to the discretion of members to vote according to their convictions. I do request the Government not to enforce party discipline to such an extent as to make their party-men mere 'Rubber stamps'.

"Having said this I want to point out how this Bill is evidence of the autocratic way in which the Government introduce Bills.

"I asked for information whether in this matter the Corporation was consulted. It is an august body charged with the responsibility of looking after the health of the people in the City. When we want to amend a section in the City Municipal Act, why not ask the Corporation to consider the question and give its decision? That is the democratic way in which Government ought to have proceeded. Again I ask did the Government take the advice of experts? Who were the experts that were consulted. Where is their opinion? We have not been apprised of their opinions. Did those experts advise this Government to introduce this Bill? Have the Government got statistics regarding how many persons have been vaccinated in the City for the past 10 years? What is the result of the investigation so far as people who have been vaccinated and who have not been vaccinated are concerned? How do the two provisions of law, one for the City and one for the mufassal, work out? The District Municipalities Act and the District Boards Act provide that exemption may be granted 'in respect of such persons and to such extent as may be prescribed.' I find that vaccination is compulsory in the mufassal also except to the extent of exempting persons as prescribed by the rules. How many people have asked for exemption and how many have been granted exemption? No statistics are available at all. This is not the way to introduce such an important measure in the Assembly or the Council. The Government have not taken any trouble to collect statistics. They have introduced this Bill in an arbitrary and autocratic manner. Before introducing any Bill, they must inform hon. Members what the facts are and must give a satisfactory explanation. That is why I say that this is an autocratic method of dealing with the Legislature. No facts and figures have been furnished. Have the Government consulted experts and obtained their opinion? There is manifest evidence of want of clear thinking.

"Hon. Members have referred to 'conscientious objectors'. I do not know wherefrom they have got these words. Suppose a man wants to make use of a public road for answering calls of nature for the reason he believes in it. Can we allow him to do so?

[Dr. V. K. John] [8th February 1955]

It is a matter of public health. Smallpox is an epidemic. What is the idea in giving exemption to 'conscientious objectors'? I say this is due to want of clear thinking. The Government must hold an opinion that vaccination is either good or bad. If vaccination is good, then it must be enforced, because it is in the interests of public health. If vaccination is not good, then it must not be enforced. I do not think there is any need for a *via media* policy at all. What is the idea of introducing a class known as 'conscientious objectors' so far as the question of vaccination is concerned, which is done for preventing the spread of smallpox which is an epidemic disease? I hope the Hon. Minister will have the courtesy to explain to this House what he means by the term 'conscientious objectors', whether he believes in the efficacy of vaccination or not and whether he has taken the advice of experts.

"Now, let me come to the question of drafting. I am quite sure that the draftsman of this Bill does not believe in the policy of the Government and therefore he has made vaccination compulsory and more rigid in Madras City than before. Section 344 of the Madras City Municipal Act, 1919, as it stands at present, reads: 'The Corporation shall enforce vaccination throughout the city in such manner as may be prescribed and it may enforce revaccination throughout the city or in any part thereof, in respect of such persons, to such extent and in such manner, as may be prescribed.' The proposed section says: 'The Corporation shall enforce vaccination throughout the city, and it may enforce revaccination throughout the city or in any part thereof, in respect of such persons, to such extent, and in such manner as may be prescribed' occurring in the first part of the section have been omitted. Under the present section, the enforcement of vaccination is subject to rules which are prescribed by the Government. Under the new clause, the Government have made the enforcement of vaccination absolutely compulsory, because the second part relates to revaccination. Anybody who knows English can understand that and I am quite sure there would not be any difficulty in the matter of its interpretation. The expression 'in respect of such persons, to such extent, and in such manner, as may be prescribed' would only apply to revaccination. Therefore, this is an instance of bad drafting. If it is the object of the Government not to enforce compulsory vaccination in the city, then the expression 'in respect of such persons, to such extent, and in such manner, as may be prescribed' must qualify the first portion of the section relating to vaccination as well. But it qualifies only the latter portion of the section relating to revaccination. To bring out the idea of the Government, I think the expression must qualify both the portions, but certainly the present Bill does not read that way at all. As a matter of fact, section 300 of the District Municipalities Act and section 137 of the Local Boards Act do not deal with revaccination at all, because since vaccination itself is not compulsory or is subject to exceptions, there is no provision regarding revaccination. Under

8th February 1955] [Dr. V. K. John]

the present Bill, revaccination is not compulsory in the city, because the proposed section reads 'it may enforce revaccination throughout the city or in any part thereof, in respect of such persons, to such extent, and in such manner, as may be prescribed.' The object of the Government is to make vaccination also not compulsory. But they should have used clear words so that no mistake is possible in the matter of interpretation. They should have said 'The Corporation shall enforce vaccination and revaccination throughout the city in respect of such persons, to such extent, and in such manner, as may be prescribed'. So, this very badly drafted Bill does not bring out the intention of the Government. I am sorry that this Session should commence with this Bill which, though small, is really bad. Therefore I condemn this piece of legislation and condemn it too strongly and I request hon. Members not to be mere 'rubber stamps' and support this piece of legislation. For the reasons which I have already explained, I feel that hon. Members should have a free vote in this matter. I hope that hereafter the Government will not bring forward such pieces of legislation without any investigation, without furnishing facts and figures, without obtaining expert opinion and without clear thinking. There is clear evidence of confused thinking and I am sorry that the Hon. Minister in charge of this Bill, who is noted for his clear thinking, should have brought in this Bill."

* SRI A. M. ALLAPICHAJ :—"Mr. Chairman, Sir, vaccination has been in existence in our country for the last so many years and no one has doubted its efficacy. As a matter of fact, even our women, whether they are educated or not, believe in its efficacy and see that their children are vaccinated. I think the Government are also convinced of its efficacy and there is no doubt whatsoever about it.

"The Hon. the Leader of the Opposition in his own way has put his views in a very straightforward manner. He is a great doctor and a very eminent doctor too. He has travelled very widely. His words are entitled to great weight and no doubt his words will add to the faith of the people of the State. Unfortunately, the words of another eminent doctor, Dr. Sreenivasan, are likely to shake the faith of our people in the efficacy of vaccination. Perhaps, the consequence will be rather serious. The Government are now thinking of exempting certain people who do not believe in the efficacy of vaccination and such people will get a lot of strength from the arguments put forward by Dr. Sreenivasan. That is going to do some mischief in the State. People will take advantage of his views and this will create more trouble. I am positively sure about it. Moreover, the Government will be creating trouble for themselves. When they introduce an exemption clause like this, it will be very difficult for any one to define who really is a conscientious objector. A certain thing may be good or bad. But once the Government come to the conclusion that it is good, it must be pushed through. There is no meaning in providing for exemptions. If such a procedure were to be adopted in

4-20
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[Sri A. M. Allapichai] [8th February 1955]

the matter of taxation, I do not know where it will lead to. When the Government are convinced that a certain thing is good and is in the interests of the people and will do some good to the people, they must be firm and stand by it. If, on the other hand, they do not have such a strong faith in vaccination, they should adopt a completely different attitude. The Government may say that these conscientious objectors may not be many and they will not be more than 100 or even 1,000. They may give some such figures, and on the basis of such figures they may want to satisfy some of those people. But what I wish to state is that the Government should be clear in their mind and once they think that vaccination is good for the people, they must stand by it. My position is like that of Mr. T. G. Krishnamurthi. When I say this, it is not with a view to find fault with the Government. This is a very serious matter and it is a thing that is going to affect the lives of millions of our people. Suppose a man is suffering from cholera in a particular place. If he says that he has some real conscientious objection to getting inoculated, can he be exempted from inoculation? If he was exempted, what will happen to the other people who live in the neighbourhood? Many people in the neighbourhood will die, and it will create a very difficult situation. I think the words which have come from the mouth of the Hon. the Leader of the Opposition are entitled to great weight. He is a great and learned doctor who has widely travelled and his words must carry great weight. With this submission, I conclude."

* THE HON. SRI A. B. SHETTY :—" Mr. Chairman, both experts as well as laymen have expressed their sincere opinion on this matter. There is of course difference of opinion among doctors as well as laymen. There is difference of opinion in regard to so many other matters. There are people who do not at all believe in drug treatment but believe in nature cure. Again, there are people who do not want cooked food and have recourse to raw food. Such differences are inevitable. There have been the 'anti-vaccination leagues' carrying on incessant propaganda against vaccination. In England in 1853 vaccination was made compulsory and for 50 years there was a storm of protest and continuous agitation. In 1898, the conscience clause was first passed after the matter was referred to a Royal Commission on Vaccination. When the National Health Service Scheme was introduced in 1948 compulsory vaccination was abolished. In England there have been very few cases of what is called classical smallpox. If any epidemic broke out anywhere, there were facilities for immediate vaccination and people willingly got themselves vaccinated. People who go abroad either to England or to any other country have to get themselves vaccinated against smallpox and inoculated against cholera and typhoid. In fact the Ministry of Health in England believes in vaccination, but does not feel the necessity for compulsory vaccination as smallpox cases are hardly seen there now. But here, we have outbreaks of smallpox and

8th February 1955] [Sri A. B. Shetty]

other epidemics every five or six years and so we have to insist on compulsory vaccination and revaccination. I believe the majority of the medical profession believe that vaccination is a rational procedure and so Government have also made vaccination and revaccination compulsory. How smallpox and some other epidemics have disappeared in England and some other Western countries, it is difficult to say. It may be the virus has changed its type. Epidemic diseases, like empires, rise, decline, and fall, giving place to others. I must assure hon. Members that Government believe in compulsory vaccination and revaccination.

" Sir, I believe that the vaccine prepared at the King Institute, Guindy, is safe and efficacious. People who have gone to the King Institute at Guindy will readily agree that the vaccine lymph is prepared in the best manner possible with all safeguards.

" Such an exemption as is sought to be given under this Bill is already provided for under the District Municipalities Act and the Local Boards Act. The provisions in those Acts allow rules to be framed by the Government for exempting conscientious objectors. Much has been said against the use of the words 'conscientious objectors'. I would like hon. Members to kindly consider the fact that exemption to anybody will not be given for the mere asking. The person concerned must give a declaration before a Magistrate that he does not believe in vaccination and that he feels that vaccination will be injurious to himself or the members of his family. Further, he must undertake that, if any epidemic breaks out, he will isolate himself and his family and subject himself to such restrictions as are laid down. If he fails to keep up to the undertaking given by him, he is liable to be punished and no more can he claim exemption either for himself or for his family. So this is not a new thing. Already, the Madras Public Health Act passed in 1939 has a similar provision. Section 76 (3) (a) says :

" If any person, who, or a child in whose care, is sought to be vaccinated or inoculated in pursuance of the power referred to in clause (b) of sub-section 2, declares before a Magistrate specially empowered by the Government in this behalf that as a result of a careful inquiry into the subject he believes that such vaccination or inoculation will be injurious to his health or the health of the child, as the case may be, the Magistrate may, after giving notice to the Health Officer and hearing any representations made by him or on his behalf, exempt such person or child from vaccination or inoculation, on condition of the person aforesaid undertaking to subject himself and the members of his family to isolation of such description and for such period and to such further restrictions, if any, as may be directed by the Magistrate."

So, all these conditions are there. I may also tell hon. Members that very few people are asking for exemption. The only object of this amendment is to bring the section in line with the sections in the District Municipalities Act and the District Boards Act. If any person feels that vaccination is bad for him, provided he agrees to the conditions I have read out, he will be exempted. That is what this Bill seeks to do.

[Sri A. B. Shetty] [8th February 1955]

"Then, my friend, Dr. John, a very learned lawyer, asked on whose advice this Bill was drafted. I say, Sir, this Bill has been very carefully drafted and the rules to be framed under this Bill will provide for exemption. There is nothing wrong with the drafting of the Bill and there is nothing new also in this Bill. The object is simply to bring the provision in this Act in line with the provisions in other Acts of a similar nature. I do not think also that there is any ground for the fear expressed that many people will ask for exemption as the result of this amendment."

MR. CHAIRMAN :—"The question is—

"That the Madras City Municipal (Amendment) Bill, 1955 (L.A. Bill No. 1 of 1955), as passed by the Assembly, be taken into consideration."

The motion was carried.

Clause 2.

SRI K. BHASHYAM :—"Sir, I move the amendment standing in my name, namely,

Add the following at the end of the proposed section 344 :—

"Persons who have conscientious objection to vaccination either to themselves or to their children shall be exempted from the provisions of this section."

DR. A. SREENIVASAN :—"I second the amendment, Sir."

MR. CHAIRMAN :—"Both the clause and the amendment are before the House for discussion."

* SRI K. BHASHYAM :—"Sir, by moving this amendment, I am only supporting the Government, perhaps oversupporting them. The Government's object is to bring the Act in line with the other Acts so as to take power to exempt certain classes of people from vaccination, who have conscientious objection to it, though that is not mentioned in the Bill itself. I want that the Government should say that fact in the Bill itself. They should not reserve it for being mentioned in the rules, and that is my view. I hope Mr. Krishnamoorthi will agree with me. I want the Government to make clear their intention in the Act itself and not later in the rules to be framed under the Act. Therefore, this amendment, far from going against the Government, supports them."

"As regards the question of conscientious objection, I would like to say a few words. The question was asked: 'Where is conscience?' Conscience is not confined to the moral sphere alone. Of course, there is religion involved in this matter of vaccination. There are really persons even

8th February 1955] [Sri K. Bhashyam]

to this. We are now far removed from the days of the Poona Riot which took place forty years ago and in which the late Bala Gangadhar Tilak was sentenced to seven years' imprisonment and transported to Mandalay. Those were days when people thought that vaccination was introduced for the purpose of doing something bad to the people. But that superstition has now died out. We have confidence in our own experts but still we cannot say that there is no such thing as 'conscience'. Conscientious objection does not come about on account of any stupidity or superstition. If I have any conscientious objection I err with Gandhiji. He was against any thought of vaccination or inoculation. He held it was introducing poison into the system. If it is said that it prevents smallpox, then again it means doing something to the cow or calf which is against the Hindu tradition and this is also what Gandhiji said. So far as conscience is concerned, there are persons who believe in Nature Cure; there are persons who believe in homoeopathy and who do not believe in the allopathic system of medicine; there are also some orthodox people, say Sanyasis, and orthodox people, who do not believe in vaccination. Place your suggestion before a sanyasi and he will at once say 'No' to vaccination. Suppose there is an epidemic breaking out in a locality where such persons live. Then at once they remove themselves to some other place. They are conscientious objectors and their conscience should be respected.

"Sir, the Hon. Minister tried to point out that there were very few persons who applied for exemption. When he read out the conditions governing such exemption, I was astounded because they were really difficult conditions. They have to subject themselves to a careful inquiry and should prove to the Magistrate's satisfaction that vaccination is injurious to their health. They have to make all these declarations. That is, they have to place themselves in a much higher place than even the experts on the subject. Therefore, my submission is, to ask them to make all these declarations is something very oppressive. If I had known about this before, I would have moved an amendment to that section itself. Exemption should be made more easy. There are of course cases of evasion of the law which are also in a way cases of exemption. But that is not what I want. The statute should make a clear provision for exempting conscientious objectors. Some people suggest that we should not discuss these things publicly—that vaccination is bad and that some of us object to it. They say we should follow a 'hush-hush' policy in such matters. As a matter of fact in such cases vaccination must be a sure remedy, a remedy that will be effective or at least should prevent further cases of smallpox. But some persons do not feel that way. We have to tolerate these persons. Do we not tolerate Homoeopathy? Do we not tolerate Ayurvedic treatment? As a matter of fact there are many people practising Ayurveda and they have good practice, too. When we tolerate those systems of

[Sri K. Bhashyam] [8th February 1955]

"I shall now come to the question of drafting. Of course, the hon. Member Mr. John referred to bad drafting. I do not think I am able to support him. The drafting as such means that in case of vaccination it is compulsory always. The drafting says that the Corporation of Madras is bound to make vaccination compulsory, and for revaccination there could be exemption. That is how the meaning goes. Because of the possibility of that interpretation and because of the drafting as it stands, I have given notice of an amendment which says that both vaccination and revaccination may be exempted in the case of conscientious objectors. I do not know whether it was meant by the Hon. Minister or it was merely bad drafting. Perhaps the Government may mean that in the matter of vaccination it should be compulsory. I do not know exactly what the Government mean. But I want that there should be option given to the person, who conscientiously objects, to be exempted from vaccination and also from revaccination. That is why I have given notice of my amendment. I think my amendment will carry out the purpose of Government. Of course if the present Minister for Health were to carry off for some more time to come, the provision would be all right. But I want a statutory provision, a categorical provision exempting conscientious objectors from vaccination and revaccination. We cannot have loose phraseology in the Act. Supposing a person like Dr. A. Lakshmanaswamy Mudaliar, who feels very strongly for compulsory vaccination and no exemption at all, becomes the Minister for Health succeeding Mr. Shetty, he may say that there would be no exemption at all for revaccination as may be implied from the present Bill. That is why I say, 'let us clearly define things'. Let there be no loose expression. Let option be given to the person (who conscientiously objects) to be exempted from vaccination and revaccination. I hope I have made the purpose of my amendment very clear now. I support the Government and while supporting hope that my amendment which seeks to exempt conscientious objectors from vaccination and revaccination will be accepted by the House."

SRI M. P. GOVINDA MENON :—" Mr. Chairman, Sir. I am in entire agreement with the mover of the amendment, Mr. Bhashyam. But I do not think his amendment is necessary. The very purpose of this Bill is to enforce what Mr. Bhashyam refers to in his amendment. The District Municipalities Act and the Local Boards Act have made provision which would enable Government to frame rules to exempt conscientious objectors from vaccination and revaccination. Such a provision is not in the City Municipal Act and therefore Government cannot frame rules to exempt conscientious objectors from vaccination and revaccination. That is why to bring the City Municipal Act in line with the District Municipalities Act and the Local Boards Act, the present amending Bill has been brought forward. Mr. Bhashyam is doubtful about the phraseology in the Bill, viz., 'that the Corporation shall enforce vaccination throughout the City and it may

8th February 1955] [Sri M. P. Govinda Menon]

enforce revaccination throughout the City or in any part thereof, in respect of such persons, to such extent and in such a manner as may be prescribed'. This prescription would be made in the rules that will be framed. The construction of the sentence is clear. It must apply to both vaccination and revaccination. In the statement of objects and reasons it is clearly stated that Government may make rules regarding exemption. In the rules that would be prescribed, Government can make it plain that exemption regarding conscientious objectors will apply to both vaccination and revaccination. Under these circumstances though I agree with the spirit underlying Mr. Bhashyam's amendment, I think it is redundant and need not be pressed to vote."

* THE HON. SRI A. B. SHETTY :—" The hon. Member, Sri M. P. Govinda Menon, has made the matter very clear, like the clever lawyer as he is. Government are not prepared at this stage to go further than exempting conscientious objectors provided they give an undertaking to observe appropriate isolation when an epidemic breaks out. Therefore I am not in favour of this amendment."

The amendment was, by leave of the House, withdrawn.

Clause 2 was put and carried.

Clause 1 and the Preamble were put and carried.

* THE HON. SRI A. B. SHETTY :—" Sir, I move—

'That the Madras City Municipal (Amendment) Bill, 1955 (L.A. Bill No. 1 of 1955), as passed by the Assembly, be passed.'"

MR. CHAIRMAN :—" The question is—

'That the Madras City Municipal (Amendment) Bill, 1955 (L.A. Bill No. 1 of 1955), as passed by the Assembly, be passed.'"

The motion was carried and the Bill was passed.

MR. CHAIRMAN :—" I now adjourn the House to meet again at 3 p.m. on Tuesday, the 15th February 1955."

The House then adjourned.

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

1. Notification No. 975 issued with G.O. Ms. No. 3380, Home, dated 17th November 1954, regarding continuance of concessional rates of tax for a further period of three months commencing from 1st October 1954 in respect of stage carriages plying solely within the limits of erstwhile Pudukottai State.

2. Notification issued with G.O. Ms. No. 3430, Home, dated 22nd November 1954, regarding amendments to the Madras Motor Vehicles (Taxation of Passengers and Goods) Rules, 1953.

[8th February 1955]

3. Notification No. 1012, issued with G.O. Ms. No. 3660, Home, dated 11th December 1954, regarding issue of temporary licences for motor vehicles used in connexion with All-India Congress Session at Avadi.

*4. Balance sheet and profit and loss account of the Madras Industrial Investment Corporation, Limited, Madras, as on 30th June 1954.

5. (i) Notification No. 977, issued with G.O. Ms. No. 3461, Home, dated 24th November 1954, regarding exemption of lorry No. C.G.A. 1165 belonging to Central Public Works Department, Coorg, from payment of tax under the Madras Motor Vehicles Taxation Act, 1931 (Madras Act III of 1931).

(ii) Notification No. 1011, Home, dated 9th December 1954, regarding amendment to the above notification.

6. Notification No. 1037, issued with G.O. Ms. No. 3672, Home, dated 13th December 1954, regarding instructions not to collect additional tax from buses to be used for transport of persons to Avadi Congress Session, issued under the Madras Motor Vehicles Taxation Act, 1931 (Madras Act III of 1931).

7. Notification No. 28, issued with G.O. Ms. No. 3816, Home, dated 24th December 1954, regarding levy of short-term licence fees at reduced rates in respect of idle and spare buses run on regular routes in place of route buses diverted for Avadi Congress Session.

8. Notification No. 56, issued with G.O. Ms. No. 3851, Home, dated 29th December 1954, regarding certain lorries belonging to Civil Supplies Transport Unit, Madras, used for transport of passengers classified under Class 3 of Schedule II to the Madras Motor Vehicles Taxation Act, 1931 (Madras Act III of 1931).

9. Notification No. 57, issued with G.O. Ms. No. 3899, Home, dated 31st December 1954, regarding instructions not to collect additional tax from buses belonging to Government Transport, Madras, used for transport of passengers to Avadi Congress Session.

10. Amendment to sub-rule (3) of Rule 3 of the Madras Land Revenue (Surcharge) Rules, 1954, issued in G.O. No. 49, Revenue, dated 8th January 1955. [Laid on the table of the House under section 7 (4) of the Madras Land Revenue (Surcharge) Act, 1954.]

11. Balance Sheet and Manufacturing, Trading and Profit and Loss Account of the Radio and Electricals, Limited, Madras, as at 31st December 1953.

12. Amendments to Malabar Tenancy (Determination of Fair Rent) Rules, 1954, issued with G.O. Ms. No. 3632, Revenue, dated 25th December 1954.

* Despatched by post on 27th January 1955.

[8th February 1955]

13. Notification No. 59, issued with G.O. Ms. No. 36, Home, dated 6th January 1955, regarding collection of tax on lorries plying on inter-State routes after formation of Andhra State.

14. Notification No. 72, issued with G.O. Ms. No. 130, Home, dated 12th January 1955, regarding levy of short-term licence fees at reduced rates in respect of vehicles used for transport of passengers during All-India Congress Session at Avadi.

15. Notification No. 54, issued with G.O. Ms. No. 3802, Home, dated 24th December 1954, regarding exemption of tractors and trailers from payment of tax under the Madras Motor Vehicles Taxation Act, 1931 (Madras Act III of 1931).

16. Bill passed by the Assembly and received therefrom in the Council :—

*The Madras City Municipal (Amendment) Bill, 1954 (L.A. Bill No. 1 of 1955).

* Sent by messenger on 7th February 1955.

[8th February 1955]

APPENDIX I

[Vide answer to starred question No. 111 asked by Dr. V. K. John (on behalf of Sri Mohamed Raza Khan) at the meeting of the Legislative Council held on 8th February 1955, page 3 supra.]

Statement.

Serial number and name of the borrower.	Extent of aid granted.	Date of disbursement.	Amount outstanding as on 31st March 1954.
(1)	(2)	(3)	(4)
	RS.		RS.
1 The Industrial and Commercial Syndicate, No. 17, Randalls Road, Vepery, Madras-7.	85,000 (loan).	30th July 1948 ..	72,582
2 The Metal Industries, Limited, Shoranur, Malabar district.	1,00,000 (first loan) 75,000 (second loan)	20th July 1948 .. 13th July 1949 ...	92,049 72,732
3 The Sundarsan Oil Mills, Limited, Katpadi, North Arcot district.	10,00,000 (loan)	14th April 1949 ..	10,00,000
4 The Narayana Tile Works, Hosur, Salem district.	5,000 (loan)	11th June 1949 ..	4,185
5 The Madras Vanaspathi, Limited, Villupuram, South Arcot district.	10,00,000 (loan)	12th June 1950 ..	10,00,000
6 The Purnima Straw Board and Paper Mills, Limited, Moodabidri, South Kanara district.	40,000 (loan)	4th December 1951 ..	40,000
7 Vijayalakshmi Textiles, Gudiyattam, North Arcot district.	24,000 (loan)	17th February 1950 ..	16,631
8 The National Manure Works, Udampet, Coimbatore district.	25,000 (loan)	22nd March 1950 ..	21,742
9 K. S. Ananthanarayanan, Nos. 27/28, Nanchiappa Mudali Street, Mylapore, Madras.	6,000 (loan) 2,000 (subsidy)	13th October 1949 ..	7,219
10 Kumar Industries, Edathara, Malabar district.	1,00,000 (loan)	23rd January 1950 ..	65,735
11 Rajeswari Mills, Limited, Gudiyattam, North Arcot district.	5,00,000 (loan)	4th August 1950 ..	4,52,331
12 Ratnam Industrial Works, Jermia Road, Vepery, Madras.	2,000 (loan)	10th April 1950 ..	1,499
13 Techno Chemicals, Limited, Kozhikode, Malabar district.	1,00,000	1st May 1950 ..	90,467
14 Sri B. F. Aranha, Kankanady, Managalore, South Kanara district.	8,800 (loan)	15th February 1953 ..	8,392
15 Virudhunagar Textile Mills, Limited, Soolakkarai, Ramanathapuram district.	3,50,000	16th February 1951 ..	2,98,866
16 L. S. Perez, Proprietor, Associated Knitting and Cottage Industries, Chingleput, Chingleput district.	5,000 (loan)	22nd May 1952 ..	5,030
17 The Tuticorin Spinning Mills, Limited, Tuticorin, Tirunelveli district.	5,00,000 (loan)	4th June 1951 ..	4,89,002
18 The Kadri Mills (Coimbatore), Limited, Singanallur P.O., Coimbatore district.	4,00,000 (loan)	26th March 1951 ..	3,61,864

APPENDIX

8th February 1955]

Serial number and name of the borrower.	Extent of aid granted.	Date of disbursement.	Amount outstanding as on 31st March 1954.
(1)	(2)	(3)	(4)
	RS.		RS.
19 Iris Manufacturers, Limited, Madras.	40,000 (loan)	9th August 1950 ..	36,820
20 The Premier Mills (Coimbatore), Limited, Pulankinar, Udampet, Coimbatore district.	3,00,000 (loan)	27th March 1951 ..	2,56,171
21 The Textool Company, Limited, Ganapathi P.O., Coimbatore district.	6,00,000 (loan)	6th February 1951 ..	5,42,795
22 The Madras Rubber Factory, Madras.	30,000 (loan)	15th March 1951 ..	22,482
23 Vegetable Oil Products, Limited, Pollachi, Coimbatore district.	50,000 (loan)	12th April 1952 ..	50,000
24 Sri P. A. C. Ramaswamy Raja, Rajapalayam, Ramanathapuram district.	1,25,000 (loan)	20th September 1951 ..	1,17,251
25 The South India Carbonic Gas Industries, Madras.	1,00,000 (loan)	1st October 1951 ..	1,00,000
26 Vummidiars (Manufacturers), Limited, Madras.	1,85,000 (loan)	10th August 1951 ..	1,73,530
27 The Kasturi Engineers, Limited, Kuniamputhur, Coimbatore district.	50,000 (loan)	26th June 1951 ..	31,450
28 Damodhar Envelope Factory, Rayapuram, Madras.	50,000 (loan)	1st October 1951 ..	45,250
29 The South Indian Silk, Limited, Gudiyattam, North Arcot district.	60,000 (loan)	28th March 1952 ..	185
30 The Jaga Button Industries, Limited, Coimbatore, Coimbatore district.	30,000 (loan)	1st December 1953 ..	30,000
31 Fine Hose Manufacturers Syndicate, Madras.	2,000 (loan)	3rd December 1953 ..	2,000
32 The New India Ceramics, Limited, Feroke, Malabar district.	30,000 (loan)	15th November 1953 ..	30,000
33 Sri Radhakrishna Hosiery Factory, Madras.	3,000 (loan)	19th March 1954 ..	2,000
34 Sri Pandragi Gopala Rao, Aminjikarai, Madras.	8,800 (loan)	26th June 1954 ..	8,800

[8th February 1955]

APPENDIX II.

[Vide answer to unstarred question No. 12 asked by Sri T. Purushothan at the meeting of the Legislative Council held on 8th February 1955, page 10 supra.]

Progress of physical achievements under the Community Development Programmes up to 30th September 1954.

Serial number and details of heads.	Community Projects.	Community Development Blocks.	National Extension Service Blocks.	Total.
(1)	(2)	(3)	(4)	(5)
1 Population	2,175,551	368,356	3,479,993	6,023,900
2 People's contribution (in thousands of rupees)	9,86.7	1,09.5	12,73.8	23,70.0
<i>Agriculture.</i>				
3 Seeds distributed (Maunds)	14,358	3,386	12,516	30,260
4 Fertilizers distributed .. (Maunds)	678,731	23,860	160,748	863,339
5 Demonstration held ..	2,574	310	1,212	4,096
6 Area brought under fruits and vegetables. (Acres)	3,363	144	3,165	6,672
<i>Animal Husbandry.</i>				
7 Pedigree bulls supplied ..	27	4	187	218
8 Pedigree birds supplied ..	101	33	2,163	2,297
<i>Irrigation.</i>				
9 Area commanded (Acres)	20,345	3	1,205	21,553
<i>Public Health.</i>				
10 Drinking-water wells constructed.	141	11	238	390
11 Drinking-water wells renovated.	467	10	185	662
<i>Education.</i>				
12 New schools opened ..	69	6	253	328
13 Ordinary schools converted into basic.	31	..	21	52
<i>Social Education.</i>				
14 Community Recreation Centres started.	125	10	301	436
<i>Communications.</i>				
15 Pucca roads constructed .. (Miles)	11	3	142	156
16 Katcha roads constructed .. (Miles)	522	56	239	617

[8th February 1955]

APPENDIX III.

[Vide answer to unstarred question No. 12 asked by Sri T. Purushothan at the meeting of the Legislative Council held on 8th February 1955, page 10 supra.]

Statement showing the progressive expenditure in the Community Projects—Madras State up to the end of September 1954.

Major head.	Names of projects.				Total.
	Periyar.	Lower Bhavani.	South Kanara.	Malampuzha.	
(1)	(2)	(3)	(4)	(5)	(6)
	RS.	RS.	RS.	RS.	RS.
State Headquarters	47,992	47,992	47,992	47,992	1,91,968
Project Headquarters	3,17,225	2,47,950	2,99,163	2,20,005	10,84,343
Agriculture and Animal Husbandry Extension.	3,00,111	2,54,775	2,12,023	2,20,103	9,87,012
Irrigation	7,80,190	2,27,231	56,830	6,46,796	17,11,047
Reclamation	..	1,000	..	..	1,000
Health and Rural Sanitation.	90,867	95,949	81,675	1,43,129	4,11,630
Education	43,324	..	27,055	..	70,379
Social Education	57,462	13,196	9,047	19,717	99,422
Communication	1,00,098	28,695	1,28,656	92,510	3,49,959
Rural Arts and Crafts ..	6,272	390	..	1,061	7,723
Suspense	..	4,075	(—) 9,334	5,062	(—) 197
Grand total ..	17,43,541	9,21,253	8,53,107	13,96,375	49,14,276

	RS.
(1) Total amount of Central grant up to 30th September 1954	18,12,850
(2) Loan obtained from Central Government	25,68,000
NOTE.—Items (1) and (2) relate to the expenditure incurred on the establishment including technical personnel and other incidental administration charges.	

58th February 1955

APPENDIX IV.

[Vide answer to unstarred question No. 12 asked by Sri T. Parushotham at the meeting of the Legislative Council held on 8th February 1955, page 10 supra.]

Statement showing the progressive expenditure in the Community Development Blocks up to the end of September 1954.

Major head.	Name of blocks.				Total.
	Attur.	Chidambaram.	Cheranmahadevi.	Chingleput.	
(1)	(2)	(3)	(4)	(5)	(6)
	RS.	RS.	RS.	RS.	RS.
State Headquarters	7,456	7,456	7,456	7,456	29,824
District Headquarters	28,979	38,097	37,224	40,762	1,45,062
Agriculture and Animal Husbandry Extension.	10,460	1,086	4,824	20,400	36,770
Irrigation	1,24,140	..	..	35,710	1,59,850
Reclamation	..	..	..	2,100	2,100
Health and Rural Sanitation ..	15,688	3,092	1,998	3,780	24,558
Education	..	..	..	..	..
Social Education	1,957	1,414	656	1,419	5,446
Communication	1,469	1,102	6,559	12,152	21,282
Rural Arts and Crafts	..	..	..	..	..
Suspense	..	218	..	..	218
Grand total	1,90,158	52,435	58,717	1,23,849	4,25,159

RS.

(1) Total amount of Central Government grant up to 30th September 1954 .. 2,94,000

(2) Loan obtained from Central Government 6,77,000

NOTE.—Items (1) and (2) relate to the expenditure incurred on the establishment including technical personnel and other incidental administration charges.

6th February 1955]

APPENDIX V.

[Vide answer to unstarred question No. 12 asked by Sri T. Parushotham at the meeting of the Legislative Council held on 8th February 1955, page 10 supra.]

Statement showing the expenditure incurred as per schematic Budget on 28. National Extension Service Blocks up to 30th September 1954.

				Amount spent on 28. National Extension Service Blocks up to 30th September 1954.
				RS.
1	Personnel	..	..	8,77,056
2	Transport	..	..	1,66,692
3	Local Works	..	..	7,49,820
4	Social Education	..	..	1,33,200
5	Grants-in-aid	..	..	36,828
6	Loans in respect of Minor Irrigation Schemes.	..	..	82,650
7	Loans for providing short-term credit facilities.	..	..	6,48,875
Total				26,84,821

RS.

(1) Total amount of grant received to end of September 1954. 9,52,000

(2) Total amount of loans credited to end of September 1954. 4,46,000

[8th February 1955]

APPENDIX VI.

[Vide answer to unstarred question No. 13 asked by Sri G. Krishnamoorthi at the meeting of the Legislative Council held on 8th February 1955, page 10 supra.]

Scales of Pay.

SECONDARY SCHOOLS.

Post.	Qualifications.	Government scales of pay.	Local body scales of pay.
(1)	(2)	(3)	(4)
		RS.	RS.
Headmasters of schools with Form V and below.	Graduates with B.T. or B. Ed. of Madras or Andhra University.	85-5-125-10-175.	75-5-145.
Schools with 12 sections or less in Forms I to VI.	Do.		150-10-200.
Schools with 12 to 24 sections	Do.		165-7½-225-10-245.
Schools with 25 sections or more	Do.		250-15-400.

Remarks.—For purpose of assessment of grant.

Headmaster's Allowance.—Rs. 10, if the strength is 500 and below, Rs. 25, if the strength is above 500.

For this purpose, the strength on 1st August is taken. If the strength falls below 450 at any time the allowance will be Rs. 10 only. This allowance is reckoned for purpose of Dearness Allowance.

Assistant Headmaster's Allowance.—Rs. 15, admissible in schools having a strength of 1,000 and more.

L.T. Assistants ..	Same as for the Headmasters.	85-5-125-10-175.	75-5-145.
Secondary Grade Assistant ..	Secondary Grade Teachers, Training Certificate.	45-3-60-2-90.	45-2-85.
Unqualified Assistant ..	Graduates trained but failed.	70 fixed.	..
	Untrained graduates.	65 fixed.	..
	Under graduates.	45 fixed.	..
	Secondary Grade untrained.	30 fixed.	..
	Others ..	25 fixed.	..

NOTE.—Teachers who have passed the Nursery, Montessori and Kindergarten Training School-Leaving Certificate Examination of secondary grade may be employed to handle classes I and II (G.O. No. 3080, Education, dated 18th November 1950).

** These scales are prescribed for purposes of assessment of grant to High Schools under private managements and are not applicable to institutions under local bodies.

[8th February 1955]

Qualifications.

Government scale of pay.

Local body scale of pay.

(1)

(2)

(3)

RS.

RS.

REGIONAL LANGUAGE PANDITS.

HIGH SCHOOLS.

Grade I—

Degree in the language plus L.T., B.T. or B.Ed., B.O.L. (Pass or Hons.) with S.S.L.C. completed, L.T., B.T., or B.Ed., S.S.L.C. completed* and Oriental Title and Pandits or Secondary Grade Training.	85-5-125-10-175.	75-5-145.
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Existing incumbents on 1st January 1948—

Oriental Title (Vidwan, Pulavar, etc.) or Graduates with an Oriental language as a subject of their special study in their Degree course with 15 years' service as Pandits in High Schools on 1st January 1948.	85-5-125-10-175.	75-5-145.
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Oriental Title (Vidwan, Pulavar, etc.) or Graduates with an Oriental language as a subject of their special study in their Degree course with less than 15 years' service in High Schools on 1st January 1948.	55-5-130.	60-4-120.
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NOTE.—They may be given the L.T. scale from the date of completion of the 15 years (Rs. 85 to 175 or 75-5-145 as the case may be).

Pre-1926 Pandits without any Oriental Title ..	45-3-60-2-90.	45-2-85.
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MIDDLE SCHOOLS.

Grade II—

Oriental Title with Pandits or Secondary Grade Training.	45-3-60-2-90.	45-2-85.
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Existing incumbents on 1st January 1948—

Oriental Title only or pre-1926 Pandits without any Oriental Title.	45-3-60-2-90.	45-2-85.
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Category III—Mere Oriental Title holders appointed after 1st January 1948 with reference to G.O. No. 2214, Education, dated 7th September 1948, G.O. No. 2483, Education, dated 28th October 1952, and G.O. No. 296, Education, dated 11th February 1953.

	RS.	RS.
Oriental Title only or B.O.L. or B.A. with an Oriental Language as a special subject of study.	45-2-75.	40-1½-70 if employed in High Schools. 40-1-60 if employed in Middle Schools.

UNQUALIFIED.

Pandits possessing Vidwan preliminary—Pravesa Pandithar, Bela Pandithar, etc.	40 (fixed)	40 (fixed).
Others ..	25	25 (30 if S.S.L.C.)

* Marks:—

* Old scheme.

New scheme.

	PER CENT.		PER CENT.
First language ..	35	First language ..	35
English ..	30	English ..	30
Elementary Mathematics ..	25	Elementary Mathematics ..	30
Elementary Science ..	25	General Science ..	25
History and Geography ..	25	Social Studies ..	25
"C" Group ..	20	Special subject ..	30

[6th February 1955]

Explanation.—In the case of a Pandit for a language other than the Regional language and who was in the scale of Rs. 45 to 75 prior to 1st January 1947 and in Grade I scale of pay thereafter as per G.O. No. 975, Education, dated 10th May 1947, he may be continued to be in Grade I even after 1st January 1948 even though he does not have exclusive work in higher forms provided that he is the only Pandit in the school and does work for all the forms (G.O. No. 840, Education, dated 14th March 1950).

2. Qualified Grade II Pandits, those who are in the scale of Rs. 45—3—60—2—90, Rs. 45—2—85 as the case may be, are eligible for an allowance of Rs. 10 per mensem if they have work for not less than 12 periods a week in High School forms. Mere Oriental Title holders who are appointed after 1st January 1948 and are in the scale of Rs. 45—2—75, Government scale, and Rs. 40—1—60, Local Body scale, are not eligible for this special pay.

Qualifications.	Government scale of pay.	Local body scale of pay.
(1)	(2)	(3)
	Rs.	Rs.

HINDI PANDITS.

HIGH SCHOOL—FOR ALL.

Grade I—		
Degree in the language plus L.T., B.T., or B.Ed.		
B.O.L. (Pass or Hons.) with S.S.L.C. completed* plus L.T., B.T., or B.Ed.		
Oriental Title in Hindi with S.S.L.C. completed plus Secondary Grade Training or Pracharak Diploma.	85—5—125—10—175.	75—5—145
Pracharak Diploma of the Hindustani Prachar Sabha or an equivalent thereto as may be prescribed by Government with S.S.L.C. completed.		
Oriental Title in Hindi with Pracharak Diploma of the Hindustani Prachar Sabha or an equivalent thereto with the educational qualification of at least III Form or E.S.L.C. with English.	65—5—130	60—4—120
Oriental Title in Hindi with Pracharak Diploma of the Hindustani Prachar Sabha or an equivalent thereto as may be prescribed by Government without the educational qualification of III Form.	35—3—115	50—4—110
For existing incumbents on 1st January 1948—		
Oriental Title in Hindi or Pracharak Diploma of the Hindustani Prachar Sabha or an equivalent thereto as may be prescribed by the Government with 15 years service as Hindustani teachers in High Schools on 1st January 1948.	85—5—125—10—175	75—5—145
Oriental Title in Hindi or Pracharak Diploma of the Hindustani Prachar Sabha or an equivalent thereto as may be prescribed by the Government with less than 15 years service as Hindustani teachers in High Schools on 1st January 1948.	65—5—130	60—4—120

GRADE II—MIDDLE SCHOOLS.

	Rs.	Rs.
I Oriental Title or Pracharak Diploma of the Hindustani Prachar Sabha or equivalent thereto as may be prescribed by Government with the educational qualification of at least III Form or E.S.L.C. with English.	45—3—60—2—90	45—2—85
II Oriental Title of Pracharak Diploma of the Hindustani Prachar Sabha or equivalent thereto as may be prescribed by Government without the educational qualification of III Form.	40—2—80	40—2—80

For existing incumbents on 1st January 1948—

Oriental Title in Hindi or Pracharak Diploma of the Hindustani Prachar Sabha or equivalent thereto as may be prescribed by Government with or without the educational qualification of III Form.	45—3—60—2—90	45—2—85
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Note.—The above scale (Grade I scale) is applicable to persons holding higher forms only.

[8th February 1955]

Unqualified teachers.

	Rs.	Rs.
* Unqualified Hindustani teachers employed in Secondary schools will draw fixed pay as shown until they obtain the Pracharak Diploma within the time allowed by Government (2 years).	55 High schools.	50
	40 Middle schools.	40

HINDUSTANI TEACHERS EXEMPTED FROM OBTAINING THE PRACHARAK DIPLOMA.

The following classes of teachers possessing any one of the qualifications in the language as laid down in G.O. No. 1421, Education, dated 21st May 1951, and Government Memo. No. 29419-B/51-3, Education, dated 17th October 1951, are exempted from undergoing the Pracharak training and obtaining the diploma:—

Qualifications.	Government scale of pay.	Local body scale of pay.
(1)	(2)	(3)
Those who were appointed prior to 9th June 1939.	Exempted Hindustani teachers in Government schools will be eligible for the scales of pay under the several items in Grade I and Grade II to which holders of Pracharak Diploma are eligible except the scale of Rs. 85—5—125—10—175 fixed in item I under Grade I.	Exempted Hindustani teachers will be eligible for the scales of pay under the several items in Grade I and Grade II to which holders of Pracharak Diploma are eligible except the scale of pay of Rs. 75—5—145 fixed in item I under Grade I.
Those who were appointed on or after 9th June 1939, and had put in at least 5 years service as Hindustani teachers in the aggregate on 1st January 1948.		
Those who are holding Teachers' Training Certificate, Higher Elementary, Secondary or collegiate in addition to a recognized qualification specified in G.O. No. 1424, Education, dated 21st May 1951.		

Qualifications.	Government scale of pay.	Local Body scale of pay.
(1)	(2)	(3)
	Rs.	Rs.
For those who do not possess any qualifications	30 if S.S.L.C., 25 otherwise.	....

Qualified Grade II Pandits are eligible for an allowance of Rs. 10 per mensem, if they have work for not less than 12 periods a week in higher forms.

Physical Directors—		90—5—130
B.A., L.T. with Y.M.C.A. diploma in Physical Education.	....	
Graduates who possess the Diploma in Physical Education.	85—5—125—10—175	75—5—145
Completed Intermediate course and possess Y.M.C.A. certificate in Physical Education.	75 fixed ..	75 fixed ..

NOTE.—A Physical Director is admissible in school having a strength of 750 and more.

Physical Training Instructors (Grade I)—		50—2—70—2½—95.	50—2—70—2½—95.
Diploma in Physical Education † or higher grade in Physical Education.			

† Refers to holders of diploma in Physical Education awarded to women prior to July 1948 (Government Memorandum No. 4197-B/50-2, Education, dated 29th March 1950).

Physical Training Instructors (Grade II)—			
Holders of lower grade certificate in Physical Education.			
or			
Holders of certificate of Physical Training after undergoing one year's training in the Y.M.C.A. College of Physical Education, Saidapet, before 1937-38.	45—2—75		45—2—75

* **Note.**—The rates of pay fixed above are applicable only to those who possess any of the qualifications in the language laid down in G.O. No. 1424, Education, dated 21st May 1951 and Government Memorandum No. 29419-B/51-3, Education, dated 17th October 1951. Those who do not possess any of the qualifications will be eligible for the fixed pay of Rs. 30, untrained secondary grade teachers and Rs. 25 for others.

[8th February 1955]

Qualifications.	Government scale of pay.	Local Body scale of pay.
(1)	(2)	(3)
or	RS.	RS.
The special certificate issued by the Secretary to the Commissioner for Government Examinations to ex-servicemen trained as Physical Training Instructors.	45-2-75	45-2-75
NOTE.—(To be given Grade I scale if certificate is marked 'Higher Grade').		
Holders of old Gymnastic Teacher's Certificate in Physical training issued prior to 1927.	40-1-60	40-1-60
Other untrained teachers appointed before 1st January 1947.	30-1-50	30-1-50, Others 30 and 25 if otherwise.
Drawing Masters—		
Technical teachers' Certificate, Higher Grade in Drawing.	45-3-60-2-90	45-2-85
Freehand and outline in Higher Grade without Teachers' Training Certificate.	44 (fixed). (Dis. No. 6831/50, dated 26th September 1950.)	
Manual Training Instructors—		
Manual Training in Woodwork—Completed S.S.L.C. plus M.T. Certificate of the Teachers' Collage, Saidapet.	..	50-2-90
Those who possess the general educational qualification but not the technical qualification.	30 (fixed)	30 (fixed)
Those who possess the technical qualification but not the educational qualification.	..	30-1-45
raft Instructors—		
As per qualifications in the M.E.R.	..	50-2-90
Unqualified	..	30
Music Teachers (Grade I)		
Diploma in Indian Music of the Madras or Andhra University or Sangeethabushana of the Annamalai University or Degree of Bachelor of Arts of the Madras University with Indian Music under Part III.	45-3-60-2-90	45-2-85
Grade I only in schools where Music is introduced as one of the bifurcated courses or when Music is taught as an optional subject under the old scheme.		
Music Teachers (Grade II)—		
T.T.C. (Higher) in Music	45-3-60-2-90	40-1-70
sewing and Needlework Mistresses—		
Group certificate in Needlework and Dress making under the Scheme of Government Technical Examination.	45-3-60-2-90	40-1-70

SECRETARIAL COURSE.
SCALE OF PAY.

1. B.Com. or D.Com. untrained;	85	75
2. B.Com. with the Teacher's diploma obtained after undergoing a course of teacher's training that may be arranged for them or D. Coms. with T.T.C. or Tech. Trs. Cert. in the subjects concerned.	85-5-125-10-175	75-5-145
3. B.Com. with L.T., B.T., or B.Ed.	100-5-125-10-175	90-5-145

ANNEXURE

763

[8th February 1955]

Qualifications.	Government scale of pay.	Local Body scale of pay.
(1)	(2)	(3)
RS.	RS.	RS.
SECRETARIAL COURSE—cont.		
Assistant—cont.		
4. L.T. Assistant to be borne on the regular staff, with Trained Teacher's Certificate, Higher Grade, in (1) Book-keeping, (2) Theory and Practice of Commerce, (3) Banking and (4) Commercial Geography.	85-5-125-10-175	75-5-145
Commercial Instructor—		
A pass in the Government Technical Examination of the Higher Grade in Typewriting.	60-4-100	50-2-90

ENGINEERING COURSE.

Engineering Instructor—		
L.M.E. or L.E.E. with three years practical experience in Engineering Workshop or as Instructor in a recognized Technical School.	85-5-125-10-175	75-5-145
NOTE.—Fully qualified persons may be started at Rs. 100 in Government schools and Rs. 90 in other schools.		
Assistant Instructor—		
Same as above with a minimum of one year's experience.	85-5-125-10-175	75-5-145
Senior Mechanic—		
First Form with Technical experience as First-class Engine Fitter or as Auto-Mechanic for a period of at least five years.	45-3-60-2-70	45-3-60-2-70
Junior Mechanic—		
Good experience as a metal Turner or Carpenter	40-2-50-1-55	40-2-50-1-55
Attender—		
Good experience as a blacksmith or as a striker	30-1-40	30-1-40

AGRICULTURE COURSE.

Instructor—		
B.Sc. (Agriculture)	100-5-140-10-220	100-5-100-10-220
In the absence of B.Sc. (Agriculture) Higher Grade (Agriculture).		
	85-5-125-10-175	75-5-145
Maistri	..	..
Coolies	..	..
According to prevailing market rate in the locality.		

DOMESTIC SCIENCE.

Assistant—		
L.T. or B.T.	85-5-125-10-175	75-5-145
In their absence an untrained graduate in Home Science.		
Fixed pay of Rs. 65, or any pay not exceeding the minimum.		
Attender—		
Women—III Form	24-1-32-1-35	24-1-32-1-35

MUSIC AND DANCING.

Teacher—		
Vocal, Instrumental and Tabalam Graduate in Music or Diploma holder in Music. Title holders Sangitha Siromani or Sangitha Bushanam with S.S.L.C. or Matriculation.	85-5-125-10-175	75-5-145
Dancing—		
Diploma obtained after undergoing the prescribed course at the Kalakshetra, Adyar, in dancing.		

[8th February 1955]

DRAWING AND PAINTING**Qualifications.**

Government scale of pay.	Local Body scale of pay.
(2)	(3)
Rs.	Rs.

Qualifications.

Completed S.S.L.C. and II Class Diploma in Drawing granted by the School of Arts and Crafts or Government Diploma in Drawing.

85-5-125	75-5-145
19-175	

(To be started on Rs. 100 in Government Schools and Rs. 90 in other schools.)

A Group certificate in Drawing with Trained Teacher's Certificate of the Higher Grade.

45-3-80	45-2-85
2-90	

NOTE.—For purposes of grant, local body scales of pay only will be taken into account for all bifurcated courses.

8th February 1955]

APPENDIX VII.

[Vide Item IV on page 16 supra]

L.A. BILL No. 1 OF 1955.

(As passed by the Assembly.)

A Bill further to amend the Madras City Municipal Act, 1919.

WHEREAS it is expedient further to amend the Madras City Municipal Act, 1919 (Madras Act IV of 1919), for the purpose hereinafter appearing;

BE it enacted in the Sixth Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Madras City Municipal (Amendment) Act, 1955.

(2) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint.

2. *Substitution of new section for section 344 in Madras Act IV of 1919.*—For section 344 of the Madras City Municipal Act, 1919 (Madras Act IV of 1919), the following section shall be substituted, namely:—

“344. *Compulsory vaccination.*—The Corporation shall enforce vaccination throughout the City, and it may enforce revaccination throughout the City or in any part thereof, in respect of such persons, to such extent, and in such manner, as may be prescribed.”

THE MADRAS LEGISLATIVE COUNCIL.

Tuesday, the 15th February 1955.

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

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

Damages caused to plants by stray cattle in thoroughfares in the city and in the mufassal.

* 119 Q.—DR. A. SREENIVASAN : Will the Hon. the Chief Minister be pleased to state—

(a) whether damages are caused by stray cattle to plants in the thoroughfares of the City of Madras and in mufassal municipalities;

(b) if so, the action taken by Government to avert such damages;

(c) whether the straying of cattle in the thoroughfares has resulted in accidents; and

(d) if so, what action the Government propose to take to avoid such accidents?

THE HON. SRI M. BHAKTAVATSALAM (on behalf of the Hon. the Chief Minister) :—“(a) Yes, Sir.

“(b) Stray cattle found are being rounded up and impounded and the owners are prosecuted.

“(c) Yes, Sir.

“(d) Beat constables and traffic constables are doing their best to prevent stray cattle causing accidents. Action is also being taken under the Madras City Police Act, Madras Towns Nuisances Act and the Madras Traffic Rules to prevent accidents. There are no other proposals under consideration.”

SRI V. CHAKKARAI CHETTY :—“Sir, may I know how many cases of arrest of stray dogs and cattle have taken place and whether any prosecutions were launched by the City Corporation and if so, with what result?”

THE HON. SRI M. BHAKTAVATSALAM :—“Sir, the Commissioner of Police has reported that a total number of 8,090 cases were put up so far this year.”

SRI V. CHAKKARAI CHETTY :—“May I know, Sir, how many cases have been withdrawn at the instance of the Councillors of the Corporation?”

[15th February 1955]

THE HON. SRI M. BHAKTAVATSALAM :—" I have no such information, Sir, and I do not believe that Councillors of the Corporation are interfering and interfering so effectively."

SRI T. PURUSHOTHAM :—" Sir, the hon. Member has referred to accidents due to straying of cattle. What about men and has any action been taken to prevent jay-walking in thoroughfares? " (Laughter.)

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

SRI MOHAMED RAZA KHAN :—" Sir, is it not a fact that such cattle owners have to pay something to the Police and again when they are prosecuted they have to pay fine in the Magistrate's Courts? "

THE HON. SRI M. BHAKTAVATSALAM :—" I do not know anything about this ' something '." (Laughter.)

SRI MOHAMED RAZA KHAN :—" Sir, I refer to cattle staying in the pound for one or two days—' something ' in a different sense."

THE HON. SRI M. BHAKTAVATSALAM :—" If that is so, the impounding fee is collected."

SRI K. BALASUBRAMANYA AYYAR :—" Sir, as impounding of cattle is not effective, will the Government take effective steps and frame special rules for the purpose of seeing that stray cattle do not trespass? "

THE HON. SRI M. BHAKTAVATSALAM :—" Sir, the Government will examine the suggestion."

DR. A. SREENIVASAN :—" Have the Commissioner of Police and the Commissioner of the Corporation written to the Madras Government expressing their inability to tackle the situation under the present rules? "

THE HON. SRI M. BHAKTAVATSALAM :—" The Commissioner of Police has addressed the Government and the matter is being looked into."

DR. A. SREENIVASAN :—" Sir, is it a fact that most of the straying animals are without owners and therefore it is they are allowed to stray and is it difficult for the Government to frame suitable rules for treating these animals as material objects according to law so that the animals may be confiscated by the Government? "

THE HON. SRI M. BHAKTAVATSALAM :—" Sir, I do not think that most of these animals are without owners. Perhaps a few are without owners and there may be difficulty in those cases."

[15th February 1955]

Vacancies for doctors in all Government hospitals and dispensaries in the State as on 1st November 1954.

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

(a) the number of vacancies for doctors in all the Government hospitals and dispensaries in the State as on 1st November 1954;

(b) the number of such posts which have remained unfilled for over six months; and

(c) the reasons as to why the vacancies have remained so unfilled?

THE HON. SRI A. B. SHETTY :—" (a) There were seven medical institutions (including a Primary Centre and five Government dispensaries) in the State where there were no Medical Officers as on 1st November 1954. The nearest Medical Officers have, however, been visiting some of these medical institutions twice or thrice a week to render medical aid to the people.

" (b) Three.

" (c) Acute shortage of Medical Officers in the cadre of Assistant Surgeons in the Madras Medical Service."

SRI T. PURUSHOTHAM :—" May I know, Sir, why the Government have not filled up these vacancies? I find that they have referred the matter to the Madras Public Service Commission and there has been delay on the part of the Commission in making the recruitment in time."

THE HON. SRI A. B. SHETTY :—" Sir, temporary appointments are being made to overcome the difficulty, but a few of the persons, who are appointed temporarily do not join their posts and the places have become vacant."

SRI MOHAMED RAZA KHAN :—" Sir, is it not a fact that in many of the Government hospitals the strength of the doctors is not in proportion to the bed-strength of the hospitals? "

THE HON. SRI A. B. SHETTY :—" The number of admissions is far in excess of the bed-strength and so the ratio of the doctors falls short."

SRI T. PURUSHOTHAM :—" Sir, in view of the great hardship caused to the patients by the non-filling up of these vacancies, will the Government prescribe a monthly return of such vacancies to be submitted by the Director of Medical Services so that Government may take steps to ensure prompt filling up of such vacancies? "

THE HON. SRI A. B. SHETTY :—" Sir, there were only seven hospitals on the date referred to in the question. Since then orders have been issued posting doctors to three of the

[15th February 1955]

hospitals and for the remaining four hospitals also doctors will be provided. Now, the Madras Public Service Commission are recruiting 150 candidates."

SRI MOHAMED RAZA KHAN :—" Sir, is it not a fact that if the hospitals are understaffed, their efficiency will definitely go down."

THE HON. SRI A. B. SHETTY :—" Yes, Sir, that goes without saying."

SRI V. V. RAMASWAMI :—" Sir, will the Government consider the advisability of appointing more honorary doctors to important hospitals? "

THE HON. SRI A. B. SHETTY :—" Sir, honorary appointments are made from time to time as and when the need arises and suitable doctors are available."

SRI T. PURUSHOTHAM :—" Sir, as the supply is admittedly less than the demand in this instance, may I know why the Head of the Department could not appoint the men turned out by the Universities as and when the vacancies occur in accordance with the service regulations and why should the public be made to suffer till a formal recruitment is made by the Public Service Commission? "

THE HON. SRI A. B. SHETTY :—" I have already stated that temporary appointments are made. Forty or eighty such appointments were made in December 1954."

Sanctioned bed-strength in District Headquarters Hospitals.

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

(a) the sanctioned bed-strength in each of the District Headquarters Hospitals in the State;

(b) the number of in-patients in each of those hospitals as on 1st November 1954; and

(c) the amenities regarding bed, diet, etc., provided for the in-patients in excess of the sanctioned bed-strength?

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

SRI T. PURUSHOTHAM :—" Sir, may I know if extra diet charges according to prescribed scale are sanctioned for these extra patients also or whether the Superintendents in charge of the hospitals are asked somehow to manage and distribute the sanctioned quantity among all the patients? "

THE HON. SRI A. B. SHETTY :—" No, Sir. The required quantity of medicines, diet and clothes are all provided for all the in-patients."

* Printed as Appendix I on page 796 infra.

[15th February 1955]

SRI T. PURUSHOTHAM :—" Sir, will the Government kindly enlighten me as to what steps have been taken to enlarge the District Headquarters hospitals with a view to make adequate provision to meet the rush of patients? "

THE HON. SRI A. B. SHETTY :—" The bed-strength of the hospitals is being increased and additional staff are being provided in a few of the hospitals every year."

SRI T. PURUSHOTHAM :—" Sir, may I know whether the Government would devise a scheme by which the District Medical Officers and other experts working in the District Headquarters hospitals would visit and halt and conduct treatment in rural areas periodically as that would relieve the rush of patients to the Headquarters hospitals? We had the example of the World Medical Experts visiting the Indian cities for consultations and treatment, if I may compare great things with small."

THE HON. SRI A. B. SHETTY :—" Sir, merely by visiting the hospitals in the mufassal areas, I do not know how the number of patients seeking admission in the bigger hospitals can be cut down."

SRI MOHAMED RAZA KHAN :—" Sir, from the statement placed on the table of the House, it is evident that in every headquarters hospital there is 50 per cent increase over the actual bed-strength. Is it the intention of the Hon. Minister that this should be a permanent phenomenon, or, are the Government doing something to see that the bed-strength in the hospitals is increased in proportion to the admissions in the various districts? "

THE HON. SRI A. B. SHETTY :—" Sir, I have already stated that the bed-strength is being increased in a few hospitals every year according to the needs."

Proposed course for Diploma in Radiology in the Madras Medical College.

* 122 Q.—DR. A. SREENIVASAN: Will the Hon. the Minister for Health be pleased to state— 3-10 p.m.

(a) whether there was any proposal to start a fresh course for Diploma in Radiology in the Madras Medical College under the aegis of the University of Madras from July 1954; and

(b) if so, why the course was not started as proposed?

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

" (b) The course has been started as originally proposed."

DR. A. SREENIVASAN :—" May I know why the course was not started in July as stated in the *Fort St. George Gazette*? "

THE HON. SRI A. B. SHETTY :—" No applications were received in response to the notification."

[15th February 1955]

DR. A. SREENIVASAN:—“Is it not a fact that the Dean had written to the Madras University to the effect that he could not call for applications as he was busy with the selection of students for the M.B.B.S. course?”

THE HON. SRI A. B. SHETTY:—“The candidates undergoing the Government Diploma course have been permitted to join the University Diploma course, as desired by them.”

DR. A. SREENIVASAN:—“At the time when this matter was hanging fire, there was a proposal to send some Civil Assistant Surgeons abroad for training in Radiology and the existence of a similar course in this country itself would have been inconvenient to them. Under these circumstances, is it not a fact that the Dean's delay came in handy for the Government?”

THE HON. SRI A. B. SHETTY:—“I do not think that the Dean was responsible for any delay in this matter. It was necessary to send medical officers to the United Kingdom to get advanced training in Radiology.”

SRI V. V. RAMASWAMI:—“May I know whether the letter said to have been written by the Dean to the University was a public document?”

THE HON. SRI A. B. SHETTY:—“I am not aware of any such letter.”

Starting of Women's Welfare Department.

* 123 Q.—SRIMATHI MARY C. CLUBWALA JADHAV: Will the Hon. the Minister for Agriculture be pleased to state—

(a) when the Women's Welfare Department, known earlier as Women's Civic Corps, was started;

(b) the programme of activities of the Women's Welfare Department;

(c) when this department will be made permanent; and

(d) whether the Government have any proposal to reopen the Vocational Training Centre of the Women's Welfare Department that was closed in 1953?

THE HON. SRI M. BHAKTAVATSALAM:—“(a), (b), (c) & (d) A statement* is laid on the table of the House.”

Opening of new secondary schools by local bodies.

* 124 Q.—SRI T. PURUSHOTHAM: Will the Hon. the Minister for Finance and Education be pleased to state the conditions imposed by Government for the opening of new secondary schools by local bodies?

* Printed as Appendix II on pages 796-799 infra.

[15th February 1955]

THE HON. SRI M. BHAKTAVATSALAM (on behalf of the Hon. the Minister for Finance and Education):—“A copy* of the instructions issued in the matter is laid on the table of the House.”

SRI T. PURUSHOTHAM:—“Is it the policy of the Government to discourage the local bodies from opening secondary schools? I have to raise this question as it is said in the Government Order placed on the table that the primary responsibility of the local bodies is to provide adequate facilities for elementary education, and I wish to point out that elementary education fund is entirely different from the general fund of the local bodies.”

THE HON. SRI M. BHAKTAVATSALAM:—“Sir, the hon. Member is aware that the resources of the local bodies are very limited and they have first to provide adequate facilities for elementary education and they have not been able to find necessary resources from the elementary education fund. Further, the Government have noticed that already the local bodies have opened a number of secondary schools and in some cases it has been found that they have gone beyond their means. Therefore, Sir, the Government would not like to encourage the local bodies to go on committing themselves to more and more secondary schools.”

SRI T. PURUSHOTHAM:—“Is it not an obligatory charge on the general fund of the district boards to provide facilities for secondary education in rural areas?”

THE HON. SRI M. BHAKTAVATSALAM:—“But, that will depend upon the resources available.”

SRI V. V. RAMASWAMI:—“மாவட்டக் கழகங்கள் தங்களுடைய நிதி நிலைமைக்கு மீறி ஆரம்பித்திருக்கும் உயர்நிலைப் பள்ளிகளை வேறு யாராவது எடுத்து நடத்துவதற்கு முன்வந்தால், அவைகளைத் தனிப்பட்டவர்களுடைய நிர்வாகத்திற்கு விட்டு விடும்படி ஸ்தல-ஸ்தாபனங்களுக்கு அரசியலார் யோசனை கூறுவார்களா?”

THE HON. SRI M. BHAKTAVATSALAM:—“ஸ்தல-ஸ்தாபனங்கள் இதுவரை ஆரம்பிக்கப்பட்டு நடந்து வருகின்ற உயர்நிலைப் பள்ளிகளை மூடப்பார்ப்பது சரியல்ல. ஆனால் ஸ்தல-ஸ்தாபனங்கள் இனி புதிதாக உயர்நிலைப் பள்ளிகளை ஆரம்பிப்பதாயிருந்து, அப்பொது தனி நபர்கள் யாராவது உதவியளிக்க முன்வந்தால் அவர்களுடைய உதவியையும் ஏற்றுக்கொண்டு, ஸ்தல-ஸ்தாபனங்களும் சேர்ந்து உயர்நிலைப் பள்ளிகளை ஆரம்பிக்கலாம் என்பதுதான் அரசாங்கம் வெளியிட்டிருக்கும் சுற்றறிக்கையின் நோக்கமாகும்.”

“ஏற்கெனவே ஸ்தல-ஸ்தாபனங்களால் ஆரம்பிக்கப்பட்டிருக்கும் உயர்நிலைப் பள்ளிகளைத் தனி நபர் யாராவது தாங்களே ஏற்று நடத்துவதற்கு முன்வந்தால் குறிப்பிட்ட ஸ்தல-ஸ்தாபனங்கள் அதைக் கவனிக்கலாம்.”

SRI T. PURUSHOTHAM:—“In view of the virtual ban on the district boards in this regard, will the Government take steps to open their own secondary schools in absolutely necessary and urgently needed cases and will the Government issue a directive

* Printed as Appendix III on pages 799-801 infra.

[15th February 1955]

to the Director of Public Instruction to call for such applications and recommend the most essential and suitable cases for consideration by the Government in time for the next budget? "

THE HON. SRI M. BHAKTAVATSALAM :—" No directive to the Director of Public Instruction is necessary. The Government will consider the question of opening new secondary schools in areas where otherwise it will not be feasible. The Government have seen that there are many private agencies which are prepared to come forward to open these schools. The object behind this circular is that the local bodies and the private agencies must be induced to come to some workable understanding in starting and conducting more secondary schools."

SRI T. PURUSHOTHAM :—" May I presume that special cases will receive favourable consideration at the hands of the Government? "

THE HON. SRI M. BHAKTAVATSALAM :—" The hon. Member need not have any other view about it."

Intimation to private teacher-candidates in regard to their failure in the T.S.L.C. Secondary Grade Examination.

* 125 Q.—SRI G. KRISHNAMOORTHY: Will the Hon. the Minister for Finance and Education be pleased to state—

(a) how intimation is given to private teacher-candidates failing in the T.S.L.C. Secondary Grade Examination regarding the subjects in which they have failed; and

(b) whether such intimation is given in time for them to prepare for the next immediately succeeding examination?

THE HON. SRI M. BHAKTAVATSALAM (on behalf of the Hon. the Minister for Finance and Education) :—" (a) All private candidates are informed individually about the groups in which they have failed.

" (b) Yes, Sir."

SRI G. KRISHNAMOORTHY :—" May I know the period of interval between the date of examination and the date of the intimation sent to private teacher-candidates? "

THE HON. SRI M. BHAKTAVATSALAM :—" There was no doubt a long interval. But I do not have the dates with me now."

SRI G. KRISHNAMOORTHY :—" Now that the October T.S.L.C. examination has been introduced by the Government, will they kindly see that intimation of either success or failure is sent within a maximum period of 30 days from the date of the examination? "

15th February 1955]

THE HON. SRI M. BHAKTAVATSALAM :—" Instructions have recently been issued to the effect that the result of these examinations should be intimated to the candidates sufficiently early especially to the failed candidates, so that they may avail themselves of the next chance to appear for the examination."

Non-payment of allowance to teachers posted to duty at the bye-election for the Aruppukkottai Parliamentary constituency.

* 126 Q.—SRI G. KRISHNAMOORTHY: Will the Hon. the Minister for Finance and Education be pleased to state—

(a) whether it is a fact that the allowances to teachers of Ettayapuram centre in the Tirunelveli district who were posted to duty at the bye-election for the Aruppukkottai Parliamentary constituency held on 23rd June 1952 still remain unpaid; and

(b) if so, the reasons therefor?

THE HON. SRI M. BHAKTAVATSALAM (on behalf of the Hon. the Minister for Finance and Education) :—" (a) No, Sir. The claims in question were settled and paid on 14th December 1954.

" (b) Does not arise."

SRI G. KRISHNAMOORTHY :—" May I know whether similar non-payment has been reported from the High School at Ettayapuram in respect of certain other teachers? "

THE HON. SRI M. BHAKTAVATSALAM :—" I have with me this information, viz., that 15 teachers of aided schools have signed and sent a representation complaining that they had not been paid their allowances for the work which they have done in connexion with the bye-election to the Aruppukkottai Parliamentary constituency."

SRI MOHAMED RAZA KHAN :—" Sir, it has taken two years for the Government to pay the allowances to the teachers for the work they have done in connexion with the bye-election to the Aruppukkottai constituency. May I know whether the Government will see that these allowances are immediately paid to the teachers who may be engaged in the ensuing bye-election at least? "

THE HON. SRI M. BHAKTAVATSALAM :—" There was this delay of two years not because of any deliberate neglect or indifference. Certain administrative procedures do take time. Even after the bill was received, it had to be sent to the Accountant-General for scrutiny and pre-audit. All these take some time."

SRI MOHAMED RAZA KHAN :—" When the party in power has taken two years to settle the claims of the teachers in respect

[15th February 1955]

of an election in which they have obtained victory, may I take it that, if they were defeated, they would not pay the bill at all?" (Laughter.)

THE HON. SRI M. BHAKTAVATSALAM :—" Victory or defeat has nothing to do with the preparation and settlement of bills. As a matter of fact, the party in power sustained a defeat in that election." (Renewed laughter.)

SRI G. KRISHNAMOORTHY :—" Is it a fact that Government servants are paid advance travelling allowance in respect of this work whereas teachers of aided institutions are not paid the same? "

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

MR. CHAIRMAN :—" Question No. 127 will be taken up on the 17th instant, as the Hon. Minister concerned is not in the City to-day."

Scales of pay of attenders, clerks and Superintendents in the district boards.

* 128 Q.—SRI M. ETHIRAJULU : Will the Hon. the Minister for Local Administration be pleased to state whether it is a fact that the pay of the attenders, clerks and Superintendents in the service of the district boards is less than the pay of those in the same categories in the service of the State? "

THE HON. SRI M. BHAKTAVATSALAM (on behalf of the Hon. the Minister for Local Administration) :—" The scale of pay of attenders under district boards is the same as that under Government. The scales of pay of the other posts under district boards are less than those under Government."

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

II.—PRESENCE OF MINISTERS IN THE HOUSE DURING QUESTION-HOUR.

DR. A. LAKSHMANASWAMI MUDALIYAR :—" Mr. Chairman, while I appreciate the part taken by the Hon. the Leader of the House in answering all questions put to several Hon. Ministers, may I say with due deference and apology that it would be much more consistent with the dignity of the House if the Ministers concerned were present here, unless it be that unavoidable and urgent considerations forced them to stay away."

3-20 P.M. * THE HON. SRI M. BHAKTAVATSALAM :—" Sir, I may tell the Hon. the Leader of the Opposition that the Hon. the Minister for Finance and Education has unavoidably to be absent to-day because he has to attend a conference relating to basic education elsewhere in Madurai district and the Hon. the Minister for Local Administration on whose behalf I am now answering the

15th February 1955] [Sri M. Bhaktavatsalam]

question has unavoidably to be present in the Legislative Assembly which is now sitting and deputise for the Hon. the Revenue Minister who has to be here to pilot his Bill."

DR. A. LAKSHMANASWAMI MUDALIYAR :—" Sir I did not know that the Assembly was sitting. I thought it was agreed that both Houses should meet at different hours. I am called upon to say that the procedure in the House of Commons is followed here. Question-time is supposed to be the most important hour, and very often the Hon. Minister who has to answer a question is put to the unfortunate necessity of saying 'the document before me does not give further details'. But if the Hon. Minister concerned is here, he will be in a position to answer the question."

* THE HON. SRI M. BHAKTAVATSALAM :—" Sir, I can assure the Hon. the Leader of the Opposition that Ministers will certainly make it a point to be present at least during question-hour whenever possible."

III.—ANNOUNCEMENT BY THE HON. THE CHAIRMAN RE.

(1) MESSAGE FROM THE ASSEMBLY.

MR. CHAIRMAN :—" I have to announce to the House that I have received the following messages, dated the 12th and 14th February 1955, from the Hon. the Speaker, Madras Legislative Assembly :—

(1) " In accordance with rule 114 of the Madras Assembly Rules, I transmit a copy of the Madras Irrigation (Levy of Betterment Contribution) Bill, 1954 (L.A. Bill No. 26 of 1954) as passed by the Assembly on the 12th February 1955 and signed by me for the recommendations of the Council.

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

(2) " In accordance with rule 138 of the Madras Assembly Rules, I transmit a copy of the motion passed to-day by the Madras Legislative Assembly, desiring to obtain the concurrence of the Council in setting up a Joint Select Committee of the two Houses to consider the Madras Indebted Agriculturists (Repayment of Debts) Bill, 1955 (L.A. Bill No. 2 of 1955) :

Motion.

" That the concurrence of the Legislative Council be obtained for setting up a Joint Select Committee of both the Houses consisting of 24 members (16 members of the Assembly and 8 members of the Council) to consider the Madras Indebted Agriculturists (Repayment of Debts) Bill, 1955 and that the following members of this House be selected to serve on such a Joint Select Committee :—

- 1 The Hon. Sri M. A. Manickavelu Naicker.
- 2 " Sri C. Subramaniam.
- 3 Sri K. Rajaram.

[Mr. Chairman] [15th February 1955]

- 4 Sri M. Muni Reddy.
- 5 „ N. Mounaguruswami Naidu.
- 6 „ K. Ishwara.
- 7 „ A. Appu.
- 8 „ V. R. Nagarajan.
- 9 „ V. S. Chinnaswamy.
- 10 „ T. C. Narayanan Nambiar.
- 11 „ C. Kandaswamy.
- 12 „ K. M. Seethi Sahib.
- 13 „ M. P. Subramaniam.
- 14 „ P. Kandaswamy Goundar.
- 15 „ M. Manickasundaram.
- 16 Dr. K. B. Menon.' "

(2) BUSINESS ADVISORY COMMITTEE.

MR. CHAIRMAN :—“ I have to announce to the House, that under Rule 164 (1) of the Madras Council Rules, I have nominated the following six members of the Council to be the members of the Business Advisory Committee in addition to the Chairman of the Council who is Ex-officio Chairman :—

- 1 The Hon. Sri M. Bhaktavatsalam.
- 2 Dr. A. Lakshmanaswami Mudaliyar.
- 3 Sri T. Purushotham.
- 4 „ Mohamed Raza Khan.
- 5 „ M. P. Govinda Menon.
- 6 „ T. M. Narayanaswamy Pillai.”

(3) COMMITTEE ON GOVERNMENT ASSURANCES.

MR. CHAIRMAN :—“ I have also to announce to the House that under Rule 173 (1) of the Madras Council Rules, I have nominated the following five members of the Council to be the members of the Committee on Government Assurances :—

- 1 Dr. A. Lakshmanaswami Mudaliyar.
- 2 Dr. V. K. John.
- 3 Sri T. Purushotham.
- 4 „ G. Krishnamoorthi.
- 5 „ V. V. Ramaswami.

Under Rule 174 (1), I have nominated Dr. A. Lakshmanaswami Mudaliyar to be the Chairman of the Committee.”

IV.—GOVERNMENT BILLS.

- (1) THE MADRAS INDEBTED AGRICULTURISTS (REPAYMENT OF DEBTS) BILL, 1955 (L.A. BILL NO. 2 OF 1955).

* THE HON. SRI M. A. MANICKAVELU NAICKER :—“ Sir, I beg to move—

‘ That this House concurs with the Assembly in setting up a Joint Select Committee of both the Houses consisting of 24 Members (16 Members of the Assembly and 8 Members

15th February 1955] [Sri M. A. Manickavelu Naicker]

of the Council) to consider the Madras Indebted Agriculturists (Repayment of Debts) Bill, 1955 (L.A. Bill No. 2 of 1955) and that the following members of this House be selected to serve on such a Joint Select Committee :—

- (1) The Hon. Sri M. Bhaktavatsalam.
- (2) Sri P. P. Ummer Koya.
- (3) Srimathi Jothi Vencatachellum.
- (4) Sri S. P. Sivasubramanya Nadar.
- (5) „ T. Purushotham.
- (6) „ A. Gajapathy Nayagar.
- (7) „ K. Balasubramanya Ayyar.
- (8) „ V. V. Ramaswami.’

Sir, the House is aware that the Act called the Moratorium Act was passed to meet a particular emergency. That Act expired, and by a separate Act the life time of that Act was extended up to the end of February 1955. The idea was to bring in suitable legislation in the meantime. Now, the Bill had been published and hon. Members would have seen the provisions thereof. I shall now explain some of the main provisions of the Bill. First the term ‘ agriculturist ’ has been defined in a more restricted sense. In the original Act the definition was very wide and many people whom it was not intended to benefit were benefited, and so the present Bill restricts the scope of the definition. Not only people who pay income-tax but also others who pay profession tax, house tax, etc., cannot now claim any benefit from the provisions of the Bill. Then provision is made to pay off the debts in a certain number of instalments. If the arrears of interest accumulated and a portion of the principal, namely, one-eighth of it, is paid within three months from the 1st March, then the creditor cannot proceed against the debtor. The unpaid balance is to be paid in three yearly instalments. ‘ Debt ’ also has been defined. Now a doubt has arisen in the minds of some people that if the debtor fails to pay the first instalment, whether he would be penalised and the whole amount would become due for payment. That is not the idea, Sir. If it is not clear we shall make it clear at the Joint Select Committee stage. The idea of the Government is that if he fails to pay, he will not be penalised to pay the whole amount. The next instalment will be due next year only and the subsequent instalment will be due in the year coming next. I do not want to go into more details now since the Joint Select Committee will go into the whole matter. Therefore, I request the House to accept my motion.”

MR. CHAIRMAN :—“ Motion moved—

‘ That this House concurs with the Assembly in setting up a Joint Select Committee of both the Houses consisting of 24 Members (16 Members of the Assembly and 8 Members of the Council) to consider the Madras Indebted Agriculturists (Repayment of

[Mr. Chairman] [15th February 1955]

Debts Bill, 1955 (L.A. Bill No. 2 of 1955) and that the following members of this House be selected to serve on such a Joint Select Committee :—

- (1) The Hon. Sri M. Bhaktavatsalam.
- (2) Sri P. P. Ummer Koya.
- (3) Srimathi Jothi Vencatachellum.
- (4) Sri S. P. Sivasubramanya Nadar.
- (5) „ T. Purushotham.
- (6) „ A. Gajapathy Nayagar.
- (7) „ K. Balasubramanya Ayyar.
- (8) „ V. V. Ramaswami.’ ”

* DR. V. K. JOHN :—“ Sir, I must compliment the Government on having thought of constituting a Joint Select Committee in this matter. In many important matters which came up before the Legislature, the Government apparently forgot this House and no Joint Select Committee was constituted. I hope from now on they will have Joint Select Committees, and they will get the help of the Members of this House. Having complimented the Government on having thought of constituting a Joint Select Committee, I am afraid I cannot compliment them on bringing forward this Bill. A temporary measure was passed last year. That was a most controversial measure. I said on the floor of this House that that measure was like an atom bomb which would hit the good and the bad indiscriminately and destroy the economy of the country-side. The fact is that when Government rush through Bills like this, which affect millions of people, particularly the agriculturists as a whole, they make no investigation, no enquiry, and no survey. As a result of the brain wave of somebody sitting in his room, some Bill takes shape.

3-30
p.m.

“ Now I ask the Government : Have they, after passing the Act, made any enquiry? I know they did not make any enquiry or survey or investigation either before or after the Act was passed. In fact, an assurance was given, a solemn assurance was given that the Bill, which the Government wanted this House to pass last year, was only a temporary measure and that its life would never be extended beyond one year. Now, there is an extension of its life sought to be made in some other shape or form. The old provisions are still here. Why should the Government promise something and then break that promise? The Act was first passed last year, then an Ordinance was issued extending its life and this Ordinance was regularised later on by an amending Act. The life of the Act expires by the end of this month and without any investigation worth mentioning, without any enquiry or survey and without asking for public opinion in the matter, they have produced this Bill now. Last year we made some mistakes. We included in the existing Act provisions which covered the cases of persons whom we should not have thought of. Now what is the guarantee that we

15th February 1955] [Dr. V. K. John]

are doing the right thing by this measure? In a very important measure like this, the Government must have made their objectives clear. Is it the objective of the Government to give temporary relief to people who are already indebted so that they may not be oppressed or persecuted by their creditors? If that is their objective, then there is the existing law which enables judicial officers—munsifs, sub-judges and district judges—to give time to the debtors for repayment of loans in accordance with the requirements of each case. It is a matter of everyday occurrence in courts of this State that a decree is passed giving time to the judgment-debtor to pay in instalments his dues to the creditor. Surely, if a district munsif or any other judicial officer found that a debtor was very badly off, he would give time to him to clear off his debt in instalments. This principle is there already enforced by the courts. Why should we not leave it to the courts to find out the comparative position of the parties—creditor and debtor—and to do justice in each case? Why have this legislation? So, if the objective is to give some relief to the debtor, we must allow the courts to decide every case on its merits in accordance with the accepted notions of justice, equity and good conscience. If still a legislation is insisted upon, then we can very well have one but it should be one giving that directive to the courts. But that is not required. It is already there. But, if that is not, however, the objective, then again this is not the measure that is required.

“ Sir, the other day, I read an extract from the report of the Committee appointed by the Reserve Bank of India to enquire into the problem of rural agricultural indebtedness and the strange fact that I found therein was that the co-operative societies and the Government did not take any part in the solution of this problem. Only about three per cent of the money lent to the agriculturists is lent by the Co-operative societies. ‘Why do not you have co-operative credit societies,’ I ask the Government. Why should not the Government, if necessary, raise loans and give the money to these societies so that they may lend it to the deserving agriculturists at reasonable rates of interest and not allow them to be swallowed by usurious money-lenders? It was found by the Committee that more than seventy per cent of the moneys lent to the agriculturists was from professional money-lenders. A small portion of the loans is from agriculturists who are neighbours. But only a very small portion of the loans is from co-operative societies and the Government. If the Government want really to help the agriculturists, they must penalise money-lending at usurious rates of interest. At the time when the Governor’s Address was discussed in this House—I mean the Address delivered a year ago—the Hon. the Leader of the House gave an assurance that the Government were contemplating measures against usurious money-lending. It is still in contemplation. Nothing has happened so far to redeem that promise. Sir, a little while ago you read out my name as one of the members of the Assurances Committee. I am wondering whether a professional man like myself—ever busy with

[Dr. V. K. John] [15th February 1955]

my work—can ever find the time to go into the assurances given by the Government. They are many in number, innumerable, and everyone of them has been broken. If they are to be catalogued and brought to the notice of the Government, it will take days and months. So, what I would like to suggest in this connection is, first of all abolish money-lending by private individuals. The Muslims are against lending money on interest, for a very good reason, I would say. It is not merely religious. If private persons do not lend money on interest, then they invest that money for the promotion of trade and commerce and industry. It is with the object of advancing the cause of trade and industry that the Muslim religion has given an injunction that money-lending is bad. Now, if we prevent money-lending by private individuals, at any rate money-lending at more than two or three per cent interest, I say that that money will go into the co-operative societies, which may give the depositors half a per cent more interest and at the same time, in their turn, lend the money so deposited to the agriculturists at reasonable rates of interest. If we allow money-lending at usurious rates of interest, then we have no co-operative societies at all and people who have money will not invest it in co-operative societies because they can get a higher rate of interest elsewhere. Why not the Government have clear thinking in the matter? The best and the only best way of attracting money to the co-operative societies is to prevent money-lending at more than two or three per cent interest. By this way, the problem of agricultural indebtedness can be solved easily. If still, the co-operative societies do not have sufficient money for lending, the Government can give them that money. After all, it is lending and not spending away that money. The Government can find this money by way of raising loans. So, this is not the measure by which the Government can hope to solve the problem of rural agricultural indebtedness. A different measure ought to be brought forward and that should be done only after making a survey of and investigation into the rural credit structure. The Government must take the opinion of those of the villagers who are concerned with it. But now the Government rush with this Bill. What is its motive?

“The previous Chief Minister started by saying that the Communists were his Enemy No. 1. And slowly, steadily and gradually, you are treading into the Communists' camp. What is the object of the Communists? Their object is to create some kind of confusion and dislocation in the economy of the countryside. Therefore they would welcome a Bill like this. And to forestall them, to gain more popularity and with a political motive, you surrendered to the Communists and brought forward the Bill (Moratorium Bill) last year. Even you thought that it will not be extended. You gave a promise, a solemn promise that the moratorium would not be extended. But what has happened now? Having done this you are powerless because the Communists would take advantage of your own extending that measure which would

15th February 1955] [Dr. V. K. John]

create a dislocation in the economy of the countryside and create an atmosphere favourable to the spread of Communism. Therefore you are in this fit. You have caught the tiger's tail. You cannot leave it or hold it. That is the position in which Government have found themselves. No doubt it is a very unhappy position. It is very unfortunate. I deeply sympathise with them. I ask the members of the Joint Select Committee to consider this measure keeping the object clearly in view. Is it the object to give temporary relief still further to those who are now enjoying it by the moratorium? Is it for that purpose that this Bill has been brought forward? Or is it the object to solve the problem of agricultural indebtedness by a measure like this?

“Another serious objection to this Bill is that this is a very complicated piece of legislation. An American writer has said: ‘It is the best Government which governs the least.’ The villager should learn this complicated piece of legislation and find out his rights and liabilities. It is a very wrong thing to do by a piece of legislation. You could have given the power to the judicial officers to give them relief. It would be even better if you say that the court-fee could be given back to the litigants who paid them. There are cases, as the Hon. Minister who moved this resolution knows, wherein the court-fee is returned or a portion of the court-fee is returned when a compromise is arrived at. There is nothing wrong in doing so. After all you are taking Rs. 50 as court-fee from a plaintiff. If the parties come to a compromise or if the learned Judge thinks that the debtor should not be asked to pay the cost, neither should he allow the creditor who has filed the suit to bear the cost. Therefore he should have the power to order the return of the court-fee to the plaintiff. You could help the agriculturist in that way. But no such provision is given as far as this Bill is concerned which could help the agriculturists. But I find a provision that if money is due to the Government, it must be paid even if the agriculturist is as poor as a church mouse. The agriculturist cannot get any relief if the claim is against Government. The Government should give relief if the debtor is a poor man. You have tried to explain the definition of agriculturists and creditors in the Bill. But when the Joint Select Committee go into the merits of the Bill, they will find the definitions unsatisfactory. I do not think the Hon. Minister is happy about this Bill and I know that no member of this House will be happy about this Bill. It is a piece of legislation which has been brought forward by the Government thoughtlessly and without any consideration to please some parties and to suit their political ends. I say this Bill ought not to have been brought before the Legislature and passed.”

* SRI K. BALASUBRAMANYA AYYAR :—“Mr. Chairman, the Moratorium Act was definitely for a fixed period. But it is now said that this Bill had been brought forward, as was explained by the Hon. Minister, to curb the pressure of creditors and as a relief to the agriculturists from the pent-up energy of creditors. These two phrases, viz., “pressure of creditors” and “pent-up energy of

[Sri K. Balasubramanya Ayyar]

[15th February 1955]

creditors" are there in the Statement of Objects and Reasons. It is the established law of Contracts that credit should be honoured. I do not think any Government in the world could relieve the ordinary pressure of a creditor to get back his dues. I can understand undue pressure or inordinate pressure exerted by creditors in cases where there is much accumulation of interest with high rates of interest. But here in this case there is a genuine transaction between the creditor and the debtor, recognised by the Contract Act of 1872. No Court can interfere with a creditor if he wants his debtor to pay his dues. Where there is a non-genuine transaction (the Contract Act of 1872 provides for interference in those transactions also) the Courts can give relief to the debtor. But where nothing of that kind is present and where there is a *bona fide* transaction, no law can interfere if he (creditor) wants his dues back. It is said that the Moratorium Act was passed to give relief to the agriculturists from the pressure of creditors. 'To curb the pressure of creditors'—that was the expression used. Could it be called a pressure if a creditor asks his debtor to pay back what he had borrowed. I can understand undue or inordinate pressure. But if a creditor puts ordinary pressure and asks his debtor to pay back the dues, what harm is there? Has not the man who gave the money the power to get it back? Again it is said that the moratorium was intended to curb the 'pent-up' energy of the creditors. Where is the 'pent-up' energy? There is no energy at all. All the energy of the creditor was stifled by the Moratorium Act. He was prevented from filing a suit, during the period of moratorium, to recover his dues. Even *bona fide* transactions were thus put a stop to. Certain genuine agriculturists who had lent money to certain other agriculturists were thus prevented from recovering their dues. I know of one typical instance. One agriculturist sold his land to another agriculturist. The purchase money was to be paid. The Moratorium Act came and the agriculturist who had sold his land could not get the sale amount. The agriculturist who purchased the land has still to pay the cost of the land to the seller. One year has passed since the land was sold. Still the agriculturist who has sold the land remains to be paid. All this has happened because of the moratorium. Several genuine cases have come up. That is why I described the Moratorium Act as the Agriculturists' Credit Destruction Act. It has done its purpose. It has destroyed the credit structure in the rural areas.

"This is no relief against agricultural indebtedness. I cannot understand the phrase 'agricultural debtor.' In any class there is the debtor and there is the creditor. There is no such class as the 'agricultural debtor class.' May be certain agriculturists are poor. Even then they are better than an extravagant debtor. In any class there are the rich and the poor, the debtor and creditor. Even in the field of agriculture, the debtor and creditor are there. When such is the case, how could there be a separate class as the 'agricultural debtor' class. We cannot have such an arbitrary

15th February 1955]

[Sri K. Balasubramanya Ayyar]

classification. We cannot legislate for such arbitrary class. Therefore I say in all seriousness that if we legislate for only an arbitrary class, viz., 'agricultural debtor' class, it will offend Article 14 of the Constitution.

"It is not possible to have an agricultural debtor class. Such a classification would be arbitrary and would offend Article 14 of the Constitution. I do not know whether the Government have considered this aspect of the matter and whether they consulted their legal advisers. I feel that we cannot have a class, called the 'agricultural debtor class', because an agriculturist may both be a debtor and a creditor. If the Government want to give relief to the poor agriculturists alone, it is not possible to give effective relief by this measure. For, under the definition clause, any person liable to pay land revenue exceeding one hundred and fifty rupees per annum will not be an agriculturist. Probably in some districts this may be correct. In some other districts, a man paying less than Rs. 150 as land revenue may yet be rich. Therefore it is I say that this will not be a proper test for finding out whether an agriculturist is a poor or rich man. 3-50 p.m.

"Again, exemption from the provisions of this Bill is given only to co-operative societies. There are so many other societies, benefit societies, chit funds, nidhis, etc., for the very purpose of giving relief to the agriculturists. The interest charged by them is never usurious and they would not be hit by the Usurious Loans Act. These chit funds and societies are there for the purpose of giving loans to the agriculturists because the procedure obtaining in the co-operative societies is such that loans will not be given at the proper time when they are most needed by the agriculturists, especially during the cultivation season. The loan applications have to be gone through by so many committees and bodies. The result is that the poor agriculturists are not able to get the loans at the proper time. That is why people go to these benefit societies. The very fact that people are resorting to these societies and funds shows that the co-operative societies are not helping them to the extent they ought to and in the manner in which they ought to. That is why people have recourse to these chit funds. In Tirunelveli district there are a number of chit funds. The representatives of these institutions are anxious that those funds should be protected. They are run by the agriculturists themselves and there is nothing wrong in such a procedure under the law. Those chit funds have also to be protected because they are also co-operative concerns. Therefore, when we bring in a Bill of this kind, we have to be very careful. After all, we are interfering with the sacredness of the Law of Contracts, especially in regard to debts. That is a general law applicable to the country and it is very difficult to select any particular class of people for the purpose of giving relief.

"There is the Agriculturists Debt Relief Act of 1938 (Madras Act IV of 1938). That has been in force for the past 16 years. Under that Act there is provision for scaling down the debts and

[Sri K. Balasubramanya Ayyar] [15th February 1955]

the Act forbids interest at a rate more than 6½ per cent. Therefore, any provision which goes to the extent of giving relief to agricultural indebtedness must be incorporated in the 1938 Act. Modifications of the Agriculturists Debt Relief Act for the better enforcement of its provisions will be a much better procedure to follow than having recourse to this legislation for the purpose of giving relief to indebted agriculturists. These agricultural debtors who have taken advantage of the Moratorium Act are for extending that measure and they want to curb the pent-up energy of these creditors. My respectful submission is that the Government should consider all these aspects of the matter. After all, they are dealing with a very delicate, intricate and difficult problem. But the problem is there and has to be tackled. I am one of those who support any measure for giving relief to indebted agriculturists. Such relief is absolutely necessary especially in the case of the poor agriculturists. But this is not the method by which the Government can satisfactorily solve that problem. I am not against relieving agricultural indebtedness. But this legislation will not create in the minds of the people that amount of confidence for giving loans to agriculturists. Why not prohibit all loans by private persons to agriculturists and make them a kind of untouchable class? The Government may bring in legislation to the effect that except credit societies managed by the Government or credit societies established under the Co-operative Societies Act or under any other Agricultural Societies Act, no private individual may advance loans to agriculturists. Unless such a thing is done, people will naturally go to other people for getting loans. An agriculturist will go to his next door neighbour. He cannot come to Madras for the purpose of getting a loan. The Government should have a real picture of the whole situation. I am not criticising the policy of the Government. I am not against relieving agricultural indebtedness. But I would request the Government to do things in a more practical manner and in a better form. Everybody knows that agricultural credit has been practically frozen. Everybody is afraid to advance loans to agriculturists. What about banks? They are also afraid of advancing loans lest anybody, after getting the loan, should say that he is an agriculturist. The banks are there for circulating money but they have been prevented from doing so by the Moratorium Act. What about suits of a small cause nature? It is said that within three months of the commencement of the Act the interest due on the debt and one-eighth of the principal should be paid and that the balance can be paid in three annual instalments. Suppose a person has advanced a sum of Rs. 350 to an agriculturist for the purpose of purchasing cattle. Already one year has elapsed by the coming into force of the Moratorium Act. He has to wait for another three years for getting back his loan. He cannot institute a suit before the expiry of three months from the commencement of the Act or without making a demand in writing sent by registered post. How will anyone advance money? As I have already said, agricultural credit

15th February 1955] [Sri K. Balasubramanya Ayyar]

has become frozen. I am connected with some institutions which are giving loans to poor agriculturists and I know their difficulties. On behalf of those people who run these institutions, I want to represent to the Government to bring forth suitable measures for relieving agricultural indebtedness in a proper and practical manner."

SRI K. BHASHYAM :—" Sir, I am glad that the Government 4 p.m. have after all made up their mind as to the manner in which they must give relief to the agriculturists. Of course the original Act was a far sweeping measure—a measure that was calculated to benefit the persons who were not entitled to any benefit at all. That measure also produced in the country side great commotion and confusion. It has set people against people in the villages. After all if we look into the debts contracted by agriculturists, we will find that they have all been contracted from other agriculturists and not from professional money-lenders. The professional money-lender does not lend to the agriculturists. I find on a census of debts of the agriculturists that no professional money-lender has advanced moneys to these agriculturists. No sowcar also has lent moneys. The sowcar and the money-lender perhaps are flourishing in the towns. So far as villages are concerned very few actual money-lenders do exist. Therefore, these debts of the agriculturists are the result of one agriculturist lending to another who is perhaps in a position worse than the lender. Therefore the sweeping measure that was passed last year has been repealed, and this Bill has been brought forward which, to a large extent, relaxes the rigours of the Act passed last year. Sir, I am thankful for small mercies shown by the Government. But I want to point out this, however, to the Deputy Leader of the Opposition who said that we must abolish all money-lending altogether. True; it is a very good thing if people do not borrow at all. But we cannot carry on business without borrowing. For example Dr. John may be out of pocket and may come and ask me for Rs. 5. It is not as if people do not have money and therefore borrow. It may be for the time being they may have no money, while at home they may have plenty of money.

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

" I will tell you, Sir, many instances where debts have been contracted not for any marriage but for supply of manure. Persons have supplied manure to the agriculturists, and they have not received payment for the supply made for the last one and a half years. After all they are traders who have supplied manure to the agriculturists. Instances were also pointed out by the hon. Member Sri K. Balasubramanya Ayyar of advances made for the purchase of bulls and for carrying out agricultural operations. If these debts are not paid back in time so as to enable the persons who lent money to carry on their agricultural operations or lend money thereafter, the result will be disastrous. The Moratorium Act is gone, and we need not be sorry for it. This Bill is supposed to confine relief only to certain classes of persons. I find persons

[Sri K. Bhashyam] [15th February 1955]

who are paying a certain amount of kist are not entitled to the relief. I find also restrictions placed on the recovery of the cost of the suit if the debtor pays interest accumulated up to the date of demand and one-eighth of the principal within three months, etc. But I notice there will some practical defects in the working of this Bill if passed into law in relation to cases pending in a court. If a person puts in an objection 'I am not liable for the debt', the question has to be decided by the court in the first instance, and after deciding it, he will be asked 'Will you pay in the first instance the interest accumulated and one-eighth of the principal?' That is what this Bill comes to. But I am sure that the Joint Select Committee will look into the matter and make the necessary amendments.

"One other factor which I should like to mention is in respect of debts below Rs. 100. Why should they be not exempted at all? They are mere handloans from one person to another. It would have been better if debts below Rs. 100 are exempted from the scope of the Bill. That will really mean that persons can more readily help one another. I plead, Sir, for the exclusion of sums below Rs. 100 from the scope of this Bill. To go to courts and employ lawyers for the purpose of recovering instalments of Rs. 20 or Rs. 30 does not seem to be beneficial to the creditors. This process will practically swallow the amount to be realized by them. Therefore I would say that debts below a certain figure—say Rs. 250—should be exempted from the scope of this Bill. I think the Government will take note of this and do the needful.

"Take the case of a debt which is proved as having been contracted for the purpose of financing the agricultural operations. This is also a case requiring the consideration of the Joint Select Committee. I should like to say there are many cases where the agriculturists have failed to pay the rent due for the last year and have executed promissory notes. Suits have been filed against them for recovery of arrears. In those cases where the debtors have got good crops, but would not pay their debts, what are the creditors to do? Is not the debtor to pay off his debt? I respectfully submit that so far as those debtors are concerned, they should not be given any benefit under this Bill. Persons who have not paid arrears of rent and persons who would not repay the advances made to them for carrying out agricultural operations should not be entitled to any relief. Persons who have to pay debts below Rs. 250 also should not be entitled to any relief.

"Luckily Sir, I find there is one clause here which really takes into account the creditor. I find in the Moratorium Act no creditor's interest was taken into account. There is a provision in the Bill which says that if a creditor proves that including the debt due to him the value of his property does not exceed Rs. 5,000, he is entitled to go to the court and execute the decree for recovery of debt. Sir, Rs. 5,000 is too small a sum. A house may cost Rs. 2,000 or Rs. 3,000 and half an acre of land will cost about

15th February 1955] [Sri K. Bhashyam]

Rs. 2,000. Therefore, if that person who has 1 acre of land and a small house is to be deprived of the chance of realizing the debt due to him, he will be put to very great difficulty. Therefore the sum should be raised to a higher figure. Loans made for financing agricultural operations also should be exempted from the scope of this Bill.

"Sir, it is said that the Bill applies only to debts repayable on 1st October 1953. Suits have been filed for recovery of amounts subsequently. Perhaps the number of suits may be less. There may be cases of friends or relatives of agriculturists who have advanced moneys to them. I am not here on the question whether the Government are obliged to support or give relief to agriculturists. They are bound to give relief to the agriculturists. Therefore I am not on the question whether this is a good or bad measure, or that agriculturists should be helped. I do not want to go into this question, because it is all past history, and it is unnecessary for me to go into that question to-day. I want to make certain suggestions with reference to the Bill under discussion so that it may work the least hardship on the people who are entitled to some sort of recognition at the hands of the Government. I hope the Joint Select Committee will go into the matter carefully and make the necessary amendments for the purpose of meting out justice not only to debtor agriculturists but also to creditor agriculturists or creditor non-agriculturists.

"We are so tender to the agriculturists. We want to see them thrive. We also want to see that they really conduct the agricultural operations without any harassment from any creditor. Sir, we have been trying to help the agriculturists for the last 50 years. Co-operative societies have been formed for the purpose of advancing money to agriculturists. The Agriculturists Debt Relief Act was passed in 1938. Other attempts have also been made from time to time to help the agriculturists. From a survey of the rural agricultural indebtedness, you will find that it has been going on increasing. It is not as if these remedial measures have helped in relieving it. On the other hand, rural indebtedness has really increased by leaps and bounds. From a recent report of Sri B. V. Narayanaswami Nayudu, it will be seen that the incidence of rural indebtedness is now twice as it was in 1937-39. While I have all sympathy towards the agriculturists, I do not know why that class of people should not help themselves. As the Government have been cuddling them too much, they have a strong feeling in them that they will be able to induce the Government to do anything in their favour. That is why they do not want to help themselves. It is not as if they cannot help themselves or they cannot repay these debts. They only want to delay the payment. They are under the impression always that the Government will give them some relief or other and they can wait till those reliefs are given. It is the policy of the Government towards them that has encouraged them to be imprudent and improvident. This has also lowered their morality in repayment of the debts. I think that

[Sri K. Bhashyam] [15th February 1955]

measures like the present one are quite unnecessary and are not good for the country. When a person enters into a contract, it should be fulfilled. There is no point in encouraging people to act against the contract. It will be detrimental to the interests of the country as a whole. Any measure that the Government may contemplate must be undertaken in such a way that the morale among the agriculturists is not lowered or disturbed. They should be able to repay the debts that they have incurred and that too in time and any Act that we may pass must help them in this direction."

SRI A. GAJAPATHY NAYAGAR :—"மன்றத் துணைத் தலைவர் அவர்களே, இன்றைய தினம் கேனை நேரத்தின்போது கனம் அங்கத்தினர் ஸ்ரீ வி. வி. ராமசாமி அவர்கள் தமிழில் கேட்ட ஒரு வினாவுக்கு கனம் மந்திரி அவர்கள் விடை தமிழிலேயே சொன்னதற்காக நான் அவரைப் பாராட்டுகிறேன். அவர் இனியும் அவ்வாறே செய்வார்கள் என்று நான் நம்புகின்றேன்.

"விவசாயிகள் கடன் வாய்தா மசோதாவைப்பற்றி ஒன்றிரண்டு வார்த்தைகளை சொல்ல விரும்புகிறேன். நம் நாடு உழவர் பெருமக்கள் நிறைந்த ஒரு நாடு. உழவர்கள் 100க்கு 80 பேர் இருக்கிறார்கள். முக்கியமாக கிராமப்பகுதிகளை அதிகமாகக் கொண்டது நம்முடைய நாடு.

"கனம் அங்கத்தினர் ஸ்ரீமான் பாலசுப்பிரமணிய அய்யர் அவர்களும் கிராமப் புரத்திலிருந்து சென்னை நகரத்திற்கு வந்து தங்கியிருப்பவர்தான். (Interruption by Sri K. Balasubramania Ayyar.) நானும் அப்படித்தான். நான் ஆற்காட்டிலிருந்து வந்திருப்பவன். என்னுடைய முதியோர்கள் ஆற்காட்டில் வசித்து வந்திருக்கிறார்கள். ரெவின்யூ அமைச்சர் அவர்கள் கூட அந்த ஜில்லாவிலிருந்துதான் வந்திருக்கிறார். ஆகவே, நம் நாட்டில் பெரும்பான்மையான மக்கள் கிராமப்புறங்களில் இருக்கிறார்கள். ஏனெனில், கிராமப்பகுதிகளைத்தான் அதிகமாகக் கொண்டிருக்கிறது நம்முடைய நாடு.

"நம் நாட்டை உழவர் நாடு என்று குறிப்பிட்டேன். உழவர்களின் பெருமையைப் பற்றி தெய்வப் புலமைத் திருவள்ளுவர் என்ன கூறியிருக்கிறார்?

'உழுதுண்டு வாழ்வாரே வாழ்வார் மற்றெல்லாத் தொழுதுண்டு பின்செல் பவர்'

யார் கலப்பை பிடித்து நன்றாக உழுது பயிரிட்டு அதன் மூலம் வாழ்வை நடத்துகிறார்களோ அவர்கள்தான் உண்மையிலேயே வாழ்வவர்களாகப் பருத்தபடுவர். மற்ற எல்லோரும் அவர்களைத் 'தொழுதுண்டு பின்செல் பவர்கள்' தான்.

"நம் நாடு செழிக்க வேண்டுமென்றால், நம் நாட்டு மக்கள் நல்வாழ்வு வாழ வேண்டுமென்றால், உழவர்களை முக்கியமாகப் பாது காக்க வேண்டும். இது நம்முடைய முதல் கடமை என்பதை நாம் அறிய வேண்டும்.

"இது வரையில் பலபல திட்டங்களை வகுத்து, பல பல சட்டங்களை இயற்றி உழவர்களுக்கு உதவி செய்து வந்த போதிலும் உழவர்களுடைய நிலை உயர் முடிய வில்லை யென்றால் அது யாருடைய குற்றம்? உழவர்களுடைய குற்றமா? அது உழவர்களுடைய குற்றமாகாது. ஏனென்றால் உழவர்கள் யாருடைய பேச்சையும் நம்பிவிடுவார்கள். நம்பிக் கெட்டவரே விவசாயி. உழவர்களுக்கு ஏதோ உதவி செய்ய வேண்டுமென்றே நோக்கத்தோடு 'அரசியலார் ஒரு மசோதாவைக் கொண்டு வந்திருக்கும்போது

[Sri A. Gajapathy Nayagar] [15th February 1955]

'அதனால் இந்தக் கஷ்டம் ஏற்படும், அந்தக் கஷ்டம் ஏற்படும்,' என்று ஒரு சில அங்கத்தினர்கள் சொல்வது பொருத்தமற்ற பேச்சு என்றுதான் சொல்லவேண்டும். இம்மசோதா செலக்ட் கமிட்டியின் பரிசீலனைக்கு அனுப்பப்படுகிறது. செலக்ட் கமிட்டியினர் இதை பரிசீலனை செய்வர். அதற்குப் பிறகும் இம்மசோதா சட்ட சபைகளின் முன்னால் விவாதத்திற்கு வரும். அப்பொழுதும் அங்கத்தினர்கள் அதன் மீது விவாதம் நடத்தப் போகின்றார்கள்.

"இந்த மசோதாவைக் கொண்டு வருகிறபோது, இது அரசியல் அமைப்புச் சட்டத்திற்கு முரணாக இருக்கிறது என்ற மிரட்டல் வருகிறது. அந்த மிரட்டலையும் நாம் பிற்பாடு பார்த்துக்கொள்ளலாம்.

"இந்த நாட்டிலுள்ள எல்லா மக்களும் உழவர்களுக்கு உதவியாக இருக்க வேண்டும். உழவர் பெருமக்களுடன் நாம் ஒத்து வாழ வேண்டும். ஒன்று - பட்டால் தான் எல்லோருக்கும் வாழ்வு உண்டு. உழவர்களுக்குக் கஷ்டங்கள் ஏற்படும் எந்தச் சந்தர்ப்பத்திலும் அவர்களுடன் நாம் ஒத்துழைக்க முன் வர வேண்டும். ஏனென்றால், உழவர்கள் வாழ்ந்தால்தான் நாமெல்லோரும் வாழலாம் என்ற மனப்பான்மை நாட்டிலுள்ள அனைவருக்கும் ஏற்பட வேண்டும். சட்ட சபை அங்கத்தினர்களுக்கு உழவர்கள் பால் இத்தகைய மனோபாவம் முக்கியமாக இருக்கவேண்டும்.

"வக்கீல்கள் சட்டத்தை எப்படிப் புரட்டிப் பார்ப்பார்களோ அதே முறையில் நாம் இம்மசோதாவை செலக்ட் கமிட்டியில் நன்கு பரிசீலனை செய்து, உழவர்களுடைய கஷ்டங்களையும் மனதில் கொண்டு நல்ல தொரு முடிவுக்கு வருவோம். கனம் அங்கத்தினர் டாக்டர் ஜான் அவர்கள் சொன்ன படி இதை நல்ல எண்ணத்துடன் நாம் அணுக வேண்டும். செலக்ட் கமிட்டிக்கு இம்மசோதாவை விடுவதை நான் வரவேற்கிறேன். இம்மசோதாவையும் நான் ஆதரிக்கிறேன்."

* **SRI MOHAMED RAZA KHAN :—**"Mr. Chairman, being persons living in the city, we cannot speak with an amount of authority on a subject like this. But I do concede the point that there seems to be acute difference of opinion on either side. I do sympathise with the Government. The Government as they are constituted at present have to see and do what is best in the circumstances, particularly when opinion on this subject is so divided. I know there is a section of people who feel strongly that a measure of this kind which has worked for one or two years, if continued for a further period will affect the rural economy. At the same time from the reports in the Press and the discussions that have taken place in the other House and also in this House, we find that there is yet another view, viz., that the poor people who have incurred heavy debts have borrowed money for agricultural purposes though in some cases they may have borrowed money for non-agricultural purposes. These people have been victimised in the past and they should be helped. I think on a previous occasion, the hon. Leader of the Opposition has drawn the attention of the Government to the heavy interest that is charged in respect of debts contracted not only in rural areas but in other parts of the State also. The Government have promised that they will bring in some legislation to exercise control over this. I am sure that even my hon. Friend Sri Balasubramania Iyer knows that in some cases the rate of interest is very heavy. It will not

[Sri Mohamed Raza Khan] [15th February 1955]

be a surprise, I hope, if I tell the House that in some cases the interest charged is 200 or even 300 per cent. In some cases, the actual loan received will be Rs. 50 or Rs. 100. But the amount actually shown in the records will be Rs. 400 or Rs. 500. In some other cases, proper receipts were not given. Sir, it is not my intention to condemn the whole class of people who lend money. But there are persons who are not fair. When the interest in full or in part is paid or even when a part of the principal is paid, proper receipt is not given. I do sympathise with those who are heavily indebted. They must be helped through some legislation. At the same time, we must also take care to see that any measure that we take does not cause hardship to others. I do have sympathy for such of the Members who feel and feel strongly that rural credit will be affected.

"There is one good feature in this piece of legislation. For the first time, the Government have been prompt in fulfilling their assurance and have brought forward this Bill which will come into force from 1st March 1955. Usually, they will first promise that they will bring forward a comprehensive Bill later on and a particular Bill may be passed for a temporary period. They used to say, 'Can't you sympathise with us? We will bring forward a comprehensive Bill later on. Let the House pass this temporary measure. As we are very busy with other matters, we are not able to bring forward the comprehensive Bill.' But after some time they will not bring forward the promised Bill; they will again come before the House to extend the life of the temporary measure. That has been the practice followed by them in the past. Now that a rule has been framed for the constitution of a Committee on Assurances, probably the Government thought it was good to make a start in right earnest. That is why, I think, they have come forward with this Bill so promptly.

(At this stage Mr. Chairman resumed the Chair.)

4-20 p.m. "Certain classes of agriculturists who are really poor have to be helped. But, it was stated on a previous occasion that according to the Act that is now in force, all sorts of people and even those who were very much well-off were protected. Even those who did not have agriculture as their main source of occupation were benefited. Now, according to the Bill that is before the House, only those who are real agriculturists and whose main occupation is agriculture are sought to be protected. The various provisions embodied in the Bill are there to see that they do not come within the purview of the Bill. Still, there may be other cases also which may have to be excluded. I am sure the Government and the Joint Select Committee will see to it that all such cases are also excluded from the purview of the Bill.

"Sir, in conclusion, I wish to point out that it was only in the year 1937 that an Act of this kind was passed in this State

15th February 1955] [Sri Mohamed Raza Khan]

for the first time. Mr. C. Rajagopalachari was the Chief Minister at that time and there was a report prepared and submitted to the Government at that time by Mr. Sathyanathan in which an attempt was made to know the incidence of indebtedness in rural parts and also the number of persons involved in debts in the countryside. It is now more than twenty years since that report was drawn up and I want to know from the Hon. Minister for Revenue whether he has any such similar statistics for the period from 1937 to-date. I think it would have been much better if the Minister, at the time he introduced this Bill, had given these details. I do not mean to say that the information should be accurate or complete. It is not possible also to make a survey of that type. We want to have an idea of the incidence of indebtedness in the countryside and also the number of persons indebted. This would enable the Members to understand the enormity of the size of the problem. But still, inasmuch as the Bill is now going before a Joint Select Committee consisting of people who know the subject very well, I hope the Government will be responsive enough to see that it serves those whom it is really intended to serve without at the same time giving any room for hardship or difficulty to the people who have been so good as to lend money to the agriculturists all this time."

* SRI A. M. ALLAPICHAJ :—"Mr. Chairman, Sir, I have always felt that overadvocacy is not to the advantage of anybody. If the hon. the Deputy Leader of the Opposition had put his case in a moderate way, perhaps he would have carried conviction with most of us, just as the hon. the Leader of the Opposition did the other day. Even from the speech of the Deputy Leader of the Opposition, it was clear that he was making out a case for the Government who have introduced the Bill. He said that the agriculturists were indebted to the professional money-lenders to the extent of seventy per cent. Thus he has made out a case for the bringing in of this Bill. We know what a professional money-lender is. He takes a double bond. He takes an exorbitant interest. In addition to all this, as Mr. Raza Khan rightly pointed out, he does not issue receipts for what he takes. Therefore, when the Government came forward last year with a Bill which subsequently became law, they did so with sufficient reason. We cannot charge the Government that they lacked wisdom. Our friend here says that the Act has not benefited anyone. Then whom has it benefited? It is said that it has not definitely created confidence in money-lenders. It may be correct or it may not be correct. But has it not benefited the agriculturists? We must take this fact into account. After all, we have very many hospitals. Why should we have hospitals? Why should we not drive away all people who are suffering? We have to help the sick. As Mr. Gajapathi Nayagar said, agriculturists are our very backbone. We are 357 lakhs in our State and the majority of us are agriculturists. They are poverty-stricken people. Nobody can deny that fact. Now we have to take into account these two facts. On the one side, there is the rich man

[Sri A. M. Allapichai] [15th February 1955]

who has lent his money and who wants it back. On the other, there is the poor man who is not able to return the money. His case is something like the case of the sick man for whom we have all sympathy and for whom we have constructed hospitals. So, when the Government come forward with a Bill to help the poor agriculturists, we should not fall foul of them. I think they have done the right thing.

“Then, our friend, Dr. John, said we were becoming Communists. Sir, we were never afraid of Communists. We have always felt that no Communist can come close to us. We are much more communistic in our policies than our Communist friends. We are not afraid of them. The only difference is this. The Congress is wedded to the middle path. It wants justice to be done to both sides. If in our doing justice some people suffer a little, we cannot help it. If you call that Communism you may do so. We are not afraid if you say we are communistic in our attitude. These are all extreme views.

“Sir, it is in our blood to return what we borrow. All religions say we must return what we take. But when some people are unable to return the money, if the Government say, ‘give it after sometime’ what is the harm? I am also a lawyer and many Members who have spoken on this Bill are also lawyers. No doubt the Moratorium Act has affected all lawyers very seriously. But why should we not take into account the interests of nearly 2½ crores of our people who are struggling much? I hope the Joint Select Committee before which the Bill goes will go into all details and do whatever is necessary.

“In conclusion, I want to say a word about the provision regarding the three-year time-limit fixed for repayment of the loan. Some ask: ‘Why three years, why not we file suits even now?’ When we say they are so poor that they cannot pay, why should we allow suits to be filed? Suits mean court-fees, fees for the advocate, etc., which are an additional burden on the poor man. We must have some sympathy for the poor. After all, if they break, we are completely broken. If they are finished, we are finished. We live because they live. This fact must be borne in mind.”

* SRI G. KRISHNAMOORTHY:—“Mr. Chairman, Sir, I quite appreciate the attempt made by the Government to do justice to the indebted agriculturist as well as to the creditor. I think the Bill can go a little further and weigh the merits of the two parties to whom they want to do justice. The original Bill, which is now presented in a modified form with some provision for a little relief to the creditor, was placed before the House last year in the hope, and in my opinion in the right hope—the rightness of it has been

15th February 1955] [Sri G. Krishnamoorthi]

proved beyond doubt—that there should be no pressure from the creditors on the agriculturists who were expected to get a bumper crop after an unexpected windfall through rains. Government feel that once the Moratorium Act expires, there would be a sudden pressure on the agriculturists for the return of the money they have borrowed already. That is perfectly justifiable. It has been laid down that the agriculturist who is indebted could pay his debts in instalments within three years. Now the tendency of the human being is always to postpone the payment till the last due date. Even in our family affairs we note that. We want to delay matters till the last date. There is no provision in the Bill which will induce the agriculturist, who may get a bumper harvest, to pay all his dues within the first year itself. A three-year limit is now given. Suppose say for the first year he has a bumper harvest and in the next two years, he has adverse seasonal conditions. If it is said that within three months from the date of enforcement of the present Act, the debtor should pay 1/8 of the principal and the interest up to date and the rest in three annual instalments, the debtor would pay the prescribed amount of 1/3 of the 7/8 remaining debt due for the first year. But what about the payment in the next two years, when he is adversely affected because of bad seasons? I would submit therefore to the hon. Members of the Joint Select Committee to go into this question and provide a clause for the benefit of agriculturists to meet the situation which I have just now mentioned. That could be done by the provision of a rebate. If payment of the whole debt with interest is made, viz., 7/8 of the original debt at the end of the first year, let a rebate of 5 per cent or the capital and interest for the first thousand be given and 2½ per cent for further thousands; it is likely then many debtors pay off their debts. I do not think the creditors would object very seriously to scaling down of the debts this way, as they may get the whole amount back instead of being kept in suspense for a period of three years. They may be very glad if the entire amount is paid at the end of the first year itself and not mind if a small rebate is to be allowed. Therefore I would request the hon. Members in the Joint Select Committee to put in a provision allowing 5 per cent rebate on the first thousand and 2½ per cent for further thousands if the amount is paid within one year and three months from the date of the introduction of the Bill. This would go a long way to help the agriculturists.

“The definition of the term agriculturist has been narrowed down in this Bill to such an extent that those agriculturists who in the eyes of Government deserve relief cannot get the relief. There are certain provisions which say that a person paying Rs. 151, as land revenue cannot enjoy the benefits of this Act. A person assessed to profession tax on an income of more than Rs. 900 a half-year, cannot come under the purview of this Act, which means a person getting a little over Rs. 150 a month. Can we by any stretch of imagination say that a person earning Rs. 151 per month is better off? Even Rs. 200 and Rs. 300 is not sufficient in these days for the maintenance of a middle class family. Such is the position

[Sri G. Krishnamoorthi] [15th February 1955]

nowadays. If we say then that they are not entitled to the relief under this Bill, then it amounts to denying them the justice they deserve. Then it is said that if a person pays an aggregate house tax of more than Rs. 50 per half-year, and is an agriculturist, he could no longer claim any protection under this Bill. Take, for instance, a typical town like Tiruchi. Even for a very ordinary house, the tax is Rs. 50 or more per half-year. If an agriculturist owns such a house and half an acre and has borrowed some money for the construction of his house, then he is *not* entitled to the benefit under this Bill. This will be a real hardship on him. That is why I say it is better to raise the limit of property tax from Rs. 50 to Rs. 100 and the profession tax assessable income from Rs. 900 to Rs. 1,800. I hope the members of the Select Committee would look into this matter and incorporate what I have suggested. I think if the limits are raised as I have suggested the persons who are really in need of relief could be given the relief they deserve. With these words I conclude my speech."

* THE HON. SRI M. A. MANICKAVELU NAICKER :—" Mr. Chairman, Sir, I acknowledge thankfully the many valuable suggestions that have been made by hon. Members. But I am also afraid that a few hon. Members have not understood the exact scope of this Bill nor the scope of the Moratorium Act. It was said that no attempt has been made in the Bill to scale down debts, in the interests of the agriculturists. Sir, the object of the Bill is not like that of the Agriculturists' Debt Relief Act of 1938 whose object was to scale down debts. Again, Sir, reference was made to the rural indebtedness and the credit fabric and the suggestions of the Reserve Bank and so on. When I heard the lucid speech of the Deputy Leader of the Opposition I resolved to take a copy of his full speech so that I may make use of it when I have to lecture on 'rural indebtedness and planning'. But it will not be useful here. The purpose of the Bill is not to solve the problem of rural indebtedness or to find money to advance the agriculturists. The simple problem here is to help the agriculturists who have been hard hit by a series of bad seasonal years, I think about half a dozen years. It is an emergency measure. Every emergency Act has its own time-limit. As far as living memory goes, I think for the past 30 or 40 years we did not have such continuous bad seasons. Many parts of our State were in the grip of famine and certain parts were actually affected by famine. So much so the Government were afraid that those adverse seasonal conditions, were they to continue, would affect the state of affairs and the welfare of the State. The Government even consulted the Meteorological Board in Bombay. We were informed that this sort of thing, used to repeat itself once in 30 or 40 years. They said that once in 30 or 40 years such sort of continuous adverse seasonal conditions did occur, and we need not be alarmed that that sort of adverse seasonal conditions would be repeated. Thank God, we had a pretty good season in the year 1954. The Government were anxious to protect the ryots from the

15th February 1955] [Sri M. A. Manickavelu Naicker]

demand that would be made by the creditor because of the good season. It is natural for the creditors to rush to the courts for recovering their dues from the agriculturists who would be in a position to pay their dues because of the good harvest they had. There would be a rush to collect the money. We wanted to avoid that rush. It is natural that the creditors who have advanced money would be anxious and interested to collect the money. They will not go into the merits of the case. They will say: 'Here is a good season. There has been a good crop. Let us therefore collect money'. The poor agriculturists would be put to heavy loss. In fact all his activities would be curbed. Therefore we wanted to avoid the rush to the courts by the creditors. Only with that object in view, the Government have brought in this extraordinary and emergency measure. Any amount of speech will not sufficiently explain the exact position. So, I propose to explain it by way of illustration."

4-40
p.m.

SRI MOHAMED RAZA KHAN :—"The hon. Minister is very good at giving illustrations."

* THE HON. SRI M. A. MANICKAVELU NAICKER :—" Now, hon. Members including my Friend Sri Raza Khan know that chicken have to be protected when they are young. They have to be protected against birds of prey and kites until they become full-fledged. What do we do? We put a cover basket and cover the chicken. Similarly this emergency measure was like a cover basket for one year. We thought that the chicken will become full-fledged and that they will protect themselves. But, quite contrary to expectations, the result was found to be different. Even when very eminent doctors say that on a certain day, a delivery may take place, it actually takes place either some time earlier or some time later. (Laughter.) We thought that one year will do."

DR. A. LAKSHMANASWAMI MUDALIYAR :—" Sir, does the Hon. Minister suggest that delivery does not take place at all! " (Renewed laughter.)

* THE HON. SRI M. A. MANICKAVELU NAICKER :—" The Government wanted to give a little more cover and in doing that, they wanted to put the cover basket during the nights so that the chicken may be free in the day time. The provision that the agriculturists must pay the loan in instalments every year is like putting the cover basket in the night. So, in some such view the Government have brought forward this measure."

SRI V. V. RAMASWAMI :—" பகல் நேரத்தில் பூனை வந்து விட்டால் கோழிக்குஞ்சுகளின் கதி என்ன ஆகும்? "

THE HON. SRI M. A. MANICKAVELU NAICKER :—" கோழி சாப்பிடுகிறவர்கள் அதைப் பார்த்துக் கொள்வார்கள். "

THE MADRAS INDEBTED AGRICULTURISTS
(REPAYMENT OF DEBTS) BILL, 1955 (L.A. BILL NO. 2 OF 1955)

[Sri M. A. Manickavelu Naicker] [15th February 1955]

Therefore, in order to give a little more protection this was done. Three years' time is given and the creditor is also not very much affected because he will get a portion of the money that he has advanced. I should think that this is a good arrangement.

"One thing I forgot to mention about the famine condition that prevailed in our State. The Government had to spend Rs. 11 to Rs. 12 crores for meeting the famine situation and that will show how serious was the plight of the people and the plight of the Government at that time. We are now complacent because the seasonal conditions have improved. We have forgotten the past. Just like the woman who after the labour pains forgets all about delivery pains and goes on merrily, we forget the bad seasonal conditions. We are now having a good season and that is why we think that everything is all right. We have to bear in mind how much suffering we had to undergo, to what great difficulties the agriculturists were put and how much money they have borrowed during all these six years. I should say that the borrowing was abnormal. The agriculturists have borrowed largely and their debts have accumulated to a very great extent. Therefore, in order to meet a particular situation, we have brought a particular measure and that is done only rarely. From that one should not jump to the conclusion that the Government are interfering with the normal state of affairs. I agree that ordinarily we should not do it. I have tried to point out the extraordinary circumstances in which we were placed during the last three or four years. I hope that hon. Members will agree that this legislation in the modified form is a just one.

"As regards the other suggestions regarding exempting some funds or making other improvements in the Bill, the Joint Select Committee will examine them and take decisions. We shall make all improvements that are necessary, not forgetting the scope of the Bill. That is what I want to impress. The scope of the Bill is very limited and within that scope all improvements regarding exemption of chit funds, etc., will be made. With this assurance, I hope the House will pass this motion."

MR. CHAIRMAN:—"The question is—

"That this House concurs with the Assembly in setting up a Joint Select Committee of both the Houses consisting of 24 members (16 members of the Assembly and 8 members of the Council) to consider the Madras Indebted Agriculturists (Repayment of Debts) Bill, 1955 (L.A. Bill No. 2 of 1955) and that the following members of this House be selected to serve on such a Joint Select Committee:—

- 1 The Hon. Sri M. Bhaktavatsalam.
- 2 Sri P. P. Ummer Koya,
- 3 Srimathi Jothi Vencatachellum,
- 4 Sri S. P. Sivasubramanya Nadar,
- 5 ,, T. Purushotham,

THE MADRAS INDEBTED AGRICULTURIST (REPAYMENT OF
DEBTS) BILL, 1955 (L.A. BILL NO. 2 OF 1955) 793

15th February 1955] [Mr. Chairman]

- 6 Sri A. Gajapathy Nayagar,
- 7 ,, K. Balasubramanya Ayyar,
- 8 ,, V. V. Ramaswami."

The motion was carried.

(2) THE MADRAS IRRIGATION (LEVY OF BETTERMENT CONTRIBUTION)
BILL, 1954 (L.A. BILL NO. 26 OF 1954).

* THE HON. SRI M. A. MANICKAVELU NAICKER:—"Mr. Chairman, Sir, I beg to move—

*'That the Madras Irrigation (Levy of Betterment Contribution) Bill, 1954 (L.A. Bill No. 26 of 1954) *, as passed by the Assembly, be taken into consideration.'*

In doing so, I wish to bring to the notice of this House that the Government have been constructing, expanding or altering a large number of irrigation works and consequently are being put to a large extra expenditure. On the other hand, the works have secured to the owners either an increased or an assured supply of water to their lands. It has given varying degrees of benefits to various owners of lands as a result of which the capital value of land has increased. It is only reasonable that the Government should be enabled to recover from the owners so benefited a share of the increase in the capital value of the land. In many cases the Government have also been announcing their intention to levy betterment contributions while sanctioning irrigation or drainage schemes. This Bill accordingly enables the Government to levy betterment contribution from the landholders of lands benefited by the construction, expansion or alteration by the Government of any irrigation or drainage work completed on or after 1st January 1947. Works costing Rs. 25,000 or less have, however, been excluded from the purview of the Bill. The lands under each project will be divided into suitable classes and the annual increase in the gross produce of each class of lands will be estimated. The estimate will be made with reference to the average of the prices prevailing in the case of works completed before the commencement of the Act during the three years immediately preceding such commencement and in the case of a work completed after the commencement of the Act during the three years immediately preceding such completion.

"Ten times the annual increase in the gross produce will be deemed to be the increase in the capital value of each class of lands and half of the difference between the increase in capital value and the cost of making the lands fit for advantageous irrigation, etc., will be the contribution payable.

"Some of the members of the Assembly expressed the view that the prices of foodgrains were abnormally high during the years of the World War and thereafter and that the prices are now

* Printed as Appendix IV on pages 801-807 infra.

[Sri M. A. Manickavelu Naicker] [15th February 1955]

showing a downward trend, and that it would not, therefore, be proper to estimate the increase in gross produce with reference to the formula laid down in the second proviso to sub-clause (1) of clause 4 of the Bill. A provision to the effect that the average of the prices referred to in that proviso should not exceed three times the prices which prevailed in August 1939, was accordingly introduced by the Assembly. It was also provided that at the end of every four years from the year in which the contribution is finally determined any future instalment of such contribution shall be liable to be revised on the basis of the proportion that the average of the prices prevailing during those four years bears to the actual or assumed average of prices on the basis of which the contribution was determined.

"The contribution will become payable after the expiry of two years from the date of completion of the work. The contribution will be paid in twenty annual instalments. The landholder will be entitled to a rebate of 20 per cent if he pays the entire contribution within a period of two years from the date on which he becomes liable to pay the betterment contribution.

"If any person contributes money towards the construction, expansion or alteration of any project and Government accept the contribution, the sum accepted from him will be credited towards the contribution payable by him.

"Clause 11 of the Bill also provides that where a landholder who has paid an instalment of contribution under this Act is not the occupier of the land, he shall, in the absence of a contract to the contrary, be entitled to recover the amount of such instalment from the person who is in actual occupation of the land during the year in which the said instalment is payable. Certain concessions have, however, been shown to tenants in occupation in this respect by the first proviso under the clause.

"The Bill also provides for exempting hard cases from all or any of the provisions of the Bill for reasons to be specified and subject to such conditions as the Government deem fit to impose."

MR. CHAIRMAN :—"We will carry on the discussion tomorrow. The House will now adjourn and meet again at 3 o'clock to-morrow."

The House then adjourned.

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

1. Notification issued with G.O. Ms. No. 3762, Home, dated 21st December 1954, regarding amendment of Schedule to the Madras Motor Vehicles (Taxation of Passengers and Goods) Act 1952 (Madras Act XVI of 1952), relating to payment of composition fee to the public carrier vehicles plying on inter-State routes lying partly in Madras State and partly in Andhra State for quarter ending 31st December 1954.

15th February 1955]

2. Balance Sheet as at 31st December 1953 of the Fertilizers and Chemicals, Travancore, Limited, Alwaye.

3. Amendments to the Madras Motor Vehicles Rules, 1940 [Laid on the table of the House with reference to sub-section (3) of section 133 of the Motor Vehicles Act (Central Act IV of 1939)] :—

(a) Notification issued with G.O. Ms. No. 2770, Home, dated 15th September 1954.

(b) Notification issued with G.O. Ms. No. 3453, Home, dated 24th November 1954.

(c) Notification issued with G.O. Ms. No. 3454, Home, dated 24th November 1954.

(d) Notification issued with G.O. Ms. No. 3515, Home, dated 30th November 1954.

(e) Notification issued with G.O. Ms. No. 3549, Home, dated 2nd December 1954.

(f) Notification issued with G.O. Ms. No. 43, Home, dated 6th January 1955.

(g) Notification issued with G.O. Ms. No. 115, Home, dated 12th January 1955.

*4. Bill passed by the Assembly and received therefrom in the Council :—

The Madras Irrigation (Levy of Betterment Contribution) Bill, 1954 (L.A. Bill No 26 of 1954).

[15th February 1955]

APPENDIX I.

[Vide answer to starred question No. 121 asked by Sri T. Purushotham at the meeting of the Legislative Council held on 15th February 1955, page 764 supra.]

(a) & (b) The bed-strength of the Government headquarters hospitals and the number of in-patients in the hospitals on the 1st November 1954 were as shown below :—

District headquarters hospitals.	Bed-strength.	Number of in-patients.
1 Chingleput	112	119
2 Coimbatore	500	662
3 Cuddalore	160	266
4 Vellore	202	282
5 Salem	325	595
6 Kozhikode	324	484
7 Ootacamund	125	170
8 Tiruchirappalli	275	551
9 Palayamkottai	135	190
10 Tanjore	636	42
11 Bangalore	116	178
12 Madurai	665	910
13 Ramanathapuram	100	248

(c) All the in-patients admitted in hospitals are provided with necessary medicines, diet, clothes, etc. Patients admitted in excess of the bed-strength of the hospitals are not, however, provided with cots, but only mat beds.

APPENDIX II.

[Vide answer to starred question No. 123 asked by Srimathi Mary C. Clubwala Jadhav at the meeting of the Legislative Council held on 15th February 1955, page 766 supra.]

(a) 1947.

(b) *Programme of activities of the Women's Welfare Department.*—The programme of activities of the Women's Welfare Department is mainly Family Welfare and Community Service and this comprises of five aspects, namely :—

I. Field work, which includes (a) regular house visits; (b) community service centres; (c) pre-basic classes and investigation and rehabilitation work.

II. Maternity.

III. Training of field staff.

[15th February 1955]

IV. Service homes.

V. Cottage industries.

I. *Field work—Family Welfare.*—Family Welfare is the most important aspect of the work of the Department of Women's Welfare and this is effected by regular periodical visits to each family by trained personnel constituting the field staff, for the following purposes :—

To render all help in regard to health, hygiene, maternity, child-care, nursing, etc.

For purposes of hospitalization and after-care.

To give sound advice on all matters and difficult problems brought up by the members of the family.

To try and secure employment and to help to earn a supplementary income.

To help in regard to nutrition, cooking, invalid diet, gardening, poultry, crafts, etc.

Community Service Centres.—The Community Service Centres are usually conducted in the afternoon when women will be free from household duties.

The following approved programme is carried out in these centres :—

(1) Social education including citizenship training, community behaviour, adult education and adult literacy.

(2) Civic duties are encouraged, e.g., co-operation with public authorities in regard to sanitation, public health, education, hospital visiting, etc. Celebration of common festivals, days of national importance, excursion, competitions and news-hour discussions, debates and lectures are arranged. Adult education is provided including instruction in home science, domestic economy, gardening, nutrition, dietetics, practical cooking, first-aid, home-nursing, maternity and child-care, home remedies, besides recreation, music and adult literacy including instruction in mother-tongue, regional language and Hindi.

II. *Maternity.*—In several of the interior villages there is no facility for maternity assistance and in such villages Maternity Assistants are appointed to work along with the Women's Welfare Organizers. Such a combination has proved successful and the demand for the appointment of Maternity Assistants is increasing.

III. *Training of field staff.*—Training of field staff is an important aspect of the work of the department. The Women's Welfare Organizers are specially trained for field work both in urban and rural areas for a period of one year. The field staff consists of the Women's Welfare Organizer in charge of the branches and the Assistant Women's Welfare Officers, who are in

[15th February 1955]

charge of each district. The Assistant Women's Welfare Officers guide, supervise and direct the work of the Organizers. The Women's Welfare Organizers are given plenty of chances to familiarize themselves with the special nature of the work and are also kept under observation before selection for training. Only a limited number of candidates are selected for training as each requires very special and individual attention. The period of training for the Women's Welfare Organizers is one year and the course is intensive, both in theory and practice. Certificates are given on the successful completion of the course.

IV. *Service Homes*.—The Madras Service Home deals with the preventive aspect of welfare work. The cases of destitute widows, deserted wives, with or without children, coming from respectable but poor families are investigated and given relief.

The inmates are admitted after careful investigation by the field staff. Normally they stay in the Home for a period of three years, but they may be discharged earlier if satisfactory settlement including matrimony is possible. General education is provided up to middle school. In the first year, they are kept under observation for selection to different vocations, according to their aptitudes. Instruction in special courses is taken up in the second and third year. These special courses consist of training as teachers, welfare organizers, tailoring and spinning, house-keeping, *balasevikas* and *midwives*.

Each Home has a Children's section, where the children of the inmates are looked after. The management of the Home is attended to by the inmates themselves and this is on democratic lines. They are taught to realize their responsibilities. A lady doctor attends thrice a week. The staff also reside with the inmates and participate in the community life with them.

V. *Cottage industries*.—Cottage industries such as spinning, weaving, tailoring, tape-weaving, making fancy articles of household utility from waste products, preserves pickles, jams, etc., are taught at the centres to enable the poor members to earn a little and thus supplement their family income. Spinning is encouraged in most of the branches. The articles made are sold and wages paid to the members who participated.

Special branches.—Ameliorative work is undertaken amongst aboriginal tribes, i.e., Todas in the Nilgiris and the Ex-Criminal tribes in Aziznagar in South Arcot and Brisleenagar in Madras. The centres are conducted in these places on the same lines, but with special reference to the needs of these tribes.

Mauthar sangams.—Mauthar sangams have been started recently in villages with a radius of two miles from the branch headquarters, with a view to enlist the co-operation and assistance of the local women. The Women's Welfare Organizer is expected to start these sangams and see that they are carried on by the women themselves, the Organizer paying weekly visits to watch their activities and render such assistance as will be required.

15th February 1955]

Journal.—A journal in Tamil "Sowbhagyam" is edited by the department to serve as an organ of instruction and expression. It contains general and news items as well as informative articles on social welfare.

(c) & (d) The question is under consideration of the Government.

APPENDIX III.

[Vide answer to starred question No. 124 asked by Sri T. Purushotham at the meeting of the Legislative Council held on 15th February 1955, page 767 supra.]

G.O. No. 1360, Education, dated, 23rd September 1954.

The policy of the Government in the matter of secondary education is to encourage the establishment of schools by local bodies and private agencies. The Government will step in only in localities where neither local bodies nor private agencies come forward to open schools. In respect of non-Government schools, preference will be shown to private agencies. The intention of the Government is that the funds available with the local bodies should be utilized to the best advantage and that these bodies need not compete with private agencies in the matter of provision of facilities for secondary education. The primary responsibility of a local body is to provide adequate facilities for elementary education in the area within its jurisdiction. In accordance with the instructions issued in G.O. No. 352, Education, dated 31st March 1954, local bodies, particularly district boards, should defer all schemes of expansion of facilities for secondary education and concentrate on the provision of facilities for elementary education in their areas and on perfecting them.

2. In some cases, however, the local public are not able to bear the entire responsibility for a new school, though they may be willing to co-operate and raise substantial funds for the opening and maintenance of a high school, if some other agency comes forward to establish a school in the locality. The Government consider that local initiative and local contributions should be given due encouragement and that the local bodies concerned (district boards in rural areas and municipal councils in municipal areas) may avail themselves of the offer of the local public towards the provision of facilities for secondary education, provided that their commitments in the field of secondary education are not increased beyond their means.

3. The Government have decided that local bodies may be permitted to open new secondary schools or additional forms in existing schools, if contributions can be secured from the local public on the following minimum scale :—

Buildings.—A building sufficient to accommodate the several classes of the new school should be provided by the Local Committee at its own cost. The building should be conveyed to

[15th February 1955]

the local body through a registered deed, the Committee meeting the stamp and registration charges. If it is not possible for the Committee to put up a building at its own cost, it should deposit with the District Board a sum of Rs. 50,000 or Rs. 30,000 for the construction of a building according as the institution to be opened in the locality is a high school or a middle school. If additional forms (IV to VI) are opened, the amount to be deposited for provision of additional accommodation will be Rs. 20,000. Temporary structures should not be accepted, unless arrangements have been made by the Committee for the construction of a permanent building.

Recurring cost.—The local public should deposit with the local body, contributions as indicated below, towards the cost of maintenance of new schools or higher forms to be opened in the existing schools for a period of three years :—

		Opening of middle schools.	Opening of high schools.	Opening of Forms IV to VI in middle schools.
		(1)	(2)	(3)
		RS.	RS.	RS.
Cost for first year	-- ..	1,500	1,500	..
Cost of second year	.. --	2,500	2,900	400
Cost for third year	-- ..	2,600	3,800	1,200
		6,600	8,200	1,600

The contributions due for the first two years should be required to be paid immediately. Time may, however, be given for the payment of the contribution due for the third year before the end of the second year.

Equipment.—If the local contribution towards buildings and recurring charges is adequate, and, if it is found, that the local public are not able to make any further contribution, the local body may meet the expenditure connected with the supply of equipment for the school from its general funds. If local contributions can be secured towards the purchase of equipment also, the liability to the district board in this matter should be limited to the extent not covered by local contribution.

Land for buildings and playground.—Lands belonging to Government or local bodies may be made available to the extent possible. The further land required should be secured by the local public or the local public should meet the cost of its acquisition. The land required for playground should be secured for the school within a period of five years.

15th February 1955]

4. The Director of Public Instruction is requested to issue further instructions, if necessary, to ensure that the orders of Government in paragraph 3 above are strictly followed by local bodies. A copy of the instructions issued should be forwarded to Government for information.

(By order of the Governor)

C. S. RAMACHANDRAN,
Secretary to Government.

To the Director of Public Instruction, Madras.

„ all Special Officers of District Boards.

„ all Commissioners of Municipalities (through the Chairmen of Municipal Councils).

„ the Inspector of Municipal Councils and Local Boards.

„ the Examiner of Local Fund Accounts.

APPENDIX IV.

[Vide item IV (2) on page 793 supra.]

L.A. BILL No. 26 OF 1954.

(As passed by the Assembly.)

A Bill to provide for the levy of betterment contribution on certain lands in the State of Madras.

WHEREAS it is expedient to provide for the levy of betterment contribution on certain lands in the State of Madras:

BE it enacted in the Sixth-Year of the Republic of India as follows :—

1. *Short title and extent.*—(1) This Act may be called the Madras Irrigation (Levy of Betterment Contribution) Act, 1955.

(2) It extends to the whole of the State of Madras.

2. *Definitions.*—In this Act, unless there is anything repugnant in the subject or context—

(1) ‘contribution’ means the betterment contribution referred to in section 3;

(2) ‘drainage work’ includes—

(a) channels, whether natural or artificial, for the discharge of waste or surplus water and all works connected with or auxiliary to such channels;

(b) escape channels from an irrigation work;

(c) dams, weirs, embankments, sluices and groynes;

(d) all works for the protection of lands from floods or from erosion, which are owned or controlled by the Government, or which are maintained by them otherwise than by an assignment of land or land revenue made, confirmed, or recognized by

[15th February 1955]

the Government, or which, having been constructed by the Government or being maintained by an assignment of land or land revenue as aforesaid, have not been made over to any person, but does not include works for the removal of sewage;

(3) 'Government' means the State Government;

(4) 'irrigation work' includes—

(a) all canals, channels, tanks, wells, reservoirs, ponds, spring ponds and *madugus* used for the supply or storage of water, and all works, embankments and structures (other than escape channels) connected therewith or auxiliary thereto, which are owned or controlled by the Government, or which are maintained by them otherwise than by an assignment of land or land revenue made, confirmed or recognized by the Government, or which, having been constructed by the Government or being maintained by an assignment of land or land revenue as aforesaid, have not been made over to any person;

(b) all such lakes and other natural collections of water or parts thereof as are situated on lands which are the property of Government;

(c) all rivers and natural streams or parts thereof;

(5) 'landholder' in relation to any land means the person liable to pay the public revenue due on the land:

Provided that—

(a) in respect of any land comprised in the holding of a kanamdar or a customary verumpattamdar in the territory to which the Malabar Tenancy Act, 1929 (Madras Act XIV of 1930), extends, the kanamdar or the customary verumpattamdar, as the case may be, and

(b) in respect of any land in the possession of a walawargadar, a kayemgenidar, a permanent tenant or a mulgenidar in the South Kanara district, such walawargadar, kayemgenidar, permanent tenant or mulgeni tenant as the case may be, shall be deemed to be the landholder in respect of such land;

(6) 'notification' means a notification published in the *Fort St. George Gazette*;

(7) 'prescribed' means prescribed by rules made under this Act;

(8) 'work' means an irrigation or drainage work.

3. *Levy of betterment contribution.*—The Government shall be entitled to levy a betterment contribution, in accordance with the provisions of this Act, from the landholder of any land which, in their opinion, is benefited by the construction, expansion or alteration by the Government whether after the commencement of this Act, or at any time before such commencement but not earlier

[15th February 1955]

than the 1st January 1947, of any work (including the installation by them of a pumping set), the cost of which exceeds twenty-five thousand rupees.

Explanation I.—A land shall be deemed to be benefited notwithstanding that the benefit is not enjoyed provided such non-enjoyment is due solely to action or inaction on the part of the person or persons interested in such land.

Explanation II.—A land shall not be deemed to be benefited merely by reason of the maintenance of an existing work wholly or partly at the expense of the Government.

4. *Amount of betterment contribution.*—(1) The lands benefited by the construction, expansion or alteration of any work shall be divided into suitable classes by the Government and the annual increase in the gross produce of each class of lands shall be estimated:

Provided that all lands which are of the same *taram* and which, judged by their commandability, are so situated as to derive the same amount of benefit from the work shall be placed in the same class:

Provided further that the estimate shall be made with reference to the average of the prices prevailing, in the case of a work whose construction, expansion or alteration was completed before the commencement of this Act, during the three years immediately preceding such commencement and, in the case of a work whose construction, expansion or alteration was completed after the commencement of this Act, during the three years immediately preceding such completion:

Provided also that the average aforesaid shall not exceed three times the price which prevailed in August 1939.

(2) Ten times the annual increase in the gross produce estimated under sub-section (1) shall be deemed to be the increase in the capital value of each class of lands; and the contribution payable in respect of such class of lands shall be one-half of the difference between the said increase in the capital value and the cost (estimated in the prescribed manner) of making the lands fit for advantageous irrigation under the work:

Provided that in the case of lands which were originally under dry cultivation and which, with a view to derive benefit from the work, were brought under wet cultivation, a sum representing the difference between the cost of wet cultivation and the cost of dry cultivation as determined in the prescribed manner shall be deducted from the increase in gross produce for the purpose of calculating the increase in capital value of those lands.

(3) The contribution payable in respect of each class of lands expressed in terms of rate per acre shall be notified in the *District Gazette* and in such other manner, if any, as may be prescribed:

[15th February 1955]

Provided that the officer authorized in that behalf shall, before determining the contribution under the foregoing provisions of this section, publish his proposals in the prescribed manner and shall consider suggestions and objections received within the time allowed :

Provided further that, against a decision with respect to contribution notified under this sub-section, an appeal shall lie to the prescribed authority and any modification made on such appeal shall be notified in the prescribed manner.

(4) Decisions with respect to contribution notified under sub-section (3) shall, subject to the right of appeal provided in the said sub-section, be final, shall be binding on all persons having interest in the lands and shall not be liable to be questioned in a Court of Law.

(5) At the end of every four years from the year in which the contribution is finally determined under sub-section (3) any future instalment of such contribution shall be liable to be revised on the basis of the proportion that the average of the prices prevailing during those four years bears to the actual or assumed average of prices on the basis of which the contribution was determined.

5. *Contribution recoverable as arrear of land revenue.*—Contribution payable under this Act in respect of any land shall be deemed to be public revenue due upon the said land; and the land, its products and the buildings (owned and occupied by the landholder) standing upon the land shall be regarded as the security of the contribution. When the whole or portion of an instalment of the contribution payable in any year is not paid on the due date, the amount of the instalment or its unpaid portion shall be deemed to be an arrear of land revenue and the provisions of the Madras Revenue Recovery Act, 1864 (Madras Act II of 1864), and of the Madras City Land Revenue Act, 1851 (Central Act XII of 1851), as amended by the Madras City Land Revenue (Amendment) Act, 1867 (Madras Act VI of 1867), shall apply to the recovery of the said arrear as they apply to the recovery of the revenue due on the land.

6. *When contribution becomes payable.*—(1) Contribution shall become payable under this Act on a written notice of demand therefor issued by an officer authorized by the Government in this behalf being served on the landholder :

Provided that no such notice shall be served until the expiry of two years after the date of completion of the construction, expansion or alteration of the work :

Provided further that where, before the commencement of this Act, two years or more have elapsed from the date of completion of the construction, expansion or alteration of the work, such notice may be served at any time after such commencement.

[15th February 1955]

(2) For the avoidance of doubt, it is hereby declared that it shall not be necessary to serve notice on any person other than the landholder, who has an interest in the land or on a successor-in-interest of the landholder or in respect of any instalment of the contribution.

(3) For the purpose of this section and section 4, the construction, expansion or alteration of a 'work' shall be deemed to be completed on the date of cessation of all work connected with its construction, expansion or alteration or on the date when the work is ready to be put in actual operation, whichever is later.

7. *Mode of payment of contribution.*—(1) The contribution payable by a landholder shall be paid by him in twenty annual instalments :

Provided that he shall be entitled to pay the entire contribution with a rebate of twenty per cent within a period of two years from the date on which he becomes liable to pay the contribution.

(2) Arrears of instalments of the contribution shall bear interest at the rate of six per cent per annum and such interest shall be recoverable as arrears of land revenue.

8. *Rebate in certain cases.*—If the Government accept any money from any person for the construction, expansion or alteration of any work and such person becomes liable to pay contribution in respect of any land benefited by such construction, expansion or alteration, the sum accepted from him shall be credited towards the contribution payable by him.

9. *Payment of contribution by person having interest in land.*—Any person having interest in a land may, notwithstanding that he is not the landholder of such land, pay the contribution payable by the landholder in respect of such land and shall, if such person pays the entire contribution within a period of two years from the date on which the landholder becomes liable to pay the contribution, be entitled to a rebate of twenty per cent.

10. *Right of reimbursement in respect of contribution.*—Where the landholder [not being in the territory to which the Malabar Tenancy Act, 1929 (Madras Act XIV of 1930), extends, a kanamdar or a customary verumpattamdar, or in the South Kanara district a walawargadar, a kayemgenidar, a permanent tenant or a mulgeni tenant] liable to pay contribution under this Act is not the owner of the land or is a co-owner of the land, nothing in this Act shall be deemed to affect his right to reimbursement from the owner or to recover proportionate part from the co-owner, as the case may be.

11. *Apportionment of contribution.*—Where a landholder whose case is not covered by section 10 and who has paid an instalment of contribution under this Act is not the occupier of the

APPENDIX

6

APPENDIX

[15th February 1955]

and, he shall, in the absence of a contract to the contrary, be entitled to recover the amount of such instalment from the person who is in actual occupation of the land during the year in which the said instalment is payable:

Provided that where such person is a tenant, the landholder shall be entitled to recover from the tenant the instalment of contribution referred to in this section only if the tenant is liable under any law or custom of the locality to deliver to the landholder a share of the produce and such share has not been altered subsequent to the completion of the work by agreement between the parties, and the amount that can be recovered from such a tenant shall bear to the total amount of the instalment the same proportion as the tenant's share of the produce bears to the total produce of the land:

Provided further that, where the landholder has paid the entire contribution with a rebate under the proviso to sub-section (1) of section 7, a twentieth part of the sum actually paid shall be deemed to be the instalment of the contribution payable during every year during which an instalment of the contribution would have been payable had the entire contribution not been so paid.

12. *Exemption.*—If, in the opinion of the Government, the enforcement or strict enforcement of all or any of the provisions of this Act will cause hardship in any case or cases, the Government may, by notification, setting out the ground therefor, exempt either permanently or for a specified period such case or cases from all or any of the provisions of this Act, subject to such conditions, if any, as the Government may deem fit to impose.

13. *Power to make rules.*—(1) The Government may, by notification, make rules to carry out the purposes of this Act and in particular—

(a) for the delegation of their powers to the Board of Revenue, Collectors or other authorities;

(b) for the provision of such appeals and revision as may be found necessary in respect of the orders passed by any authority to whom powers may be so delegated;

(c) for the manner of estimating the gross produce and prices under section 4;

(d) for all matters expressly required or allowed by this Act to be prescribed.

(2) All rules made under this section shall be published in the *Fort St. George Gazette* and upon such publication shall have effect as if enacted in this Act. The rules so made shall be placed on the table of the Legislative Assembly as soon as possible after they are published and shall be subject to such modifications,

15th February 1955]

whether by way of repeal or amendment, as the Assembly may make within fourteen days during the session in which they are so laid.

14. *Saving.*—Nothing contained in this Act shall apply to the levy, determination, payment or recovery of betterment contribution from the landholders of lands which are benefited, or are capable of being benefited, by the construction, expansion or alteration of any work, if provision in that behalf is contained in any other law relating thereto and for the time being in force.

R. V. KRISHNA AYYAR,
Secretary to the State Legislature.

12th February 1955.

I certify that this is a Money Bill.

J. SIVASHANMUGAM PILLAI,
Speaker, Madras Legislative Assembly.

12th February 1955.

THE MADRAS LEGISLATIVE COUNCIL.

Wednesday, the 16th February 1955.

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

I.—ALLOTMENT OF A DAY FOR NON-OFFICIAL BUSINESS.

SRI A. GAJAPATHY NAYAGAR :—“ Sir, I want to bring to your notice that the Leader of the House has once stated that Saturday will be a non-official day . . . ”

SRI T. PURUSHOTHAM :—“ This question should be raised after question time, Sir.”

MR. CHAIRMAN :—“ This subject should be raised only after question time.”

II.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

Investigation into the vaccine against smallpox prepared by the King Institute, Guindy.

* 120 Q.—DR. A. SREENIVASAN: Will the Hon. the Minister for Health be pleased to state—

(a) whether the Government have at any time made investigation as to how far the vaccine against smallpox which is prepared by the King Institute, Guindy, satisfies the International standards;

(b) if so, the findings of such investigation; and

(c) whether the Government have ascertained the reasons why, notwithstanding the high percentage of vaccination in the City of Madras, there was prevalence of smallpox in the City?

THE HON. SRI A. B. SHETTY :—“ (a) Yes, Sir. Each batch of vaccine lymph prepared in the King Institute is tested according to International standards, not only by the manufacturing department, but also by the Biological Standardization Section. Each batch is supplied to the field only after it has been certified to be satisfactory regarding its potency and safety.

“ (b) Immunity experiments were done on monkeys for the first time in 1950–51 at the King Institute, and it was proved that the batches of vaccine lymph manufactured at the Institute are capable of producing satisfactory immunity. This view has been confirmed by the Vaccine Institute, Belgaum, to which samples of vaccine lymph were sent.

“ (c) A large influx of floating population to the City, some of whom come from infected areas, import the infection and plant it in the City. Superstitious belief about smallpox

[16th February 1955]

among a large section of the lay public, ignorance of masses about the efficacy of vaccination as a preventive measure, illiteracy of the people and non-co-operation of the public though educated, are the factors that impede attempts to protect as many people as possible from smallpox infection."

SRI K. BHASHYAM :—" Sir, will it not be more useful if the test is made by somebody who is a professor of virology instead of the virus being subjected to biological tests? "

THE HON. SRI A. B. SHETTY :—" Government consider that this is the proper way of testing it."

DR. A. SREENIVASAN :—" Sir, is not the vaccine tested by the very manufacturing people? Therefore, even if there are defects, they are not likely to give them out. Is it not necessary in that case to send it to an outside agency to find out whether the lymph—it is a misnomer to call it lymph, it is only diluted pus—has got any antigenic property? "

THE HON. SRI A. B. SHETTY :—" I am not able to understand what exactly the hon. Member wants to know. By whom is it to be tested? "

DR. A. SREENIVASAN :—" Sir, the vaccine manufactured to-day is tested by the very manufacturer, that is, the King Institute, Guindy. Even if it is defective, it is very unlikely that the King Institute will give out that the vaccine as prepared by it is defective. Therefore, in public interests, I suggest that the vaccine must be sent to some outside agency to find out whether it has got any antigenic property. It is proved by facts that the incidence of smallpox in the City has not gone down by the administration of lymph to millions and millions of people? "

THE HON. SRI A. B. SHETTY :—" There is very much less of smallpox to-day than in the past decade. The reason for the appearance of cases of smallpox now and then in the City I have already explained. It is due to the floating population in the City who import smallpox. When revaccination is done on a mass scale, many people wipe off the lymph and no proper revaccination can be done in such cases. Even when the number of people unprotected is small, they become the medium for the spread of the infection."

DR. A. SREENIVASAN :—" Sir, has the Hon. Minister any serious objection to have an independent opinion in this matter? "

THE HON. SRI A. B. SHETTY :—" If the hon. Member would write to me what exactly his suggestions are in the matter, I shall have them considered."

DR. V. K. JOHN :—" Sir, may I know whether the Government are doing their very best, that they cannot do anything better, and that still there is prevalence of smallpox? "

THE HON. SRI A. B. SHETTY :—" As I have already said, there is much less of smallpox now than we had in the past."

[16th February 1955]

Need for promoting the indigenous system of medicine.

* 130 Q.—SRI A. GAJAPATHY NAYAGAR: Will the Hon. the Minister for Health be pleased to state—

(a) what the need is for promoting the indigenous system of medicine when allopathic remedies are available; and

(b) whether all the diseases can be treated by this indigenous system?

THE HON. SRI A. B. SHETTY :—" (a) The indigenous system of medicine is promoted because it is popular and available in all rural areas. It is also cheaper and it is believed to be effective. The practitioners of modern medicine are not numerous enough to cover all the rural areas."

" (b) It is difficult to say whether all diseases can be treated by the indigenous system. There is no system of medicine which can cure all diseases though one can try to treat them with any system of medicine."

SRI A. GAJAPATHY NAYAGAR :—" Is the Hon. Minister aware that certain diseases not cured by allopathic medicine are cured by indigenous medicine, for example, epilepsy? "

THE HON. SRI A. B. SHETTY :—" It is difficult to say that all diseases can be treated by a particular system of medicine. There is no system of medicine which can cure all diseases, though one can try any system of medicine."

DR. A. SREENIVASAN :—" Sir, is it not because of the lack of proper incentive, the modern medicine man is not migrating to the villages? "

THE HON. SRI A. B. SHETTY :—" That is a separate question, Sir. This question is about indigenous system of medicine."

DR. A. SREENIVASAN :—" Is the Hon. Minister aware that the modern medicine man is not going to the villages? "

MR. CHAIRMAN :—" That question does not arise out of the main question."

DR. V. K. JOHN :—" Sir, what is the objection to combining the allopathic system and the indigenous system in the same institution? "

THE HON. SRI A. B. SHETTY :—" It is done so in the Government College of Indigenous Medicine."

SRI MOHAMED RAZA KHAN :—" Sir, which system is better—either the modern system of medicine or the indigenous system of medicine for curing mental diseases? " (Laughter)

MR. CHAIRMAN :—" You must ask a doctor for the answer."

[16th February 1955]

Starting of a factory in the Nilgiris district for producing tinned milk products.

* 131 Q.—SRI M. ETHIRAJULU : Will the Hon. the Minister for Agriculture be pleased to state whether there is any proposal to start a factory in the Nilgiris district for producing tinned milk products?

THE HON. SRI M. BHAKTAVATSALAM :—“ Yes, Sir. Some time ago a private firm submitted to the Government of India proposals for the establishment of an infant milk food factory on the Nilgiris in collaboration with a foreign firm. Subsequently another firm has approached the Union Government with a similar proposal to manufacture infant milk food, milk powder and other dairy products in the Nilgiris district.”

Amount spent towards the cost of machinery for the lignite mines, Neiveli.

3-10
p.m.

* 132 Q.—SRI M. ETHIRAJULU : Will the Hon. the Minister for Agriculture be pleased to state the amount spent so far towards the cost of machinery for the lignite mines, Neiveli, South Arcot district?

THE HON. SRI M. BHAKTAVATSALAM :—“ The amount spent from State funds towards the cost of machinery is about Rs. 40.70 lakhs.”

SRI M. ETHIRAJULU :—“ இதில் மத்திய சர்க்கார் பணம் எவ்வளவு? சென்னை சர்க்கார் பணம் எவ்வளவு? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ இந்த செலவு பூராவும் சென்னை சர்க்காருடையதுதான்.”

SRI MOHAMED RAZA KHAN :—“ Sir, the Government were kind enough to allow the Members of the Assembly to go to Neiveli Project. May I ask, Sir, why were not the Members of the Council given that opportunity? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ That is perhaps because no hon. Member of this House was interested sufficiently enough to mention that either to me or to the Hon. the Finance Minister.”

DR. V. K. JOHN :—“ Sir, are the Government of India not spending any money on this? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ So far they have only supplied some machinery. They were not spending any money. But since the 1st January last, they have undertaken full financial responsibility.”

SRI M. ETHIRAJULU :—“ அயல் நாட்டிலிருந்து இதற்காக மிஷின்கள் ஏதாவது கடன் வாங்கப்பட்டிருக்கின்றனவா? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ Yes, Sir.”

[16th February 1955]

Exemption of certain shops and establishments from the Madras Shops and Establishments Act.

* 133 Q.—SRI V. GURUNANDAN ROW : Will the Hon. the Minister for Agriculture be pleased to state—

(a) whether the employees of the establishments concerned or any association of employees were consulted before passing the order exempting shops and establishments employing three and less than three persons from the Madras Shops and Establishments Act; and

(b) what the materials are on the basis of which Government granted such exemption?

THE HON. SRI M. BHAKTAVATSALAM :—“ (a) No, Sir.

“ (b) The Government called for the opinion of the Corporation of Madras, the Municipal Councils and Class I Panchayats whether it would generally be in the public interests if the shops and establishments employing three and less than three persons, are exempted from the provisions of the Madras Shops and Establishments Act. Majority of the Municipalities and Class I Panchayats were in favour of the exemption. The Government accordingly exempted, for a period of one year, all shops and establishments employing 3 and less than 3 persons from all the provisions of the Act. It is proposed to review the position after one year.”

SRI V. GURUNANDAN ROW :—“ Has any representation been received from employers that they must be given this exemption? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ Yes, Sir. The Government have received representations from employers in favour of the exemption. The Government have also received representations from representatives of the employees protesting against the exemption.”

SRI V. GURUNANDAN ROW :—“ In answer to clause (a) of the question, the Hon. Minister said, ‘No.’ That means the employees were not consulted before the order was issued. The Hon. Minister said now that employers were consulted. Is it fair on the part of the Government not to have consulted the employees before passing the exemption order and thus taking away a valuable right given to them under the Act? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ Government thought it fit neither to consult the employers nor the employees. I only said we have received representations from the employers and the employees. On the other hand, Government thought it fit to consult the various local boards and municipalities and Class I panchayats.”

SRI V. GURUNANDAN ROW :—“ May I know whether there is any principle behind this exemption granted by the Government? ”

[16th February 1955]

THE HON. SRI M. BHAKTAVATSALAM :—" Yes, Sir. The principle behind this exemption was that petty shop-keepers were also entitled to the sympathy of the Government and the people. More than the petty shop-keepers, the general public, especially the poorer classes among them, are very much interested in such petty shops. The Government have observed that since the introduction of this Act, there has been no development of petty shops. So, this is the principle behind the exemption which is to be tried for a year only. After one year, the whole question will be reviewed."

SRI V. GURUNANDAN ROW :—" The Hon. Minister said that the general public were interested in these shops. But, may I know why it should be considered necessary to take away the right of the employees to go before the Labour Commissioner in appeal against even improper dismissals? "

THE HON. SRI M. BHAKTAVATSALAM :—" Sir, it is not a question of depriving any of the rights of the employers or the employees. The Government decided on this general exemption of the petty shops from the operation of the Shops and Establishments Act. But, as I said in the other House, the Government will certainly examine this question and as a matter of fact they have been examining whether cases like unlawful dismissals could be excluded from the exemption."

SRI V. CHAKKARAI CHETTY :—" What are the advantages that are conferred upon the employers by the grant of this exemption? Following the question, may I know whether any compensation is being given to the employees who are deprived of the privileges which they will otherwise enjoy under the general provisions governing the relationship between the employer and the employee? "

THE HON. SRI M. BHAKTAVATSALAM :—" There is no question of compensation as there could be no question of vested interests in this matter. The advantage that the petty shop-keepers will have is that the overhead expenditure on running his shop can be reduced. But, regarding the possible retrenchment on account of the operation of this exemption, I should point out that when more and more petty shops come into existence, they will absorb more men than those who are likely to be retrenched. The Government have also taken care to see that there is no abuse of this provision. They have provided for visit books to be maintained by every one of the shop-keepers which could be supervised and seen by the Inspectors so that no abuse is permitted."

DR. V. K. JOHN :—" May I know whether the Government will go into the question of some other cases where more than 8 employees are employed and where the application of this Act is likely to retard the progress of business? "

[16th February 1955]

THE HON. SRI M. BHAKTAVATSALAM :—" Sir, Government have decided on this exemption. They will wait for a year and then review the whole position. Meanwhile, we can also await the Central legislation in regard to shop assistants. The draft Bill has, I have been told, almost been finalised by the Government of India. When it is introduced, we will see whether there should be or should not be any exemption or whether this exemption should be extended further as suggested by the hon. the Deputy Leader of the Opposition."

Publication of Government advertisements in newspapers.

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

(a) the agency through which Government advertisements are sent for publication in the newspapers;

(b) the conditions governing the release of Government advertisements to the newspapers; and

(c) whether the Government will be pleased to place on the table of the House a copy of the latest rules on this subject?

THE HON. SRI C. SUBRAMANIAM :—" (a) Government advertisements are released for publication in the newspapers through the Information and Publicity Department.

" (b) The newspapers, to which advertisements are released, are selected, keeping in view their circulation, tone, and the class of readers the particular advertisement is intended to reach.

" (c) The latest rules on the subject are contained in G.O. No. 2558, P.W. (Information and Publicity), dated 16th July 1948, copies of which are placed on the table of the House."

SRI V. CHAKKARAI CHETTY :—" May I know whether any newspapers are discriminated against because of their political views being not favourable to the Government? "

THE HON. SRI C. SUBRAMANIAM :—" No discrimination is made on that account, Sir."

SRI T. PURUSHOTHAM :—" Will the Hon. the Minister for Finance furnish us with a list of newspapers to which the Government advertisements are given? "

THE HON. SRI C. SUBRAMANIAM :—" I do not have the list with me here. If the hon. Member is interested, certainly I can give him the list."

SRI T. PURUSHOTHAM :—" Are Tamil newspapers also being encouraged in the matter of giving advertisements of the Government departments, or are advertisements given only to English newspapers? "

[16th February 1955]

THE HON. SRI C. SUBRAMANIAM :—" It is not a question of 'also', Sir. Tamil newspapers are encouraged."

SRI MOHAMED RAZA KHAN :—" Who is the ultimate authority that decides this matter? Is it the Director of Information and Publicity or the Hon. the Minister for Finance? "

THE HON. SRI C. SUBRAMANIAM :—" The Government are the final authority, Sir."

DR. V. K. JOHN :—" May I take it that the Government show no favouritism in the matter of giving these advertisements? "

THE HON. SRI C. SUBRAMANIAM :—" That is what we think, Sir."

Applications for recognition from oriental elementary and secondary schools.

* 135 Q.—SRI G. KRISHNAMOORTHY : Will the Hon. the Minister for Finance and Education be pleased to state—

(a) the number of applications received from April 1954 from oriental elementary and secondary schools for recognition;

(b) whether recognition has been refused in any case; and

(c) if so, the reasons therefor?

THE HON. SRI C. SUBRAMANIAM :—" (a) Elementary Schools—3, Secondary Schools—15.

" (b) No.

" (c) Does not arise."

SRI K. BHASHYAM :—" Is it fair on the part of the Government to refuse recognition to such of the oriental elementary and secondary schools that do not apply for Government aid? "

THE HON. SRI C. SUBRAMANIAM :—" Regarding the recognition of oriental secondary schools, certain conditions are laid down in Proceedings No. D.P.I. 700-D-9/52, dated 21st July 1952. Even if they do not want any aid from the Government, certain standards will have to be maintained. That is why we see whether those standards are maintained and then only we give recognition."

SRI G. KRISHNAMOORTHY :—" Am I to understand from the reply of the Hon. Minister that in no case application for recognition of oriental elementary school has been refused? "

THE HON. SRI C. SUBRAMANIAM :—" That is the information I have."

SRI G. KRISHNAMOORTHY :—" I have with me information that recognition has been refused in the case of an oriental elementary school. May I have an assurance from the Hon. the Minister for Education that in case this application is renewed, the Government will accord recognition to that school? "

[16th February 1955]

THE HON. SRI C. SUBRAMANIAM :—" If the individual case referred to by the hon. Member is sent to me, it will be considered, Sir."

SRI G. KRISHNAMOORTHY :—" In view of the fact that people experience a lot of difficulties in starting and maintaining oriental secondary schools, may I request the Government to allow the existing aided or district board high schools to have an oriental section in their institutions? "

THE HON. SRI C. SUBRAMANIAM :—" It can be done, provided the local boards have the necessary finance for that purpose. The policy of the Government is to encourage them to restrict their activities to elementary education. Therefore, I think this should be done by private agencies rather than the local boards."

SRI K. BHASHYAM :—" If private agencies come forward ³⁻²⁰ and run schools without the aid of the Government, will the Gov. ^{p.m.} ernment recognize them to the extent of permitting the pupils of such schools to get admitted in other ordinary schools at least so far as the I, II and III forms are concerned? "

THE HON. SRI C. SUBRAMANIAM :—" Provided they satisfy the conditions laid down."

SRI K. BHASHYAM :—" Suppose they satisfy the Government with regard to syllabus and also the standard of instruction provided, will the Government favourably view the case I have just referred to?

THE HON. SRI C. SUBRAMANIAM :—" Certainly there can be no possible difficulty about it."

SRI G. KRISHNAMOORTHY :—" In view of the rights conferred by Article 30 of the Constitution, will the Government, in order to encourage cultural minorities, recognize the special oriental schools even though they do not satisfy the departmental special rules? "

THE HON. SRI C. SUBRAMANIAM :—" I do not know how Article 30 comes into the picture here. But when schools want recognition by the Government, they should satisfy the conditions laid down by the Government. Otherwise, they can carry on without recognition."

Government scales of pay to teachers under municipalities.

* 136 Q.—SRI G. KRISHNAMOORTHY : Will the Hon. the Minister for Finance and Education be pleased to state—

(a) whether any municipalities applied to the Government recently for permission to grant Government scales of pay to the teachers under their employ;

[16th February 1955]

(b) whether Government refused permission in any case; and

(c) if so, the reasons therefor?

THE HON. SRI C. SUBRAMANIAM :—“(a) & (b) Yes, Sir.

“(c) The last revision of the scale of pay of teachers in elementary schools under local bodies was made recently and also many municipalities may not be in a position to meet the additional expenditure involved.”

SRI G. KRISHNAMOORTHY :—“What difficulty is there for the Government when the municipality is prepared to pay the Government scales of pay and when it proves it has got the necessary funds for the purpose?”

THE HON. SRI C. SUBRAMANIAM :—“If it proves it has got necessary funds, then certainly the proposition will be considered by the Government. But when it makes recommendations without taking into consideration the financial resources available, then we turn down the proposal.”

SRI G. KRISHNAMOORTHY :—“Will the Government give an assurance that in case a municipal council passes a resolution to the effect that teachers under its employ will be given the Government scales of pay, they will not stand in the way?”

THE HON. SRI C. SUBRAMANIAM :—“Provided the financial resources of the municipality are sound.”

Destruction of huts by the recent flood in September 1954 at Tiruppapuliur.

* 137 Q.—SRI M. ETHIRAJULU : Will the Hon. the Minister for Land Revenue be pleased to state—

(a) the number of huts destroyed by the recent floods in September 1954 at Tiruppapuliur, Cuddalore taluk, South Arcot district;

(b) whether the Collector of South Arcot district inspected the flood-affected area;

(c) the amount of loss sustained on account of the flood; and

(d) the amount of grant given by the Collector to each family of the victims of the flood?

THE HON. SRI M. A. MANICKAVELU NAICKER :—“(a) 49.

“(b) Yes.

“(c) The loss is estimated at Rs. 1,960. There was no loss of human life or cattle.

“(d) Cash grant of Rs. 30 each was sanctioned to 48 individuals to enable them to rebuild their huts. The owner of one hut paying an assessment of Rs. 35 was not given any relief.”

[16th February 1955]

SRI M. ETHIRAJULU :—“ஒவ்வொரு வருஷமும் வெள்ளம் வந்து அங்கு குடியிருக்கும் ஹரிஜனங்களின் குடிசைகளும், ஹோட்டல் வைத்திருப்பவர்களுடைய சொத்துக்களும் பாழ்படுத்தப்பட்டு வருகின்றன. ஆகவே, சர்க்கார் வெள்ளத்தைத் தடுக்க ஏதாவது முயற்சி செய்வார்களா என்று அறிய விரும்புகிறேன்.”

THE HON. SRI M. A. MANICKAVELU NAICKER :—“I am aware of a scheme for controlling floods of a bigger nature, that is, from bigger rivers. I do not know if there is any scheme with regard to floods from small rivers.”

Taxi motor cars plying in Cuddalore, South Arcot district.

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

(a) whether taxi motor cars are allowed to run in Cuddalore, South Arcot district; and

(b) if so, how many of them are licensed?

THE HON. SRI B. PARAMESWARAN :—“(a) Yes, Sir.

“(b) No taxis are licensed in the South Arcot district. But the taxis which ply in the South Arcot district are those of the adjoining districts with endorsements granted by the Regional Transport Authority, South Arcot, to ply in that district.”

SRI M. ETHIRAJULU :—“ஏராளமான நபர்கள் பக்கலி காரர்களைய வைத்துக்கொண்டு லைசென்ஸ் எதுவும் வாங்காமல் சொந்தக்காரர் போல் ஜனங்களுக்கு ரகசியமாக வாடகைக்கு விட்டுக் கொள்ளி லாபம் பெறுகிறார்கள். இவற்றையெல்லாம் தடுக்கவும் அவற்றுக்கு மீட்டர் போட்டு ஒழுங்காக லைசென்ஸ் வாங்கிய பின்னரே அவை வாடகைக்கு ஒரம்படியும் சர்க்கார் ஏதாவது ஏற்பாடு செய்வார்களா?”

THE HON. SRI B. PARAMESWARAN :—“இப்பேர்ப்பட்ட கேஸ்களை சர்க்காருடைய கவனத்திற்குக் கொண்டுவந்தால் சர்க்கார் தக்க நடவடிக்கை எடுப்பார்கள்.”

SRI M. ETHIRAJULU :—“அந்தத் தவகலை மக்கள் தெரிவிக்க வேண்டுமா அல்லது போலீஸ்காரர்களை கண்டுபிடிக்க வேண்டுமா என்று கேட்கிறேன்?”

THE HON. SRI B. PARAMESWARAN :—“போலீஸாருக்கு மக்கள் தெரிவித்தால் அவர்கள் உடனடியாக தக்க நடவடிக்கை எடுத்துக் கொள்வார்கள்.”

SRI M. ETHIRAJULU :—“இம்மாதிரி நடக்கும் விஷயம் போலீஸ் காரர்களுக்கு நன்றாகத் தெரிந்திருந்தும் கூட அவர்களே ரேர் கார்களில் பிரயாணம் செய்கிறார்கள். ஆனால் அவர்கள் எவ்வித நடவடிக்கையும் எடுத்துக்கொள்வது கிடையாது என்பது சர்க்காருக்குத் தெரியுமா?”

THE HON. SRI B. PARAMESWARAN :—“போலீஸ்காரர்கள் மீது ஆலோசனைக்கு குற்றம் சொல்வதில் பிரயோஜனமில்லை. எந்தப் போலீஸ்காரர் இம்மாதிரி அந்தக் கார்களில் ஏறிக்கொண்டு போனார்?”

[16th February 1955]

என் அவர்களிடம் ஸென்ஸ் இல்லையென்பதற்காக அவர்கள் மேல் வழக்கு எடுத்துக் கொள்ளாமல் இருந்தார், ஏன் அவர் செய்ய வேண்டிய கடமையைச் செய்யத் தவறினார் என்பதற்குத் தக்க காரணங்களுடன் சர்க்காரின் கவனத்திற்கு எந்த குறிப்பிட்ட கேஸை கனம் மெம்பர் கொண்டுவந்தாலும் அதைப் பற்றி தக்க விசாரணை செய்து நடவடிக்கை எடுக்க நான் தயார்.”

SRI M. ETHIRAJULU :—“ இம்மாதிரி ஸென்ஸ் இல்லாமலேயே அந்த ஜில்லாக்களில் பல டாக்ஸி கார்கள் வாடகைக்கு விடப்பட்டுக் கொண்டிருக்கின்றன என்கின்ற விஷயம் போலீஸாருக்கும் நன்றாகத் தெரியும். தெரிந்தும் அவர்கள் எவ்வித நடவடிக்கையும் எடுக்காமல் இருக்கிறார்கள். இனிமேலாவது தக்க நடவடிக்கை எடுக்கவேண்டுமென்று அரசாங்கத்தார் அவர்களுக்கு ஒரு தாக்கீது அனுப்புவார்களா என்று அறிய விரும்புகிறேன்.”

THE HON. SRI M. BHAKTAVATSALAM :—“ நான் இதுவரையில் சொன்னதற்கு மேல் திருப்பிச் சொல்வதற்கு அவசியம் ஒன்றுமில்லை.”

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

III. MESSAGE FROM THE ASSEMBLY.

MR. CHAIRMAN :—“ I have to announce to the House that I have received the following message, dated the 16th February 1955, from the Hon. the Speaker, Madras Legislative Assembly :—

“ In accordance with rule 114 of the Madras Assembly Rules, I transmit a copy of the South Kanara Cultivating Tenants Protection (Amendment) Bill, 1955 (L.A. Bill No. 3 of 1955), as passed by the Assembly, on the 15th February 1955 and signed by me, for the concurrence of the Council.”

I.—ALLOTMENT OF A DAY FOR NON-OFFICIAL BUSINESS—cont.

SRI A. GAJAPATHY NAYAGAR :—“ Mr. Chairman, Sir, last time, the Leader of the House gave us an assurance that private Members would have an opportunity to move their non-official resolutions on non-official days. Now I understand from the rules that Saturday is put down as non-official day. If by any chance that is taken away for official work, will he give us an assurance that another day will be substituted for it for discussion of resolutions or Bills given notice of by private Members? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ Sir, we shall be sitting to-morrow and the Joint Select Committee is scheduled to sit on the 18th February and it may have to continue its sitting on the 19th also. Therefore, there will not be any meeting of the Legislative Council on the 18th and 19th. Again, we will start on the 21st February and the whole week commencing from that date is before us. Again, when the Budget is introduced, we shall be sitting for another week. During these two sittings, there will be some non-official days and we will not take them away for official work.”

[16th February 1955]

IV.—GOVERNMENT BILL.

THE MADRAS IRRIGATION (LEVY OF BETTERMENT CONTRIBUTION) BILL, 1954 (L.A. BILL NO. 26 OF 1954)—cont.

MR. CHAIRMAN :—“ The motion before the House is—

‘ That the Madras Irrigation (Levy of Betterment Contribution) Bill, 1954 (L.A. Bill No. 26 of 1954), be taken into consideration.’ ”

* **DR. A. LAKSHMANASWAMI MUDALIYAR** :—“ Mr. Chairman, Sir, let me at the outset state that the principle underlying this Bill is one that can be accepted without hesitation. If there is any agriculturist who benefits from or whose lands are bettered by any steps taken by the Government, he certainly, as a reciprocal measure, should give something to the State which has financed the schemes. If, therefore, I still feel that there are some doubts which have to be cleared and if I feel that there are certain matters with regard to which a further consideration may be necessary, it is not with reference to the policy of the Government I feel so. It is unfortunate, Sir, that in regard to what are called Money Bills, this House is not expected to participate in any Select Committee. This is a fundamental Bill which certainly affects a very large number of people and which will affect a growing number of people as days go on. It would have been much better if it had been possible at an earlier stage for this House to contribute something of its views on such an important measure. However, the question has been decided and I have nothing more to say on it now.

“ Now, coming to the Bill itself, I feel that there will be some apprehension in the minds of the people as to what exactly is the significance of some of the clauses of the Bill. My first reaction to the Bill was that the scope was a little too wide. Possibly it may lead to some difficulties in regard to those who are expected to have been benefited by the irrigation facilities provided by the Government. Let me now cite one instance. It has been suggested that irrigation works include wells and madugus. I think our friends living in the drier districts—particularly those who live in some parts of the old Rayalaseema—know what madugus are and what wells mean to such dry districts. The amount that the Government may have to expend on these works may be Rs. 25,000 or a little over that. If these works are to be considered irrigation works entitling the Government to a betterment contribution from the beneficiaries thereof, I am not sure what we want to do. Now if we take a district like Coimbatore, for instance, the Hon. the Finance Minister is aware of the fact that any well dug in that district with a view to getting sufficient supply of water will certainly cost Rs. 25,000 and much more. And this becomes an irrigation work. What is the result of making it an irrigation work? You are expecting to get a betterment levy

[Dr. A. Lakshmanaswami Mudaliyar] [16th February 1955]

spread over a period of 20 years. But there is no guarantee that that well will be in a position to supply facilities for irrigation even in the very next year. If, for instance, a dry season were to approach that district, as it has approached in many years, then that well will be of no use at all. And yet as far as I could understand the provisions of this Bill, the betterment levy is compulsory on all persons, not only persons who utilize the water for irrigation purposes but those persons who could be expected to utilize those waters but who do not utilize in reality those waters. This seems to be a very hard interpretation of what is called betterment levy.

"Let me take another example. Item (b) of sub-clause (4) of clause 2 of the Bill speaks of 'all such lakes and other natural collections of water or parts thereof as are situated on lands which are the property of Government'. The other day I went to Cuddapah and I saw large sheets of water for the first time in my life, within 30 years. Those sheets of water are all on Government lands. If an official of Government were to consider this Bill as it is at present worded, then according to item (b) of sub-clause (4) of clause 2 of the Bill, those natural collections of water on Government lands include irrigation work and therefore is subject to betterment levy. There is nothing specified as to what is 'natural collection of water'. What is the area? What should be the quantum of water that should be expected to mean natural collection of water? These things have not been clearly defined. I saw very large sheets of water round about that area. If an official were to put an interpretation strictly according to the present wording of the Bill, then those natural sheets of water, because of their being on Government lands, are subject to betterment levy. It may be that it may be used for one year or for two years. I do not suggest that the agriculturist living near that area will not be benefited by that natural collection of water. That is not my point. You cannot make the betterment levy which is a permanent measure, on that natural collection of water, which may last for one or two years only. This betterment levy is a permanent measure which has to be paid within a period of 20 years. When the benefit of that particular irrigation work cannot last for more than one or two years, I think it is worth considering whether levying a betterment contribution for that irrigation work is justifiable or not?"

THE HON. SRI C. SUBRAMANIAM:—"There is the provision that that particular irrigation work should involve Government expenditure. Then only the question of betterment levy comes."

* DR. A. LAKSHMANASWAMI MUDALIYAR:—"Well, it is sometimes possible that the construction of a lake may be sanctioned. Bunds have to be constructed and so on. I shall come to the question of bunds later. The Hon. Minister for Revenue stated that this betterment levy would come into effect from

16th February 1955] [Dr. A. Lakshmanaswami Mudaliyar]

1st January 1947. So far as I could follow his speech yesterday, he did not say why this 1st of January 1947 has been fixed. But in the other House he made a statement which rather surprised me. Let me quote what he said. He said that even from 1947 they had been telling the people to expect this betterment levy and therefore they should be prepared for it. Now, Sir, I should take strong exception to anything like that. Various statements are made by various persons in political parties and by those in responsible positions, at crowded meetings, and particularly when addresses are presented, it is possible to make certain statements because there should be a certain reaction to the welcome addresses. Nobody takes serious notice of those statements unless it be on a resolution placed before this or the other House or by a Government order issued for the purpose or for any similar purpose. I have known definite instances where large irrigation works have been taken on hand when the Government have stated that betterment contribution will not be levied."

SRI K. BALASUBRAMANYA AYYAR:—"But we have got Independence."

* DR. A. LAKSHMANASWAMI MUDALIYAR:—"The Independence of 1947 should not mean the dependence of agriculturists altogether after that. This is not a thing which could be viewed on a rational basis and my point is that there is no purpose in saying that the levy will be from 1st of January 1947 whether it has benefited the agriculturist or not. By the fixing of this date, any one of your officers to whom I shall refer later, were he to come to the opinion that a certain betterment has been expected or could be expected out of a particular governmental work costing more than Rs. 25,000, could straightway order the levy since the work was completed, say, on 1st of August 1947, which is after the stipulated date in the Bill (1st January 1947), and therefore betterment must be levied from that date. I think we should be very precise in regard to the particular betterment that has been effected and I would go further and say that with regard to each one of these individual cases the date must be fixed consistent with the advantages that may be expected to have accrued to the concerned agriculturists. I am not for exempting any irrigation work from the payment of betterment levy. But I think it should be realized that 1st of January 1947 does not constitute any date that could with any precision be said to be the proper date from which the betterment levy could be worked out. It is said in clause 3—

"The Government shall be entitled to levy a betterment contribution, in accordance with the provisions of this Act, from the landholder of any land which, in their opinion, is benefited by the construction, expansion or alteration by the Government whether after the commencement of this Act, or at any time before such commencement but not earlier than the 1st January 1947 (including the installation by them of a pumping set) the cost of which exceeds twenty-five thousand rupees."

[Dr. A. Lakshmanaswami Mudaliyar] [16th February 1955]

I could not subscribe to the view that 1st of January 1947 could be taken as the proper date from which betterment levy could be worked out.

"It has been stated in clause 4 that the lands benefited by the construction, expansion or alteration of any work shall be divided into suitable classes by the Government and the annual increase in the gross produce of each class of lands shall be estimated. It has been further stated that for those works under clauses 3 and 4, the construction, expansion or alteration of work shall be deemed to be completed on the date of cessation of all works connected with the construction, expansion or alteration or on the date when the complete work is ready to be put into actual operation. We know very well that there are large minor irrigation works. There are tanks where on account of previous breaches, bunds have to be constructed, and the construction of bunds will entail a large expenditure, sometimes even over Rs. 25,000. The construction of a bund, as we all know, could not be taken as a pucca construction. There are bound to be freshes and consequently there may be breaches. Again those breaches have got to be set right. The work has to be carried on continuously. The work with regard to these have been carried on to a large extent by the villagers in olden days not depending on governmental labour. But if the Government were to assume responsibility, it should be remembered that the work can never be completed. It is a continuous process. It may involve large sums of money, more than what was contemplated. Therefore if you say that from the date it is completed, the work has been completed and therefore the betterment levy must be paid from the date of completion of work, I ask how could the date of completion of work could be ascertained when in fact the work is a continuous process. There must be a certain amount of resilience in regard to the levy of betterment with respect to works which are a continuous process.

"It is said in sub-clause (5) of clause 4 of the Bill that at the end of every four years from the year in which the contribution is finally determined under sub-clause (3), any future instalment of such contribution shall be liable to be revised on the basis of the proportion that the average of the prices prevailing during those four years bears to the actual or assumed average of prices on the basis of which the contribution was determined. I agree that average of prices should be taken into account. But should we not also take into account the increase in the cost of labour during the period in question? Are we to think that the wages will be stationary when the prices may fluctuate? What about the increase in the cost of agricultural operations? Should not that be taken into account? I am not speaking for the rich or the big or small agricultural landlord. The agriculturist, I mean the average agriculturist, for giving relief to whom—

16th February 1955] [Dr. A. Lakshmanaswami Mudaliyar]

brought forward, has incurred some expenditure on his agricultural operations. The increase in the cost of the agricultural operations should be taken into account. Simply taking into consideration the proportion that the average of the prices prevalent during the four years bears to the actual or assumed average of prices on which the contribution was determined, without taking into account the expenditure incurred by the agriculturist on his agricultural operations is not fair to the agriculturists concerned.

"I now come to a point on which I feel perhaps a little uncomfortable and more than uncomfortable. It has been suggested that arrears of instalments of the contribution shall bear interest at the rate of six per cent per annum and such interest shall be recoverable as an arrear of land revenue. We were talking yesterday, Mr. Chairman, about usurious rates of interest. I beg to submit that charging 6 per cent interest on the arrears of instalments from these poor agriculturists amounts to an usurious rate of interest. What do the Government do when they float a loan? They offer interest at 3 per cent. What do they do when there are arrears to be collected? They charge double that rate. I can understand that a certain amount of interest should be charged for as a deterrent to prevent delayed payment. Here we are looking forward in this session—and with great force I shall request my party to bring in a resolution to that effect—to the Hon. the Revenue Minister's translating his words into action and introducing a Bill for scaling down usurious rates of interest and for controlling money-lenders and others. By providing for this 6 per cent rate of interest the Government are only giving a handle to others. If the Government with all their resources and with all their powers of exacting payment to the very pie—because the Government machinery is soulless and nobody is responsible for their action and even with the best of intentions the Hon. Minister cannot accuse anybody because audit will come in—are going to charge 6 per cent, then why should not others charge 12 per cent or even 18 per cent when there is the possibility of their capital being lost? May I ask, what is the interest that Banks charge to money-lenders to whom they give large sums of money on hundis? Do we realize, Sir, that they charge only 3 per cent on hundis, without any sort of control as to how they are to recover the capital? They believe those who are carrying on this trade on hundis for years and years and I know definitely that the Banks charge only 3 per cent interest. What is the rationale behind this Government charging 6 per cent interest to these poor agriculturists, who are in arrears, for a cause for which they are not able to pay? Only yesterday we did so much for giving relief to the indebted agriculturists who are not able to repay their debts. Last year we passed the Moratorium Act and we even went to the extent of introducing an Ordinance. In the year 1938 we passed the Agriculturists' Debt Relief Act. While, on the one hand, the Government, if I may say so respectfully, are

[Dr. A. Lakshmanaswami Mudaliyar] [16th February 1955]

anxious to do so much to the agriculturists at the expense of others, when it comes to a question affecting them, they do not find it possible to accept delayed payments, they do not find it possible to charge them anything less than 6 per cent interest on arrears and they do not find it possible not to increase the levy on the agriculturists. There is the Agricultural Plantations Income-tax Bill that is coming up. The Bill to regulate Estate duty in respect of agricultural land is coming up. There are other measures also that are coming up. I am sorry to say that the agriculturist is not in a better position to-day but he is in a much worse position. I say that very boldly because I know the condition of many agriculturists. I feel that this sort of thing is likely to lead to a greater amount of exploitation of the agriculturists at unscrupulous hands. I would have been very happy indeed if the Government had suggested a rate of 2 per cent as a deterrent to prevent delayed payment. I do not suggest that they must be let off completely. Let the Government charge 3 per cent interest just as the Banks charge. The provision for 6 per cent interest is only showing the way to exorbitant money-lenders to go one step further than the Government have done.

"I see once again that the rules that are to be framed are to be placed before the other House. I am glad about that. May we not also claim the privilege of at least seeing those rules? So long as this House exists, might it not be relevant on the part of the Government, if they want to consider it so charitable, to give us some facilities to know what is exactly going on? We are also citizens not entirely bereft of our own duties and responsibilities. We are also elected members. We have not come here by any backdoor method. Our constituents, although they may not compare with tens of thousands, go into thousands and it is difficult to get elected as a graduate, for instance, as I did. We believe we are one people because democracy rules among graduates as among the lay public and I should venture to think that if the Government are prepared to show us some consideration, though as this is a money Bill we may not be able to pass any amendments, we can surely make some recommendations. Once again I would suggest that the same procedure should be adopted with regard to these matters and we should be treated alike.

"Sir, I have one thing more to say. I find from this Bill that much power is given to 'the Officer authorized in that behalf.' I hope that the Government will take care to see that officers who can approach these questions with a certain amount of generous outlook, sympathy and tact, are appointed for dealing with these matters. At the outset, I would request the Hon. Minister to pay particular attention to the activities of these officers and see that they follow a general policy of fairness with a certain amount of generous attitude, not inconsistent with the Government's best intentions. Unless this is done, those who get the benefit from the irrigation works will not have much to thank for.

16th February 1955] [Dr. A. Lakshmanaswami Mudaliyar]

"I have given expression to some of my thoughts not by way of a critical examination of the Bill because it will serve no useful purpose. The Bill has been passed by the other House, it comes to us and goes back. I know the procedure obtaining with regard to these measures but I spoke in the hope that the Government themselves will look into these matters and either by way of amendments or by making suitable changes in the rules they may give due consideration to some of the points at least. Thank you, Sir."

* SRI K. BHASHYAM :—"Mr Chairman, Sir, this Bill for levy of betterment contribution has been brought in for the purpose of augmenting the finances of the Government because they have spent public money for the purpose of providing irrigation facilities to the ryots. I think it is but just that they should do so because public money is spent for the benefit of a section of the public and that section of the public, who are benefited, must really contribute to the general funds. The principle of the Bill is unexceptional. But the point is how is this Bill going to be worked. Whatever be the merits, I want to know how the incidence of the betterment levy will be placed on the various persons concerned. I should have expected that in a matter like this the Government would do well to constitute an Irrigation Board consisting of competent persons like Engineers and technical men, persons who know something about land revenue and settlement, and public men so that this Board may advise the Government on questions relating to the levy of betterment contribution and other matters coming within the scope of this Bill. A number of questions may come up and they have to be settled between the Government and the ryots, and I find that for the officers to be appointed by the Government for implementing the provisions of this Bill no qualification has been prescribed at all. If there is at least some statutory provision fixing the qualification for the officers to be appointed, that would be something. Under the present Bill the Government can appoint any officer whom they think fit. Therefore it is I say that this will not inspire confidence in the public. An Irrigation Board consisting of three persons, an Engineer who is capable of giving advice to the Government, a person connected with land revenue and another important person from the public, or a Tribunal, should be constituted. The Board can ascertain the betterment contribution in each case. This will certainly instil confidence in the general public. My experience of the betterment levy on the City improvements has been very sad and disappointing. In fact what has happened is that there are a number of cases pending for the last nearly ten years and no final decision has been taken. If the question of betterment levy in respect of a small City takes such a long time as ten years, it will certainly take enormous number of years to decide questions with regard to this levy in respect of vast areas, which, according to the opinion of the Government, have been benefited by these works. If there is a Tribunal or a Board appointed for the purpose, it can sit from day to day and dispose of the cases

[Sri K. Bhashyam] [16th February 1955]

50 on the spot. If that is done, that will be quite all right. Even
m. now it is possible for them to do that under the rules. If they
care to do so, I would appeal to them to constitute this Board so
that it may inspire confidence in the people in this important
matter. In clause 3 it is stated that the Government can levy a
betterment contribution if, in their opinion, they are satisfied
that certain lands have been benefited. Their opinion is final.
Who is to form the opinion? The Government may say that
they will make this clear in the rules to be framed under this
Bill. If they say that they will appoint some person for this
purpose under their rule-making powers, whether that appoint-
ment will come well within their rule-making power, is doubtful.
If the opinion is to be formed by the Government, how is that to
be formed? What are the rules in respect of this matter? That
is the question to be decided. The Irrigation Board which I had
pointed out already will be an excellent body for the purpose of
deciding this matter also. Leaving this question to the officers
of the Government is a very serious matter. A tribunal will
certainly be better than the arrangement proposed in the Bill.

"As regards the levy of the betterment contribution, I find
that the matter is left very vague in clause 4. If I had the draft-
ing of the Bill, I would have drafted it differently. The clause
says 'The lands benefited by the construction, expansion or altera-
tion of any work shall be divided into suitable classes by the
Government and the annual increase in the gross produce of each
class of lands shall be estimated.' The increase in the produce
must be one, solely due to the irrigation work. The increase
arising out of a person's exertion, labour, supply of chemical
manure, etc., ought not to be taken into account, and the Govern-
ment cannot take credit for that increase. This should be made
clear in clause 4. It should be stated that the increase should be
solely due to the execution of the irrigation work, so that any
doubts in the matter may be avoided. The Government even now
can take note of this and include it in the rules to be framed.

"I think the proviso to clause 4 is good. The Government
have coined a word, namely, 'commandability.' I congratulate
them on having coined this word for the purpose of expressing their
intention.

"As regards the question of the fall in prices, I would like to
mention this. Prices vary from time to time, and in proportion
to the variation in prices if the betterment levy is to be decreased
or increased, I can understand the logic of it. If the standard was
not the price level of commodities but the amount left as surplus
in the hands of the ryot concerned, that would be better. As has
been pointed out earlier, when there is an increase in the price of
commodities, there is also the increase in expenditure. There-
fore, the standard must not be the price level of commodities but
certainly it must be based on what is left as surplus in the hands
of the ryot. Again, Sir, I would like to point out that sub-clause (2)

16th February 1955] [Sri K. Bhashyam]

does not mention whether any allowance is to be made for the
purpose of bringing the land under cultivation to take advantage of
the irrigation work. Do the Government take into account the
amount spent by the ryot to bring his land into cultivation and
take advantage of the irrigation work by constructing feeder
channels to his field? All these questions are very difficult ques-
tions. Therefore I submit that the amount spent on making the
land fit for cultivation and to take advantage of the irrigation work
should be deducted. The Board I suggested can look into all
these. In the case of dry land converted into wet land, the amount
spent will be very much, and it cannot be easily estimated. Unless
there is an expert body like the one I suggested, it will not be
possible to arrive at a correct estimate.

"In sub-clause (4) it is stated '... shall not be liable to
be questioned in a Court of Law.' We are fairly accustomed to
this. We shall not now dispute it. (Interruption.) We have
reconciled ourselves to it.

"Then, Sir, there is the revision of contribution with reference
to the prices at the end of every four years. This revision of prices
is something which will be either in favour of the ryot or in favour
of the Government. There should be a clause here to say that if
the price has increased the Government will not be entitled to
an increase in contribution, because the amount they have spent is
not going to be affected by the increase in prices. But if there
should be a decrease in the price level, the contribution should be
reduced. This is obvious.

"The question of interest is mentioned. Of course, if the
amount falls into arrears, it will be difficult to collect it. Six
per cent interest is proposed to be charged on arrears of instal-
ments. Six per cent is the Court rate. (Interruption.) Any-
thing due to the Government is collected as an arrear of land
revenue. Even if an amount is payable to the Commissioner of
Hindu Religious Endowments Board, it is to be recovered as
though it were an arrear of land revenue. We are familiar with
this provision. I am not at all surprised at this provision. Any
amount owing to the Government will be recovered as an arrear
of land revenue with the incidents thereto like distraint, attach-
ment, etc.

"It has been said that because of the betterment levy, lands
will go down in value. This is good in one sense. Persons richly
endowed with lands, asked to give away lands for distribution
among the landless and for giving to Bhudan, may more easily
give such lands owing to the fall in the value of lands. In this
sense it may be good. In another sense it will be really a hardship.
Persons depending upon their lands for capital expenditure will
suffer. These persons will mostly be the middle class people.
For their livelihood and for meeting emergencies like marriages,
funeral ceremonies, etc., they depend only upon their lands. It

[Sri K. Bhashyam] [16th February 1955]

may be that these people are working as clerks in Madras. If the value of the lands should go down, these people will certainly suffer. While I see that there is some advantage in deflating the value of the land so as to induce the big landlords to part with their lands easily, I have to say that in the case of the middle-class people, there will be fairly widespread distress if the value of the land should go down."

4 p.m. * SRI K. BALASUBRAMANYA AYYAR:—"Mr. Chairman, as my Leader has said, we do not object to the principle of betterment levy. But, what is betterment levy? We should be guided by the well-known principle governing betterment levy which fortunately for us has been enunciated in the First Five-Year Plan on pages 359 and 368 of the book. Betterment levy represents the Government's share in the increase in the value of the land that accrues as a result of the provision of irrigation facilities. That is levied once when irrigation facilities are provided for the first time and when the land value increases appreciably on that account. The Government's share may be recovered in lump-sum or in a number of instalments spread over a period of some years. When the Government obtains a share of this unearned income, according to the First Five-Year Plan, the proceeds so obtained can be diverted towards the cost of such projects. In this way, the projects themselves will become remunerative and larger sums will be available to meet the cost of other projects.

"There is another matter. This betterment levy should not be based on the profits or increased produce from the land irrigated by a project. It should be based mainly on the increase in the value of the land as a result of the facilities provided by the project. All factors that contribute to the increase in the value of the land must be taken into consideration. For example, the nature of the irrigation work must be taken into consideration. We have to see whether the water will be available perennially or whether it will be available only casually in a certain period of the year. There is the natural collection of water. If the ryots utilized such water during a certain period of the year and if this supply was not perennial, are they to pay this betterment levy? That is why I say that the nature of the irrigation facility, viz., whether there is a perennial source of water-supply or whether there will be supply only during certain months of the year, has to be taken into consideration. Then comes the quality of the soil. In the Bill also, soil classification has been adopted. We have also to take into consideration the position with regard to agricultural labour. Even though there may be an irrigation project, if there were no agricultural labourers, one cannot take advantage of the facility brought through the irrigation project. It will take a lot of time to bring lands under cultivation in such cases and the cost of cultivation will also be very great. Moreover, there will not be much demand for the utilization of the facility offered by Government to bring the lands under cultivation. In respect of these cases,

16th February 1955] [Sri K. Balasubramanya Ayyar]

there will not be a substantial increase in the land value. Next, I would like to refer to the density of population also. The density of population has to be considered. Otherwise, if an area is sparsely populated, the land value will not increase even in spite of the irrigation projects. All these points have been well-enunciated in the First Five-Year Plan.

"Sir, my first complaint against this Bill is that it makes no difference between a major irrigation work and an irrigation work, minor or even a drainage work. All these three works have been clubbed together in this Bill. A major irrigation project is one which comes into existence for the first time and which supplies water to an area which never had it for a number of years before. Minor irrigation works are quite different. In certain parts of districts like Tanjore and Tiruchirappalli, there may be some defects in the already existing irrigation systems. The ryots would have complained and made representations to the Government requesting them to rectify those defects. The officers of the Government may inspect these works and come to the conclusion that some minor irrigation works or some drainage works have to be undertaken in order to rectify the defects pointed out by the ryots. As a result of the recommendation of these officers in this regard, the Government may have started some minor irrigation or drainage works. Thus, wherever already there are established irrigation systems, on account of the removal of certain defects by the Government's embarking upon some minor irrigation works, the value of the land might have increased to a certain extent. But we must not lose sight of the fact that as a result of these defects, the ryots were not at all able to get any yield in the past. According to the present Bill, the betterment levy will apply in the case of the persons benefited by these works also. I should think that it is the duty of the Government to set right the defects noticed in the already existing irrigation works. They should not be clubbed together with the major irrigation works.

"Sir, there is a curious provision to which I would like to make a reference. In Explanation I to clause 3 of the Bill under consideration it is said, 'A land shall be deemed to be benefited notwithstanding that the benefit is not enjoyed provided such non-enjoyment is due solely to action or inaction on the part of the person or persons interested in such land.' As I said, this is a curious provision indeed. According to the First Five-Year Plan, this betterment levy should apply only in the case of major irrigation projects and it should never apply to minor irrigation or drainage works.

"Now, let us see the various kinds of land taxes that are collected by the Government. The incidence of these taxes is already very high. The landowner will have to pay increased land revenue on account of the irrigation facilities. According to the Lower Bhavani Project Act, there will be increased water rate. Again, there is the land revenue surcharge. There are other land

[Sri K. Balasubramanya Ayyar] [16th February 1955]

cesses and various other cesses imposed by some Act or other. All these taxes have to be paid. In addition to these, here comes the betterment levy. We will have to see how far these will affect the landowners. In respect of the Lower Bhavani Project area, I have collected certain figures from the statement of a ryot. These show that the Government propose to levy a water-rate of Rs. 20 per acre in respect of paddy, Rs. 15 per acre in respect of cotton and Rs. 7-8-0 in respect of millets. It is estimated that this will yield an annual return of Rs. 30 lakhs to Rs. 35 lakhs. I mention all these only to impress on the Government that this Bill should apply only to the major irrigation projects and not the minor irrigation works or drainage works.

"In the case of the minor irrigation works, there may have been some contribution from the ryots. It very often happens in Tanjore and Tiruchirappalli districts that when the Government undertake any minor irrigation works on the complaint received from the ryots, the Government ask the ryots to make some contribution towards the cost of the works. Suppose this contribution had already been paid, there should not be any betterment levy in their case. So far as these minor irrigation works are concerned, I have to point out that these works are undertaken by the Government only to remove certain defects noticed in the existing irrigation system. The Government are under an obligation to do this. It is the duty of the Government to undertake this work and it should not be passed on to the landowners. I can understand the levy of betterment contribution in the case of major irrigation works like the Lower Bhavani Project, which for the first time supply water to the ryots as a result of which the land value might have increased. Betterment contribution is not a tax on the increased profits. It is only the Government's share on the unearned value which any landowner may enjoy on account of the fact that there has been a windfall for him as a result of irrigation facilities provided by the Government. This principle has not been kept in view.

"So far as compensation and betterment are concerned, in the urban areas, there is a pro rata levy upon all the tenements which enjoy certain benefits. This has been followed in the Town-Planning Act and also in the case of the City Improvement Trust. This principle has not been enunciated in this Bill.

4-10 p.m. "On the other hand, there is a provision for multiplication of the increased yield by ten times to arrive at the value for the contribution payable to the Government. There is bound to be some difficulty in calculating this because agricultural prices are falling. These are an uncertain factor. We cannot determine correctly the increase in the value of the land by this arithmetical process—multiplying the increased yield and deducting from it the cost of cultivation and so on. We can fix the capital value by means of an investigation of the exact market value of the land

16th February 1955] [Sri K. Balasubramanya Ayyar]

as it obtains at the moment. Agricultural prices have been falling and rising often for the last thirty or forty years. There is so much fluctuation in the matter of prices. As our Leader pointed out it is a very difficult thing to calculate the increase in the capital value by the method suggested in the Bill. We cannot ascertain it on that basis. That is unfortunate and that is why we should object to the principle that is adopted for the purpose of ascertaining the increased capital value. I propose to make a recommendation that the ten times prescribed in the Bill for calculating the capital value be changed into five times. Taking the falling price level and also the several other levies on the land into consideration, it will not be difficult for us to see that there is very little increase in the value of lands at the present juncture. If 'ten times' is adopted then the capital value will be much more than what it actually would be. These are some of the principles that should be borne in mind when we pass such a legislation. I have given notice of some amendments and I shall not speak on them now. Let me make it clear in my general remarks on the Bill that it does not proceed upon the principles which should govern any legislation regarding betterment levy. If these principles are really present here, then the measure will not throw such a great burden on the landholder as it otherwise would. Judged by these standards, the Bill has to be amended in material particulars before it becomes law."

* SRI G. KRISHNAMOORTHY:—"Mr. Chairman, Sir, the principle underlying this Bill is generally acceptable to all, viz., that the person who is benefited should pay a little to the party that benefits him. But I do not know why the same principle is denied in the case of the teachers. I have been insisting for the past over one year that parents who are benefited in the shape of education in respect of their children should pay something towards a fund called the Teachers' Maintenance Fund."

MR. CHAIRMAN:—"The hon. Member will please speak on the Bill proper."

SRI G. KRISHNAMOORTHY:—"Yes, Sir. I want to say that my scheme is based on the same principle that the general taxpayer's money spent for educating a section of the public should have a return from those who got the benefit."

"Now, Sir, we find that the Government have introduced the Bill at a very inopportune time. As has been pointed out by many hon. Members who have spoken earlier, agricultural commodities are having a steep fall in prices now. The Government have to take into consideration the views of people who own lands nowadays. There is much talk in the air about ownership of land, 'land for the tiller', ceiling in respect of holdings and co-operative farming. A Bill of this type should follow and not precede the comprehensive legislation which the Government seem to have under contemplation in respect of lands. Any landlord who may

[Sri G. Krishnamoorthi] [16th February 1955]

get an irrigation scheme near his lands may have his own doubts whether the betterment contribution that he may have to pay now will be paid back to him along with the compensation, should the Government pass any law taking over private lands under Government control.

"Then, Sir, the Government have enunciated a formula for calculating the levy which is not easily understandable. As was rightly pointed out by the hon. Member Mr. Balasubramanya Ayyar, the formula is very ambiguous. It might have been fixed at a flat rate or it might have been fixed in 'kind' as was suggested by certain hon. Members. The relevant clause says that ten times the annual increase in the gross produce shall be deemed to be the increase in the capital value of the land. Of course, the Government make allowance for the cost of making the land enjoy the benefit of the irrigation work provided and also the increase in the cost of wet cultivation in cases where dry lands have been converted into wet lands. This Bill, as I said, is coming at a very inopportune time and the landlords will not be in a position to pay the betterment fee in twenty equal instalments as is expected by the Government. Suppose a dry land is to be converted into a wet land, the landlord has to meet all the charges for converting that land into wet land. At the same time, he has to pay the additional kist that is expected of him in respect of the wet land. Then, he has to meet the additional cost of cultivation, consequent on the land being converted from dry to wet. The betterment levy has to be paid from the second year of completion of the scheme. Work on the land to make it get the benefit of the next scheme may take more than two years. The payment of betterment levy can commence at a later period. This should be at least 'five years'. 'Two years' will not do.

"Then there is another point to which I would like to invite the attention of the Government. The initial charges of conversion, etc., have to be borne by the landlord himself. In view of this, I suggest that a lesser amount be collected from him in the first ten years and a larger amount in the second ten years. To be precise, I suggest that twenty-five percent of the contribution can be collected in the first ten instalments and the remaining seventy-five per cent of the levy in the second ten instalments. The first ten years of the levy period will be some anxious period for the landlord as he has to pay the levy and meet the extra cost of cultivation, cost of conversion of the land into wet land and so on. The second half of the period of payment will be better for him since the land by then would have got accustomed to wet cultivation and the benefits therefrom would be greater. I would like to invite the attention of the Government to this question and request them earnestly to see that an official amendment is brought in in order that twenty-five per cent of the total contribution may be collected in the first ten years and the remaining seventy-five per cent in the second ten years."

16th February 1955]

* DR. V. K. JOHN :—"Mr. Chairman, Sir, it is only on very rare occasions that I find myself in agreement with the principles of a Bill introduced by the Government. On this occasion, I am in entire agreement with the principle underlying the Bill. 4-2 p.m.

"In my opinion this should have been introduced many years ago. It is very regrettable that in so important a matter like this, the Hon. Minister who moved the Bill is not here in this House now, while we are speaking."

THE HON. SRI M. BHAKTAVATSALAM :—"The Hon. Minister for Revenue, who moved the Bill here, is now quite busy in the Assembly and I am deputising for him."

DR. V. K. JOHN :—"I know that he did not leave this House with any bad intention. I was just going to refer to that when the Hon. Leader of the House interrupted me. I know that the Hon. Minister for Revenue is busy now in the other House. It is the very strong feeling of the Opposition and I think it is the very strong feeling of every member of this House that the business of this House and the Assembly should not conflict with each other. Let us sit on days when the Assembly is not sitting. Mr. Chairman, because you are to safeguard our interest, prestige and usefulness, I am making an appeal to you on behalf not only of the Opposition but on behalf of every member of this House, that we should like to have the Ministers here and that the Assembly should not be sitting when we are participating in a discussion in this House. That was the arrangement that was in vogue for many years past. I do not know why it is not in vogue to-day. Such an arrangement could be easily arrived at. If such an arrangement is arrived at and we meet on the days when the assembly is not meeting, we could have all the Ministers present in the House. They may hear us and give their replies. It is rather unusual to expect all the Ministers concerned to read the report of our speeches. Even the newspaper reports are only short summaries of our speeches. Newspapers cannot afford to report in full all our speeches. Before I speak on the Bill, let me make a request to the Hon. the Leader of the House to see to it that this is not repeated. Let all Ministers be here. I am not complaining against anybody. I only request that the business of this House may be carried on on days when the business of the other House is not carried on so that all Hon. Ministers may be present here when this House is sitting. Yesterday the Leader of the Opposition referred to it at question-time when the Hon. the Leader of the House had to answer for many other Ministers. He did answer well. Even the supplementary questions he answered very well. He seems to be in every department. That is a compliment to him. But we are not satisfied with it. We should like to have the Minister concerned to answer our supplementary questions. I once again repeat that whenever any important measure is discussed in this House, we should like to have the concerned Minister present here. Let me now come to the Bill proper.

[Dr. V. K. John] [16th February 1955]

" I would say that betterment contribution is a principle well-known in Western countries. I have had much to do with the City Town-Planning Act being the legal adviser of the Corporation of Madras. I have had special and fairly exhaustive study of the improvement schemes and the principle underlying betterment contribution. Volumes have been written on this subject. Throughout Western Europe and America the improvement schemes and betterment contribution are there. But they are based on great principles. There are three principles on which betterment contribution is based. One is that when a person is benefited at the expense of public revenues, if he is benefited by public funds, then he must contribute to it. If I build a house within my compound and I get rent for it, then it is proper that I must pay a proportion of the cost of construction to the Government. Suppose there is an irrigation scheme by which a number of people are benefited. May be when compared to the whole population, a minority would be benefited by that irrigation scheme. But that does not mean that that minority could be kept free from paying betterment contribution, for the benefit they had derived from the scheme. Government have helped in the construction of that irrigation scheme and to the extent the minority had been benefited by that scheme, they have to offer the betterment contribution.

" Secondly public revenues should be so spent as not to benefit any particular section of people. It should be spent for the benefit of all. We know that crores of rupees are collected by way of betterment contribution in regard to various schemes both in urban areas and rural areas. The third principle is that this money is to be spent *again* on other improvement schemes. These are the three principles on which betterment contribution is collected.

" When I start saying that I welcome the principle underlying this Bill, sincerely and strongly, it does not mean that I support every provision in the Bill, its omissions and commissions. First of all it is an accepted principle in all civilized countries that the persons concerned who are likely to be benefited by an irrigation scheme or other improvement schemes should be consulted after the full details of that scheme are published and given to them. I do not say that every man's consent should be obtained. What I want to suggest is that the person concerned who is likely to be benefited by the particular scheme should be told what the scheme is, how much money is going to be spent on it, what is the return that is expected and so on. Every minute detail connected with that scheme must be laid open to him. That is the accepted principle in America and Western Europe and other parts of the world, where betterment contribution is collected. In fact in the Town-Planning Act which we passed 35 years ago, most of the provisions were copied from the English Town-Planning Acts. They were based on the fundamental principle accepted by English Town-Planning Acts. I find the first thing they do before any improvement scheme is put into operation, is to consult the persons

16th February 1955] [Dr. V. K. John]

concerned who would be benefited by that scheme. There is no such provision for consultation in this Bill. But I say rules could be framed which will make it compulsory on those who are responsible for the scheme to consult those who would be benefited by the particular scheme.

" Another principle that should be borne in mind is that before you levy a betterment contribution you must be satisfied that the improvements effected were due to the expenditure incurred on the scheme concerned. In the town-planning schemes of the Madras Corporation it is provided that if the property increases in value, may be due to world war or inflation, still the person who owns the property should contribute. Government recently interfered and said that only the actual expenditure involved should be contributed. Government must also be satisfied that on account of the expenditure from public revenues, there is improvement, real improvement in the value of the land or increase in production. Then the man who is actually benefited by the improvement scheme should be asked to pay the contribution and the benefit must be traced directly and not indirectly to the expenditure involved. The principle should be that you should not take from the persons benefited anything more than the actual expenditure. Under the Town-Planning Scheme, they were going on collecting more than what had been spent. Government intervened and the Corporation Council was pleased to pass a resolution some years ago to the effect that only the actual expenditure should be collected. So the Government should not collect from any party or from all the parties put together anything more than the expenditure actually incurred. 4 P

" The third point is that the person who is asked to pay the betterment contribution must be satisfied that some judicial man has gone into the question of fixing the contribution. Suppose the Government by an executive order say that a particular man must pay Rs. 10,000 towards betterment contribution in instalments. He must be satisfied as to the correctness of the amount. Therefore in every case in which betterment contribution is levied, there must be an arbitrator to decide the matter as under the Town-Planning Act and an appeal must lie to a Judge. Therefore, I would strongly plead for provision being made for this and I would request Government to frame rules in such a way that the person who is asked to pay this contribution is satisfied that his case has been heard by somebody who has got a judicial background. The person affected must be given an opportunity to adduce evidence and if he wants to prefer an appeal to a higher authority—mistakes are committed even by the best of Judges—there must be provision for an appellate authority so that the mistakes may stand corrected. The Government must make it clear that they should not collect contribution by an executive order.

" There is also another principle involved in the levy of betterment contribution. The Government should collect the contribution only in easy instalments. I do not think that the period of

[Dr. V. K. John] [16th February 1955]

20 years for payment of the contribution is long enough. It can be collected even earlier if the agriculturists who are benefited by these irrigation works are prepared to pay, but there must be provision for a longer period for payment of the contribution. There must also be a provision that betterment contribution should not be collected from the agriculturists in any particular year when there is failure of the crop and when he is not in a position to pay it. Further, as my hon. Friend Dr. A. Lakshmanaswami Mudaliyar has pointed out, the Government should not charge interest. If it is sheer inability on the part of the agriculturist to pay the betterment levy, why should the Government charge interest? Why should the Government behave like a money-lender? Therefore, provision must be made in the Rules giving powers to the Government to give exemption to persons and allow them to pay the betterment contribution at a future date if those liable to pay the contribution are unable to pay it for reasons beyond their control.

"In framing the Rules, the Government must see that the rules are not oppressive and do not cause hardship to persons who are liable to pay the betterment contribution. In my opinion, the Government must make provisions like these in every case where they spend considerable sums of public money.

"Now, I wish that the Hon. Minister, who moved this Bill, was present in the House, because the other day when I made a remark about the non-collection of any money from persons who were benefited by the abolition of the zamindaris, he expressed the opinion that I was right and if it was left to him he would have collected the money from those who were benefited by the measure. In 1948, when we passed the Zamindari Abolition Bill, I moved an amendment that those who were benefited by that measure should contribute a portion of the amount that is paid to the Zamindars. Of course, I pleaded that market value should be paid to the Zamindars and that money should be collected from those who were benefited by it. In Uttar Pradesh, Rs. 100 crores and more were collected from persons who were benefited by the abolition of zamindaris. But our Government thought that it would be better to please those people who supported them in the election than to collect the money and they would not collect even one rupee from the men to whom the zamindaris were handed over. I was the Leader of the Opposition then and the Opposition walked out of the House as a protest against the attitude of the Government in spending Rs. 17½ crores of public money to pay the Zamindars although they were getting a pittance only. It is an accepted principle, which has been established for over half a century all over the civilized world that when public money is spent on anything, the persons who are benefited should contribute towards the expenditure and politics should not play its part here. Therefore, I would request the Hon. the Leader of the

16th February 1955] [Dr. V. K. John]

House, who represents the Cabinet in this House and who alone is here, to reconsider the question of Zamindari abolition and bring in a Bill for collecting money from those who were benefited by that measure. If nobody was benefited, I do not see why Zamindaris should be abolished at all. The portion of the money which has been paid out of public revenue should be collected and that can be utilised to pay a living wage to the teachers and Mr. Krishnamurthi will not be speaking daily about the plight of the teachers and the manner in which they are treated. The Government are throwing away public money in various directions without any sense of priority. These can be utilised for various services, for providing more hospitals, for paying increased salary to the teachers, for irrigation projects, etc. Everybody who is benefited must be asked to pay something. That should be the guiding principle in levying betterment contribution.

"I am sorry I have taken such a long time. Perhaps it was not so important as I find the Treasury Bench empty. I should have said 'I do not want to speak on the subject at all'. But I know the Assembly is also sitting to-day. I repeat my request that it must be so arranged that the useful contribution made by this House is availed of by the Government. Every Hon. Minister would do well to make it a point to attend this House. There are very eminent men here who study the subject and make valuable contribution and the Government will stand to benefit if every Minister is able to attend this House and listen to the speeches made here. I make this appeal only to you, Sir, but the Hon. the Leader of the House, who belongs to this House and who must be more interested than anybody else, should make this House useful for transacting Government business."

* SRI A. M. ALLAPICHAJ :—"Mr. Chairman, Sir, I am so very happy to hear the Hon. the Deputy Leader of the Opposition who gave us so many points, really very good points. Clause 4 says that the annual increase in the gross produce of each class of lands shall be estimated and that ten times the annual increase in the gross produce estimated under sub-section (1) shall be deemed to be the increase in the capital value of each class of lands. I am not able to understand this and the Hon. the Minister has not made it very clear. As a lay man I shall put it in this way. The Government have spent 9 crores and 96 lakhs of rupees, nearly ten crores on the Lower Bhavani Project and the area that is going to be benefited by this project is about 207,000 acres, or roughly 2 lakhs of acres. They know how much money they have spent, and they also know how many acres are going to be benefited. Simple arithmetic will show that Rs. 10 crores divided by 2 lakhs of acres will come to Rs. 500 per acre. This Government must have spent only at the rate of Rs. 500 per acre. What is the difficulty in adopting this calculation. I do not know. This is a very easy way of getting at the figure. Otherwise, this calculation of 10 times

[Sri A. M. Allapichai] [16th February 1955]

the annual increase, etc., is abound to fluctuate. This is not a very easy method. If it is not easy for the ryot to pay in twenty instalments the Government may fix the instalments at 40. The method of calculation mentioned in the Bill, I really do not understand. It is very difficult to understand it. Clause 4 says, 'The lands benefited by the construction, expansion or alteration of any work shall be divided into suitable classes by the Government and the annual increase in the gross produce of each class of lands shall be estimated.' In sub-clause (2) it is stated, 'Ten times the annual increase in the gross produce estimated under sub-section (1)'. This process will lead to very many difficulties. There is the question as to who is to estimate. The Government will be put to all sorts of difficulties."

DR. V. K. JOHN :—" May I know, Sir, whether the hon. Member is criticising the Government? "

SRI A. M. ALLAPICHAJ :—" Nothing of the kind. There is nothing like criticism. (Interruption.) Rupees 10 crores have been spent and about 2 lakhs of acres have been benefited. This is only a rough way of getting at the figure. If we divide the figure of Rs. 2 crores by 2 lakhs of acres, the resultant figure will be Rs. 500 per acre. If we divide the amount by 20 times, each instalment comes to Rs. 25. If we want to increase the number of years, we can put the number at 40. When there is something like this easy method, I do not know why should there be this cumbersome process. Perhaps I do not quite understand the Government method of calculation. I feel my method will be very easy, and people also will understand it very quickly. After all money belongs to all the people of the State, and if a few people are getting the benefit, they have to pay for it. Thank you, Sir."

SRI N. NALLASENAPATHI SARKARAI MANRADIAR :—" Mr. Chairman, Sir, I wish to make a few observations on the Bill under consideration. In this connection I invite the attention of hon. Members to the speech made by the Public Works Minister in the Madras Legislature while moving the Irrigation Demand for expenditure in the year 1954-55 and reproduced on page 4 in the May 1954 issue of the ' Madras Information ', a monthly journal published by the Government under the Head ' Liberal Policy of Executing Schemes '. He has stated that ' in order to avoid burdening the general tax-payer with large interest charges on the schemes which yield a poor monetary return, prospective beneficiaries under the proposed scheme are requested to make reasonable voluntary contributions, to reduce the capital cost of the scheme to the maximum extent possible so that the capital cost per acre does not exceed about Rs. 300 per acre of land to be irrigated.' "

" In the case of the Lower Bhavani project, the total cost is Rs. 9½ crores. From this project, Hydro-electric power is to be generated to the extent of 10,000 kilowatts. Deducting half the

16th February 1955] [Sri N. Nallasenapathi Sarkarai Manradiar]

cost for this Hydro-electric works, the capital cost for irrigation work alone can be taken as Rs. 5 crores. The total area to be benefited by the project is over 207,000 acres. By dividing Rs. 5 crores by 207,000 acres, the capital cost per acre comes to Rs. 240. Hence as per the enunciated liberal policy of the Government, there is no need to levy any betterment tax as the per acre cost is within the permissible limit of Rs. 300 per acre.

" Even if the whole capital cost of Rs. 9½ crores is taken into account, the capital cost per acre comes to Rs. 460. Deducting the permissible amount of Rs. 300, the excess capital cost is only Rs. 160 per acre. Waiving Rs. 60 on the consideration of the Government realising substantial profit out of electricity, an amount of Rs. 100 may be collected in 20 instalments commencing after five years from the time of water-supply for irrigation.

" Inasmuch as the question of betterment tax was not contemplated at the time of launching the project and as the water is to be levied at Rs. 7-8-0 per acre for ordinary crops, Rs. 10 for groundnut and Rs. 15 for commercial crops as per G.O. Press No. 3015, Revenue, dated 19th October 1954, and as the people in the drought stricken area have been paying land kist and other dues with much fortitude and forbearance, the betterment levy may be fully waived.

" I should like to say in this connection that the length of the canal is about 127 miles. So many streams take their source in the canal. I know the streams are joining the nearby rivers. The length of the streams is about 1½ miles. Suppose if the stream goes through some lands or some garden land, those lands are benefited because water goes from the main canal and it forms a small stream. This small stream joins a nearby river. If it is the desire of Government to levy betterment contribution on lands which are benefited by the oozing out of water, that must be made clear. I want a clear understanding in this matter. The other point I should like to say is that there are canals called branch canals. They are about 2½ miles in length. They end in one place called the tail end. Lands that are near the canal may get sufficient quantity of water. But the lands that are far away from the canal will not get sufficient supply of water. That is the position to-day. Moreover, the authorities in charge of these canals, I mean the Supervisors, Engineers and others, make some mischief. When water passes through a canal towards a particular land in the lower region, these people place some obstructions in the middle and prevent the water reaching that land. I have to mention another point also in this connection. Only when the water is allowed to pass through the sluices, there will be even supply of water to all the lands. But this is not done. These supervisors and other officers who are in charge of these canals get some money from big landlords, dig the land in a particular spot, put a big pipe there and allow a large quantity of water to

[Sri N. Nallasenapathi Sarkarai Manradiar] [16th February 1955]

flow through it and irrigate the lands of the big landlords. This sort of thing is practically going on and we very well know it. With these observations I conclude my speech and thank you, Mr. Chairman, for giving me this opportunity to speak on this occasion."

SRI A. GAJAPATHY NAYAGAR :—"கனம் சபா நாயகர் அவர்களே, இந்தச் சட்டம் ஒரு சிறிய சட்டம். ஆனால் ரொம்பவும் நியாயமானது. அரசியலார் என்ன சொல்லுகிறார்கள் என்றால் அவர்கள் கட்டுகின்ற நீர்ப்பாசன திட்டங்களினால் பலன் அடைகிற பிரதேசத்திலுள்ள விவசாயிகள் தங்களுக்குக் கிடைக்கும் லாபத்தில் ஒரு பங்கை வரியாக இல்லை—தங்களுக்குக் கிடைக்கும் லாபத்தில் சர்க்காருக்கு மேலும் பல அபிவிருத்தி திட்டங்களைப் போடுவதற்குப் பணவுதவி செய்ய கொஞ்சம் contribution செய்யவேண்டுமென்று கேட்டுக்கொள்ளுகிறார்கள். இது ரொம்பவும் நியாயமானது. சட்டத்திற்கு விரோதமானதும் இல்லை. இந்தச் சட்டத்தினால் விவசாயிகளுடைய கஷ்டங்கள் கூடக் குறையும். எப்படி என்றால், நான் பார்த்த அளவில் ஒரு ஊரில் ஒரு பெரிய ஏரி இருக்கும். அந்த ஏரியின் பாசனக் கால்களுக்குப் பக்கத்தில் இருக்கிற நிலக்காரர்கள் தான் அதனால் மிகுந்த பலன் அடைவார்கள், ஏரிக்கு அப்பால் சற்று உள்ள தள்ளியுள்ள நிலங்களுக்கு இவர்கள் நீர் பாய்ச்ச வசதியே அளிக்கமாட்டார்கள். இன்றைக்கு அந்த ஏரிக்கோ, அல்லது மடுவுக்கோ அரசியலார் உள் வாய்க்கால்களைச் செப்பிவிட்டார்கள் என்றால் அதனால் ஏனைய நிலங்களுக்கும் நல்ல பாசன வசதி கிடைக்கும். சர்க்காரே இம்மாதிரி மராமத்து செய்து இந்த அபிவிருத்தி வரியையும் போட்டால் எல்லா மக்களுக்கும் நீர்ப்பாசன வசதி கொடுத்துத்தான் தீர வேண்டும். கொடுக்கமாட்டேன் என்று யாரும் சொல்ல முடியாது. ஆகையால் இந்தச் சட்டம் வெகு நியாயமானது, மிக அவசியமானது என்று கருதி அதைக் கொண்டு வந்துள்ள சர்க்காரைப் பாராட்டுகிறேன்.

"மேலும் ஒன்று சொல்ல வேண்டும். இந்த மசோதாவிலே சர்க்கார் இருபத்தையாயிரம் ரூபாய்க்குக் குறைவாகச் செலவு செய்துள்ள இடங்களில் அவர்கள் இந்தப் பங்கைக் கொடுக்க வேண்டியதில்லை என்று சொல்லியிருக்கிறார்கள். நண்பர் ஸ்ரீ பாலசுப்ரமணிய அய்யர் அவர்கள் சொன்ன பிரகாரம் சர்க்கார் பெரிய நீர்ப்பாசன திட்டம், சிறிய நீர்ப்பாசன திட்டம் என்று எதுவும் பாருபாடு செய்யாமல் கொண்டுவந்திருக்கிறார்கள். இது ரொம்பவும் வரவேற்கத்தக்கதாகும். குறிப்பாக சர்க்கார் பத்தாயிரம் ரூபாய் இருபத்தாயிரம் ரூபாய் செலவுசெய்து ஒரு திட்டத்தை நிறைவேற்றினாலும்கூட அவர்கள் சர்க்காருக்கு தங்களுடைய லாபத்தில் எவ்விதப் பங்கும் கொடுக்கவேண்டியதில்லை. ஆனால் இருப்பத்தையாயிரம் ரூபாய்க்கு மேல் செலவுபெற்றிருக்கக்கூடிய திட்டங்களினால் பலன் அடையக் கூடியவர்கள் மாத்திரம் தங்களது லாபத்தில் ஒரு பகுதியை சர்க்காருக்குக் கொடுத்து உதவ வேண்டும். இந்த மாதிரியாக contribution செய்ய வேண்டுமென்று சொல்வது ரொம்ப நியாயம்." (Interruption by Dr. V. K. John.)

THE HON. SRI M. BHAKTAVATSALAM :—"I suggest that the expression 'Pangu Seluthal' (பங்கு செலுத்தல்) may be used, Sir."

DR. V. K. JOHN :—"நீங்கள் தமிழ் பண்டிதர் ஆயிற்றே. நான் உங்களைக் கேட்கவில்லை. என் நண்பரைக் கேட்டேன்."

SRI A. GAJAPATHY NAYAGAR :—"ஆகையால் கனம் மந்திரி அவர்கள் சொன்ன பிரகாரம் சர்க்காருக்கு தங்களுடைய லாபத்தில் ஒரு பங்கை அதுவும் தக்க பங்கை செலுத்தவேண்டுமென்று சொல்லியிருப்பதில் யாருக்கும் கஷ்டம் இருக்காது. இருக்க முடியாது. இந்தப் பங்கை அவர்களிடமிருந்து வாங்குவதில் சர்க்கார் ரொம்ப நேர்மையான முறையில், நியாயமான முறையில் நடந்து கொள்வார்கள் என்று நம்புகிறேன். முக்கியமாக இன்னொருவிஷயத்தைக் குறிப்பிட விரும்புகிறேன்.

16th February 1955] [Sri A. Gajapathy Nayagar]

அரசியலார் இவ்வளவு நியாயமான பங்கை சர்க்காருக்குச் செலுத்த வேண்டுமென்று சொல்வதற்கு முன் நல்ல நீதிபதிகளைப் போட்டு எல்லா விஷயங்களையும் நன்கு பரிசீலித்து இந்தத் தொகையை நிர்ணயிக்கும்படியாகக் கேட்டுக் கொள்ளுகிறேன். அப்படி நீதிபதிகளைப் போட்டு இந்தத் தொகையை நிர்ணயிக்கச் செய்து விட்டால் மக்களுக்கும் எவ்வித குறையும் இருக்காது. அவர்களுக்கு மிக நன்மையாகவே இது இருக்குமென்றும் எனக்குத் தோன்றுகிறது.

"அதோடு அந்தப் பங்கை சரியாகச் செலுத்தாதவர்களுக்கு அந்தத் தொகைக்கு 6 சதவிகிதம் வட்டியும் சேர்த்து வாங்கப்படுமென்று சொல்லப் பட்டிருக்கிறது. வட்டி 6 சதவிகிதம் போடுவது ரொம்ப அதிகமாக இருக்குமென்றே தோன்றுகிறது. அதை 3 சதவிகிதமாகப் போட்டால் ரொம்ப நன்றாக இருக்கும்.

"அதோடு இந்தச் சட்டத்தில் விவசாயம் செய்தாலும் செய்யாவிட்டாலும் அவர்கள் அந்த நியாயமான பங்கை செலுத்த வேண்டுமென்று சொல்லியிருப்பது கொள்கையளவில் ரொம்ப நல்லதாகும். ஏனென்றால் இன்றையதினம் நல்ல விவசாயம் செய்யக்கூடிய நிலங்கள் இருந்தாலும் பணக்காரர்கள் அதில் விவசாயம் செய்யாது தரிசாகப் போட்டிருக்கிறார்கள். அந்தத் தரிசு நிலங்களுக்கும் அந்தப் பங்கை விதித்தால் தான் அவர்கள் அந்தப் பங்கைக் கட்டவேண்டுமே என்பதற்காகவாவது அவற்றில் விவசாயம் செய்வார்கள். அதனால் விவசாயம் பெருகும்.

"கடைசியாக நான் சொல்வது இங்கே பல உப சட்டங்களை ஏற்படுத்தியிருக்கிறார்கள். அவை எல்லாம் ரொம்ப நன்றாக இருக்கிறது. அரசியலார் தங்களால் முடிந்த அளவு நல்ல முறையில் இந்தச் சட்டத்தைத் தயாரித்திருக்கிறார்கள். இதை நாம் எல்லோரும் ஏற்றுக்கொள்ள வேண்டும். கொள்கையை ஒப்புக் கொண்டாலும், அதை அமுலுக்குக் கொண்டு வருவதில் சட்டத்திலுள்ள ஷரத்துக்கள் தடையாக இருக்காத வழியில் சில ஷரத்துக்களுக்கு சில அங்கத்தினர்கள் திருத்தங்கள் கொடுத்திருக்கிறார்கள். திருத்தங்கள் வரும்போது அவற்றைப்பற்றி அப்பொழுது பேசுகிறேன். மேல் சபை அங்கத்தினர் கொடுத்திருக்கக் கூடிய திருத்தங்களையும் சர்க்கார் நன்கு பரிசீலனை செய்யவேண்டும்."

SRI MOHAMED RAZA KHAN :—"கவுன்ஸிலேயே அபாலிஷன் செய்ய தீர்மானம் வருகிறது."

SRI A. GAJAPATHY NAYAGAR :—"அப்பொழுது ரொம்பவும் சௌகரியமாகப் போய்விட்டது. நாம் எல்லோரும் அந்தச் சபைக்கே போய் இது விஷயமாகப் பேசிக்கொள்ளலாம். அதைப்பற்றி இப்பொழுது கவலைவில்லை.

"இந்தச் சட்டத்தை சர்க்கார் நல்ல முறையிலேயே தயாரித்திருக்கிறார்கள். இதை ஏற்றுக்கொண்டால் இதுவரையில் கிடைத்து வந்த லாபம் முழுவதும் நமக்கே இனிமேல் கிடைக்காதே, சர்க்காருக்கும் அந்த லாபத்தில் ஒரு பங்கைக் கொடுத்து விரும்படி ஏற்பட்டு விடுமே என்கின்ற மனப்பான்மை எதுவும் இல்லாது, இந்தச் சட்டத்தை மக்கள் எல்லோரும் ஒரு முகமாக வரவேற்க வேண்டும். அப்பொழுதே சர்க்காருக்கும் மேன்மேலும் பல திட்டங்களைப் போட உதவியாக இருக்கும். அதனால் நாட்டின் செல்வமும் பெருகும். ஆகவே நான் இந்தச் சட்டத்தை மனப் பூர்வமாக வரவேற்கிறேன்."

MR. CHAIRMAN :—"I adjourn the House till tomorrow 3 p.m."

The House then adjourned.

[16th February 1955]

APPENDIX.

[Vide answer to clause (c) of starred question No. 134 asked by Sri T. Purushotham at the meeting of the Legislative Council held on 16th February 1955, page 815 supra.]

G.O. No. 2558, P.W. (I. & P.), dated 16th July 1948.

READ—the following papers :—

G.O. No. 2387, Public (General), dated 7th November 1946.

Memorandum No. 3698/47-1, Public (General),
dated 10th November 1947.

Memorandum No. 3698/47-2, Public (General),
dated 10th November 1947.

Memorandum No. 4891/47-1, Public (General),
dated 22nd December 1947.

Order—No. 2558, P.W. (I. & P.), dated 16th July 1948.

The Government have had occasion to examine how far the present system of releasing Government advertisements by Heads of Departments and other officers ensures efficiency and equitable distribution. The current practice is for the Government to draw up a list of newspapers and periodicals suitable for the issue of Government advertisements and to leave it to the Heads of Departments and the local authorities concerned to select the particular media which they consider suitable from their point of view, the chief criteria for such selection being wide publicity and cost. The Government have, of late, received several complaints from various newspapers that those papers are not being recognized by Heads of Departments in proportion to their circulation. The Government have, of late, received several complaints from releases in the Public Works (Information and Publicity) Department.

2. In supersession of all previous orders on the subject, Government direct that with immediate effect, the following procedure should be adopted by Heads of Departments and other officers in releasing advertisements :—

When it is found necessary to initiate an advertisement, either casual or serial, the officer should, after securing the necessary financial sanction, send up the matter to the Public Works (Information and Publicity) Department with his advice as to the particular section of the Press in which it should appear. This will then be registered in that department and released to the Press as far as practicable, according to the advice of the officer to whom

[16th February 1955]

a copy of the order will be sent. In advertisements involving the preparation of blocks, officers will, as at present, make their own arrangements for making the blocks and sending them direct to the Press which has been selected by the Public Works (Information and Publicity) Department. The Press will be directed to collect the advertisement charges from the officer direct and it will be the responsibility of the officer to watch the advertisements and settle the bill. If an officer wishes to advertise in anticipation of financial sanction, he may send up such advertisements to the Public Works (Information and Publicity) Department in advance; but it should be on his own responsibility. The Public Works (Information and Publicity) Department will be responsible only for passing the matter on to the Press and for the extra cost, if any, involved in deviating from the officer's advice.

3. His Excellency the Governor of Madras sanctions the following additional staff in the Public Works (Information and Publicity) Department, for a period of one year from the date of appointment for the working of the above scheme :—

One Superintendent;

Two lower division clerks; and

One typist.

4. The expenditure will be debitable to " 25. General Administration—Secretariat and Headquarters Establishment—Civil Secretariat—F. Public Works Department—2. Pay of Establishments and 3. Other Charges—Voted ".

5. The Accountant-General is requested to admit the expenditure in audit pending the provision of funds.

(By order of His Excellency the Governor)

T. A. VARGHESE,
Secretary to Government.

To the Departments of the Secretariat.
" the Accountant-General, Madras.
" all Heads of Departments, etc.

THE MADRAS LEGISLATIVE COUNCIL.

Thursday, the 17th February 1955.

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

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

Number of rickshaws in the City of Madras and in the mufassal.

* 127*Q.—SRI T. PURUSHOTHAM: Will the Hon. the Minister for Registration, Endowments and Transport be pleased to state—

(a) the total number of rickshaws—

(1) in the City of Madras; and

(2) in the mufassal;

(b) what steps have been taken by the Government towards abolition of rickshaw-pulling in this State; and

(c) what ameliorative measures have been instituted to improve the conditions of the existing rickshaw-pullers?

THE HON. SRI B. PARAMESWARAN:—“(a) Three thousand seven hundred and fifty in the City of Madras and one thousand two hundred and nineteen in the mufassal. These numbers exclude cycle-rickshaws.

“(b) In 1947, the Government decided that hand-pulled rickshaws should be eliminated gradually; but as the reduction in the number of rickshaws threw many rickshaw-pullers out of employment, the Government have kept the policy of reduction in abeyance from 1953 onwards.

“(c) The by-laws issued under the Madras Hackney Carriage Act provide for the maximum weight of luggage, etc., that may be carried in a rickshaw. The question of undertaking other ameliorative measures for the benefit of rickshaw-pullers is under examination.”

SRI T. PURUSHOTHAM:—“Will the Government insist on the Corporation of Madras and other municipalities where rickshaws are plying to provide sheltered rickshaw-stands with drinking water facilities, etc.?”

THE HON. SRI B. PARAMESWARAN:—“They insist on stands but not sheltered stands. But they insist on provision of water-facilities.”

SRI T. PURUSHOTHAM:—“May I know whether the rickshaw men are medically examined before licence is granted to them to pull rickshaws and are they subjected to further medical examination whenever they come up for renewal of licence?”

* Postponed from the list of questions for the 18th February 1955.

[17th February 1955]

THE HON. SRI B. PARAMESWARAN :—" All these things will come under the 'ameliorative measures' that we propose to take."

SRI T. PURUSHOTHAM :—" Will the Government consider the question of starting a co-operative credit society for rickshaw-men to enable them to obtain a loan and own their rickshaws instead of going in for hired rickshaws and being at the mercy of the rickshaw-owners? "

THE HON. SRI B. PARAMESWARAN :—" If a rickshaw-pullers' association is formed and if a representation comes from that association, we may ask the Registrar of Co-operative Societies to examine the representation."

SRI T. PURUSHOTHAM :—" Will the Government constitute a committee to examine the conditions of life and the professional conditions of the rickshaw-pullers in our State, so that the lot of the rickshaw-pullers may be improved? "

THE HON. SRI B. PARAMESWARAN :—" The Government want to improve the lot of the rickshaw-pullers. At the same time, they are keen on reducing the number of rickshaw-pullers also. Instead of constituting a committee, the Government have thought of a certain machinery to go into the question and see how far ameliorative measures could be carried out in respect of rickshaw-men."

SRI T. PURUSHOTHAM :—" May I know whether the push-cycle rickshaws will be abolished as it is inhuman to ride on such cycles? "

THE HON. SRI B. PARAMESWARAN :—" It is a matter of opinion and I cannot give any promise off-hand. I will examine that question."

Facilities afforded to patients for radium treatment in the State Institutions.

* 139 Q.—DR. A. SREENIVASAN: Will the Hon. the Minister for Health be pleased to state—

(a) in how many institutions in the State other than the Barnard Institute of Radiology, Madras, facilities are made available to patients for radium treatment;

(b) the quantity of radium kept in stock in each of the institutions; and

(c) the quantity of radium used in each of the institutions and how many patients were treated in each of the institutions during this year?

THE HON. SRI A. B. SHETTY :—" (a) Two, Sir.

" (b) 617.98 mgms. in the Government Hospital for Women and Children, Madras, and 12 mgms in the Government Ophthalmic Hospital, Madras.

[17th February 1955]

" (c) One lakh, twenty-one thousand seven hundred and fifty-two mgms of radium were used to treat 395 patients in the Government Hospital for Women and Children, Madras, and 1,759 mgms were used to treat nine patients in the Government Ophthalmic Hospital, Madras, from January to October 1954."

DR. A. SREENIVASAN :—" May I know the total quantity of radium that is available with the Government of Madras in their hospitals? "

THE HON. SRI A. B. SHETTY :—" One thousand and forty-two mgms in the Barnard Institute of Radiology, 617.98 mgms in the Women and Children Hospital and twelve mgms in the Government Ophthalmic Hospital."

DR. A. SREENIVASAN :—" From the statistics given by the Hon. the Minister, is it not obvious that lot of radium is lying idle with the Government? "

THE HON. SRI A. B. SHETTY :—" No, Sir. It is proposed to send 250 mgms of radium to the Madurai Hospital and 250 mgms of radium to the Mangalore Hospital. Instead of there being an excess of radium, there is shortage of radium tubes."

DR. A. SREENIVASAN :—" What is the necessity for sending 250 mgms of radium to Mangalore Hospital when there are big hospitals like the Tiruchirappalli, Tanjore and Coimbatore District Headquarters Hospitals with a bed-strength of 600 and more when the Mangalore Hospital has only 116 beds? "

THE HON. SRI A. B. SHETTY :—" The Mangalore Headquarters Hospital is under reconstruction. The number of beds is being increased and it has been made a teaching hospital for the Manipal Medical College."

DR. A. SREENIVASAN :—" It is anticipating an emergency. But there are hospitals, big headquarters hospitals like the Coimbatore, Tanjore and Tiruchirappalli Hospitals, wherein we have already got patients. Here the hospital is to be rebuilt and patients have to come. Therefore, in anticipation what is the necessity to send 250 mgms of radium to this hospital? "

THE HON. SRI A. B. SHETTY :—" No cancer treatment is done in the mufassal hospitals for want of qualified people. Therefore, it is not necessary to send radium to these hospitals."

DR. A. SREENIVASAN :—" Is there a qualified specialist in the Mangalore Hospital? "

THE HON. SRI A. B. SHETTY :—" Radium has not yet been sent. It will be sent. A qualified man will be posted there when available."

SRI MOHAMED RAZA KHAN :—" People on the West Coast feel that they are not properly treated. Will the Government, therefore, send an increased quantity of radium to the Mangalore Hospital? "

[17th February 1955]

THE HON. SRI A. B. SHETTY :—" There is no necessity for sending an increased quantity."

Registration of the Graduates of the College of Indigenous Medicine under the Madras Medical Registration Act, 1914.

* 140 Q.—SRI A. GAJAPATHY NAYAGAR: Will the Hon. the Minister for Health be pleased to state—

(a) the reasons why the Graduates of the College of Indigenous Medicine have not been registered under the Madras Medical Registration Act, 1914; and

(b) whether there is any research conducted on modern lines in the College of Indigenous Medicine; if not, when it is proposed to be taken up?

THE HON. SRI A. B. SHETTY :—" (a) The Madras Medical Registration Act (1914) is meant only for the registration of allopathic medical practitioners. After careful consideration the Government have decided that the practitioners of Indigenous Medicine may be registered under a separate statute. A Bill to give effect to this decision has been published in the official gazette.

" (b) Yes, Sir."

SRI T. PURUSHOTHAM :—" May I know when the Medical Registration Bill, referred to by the Hon. the Minister, will be taken up for consideration? "

THE HON. SRI A. B. SHETTY :—" The Bill is not proposed to be taken up now because in the light of the opinions received after the publication of the Bill, it is considered that certain radical alterations are needed in the Bill."

SRI K. BHASHYAM :—" Is there now any register kept of persons practising indigenous medicine? "

THE HON. SRI A. B. SHETTY :—" There is a register kept of A class, B class and C class practitioners."

SRI A. GAJAPATHY NAYAGAR :—" Will the Government take steps to impart instruction in modern medicine in the College of Indigenous Medicine? "

THE HON. SRI A. B. SHETTY :—" I would request the hon. Gentleman kindly to visit the College of Indigenous Medicine. He will find that two-thirds of the instruction is in modern medicine and one-third in indigenous medicine."

SRI A. GAJAPATHY NAYAGAR :—" What is the reason that why these people are not registered along with others qualified in modern medicine? "

[17th February 1955]

THE HON. SRI A. B. SHETTY :—" The Madras Medical Council is against it. Even the Chopra Committee on Indigenous Medicine has recommended that these graduates should be registered under a separate statute."

DR. A. SREENIVASAN :—" When two-thirds of the instruction is in modern medicine, then it is a misnomer to call it indigenous."

THE HON. SRI A. B. SHETTY :—" The idea is, everybody who wants to practise medicine should have a basic medical qualification. After that he can practise any therapy—Homeopathy, Ayurveda or Nature Cure, or anything else."

DR. A. SREENIVASAN :—" Two-thirds instruction in modern medicine is too much. Then it is a hybrid type of medicine and not indigenous."

THE HON. SRI A. B. SHETTY :—" I think, Sir, the hon. Member speaks about this matter in this way without caring to understand matters properly."

SRI A. GAJAPATHY NAYAGAR :—" Are the Government committed to the policy of promoting indigenous medicine? "

THE HON. SRI A. B. SHETTY :—" That is why we have a college to teach indigenous medicine."

SRI A. GAJAPATHY NAYAGAR :—" What steps are the Government taking to bring the College of Indigenous Medicine to the level of colleges of modern medicine? "

THE HON. SRI A. B. SHETTY :—" We are now providing a 4½ years' course and the students of the College of Indigenous Medicine are allowed to work in their district headquarters hospitals every year during the summer vacation. After the course is over, they have to undergo a compulsory house-surgeon's course in the District Headquarters Hospitals. Their standard of education and training has been very much improved and they have been made eligible for appointment in institutions not only of indigenous medicine but also of modern medicine under the local bodies."

SRI T. PURUSHOTHAM :—" Is there any proposal to adopt a synthesis of both allopathic and Indian systems of medicine in our State? " 3.10 p.m.

THE HON. SRI A. B. SHETTY :—" That is the recommendation of the Chopra Committee. The Committee has said that there must be an integrated system of medicine which is neither Western nor Eastern. Medicine is something which belongs to the whole world to which every country has made its contribution."

SRI T. PURUSHOTHAM :—" What action has been taken on the recommendations of the Chopra Committee, Sir? "

[17th February 1955]

THE HON. SRI A. B. SHETTY :—“ We are teaching both modern and Indian medicines.”

SRI G. KRISHNAMOORTHY :—“ May I know why our own Government do not recognize our own Ayurvedic system, start Ayurvedic colleges and encourage Ayurvedic research? ”

THE HON. SRI A. B. SHETTY :—“ Government have started a separate college for this purpose. There are a number of rural as well as local fund dispensaries where indigenous medicine is administered.”

SRI M. ETHIRAJULU :—“ May I know whether qualified G.C.I.M. Doctors are permitted to do post-mortem examination? ”

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

Production of cinchona in this State.

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

(a) whether there is any proposal to increase the production of cinchona in this State; and

(b) if so, what it is?

THE HON. SRI M. BHAKTAVATSALAM :—“ (a) & (b) There is no proposal before the Government to increase the production of cinchona in this State by extending the cinchona plantations. However, the Modern Quinine Factory which is nearing completion on the Anamalais will go into production shortly. It is proposed to work this factory on Government of India's account, utilizing their share of bark from the cinchona plantations.”

SRI M. ETHIRAJULU :—“ இந்த மாகாணத்தில் எத்தனை சிங்கோனா லாபரடெரிகள் இருக்கின்றன என்று கனம் மந்திரி அவர்கள் சொல்லுவாரா? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ சிங்கோனா பாக்டரி நீலகிரி ஜில்லாவில் நடுவட்டத்தில் இருக்கிறது, அங்கே ஒரு சிறிய லாபரடெரியும் இருக்கிறது. இன்னொரு பாக்டரி ஆனமலைமீயில் இருக்கிறது, ஆனால் அங்கே லாபரடெரி இல்லை.”

Amenities for employees in the Lignite Mines, Neiveli.

* 142 Q.—SRI M. ETHIRAJULU : Will the Hon. the Minister for Agriculture be pleased to state the amenities provided for the employees in the Lignite Mines, Neiveli, South Arcot district, for housing, boarding, etc.?

THE HON. SRI M. BHAKTAVATSALAM :—“ Quarters, lighting and piped water-supply have been provided to the majority of the staff and workers employed in the Project. Provision of these amenities is being extended to the rest of the staff also. Transport facilities are given to the workers who reside away from the place of work, by running a lorry from the workspot to the camp at stated hours to

17th February 1955]

suit the work shifts. The Government have also sanctioned the construction of one recreation hall and two canteen buildings for the use of the staff and workers.”

SRI V. CHAKKARAI CHETTY :—“ May I ask the Hon. Minister whether facilities are given for housing accommodation for the labourers, for which they have been clamouring all these years? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ Yes, Sir, some quarters also have been provided for.”

Modified Scheme of Adult Education.

* 143 Q.—SRI A. GAJAPATHY NAYAGAR : Will the Hon. the Minister for Finance and Education be pleased to state with reference to the Press Release, dated 3rd September 1954, on the Modified Scheme of Adult Education—

(a) what the reasons are for restricting adult education only to persons between the ages of 8 and 18;

(b) whether the proposed Adult Education Scheme is free and compulsory;

(c) what the reasons are for confining the adult education effort only to areas covered by the Community Projects and the National Extension Service;

(d) whether the Government have any statistics of persons between the ages of 8 and 12 only in those areas;

(e) if so, how many schools there are for adult education of such kind in those areas; and

(f) how many adult schools will remain open in the areas other than those covered by the Community Projects and the National Extension Service and how many will be closed in those areas and for what reasons?

THE HON. SRI M. BHAKTAVATSALAM (on behalf of the Hon. the Minister for Finance and Education) :—“ (a) It was considered desirable to begin with the age-group of 8 to 18 and provide them with educational facilities which they cannot get now on account of their inability to attend the ordinary schools during the normal school hours. .

“(b) It is free but not compulsory.

“(c) Better results can be expected from those areas where developmental activities are concentrated; but the intention is to extend the scheme to the entire State in due course.

“(d) No.

“(e) The number of adult schools in those areas is not readily available but it is proposed to open immediately 650 adult schools in the Community Project areas and 1,000 schools in the National Extension Service areas.

[17th February 1955]

"(f) The Government are not running any adult schools themselves. It is open to the local bodies and private agencies to maintain adult schools from their own funds and it is possible that some schools might have been closed for lack of funds. The Government do not have statistics of the schools remaining open or closed after the modified scheme was introduced."

SRI T. PURUSHOTHAM:—"May I know what arrangements will be made for the education of adults above the age of 18 and may I know whether Government would subsidise private enterprise in that direction?"

THE HON. SRI M. BHAKTAVATSALAM:—"Of course, Sir, all those from 18 to 40 and even above 40 who are not educated have to be provided with educational facilities. But Government thought that priority should be given to the age-group between 8 to 18. If any private enterprise comes forward to specialize in educating people beyond 18, then Government may examine and consider."

SRI T. PURUSHOTHAM:—"May I presume that Government will in due course extend the Adult Education Scheme to people above the age of 18?"

THE HON. SRI M. BHAKTAVATSALAM:—"Government may consider that after they cover entirely the age-group between 8 and 18."

SRI G. KRISHNAMOORTHY:—"While commending the Government on its new policy which is useful, can I get an assurance that the old futile scheme will be completely rooted out?"

THE HON. SRI M. BHAKTAVATSALAM:—"The hon. Member is quite pleased about this change of policy and especially Government do propose to implement this policy and programme. The hon. Member may rest assured that Government will do it in the proper way."

SRI T. PURUSHOTHAM:—"Do the Government propose to take steps to revise the syllabus of the Adult Education Scheme emphasizing greater rural bias?"

THE HON. SRI M. BHAKTAVATSALAM:—"All that will be attended to."

Photographers employed in the Information and Publicity department.

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

(a) the number of photographers employed in the Information and Publicity department;

(b) the annual expenditure incurred on their pay and allowances;

[17th February 1955]

(c) the annual expenditure incurred on the chemicals, etc., necessary for taking the photos;

(d) whether these photographers are allowed to go outside the city for purposes of taking photos; and if so, under what circumstances; and

(e) the uses to which the photos taken by the Information and Publicity department are put?

THE HON. SRI M. BHAKTAVATSALAM (on behalf of the Hon. the Minister for Finance and Education):—" (a) There is one staff photographer attached to the Information department. He has an assistant to help him in 'dark-room' and developing work.

(b) An expenditure of about Rs. 4,000 is incurred on their pay and allowances.

(c) A provision of Rs. 7,000 has been made.

(d) The photographers are also deputed outside the city to cover official functions of public interest, and progress of development schemes of the Government.

(e) These photographs are widely distributed to the various newspapers and periodicals in the State and outside the State also. The papers can and do make use of these photos."

SRI T. PURUSHOTHAM:—"Will the photographs be made available for sale to the public, if required?"

THE HON. SRI M. BHAKTAVATSALAM:—"Yes, Sir."

SRI MOHAMED RAZA KHAN:—"Is it not a fact that these photographers placed as they are in all functions concentrate mainly on Ministers?"

THE HON. SRI M. BHAKTAVATSALAM:—"I can assure the hon. Member that if he cares to attend any of the functions, he will also figure very prominently in the photographs." (Laughter.)

Motor vehicles used by the Revenue department in Cuddalore taluk.

* 145 Q.—SRI M. ETHIRAJULU: Will the Hon. the Minister for Land Revenue be pleased to state—

(a) the number of vehicles (motors, lorries and jeeps) that are now in use in the Revenue department in Cuddalore taluk; and

(b) how many of them are not in working condition and for how long they are kept idle?

THE HON. SRI M. A. MANICKAVELU NAICKER:—" (a) Nil

(b) Does not arise."

[17th February 1955]

Number of persons belonging to the washerman and barber communities in the Revenue department in the districts.

* 146 Q.—SRI M. ETHIRAJULU: Will the Hon. the Minister for Land Revenue be pleased to state the number of persons belonging to washerman and barber communities who are now in service in the Revenue department in the districts in the categories of Deputy Tahsildars, upper division clerks, lower division clerks and attenders?

THE HON. SRI M. A. MANICKAVELU NAICKER:—“It is not easy to obtain and compile a statement of the particulars required by the hon. Member. The public interest served in furnishing these particulars will not be commensurate with the time, labour and stationery spent on collecting them.”

Qualifications for the post of Assistant Commercial Tax Officers.

* 147 Q.—SRI M. ETHIRAJULU: Will the Hon. the Minister for Land Revenue be pleased to state—

(a) the qualifications prescribed for the post of Assistant Commercial Tax Officers;

(b) whether any exemptions have been granted from the qualifications for the said post during the years 1951, 1952, 1953 and 1954; and

(c) if so, whether the Government will be pleased to lay on the table of the House a statement giving particulars regarding their age, qualifications and the reasons for such exemptions?

THE HON. SRI M. A. MANICKAVELU NAICKER:—“A statement* giving the particulars is placed on the table of the House.”

Applications for permits to run buses in the South Arcot district.

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

(a) the number of applications received for permits to run buses in the South Arcot district during the last three years;

(b) the number of cases in which the permits were granted;

(c) the number of cases in which the permits were rejected; and the reasons therefor; and

(d) the number of fleet owners in South Arcot district and the number of buses owned by each of them?

THE HON. SRI B. PARAMESWARAN:—“The information required is not readily available and the time and labour involved in collecting the information may not be commensurate with the result achieved.”

17th February 1955]

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

II.—GOVERNMENT BILLS.

(1) THE SOUTH KANARA CULTIVATING TENANTS PROTECTION (AMENDMENT) BILL, 1955 (L.A. BILL NO. 3 OF 1955).

MR. CHAIRMAN:—“The next item on the agenda is the South Kanara Cultivating Tenants Protection (Amendment) Bill, 1955. I call upon the Hon. Sri M. A. Manickavelu Naicker, Revenue Minister, to move the Bill.

* SRI T. PURUSHOTHAM:—“On a point of order, Sir. Is it in order to break the discussion that we were carrying on with regard to the Madras Irrigation (Levy of Betterment Contribution) Bill and take up another Bill? The discussion on that Bill is not yet over, and when that Bill is still under consideration, how can we interrupt and take another subject?”

2-20 p.m.

MR. CHAIRMAN:—“There is nothing definitely out of order.”

THE HON. SRI M. BHAKTAVATSALAM:—“Mr. Chairman, Sir, I may submit that the agenda is settled day by day? If there is to be any change in the agenda for the day, permission of the House is taken. But it is open to Government and also to you, Sir, to change the agenda according to necessities. It was felt by the Government that the South Kanara Cultivating Tenants Protection (Amendment) Bill, being a short one, may be taken up and passed into law earlier so that it may be given effect to, and that is why there has been this change.”

DR. V. K. JOHN:—“May I suggest that the Chief Whip be consulted about settling the agenda and if possible the Leader of the Opposition also?”

THE HON. SRI M. BHAKTAVATSALAM:—“There is, of course, the Business Advisory Committee of the House which may go into some of the questions. I do not think it is practicable to consult the Chief Whip and the Hon. the Leader of the Opposition or the Deputy Leader of the Opposition in the matter of settling the agenda day by day.”

* SRI T. PURUSHOTHAM:—“May I tell the Hon. the Deputy Leader of the Opposition that I raised this question as a Member of this House and not as Chief Whip?”

* THE HON. SRI M. A. MANICKAVELU NAICKER:—“Sir, I beg to move—

“That the South Kanara Cultivating Tenants Protection (Amendment) Bill, 1955 (L.A. Bill No. 3 of 1955), as passed by the Assembly be taken into consideration.”

[Sri M. A. Manickavelu Naicker] [17th February 1955]

This is a short Bill, the object of which being to change the words 'for a year' into 'for two years'. The Government thought that they could bring in legislation within one year, but it was not possible to do so, though they took all steps to see that the Bill was brought within that time. The difficulty arose in this way. South Kanara district, like its sister district of Malabar, is governed by a particular law called Aliyasanthana law. In view of that, we have particularly to scrutinise certain clauses of the Bill and hence the delay. I hope the House will give its consent to this Bill."

MR. CHAIRMAN :—" Motion moved—

"That the South Kanara Cultivating Tenants Protection (Amendment) Bill, 1955 (L.A. Bill No. 3 of 1955), as passed by the Assembly be taken into consideration."

* DR. V. K. JOHN :—" Mr. Chairman, Sir, I looked into the Preamble of the previous Act wherein it is stated 'Whereas it is necessary pending further legislation to protect cultivating tenants in the district of South Kanara from unjust eviction, etc.' and the Government passed an Act preventing eviction and provided that it shall be in force for a year. Now, the Hon. Minister who moved this Bill did not tell this House what steps were taken to draw up a permanent legislation. The Government must have had in contemplation the comprehensive legislation that they intended to bring forward. Did they appoint any Committee to go into this question? What steps did they take? The House must be satisfied that the Government did everything they possibly could but could not succeed in bringing forth a comprehensive legislation. The real fact is that the Government slept over the matter. They wanted that the Act should be in force for one year and then woke up at the end of the year. I am glad that in this case there was no ordinance, as usual, extending the life of this Act. The Government took no steps whatsoever. This is not the one instance in which this has happened. Every year, for the last so many years, they passed temporary enactments to be in force for one year or two years and at the end of that period they brought forward Bills to extend the life of those temporary enactments. This does not give any credit either to the Government or to the Legislature. We know that many temporary enactments have been extended year after year for several years. I would suggest to the Government that hereafter they should appoint some Committee or some Officers to go into this question so that there may not be any necessity for extending the life of an Act indefinitely."

* SRI S. NARSAPAYA :—" Mr. Chairman, Sir, while fully supporting this measure for extension of the already passed enactment by another year, I would be failing in my duty if I did not place before this House a few facts and I hope that the Government will take note of them and do the needful."

17th February 1955] [Sri S. Narsapaya]

"In South Kanara, agitation has been going on for bringing forward a tenancy legislation for the last over ten years. Some years back the Secretary of the Congress Committee went on a fast. Though some people asked him to go on a fast unto death, luckily he did not do so. He carried on the fast for seven days and then gave it up. In 1946 when the general elections took place, the promise of bringing forth a tenancy legislation for South Kanara district was one of the main planks on which the candidates went for the election, particularly the candidates belonging to the Congress party. Though the Congress party swept the polls at that time in the South Kanara district as also in other districts, practically nothing was done till 1952 to bring in a tenancy legislation. Again, in the general elections in 1952, tenancy legislation was the main plank on which the Congress candidates stood for election and though in other districts the results were not very good for the Congress, hon. Members well know how the Congress swept the polls in the South Kanara district. Soon after the elections, the accredited representatives of the people, who had been returned by the people on the promise of bringing forth a tenancy legislation met together, prepared a draft, and as early as 1952, submitted it to the Government, suggesting the general lines on which such a legislation may be brought forward. Nothing came out of it till 1953. In 1953 when the then Chief Minister Rajaji came to South Kanara district, all the legislators of South Kanara, headed by the Hon. Sri A. B. Shetty, met him and impressed upon him the urgent necessity for bringing in a tenancy reform and the Chief Minister also agreed. After coming to Madras he brought in the legislation, the life of which is just about to expire. Not only that. The legislators of South Kanara again met in the Hon. Mr. A. B. Shetty's room, once again discussed the draft that was already submitted, made a few minor changes and submitted it to the Government representing that it had the approval of the representatives of the people and that a legislation on those lines may be passed. We were assured that the matter was under the consideration of the Government and though about a year has passed, practically nothing has been done. It is really regrettable that the Government should show this sort of attitude in this particular matter, which is a very important matter affecting the people of that district. Those of us who had occasions to go to the villages during the general elections and thereafter know the intensity of the feeling that is prevailing among the tenants who form about 80 per cent of the population. They are not satisfied with the simple assurances given year after year both by the Government and by the political parties and they feel helpless. If we consider from the democratic point of view also, we can say that everyone of the candidates that has been returned to the Assembly on the basis of adult suffrage and his supporters have assured the people and propaganda has been carried on, on his behalf, that a tenancy legislation for South Kanara would be brought forth soon. If we look at it from the point of view of

[Sri S. Narsapaya] [17th February 1955]

political parties, the Congress party stands for tenancy legislation. The District Congress Committee has been impressing upon the Government by letters, memoranda, and telegrams both when the Ministers came there and after, that tenancy reform must be brought in. The Praja Socialist party, the Communist party, and every other party has only said that the draft prepared by the Congress Party is not sufficiently drastic in its nature, and that it must be more favourable to the tenant. But there is absolutely no difference of opinion on the question whether tenancy legislation is or is not required for South Kanara. After all what is the nature of the tenancy legislation that we are asking for? As I said already the draft was prepared long before, and more than once it has been impressed upon the Government that tenancy legislation must be passed. It is a very simple piece of legislation having fewer than 12 or 15 clauses, and all that is asked for is that the tenants ought not to be evicted so long as they pay fair rent. Differences of opinion might arise as to what is fair rent. But that is only a matter of detail. That can be gone into at the Select Committee stage or after the Bill is published or when the matter is actually taken up for discussion. But there is certainly no reason for not even publishing the Bill and not trying to bring forward this measure. As has been repeatedly pointed out, this delay on the part of the Government has resulted in an insidious propaganda being carried on now in the district. At the time the draft of the Bill was printed in Kannada, and distributed, and published in the papers, there was absolutely no opposition to the tenancy legislation as such. There might have been differences of opinion as regards the sharing of the produce as between the landlord and the tenant. But seeing that the Government are not taking any action, seeing that in spite of the representations of the people, the Government are keeping quiet, vested interests have started an agitation saying that no tenancy legislation is required. This agitation is started by a few interested people. Recently we had the pleasure of having in our midst three Hon. Ministers, in South Kanara. Representations have been made to them, particularly to the Hon. the Revenue Minister for and against the tenancy legislation. We are not wanting in newspapers of the type that other districts have, which indulge in false representation and maligning others. One of the papers has gone to the extent of saying that one Minister stated there in a public platform that tenancy legislation was sought to be brought forward by the Government only because a particular M.L.C. of the District or one or two M.L.As. were pressing keenly for it and that otherwise the Government were not very anxious about it. I do not for a moment believe that any Minister of the Government would make such a statement. I may bring to the notice of the House and the Government that this sort of delay on the part of the Government over a very simple, normal, and ordinary Bill is fraught with lot of troubles and will result in a lot of repercussions. On one side of our district is North

17th February 1955] [Sri S. Narsapaya]

Kanara. The Bombay Government there have already given security of tenure to the tenants. On the South we have Malabar. We are all well aware that for the last twenty years and more Malabar is having a tenancy legislation. It is only South Kanara that is in between Malabar and North Kanara that has no tenancy legislation. People are really feeling helpless, and they want that tenancy legislation should be brought forward soon. I take this opportunity of appealing to the Government not to adopt this dilatory attitude in respect of this important piece of legislation any longer. But certainly they should publish the Bill immediately. I appeal to them not even to wait until the expiry of this one year which is provided for in the Bill but bring it forward immediately. After all, as I said, there is absolutely no complication in this matter. It is only a question of settling the relationship between landlord and tenant. The Aliyasantana Act does not come in at all, because the question is one of relation between landlord and tenant. There may be differences of opinion on minor matters. But let the Bill be published and brought before the House. Then it will be time enough either for the Select Committee or for others to suggest and make the necessary amendments. I once again appeal to the Government to hasten the matter and bring the Bill forward as early as possible and not wait for the expiry of this one year."

* THE HON. SRI M. A. MANICKAVELU NAICKER :—
" Sir, the Deputy Leader of the Opposition had not any serious remarks against this innocent Bill and so he thought of making an uncharitable charge that the Government were sleeping over the matter. It is not so. The Government have been wide awake. As has been pointed out by the hon. Member who spoke last, the Government have actually drafted a Bill. They consulted the people concerned, I mean, the representatives of the South Kanara district. It was about to be published the Bill and examine which necessitated us to stop the publication of the Bill and examine it. He, being very well-versed in the law of that district, is very clear about it. But to us there were some difficulties. And therefore we had to examine. When we bring in a legislation for South Kanara district, we must consider all aspects. Land revenue legislation has to deal with the question of fixing a ceiling, personal cultivation, and such other matters. When we are passing a separate Bill for South Kanara district, we must include therein all these points. It is all right if South Kanara is included in a legislation which applies to the whole of our State. But if a separate legislation for South Kanara is required, it stands to reason that, when we bring in legislation for South Kanara alone, we take into consideration all the aspects of the question. That is the reason why the delay has occurred. Still it is not quite decided whether there should be a comprehensive legislation for the whole State including South Kanara or whether circumstances still demand separate legislation for South Kanara district alone. When

[Sri M. A. Manickavelu Naicker] [17th February 1955]

this question is decided, there will be legislation for South Kanara dealing also with the subjects I have mentioned, e.g., ceiling, personal cultivation, etc. Or there will be a comprehensive legislation for the whole State which will cover South Kanara also. Certainly the Bill will be brought forward this year. The Government had not been sleeping over the matter as the hon. Member said. On the other hand, we are wide awake and considering the question. Therefore it is there is delay."

MR. CHAIRMAN:—"The question is—

"That the South Kanara Cultivating Tenants Protection (Amendment) Bill, 1955 (L.A. Bill No. 3 of 1955), as passed by the Assembly be taken into consideration."

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

Clause 2 was put and carried.

Clause 1 and the Preamble were put and carried.

THE HON. SRI M. A. MANICKAVELU NAICKER:—"Sir, I move—

"That the South Kanara Cultivating Tenants Protection (Amendment) Bill, 1955 (L.A. No. 3 of 1955), as passed by the Assembly be passed."

The motion was put and carried and the Bill was passed.

III.—ALLOTMENT OF A DAY FOR NON-OFFICIAL BUSINESS.

SRI V. V. RAMASWAMI:—"Sir, I should like to make a small request to you. I find that a number of non-official resolutions have been given notice of by Members, and that they are pending for a long time. There have been no non-official days so far. I request you to allot one day for non-official business."

MR. CHAIRMAN:—"This is not the time to make that request."

SRI V. V. RAMASWAMI:—"Sir, I wanted to raise this question immediately after question-time."

THE HON. SRI M. BHAKTAVATSALAM:—"Even yesterday when this question was raised I said that the Government did not propose to take away the non-official day either when the Council will be meeting next week or during the budget discussion. We are adjourning to-day and will be meeting again on the 21st instant."

II.—GOVERNMENT BILLS—cont.

(2) THE MADRAS IRRIGATION (LEVY OF BETTERMENT CONTRIBUTION) BILL, 1954 (L.A. BILL NO. 26 OF 1954)—cont.

SRI O. P. RAMASWAMI REDDIAR:—"கனம் தலைவர் அவர்களே, இந்த பெட்ரமெண்ட் கண்ட்ரிபூஷன் விஷயமாக இந்தச் சபையில் சர்ச்சை நடந்துகொண்டிருக்கிறது. அரசாங்கம் புதிதாக சிலத் திட்டங்களை

17th February 1955] [Sri O. P. Ramaswami Reddiar]

எடுத்துக்கொண்டால் அதற்குப் பணம் தேவையாயிருக்கிறது. அப்படி தேவைப்படும்படியான பணத்தை ஜனங்களிடமிருந்துதான் வாங்கவேண்டியிருக்கிறது. குறிப்பாக விவசாயிகளிடமிருந்தும் பணத்தை வாங்கவேண்டும், பொதுஜனங்களிடமிருந்தும் கடன் வாங்கவேண்டும், மத்திய அரசாங்கத்திடமிருந்தும் கடனோ, கிராண்டோ வாங்கவேண்டும். பணம் இல்லை என்றால் அரசாங்கம் எந்தத் திட்டங்களையும் கொண்டுவர முடியாது, எந்த காரியமும் நடக்காது.

"விவசாயிகள் இப்பொழுது எந்த நிலையில் இருக்கிறார்கள். சென்ற 7, 8 வருஷங்களாக பருவமழை இல்லாது பஞ்சம் ஏற்பட்டிருந்தது. பஞ்சகாலத்தில் ஜலவசதி செய்வேண்டியது மிகவும் அவசியம். ஜலவசதி செய்தவுடனே விவசாயிகள் அதிலிருந்து உடனடியாகப் பலன் அடைந்துவிட முடியாது. திட்டங்கள் நிறைவேற்றப்பட்டு மூன்று நான்கு வருஷங்கள் கழிந்த பிறகுதான் அரசாங்கம் அந்த அபிவிருத்தி வரியைப் போடவேண்டும். அப்பொழுதுதான் ஜனங்கள் அந்த அபிவிருத்தியினால் ஏற்பட்ட உண்மையான பலனை அடையமுடியும். இதைத்தான் அரசாங்கம் முக்கியமாக கவனிக்கவேண்டும் என்று வற்புறுத்துகிறேன்.

"இன்னும் அரசாங்கம் கவனிக்கவேண்டியது என்னவென்றால் பஞ்சையில் ஒரு பாகமும், தண்ணீருக்காக ஒரு பாகமும் லெவியைப்போட இருப்பதினால் 100 ஏக்கருக்கு இவ்வளவுதான் செலுத்தவேண்டுமென்று தெரிவித்தால் நன்றாக இருக்கும். ஏனென்றால் ஒரு திட்டத்தை எடுத்துக் கொண்டால் அதற்குத் தகுந்த முறையில்தான் வரிவிதிப்பு இருக்க வேண்டும். நிலத்தின் தரத்தைக் கணக்கில் எடுத்துக்கொண்டு அதற்கு வேண்டிய வரியைப் போடுகிறார்கள். இது ஒரு பக்கமிருக்க அரசாங்கம் தண்ணீர் அபிவிருத்திக்காக செலவுசெய்வதனால்தான் இந்த பெட்ரமெண்ட் வரி போடப்படுகிறதென்று இந்த மசோதாவில் குறிப்பிடவில்லை. இந்த காலத்தில் விலைவாசிகள் உயர்ந்துகொண்டேபோகிறது. 10 ரூபாய்க்கு விற்கப்பட்ட விலைபொருள்களெல்லாம் 9 ரூபாயும் 8 ரூபாயும் ஆக குறைந்துகொண்டே போகிறது. பருவமழை சரிவரப் பெய்தால் விலைவாசிகள் மேலும் குறையும். நாட்டில் சுபிட்சம் ஏற்பட்டிருப்பதால் நெல்லின் விலை குறைந்திருக்கிறது. அப்படி குறையக்கூடாது என்று சொல்லவில்லை. கட்டாயம் குறையத்தான்வேண்டும். அப்பொழுதுதான் ஏழை மக்கள் வாழமுடியும். ஆனால் அதே சமயத்தில் விவசாயத்திற்கு உபயோகப்படுத்தும் பொருள்களின் விலையும் குறையவேண்டும். அதாவது சாகுபடி செய்வதற்கான உரம் போன்ற பொருள்களின் விலை குறையவேண்டும். ஒரு பக்கம் விலைவாசிகள் குறைந்து கொண்டும், இன்னொரு பக்கம் விவசாயச் செலவுகள் மாதிரி அப்படியே இருந்துகொண்டும் வருவதால் விவசாயிகள் மேலும் மேலும் கஷ்டத்திற்குள்ளாகிறார்கள். இந்த நிலையில் விலைவாசிகள் இருந்தால் அவர்களால் எப்படி வாழமுடியும் என்பதை அரசாங்கம் யோசித்துப்பார்க்கவேண்டும். இதையெல்லாம் பார்த்து எந்த அடிப்படையில் இவர்களுக்கு இந்த அபிவிருத்தி வரியை விதிக்கவேண்டும் என்பதையும் கவனிக்கவேண்டும். இரீக்கேஷன் செஸ் ஆக்ட் பிரகாரம் திட்டங்களுக்கு செலவிட தொகையின் அளவில் மூன்று அல்லது நான்கு சதவிகித அளவு அந்தப் பிரதேசத்திலுள்ள மக்களிடமிருந்து தீர்வை வசூல் செய்யலாம் என்று இருக்கிறது. ஆகவே விவசாயிகள் எந்த அளவுக்கு அந்த வரியைத் தாங்கிக்கொள்ளமுடியும் என்பதை அரசாங்கம் ஆலோசிக்கவேண்டும். சர்க்கார் எப்படி அபிவிருத்திக்காக (Capital expenditure) செலவழித்திருக்கிறதோ அதைப்போலவே விவசாயிகளும் தங்களுடைய நிலத்தைப் பண்படுத்துவதற்கு (Capital expenditure) செலவு செய்திருக்கிறார்கள். இவ்வளவு வரிதான் போடவேண்டும் என்பதைக் கச்சிதமாக அரசாங்கம் நிர்ணயித்து தெரிவித்துவிடுவது மிகவும் நல்லது. 100 ஏக்கருக்கு இவ்வளவுதான் வரி செலுத்தவேண்டும் என்று தெரிவித்தால் நன்றாக இருக்கும். ஏனென்றால் ஒரு திட்டத்தை எடுத்துக் கொண்டால் அதற்குத் தகுந்த முறையில்தான் வரிவிதிப்பு இருக்க வேண்டும்.

[Sri O. P. Ramaswami Reddiar] [17th February 1955]

“அதிகமான வரியைப்போட்டால் ஜனங்களால் தாங்கமுடியாது. சாதாரணமாக அபிவிருத்தி திட்டங்களினால் எல்லோரும் பயன் அடைகிறார்கள். விவசாயிகள் மாத்திரம் அல்லாமல், வியாபாரிகளும், மில் முதலாளிகளும், தொழிலாளர்களும் எல்லோருமே பயன் அடைகிறார்கள். அப்படியிருக்கும்போது விவசாயிகள் மாத்திரம் பலன் அடைகிறார்கள் என்று சொல்வது சரியல்ல. Electricity scheme-ம் Irrigation scheme-ம், சேர்ந்துதான் கம்பைண்டு ஸ்கீம் ஆகிறது. அப்படி இருக்கும்போது விவசாயிகள் மட்டும் கொடுக்கவேண்டும் என்பது நியாயம் அல்ல. அந்த முறையிலே பார்த்தால் அரசாங்கத்திற்கு அதிகமான பணம் கிடைக்கிறது. விலைவாசிகள் இறங்கும்போது நஷ்டத்திற்கு நெல்லைவற்று விவசாயி தன் தொழிலை நடத்தவேண்டியிருக்கிறது என்பதை மறந்துவிடக்கூடாது. அரசாங்கமும் விவசாயிகளுக்கு நன்மை செய்வதற்காகவே இந்த அபிவிருத்தி திட்டத்தைக் கொண்டுவந்திருக்கிறது. இந்த முறையிலே பார்த்தால் அரசாங்கம் இவ்விதமான சட்டங்கள் கொண்டுவருவதை நான் வரவேற்கிறேன். ஆனால் அதிலிருக்கும் எல்லா கிளாஸ்களையும் பாஸ் பண்ணக்கூடாது. விவசாயிகள் தங்கள் வருமானத்தை வைத்துக்கொண்டு முன்னுக்கும் பின்னுக்கும் பார்க்கவேண்டியவர்களாக இருக்கிறார்கள். அந்த முறையிலே பார்த்தால் அவர்களுக்குப் போடப்படும் வரியை கச்சிதமாக நிர்ணயித்து அவர்களுக்குத் தெரிவிப்பது நல்லது. வியாபாரிகளைப்போலல்லாமல் விவசாயிகள் நஷ்டத்திற்கு தங்கள் தொழிலை நடத்துவதையும் பார்க்கவேண்டும். இதையெல்லாம் அரசாங்கத்தை நடத்துகிறவர்கள் கவனிக்கவேண்டும். பெட்டர்மெண்டு டாக்ஸ் இரண்டு விதமாக அதாவது நஞ்சைக்கு ஒருவிதமாகவும் புஞ்சைக்கு ஒருவிதமாகவும் வரி போடலாம். ஏனென்றால் நஞ்சை நிலத்திலிருந்தும், புஞ்சை நிலத்திலிருந்தும் வரும் வருமானத்திற்கும் மிகுந்த வித்தியாசம் இருக்கிறது. இதோடு விலைவாசியின் நிலையை அவ்வப்போது கவனித்து வரி விதிப்பு ஏற்பாடு செய்வது நல்லது. 30 வருஷகாலமாக விலை உயர்ந்திருப்பதையும் பரிசீலனை செய்யவேண்டும். பலவகைகளில் விவசாயிகளுக்கு வரிச்சுமை அதிகரித்திருக்கிறது. அவர்கள் நேர்முகமாகவும் மறைமுகமாகவும் பாதிக்கப்பட்டிருக்கிறார்கள். அரசாங்கம் தங்கள் தேவையைமட்டும் கவனித்து வரிபோடக்கூடாது. விவசாயிகள் தாங்கக்கூடிய அளவிற்கு வரிபோட வேண்டும். அப்படியில்லாமல் வரிச்சுமையை அதிகமாக அவர்கள் தலையில் சுமத்துவது நியாயம் இல்லை என்று அரசாங்கத்தை நடத்துகிறவர்களைக் கேட்டுக்கொண்டு 100, 150-க்கு மேல் வரிபோட்டால் விவசாயிகளால் அந்த வரிப்பளுவை தாங்கமுடியாது என்று வற்புறுத்தி என்னுடைய வார்த்தையை முடித்துக்கொள்ளுகிறேன்.”

SRI MOHAMED RAZA KHAN :—“Mr. Chairman, the speech made by the hon. Leader of the Opposition yesterday and the speech just now made by my esteemed friend Sri O. P. Ramaswami Reddiar really go to prove that this House can make a definite contribution to even matters like this and we can give our definite views on even Money Bills. When Members speak here, as pointed out by the hon. Leader of the Opposition, they do speak with a certain amount of mental reservation and feeling that their speech will serve no useful purpose. I endorse this view of the hon. Leader of the Opposition. If only this matter had been discussed in this House much earlier, surely the Hon. the Minister for Revenue would have had before him the considered views and suggestions of hon. Members of this House. Even at the Select Committee stage, the Hon. Minister himself would have been in a position to incorporate some of the suggestions made on the floor of the House. These are some of my remarks which I wish to make as a prelude to my speech.

17th February 1955] [Sri Mohamed Raza Khan]

“No doubt, the majority of those who spoke both yesterday and to-day felt that there was a case for the levy of betterment contribution. In fact, this is not a new thing which has sprung upon the public. As a matter of fact, when our good Friend, Sri M. Bhaktavatsalam, was the Minister in charge of Public Works, he said as early as 1948 or 1949 that the Government of Madras were contemplating the levy of betterment contribution. But, he did not explain then on what basis it would be levied and the manner and method of its levy.

“Even on a cursory glance of the Bill, I feel the Government would have done well if they had changed the method of levy. The Government should be knowing that prices are fluctuating. Apart from fluctuation, there is now a general tendency for prices to fall. This factor cannot be ignored by the Government. The other day, the attention of the Government was drawn to the fact that in the Tungabhadra project area—this is a project which was financed from out of the funds of the composite State due to an agitation started by the Rayalaseema people—several thousands of acres of land still remained as they were even though the project has been completed at a cost of several crores of rupees. There is no incentive for the people there to cultivate. It may be the ryots are not able to spend anything on cultivation or it may be that the ryots feel that the return will not be a fair return. It is very doubtful, therefore, whether ryots will be ready to take advantage of a project the moment it is completed. The Government must have considered the pros and cons of the whole question before thinking of a Bill like this. I feel there is considerable force in the arguments advanced by certain Members that whenever the Government undertake any schemes in future, they should make it clear that they can finance only a share of the cost and that the rest should be financed by the ryots. They must fix the share in respect of each work, electrical or irrigation or anything else. It is possible then that only such of the ryots who are in need of the facilities will come forward with their share of money. They may be asked to pay this share in annual or half-yearly instalments. This procedure will be better than the cumbersome method suggested in this Bill, which will only add to the difficulties of the Government.

“The second point is this. Clause 12 of the Bill deals with cases of exemption. I feel that the Government are assuming too much responsibility here. There may be some cases wherein exemption is called for. I have no quarrel if exemption is granted in such cases. But there may be cases wherein exemption may not be necessary but still some influence, political or other, may be brought to bear on the Government and exemption may be given finally in such cases also. That is the position in which the Government will land themselves by this provision. It would be much better and appropriate if a tribunal is appointed for this job so that any representation for exemption may be referred to it

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[Sri Mohamed Raza Khan] [17th February 1955]

for disposal. The tribunal may consist of an engineer, an official of the Revenue Department and a non-official. This would be a very good thing for the Government to do and I hope the Hon. the Revenue Minister will consider this suggestion seriously.

"Sir, reference was made by the hon. the Leader of the Opposition to the provision which lays down that an interest of six per cent will be collected in respect of arrears due. This is really heavy. Agriculture is not as paying a proposition to-day as it was a few years ago. This is more so in the case of those who grow dry crops. Their case is either they make something or they lose everything. This six per cent is, therefore, a very high rate of interest and I am sure the Hon. the Minister for Revenue will effect the necessary change at a later stage, if no change is possible now. I have great confidence in him and I think he will certainly effect the necessary changes if what we say now proves correct. Another thing with him is, whenever he brings forward such Bills, he does it in a polished way. He moves the Bill with a smile on his face so that the Members also may take the Bill with a smile. I want him to consider to what extent this Bill is going to affect the interests of agriculturists. This is not a measure which will be in force for a few years. This is a permanent measure. So far as the present projects are concerned, this Bill will be in force for the next twenty years. So, Sir, I would request the Hon. the Minister for Revenue to consider the various points raised by Members here. While we all approve of the principle underlying the Bill, let us not put too much burden on the landholders. Of course, they made some money during the boom period. Now the cost of labour is high and this levy will present a problem to the landholders. I hope the Government will consider sympathetically all our suggestions and do what is necessary."

* SRI T. PURUSHOTHAM :—"Mr. Chairman, Sir, I do not propose to make a long speech on this measure. There has been perfect unanimity as to the rationale behind this measure and if my hon. Friend, Sri Omandur Ramaswami Reddiar, had made some suggestions, they were not with regard to the principle underlying this measure. He was only representing the difficulties of the agriculturists."

"Sir, this betterment levy was originally proposed as an item of additional revenue to the State to cover the anticipated deficit in the Budget of this year. The Hon. the Minister for Finance also indicated in his Budget speech that there would be an appreciable income from this source. But the Hon. the Mover of the Bill did not tell us where we are with regard to this. I would, therefore, request him to tell us what exactly is the additional revenue that the Government expect to get by this measure."

"Several hon. Members have made very important suggestions and I am sure they will all be considered by the Government. I would particularly refer to the speech made by the Hon. Member,

17th February 1955] [T. Purushotham]

the Pattagar of Palayakottai yesterday who cited a particular instance to show how the betterment levy in respect of works instituted as early as the 1st January 1947 as proposed in the Bill would work great hardship on the people in backward areas. I hope these things will be carefully reviewed by the Government and the points raised by the Hon. Member will also be considered and exemption granted in suitable cases, for which, I am glad there is provision in clause 12. With these remarks, I support the Motion."

* THE HON. SRI M. A. MANICKAVELU NAICKER :—"Sir, let me at the outset make a reference to the remarks made by the Deputy Leader of the Opposition during my absence yesterday. I agree with the suggestion that the sittings of the two Houses—the Upper House and the Lower House—should be so arranged that there will be no clash in the business of the two Houses. But at the same time, I must also point out that sometimes circumstances so shape themselves that the sittings of one House are to be held in the forenoon and those of the other House in the afternoon of the same day. But I cannot appreciate the remarks made by Dr. John who knows that the Ministry works on the principle of collective responsibility and that therefore, the absence of one Minister does not matter much. In fact, my Hon. Colleague, who deputised for me yesterday, took elaborate notes and gave me those notes. So nothing will be lost and the hon. Member need not think that his remarks on the Bill will not be considered. In fact, my Hon. Colleague has done better than I ever could. I have gone into the elaborate notes that he prepared for me and I propose to reply to the points made by hon. Members. After all, what does Dr. John do when he is called to appear in two courts at the same time? He appears in one court and sends his partner to the other."

"The principle on which this levy is made is simple. This is not a tax. It is a contribution by the agriculturists for the benefits accrued to them due to irrigation projects; it is a share which Government claim in the increased value of the land on account of big projects coming into existence. Government have spent large sums of money on these irrigation projects. They want to take only a share and I submit that it is only a reasonable share. Now it was asked how this formula was worked out. It was said that the formula was not clear, that it was confusing and that it was not clearly stated as to how much it will cost per acre. Government could have easily fixed a flat rate per acre in the neighbourhood of Rs. 500 or Rs. 1,000. But they did not want to do so. They wanted to go on certain principles which will not work hardship on the ryots. That is why this formula was devised. The increase in production is taken into account for the average of 3 years and it is multiplied by 10 and the amount halved. It is also proposed to collect the levy in 20 annual instalments. It was asked why the 'gross produce' and not the 'net produce' was taken into

[Sri M. A. Manickavelu Naicker] [17th February 1955]

account? I shall explain. If you take into account the 'net produce', you have got to scrutinise the cultivation expenses and the accounts have to be gone into. Now cultivation expenses will vary from ryot to ryot and land to land. And if we scrutinise the accounts, the accounts of some people will be bogus accounts and it will be difficult to go into those defective accounts. Therefore, Government thought it fit to take into account only the 'gross produce'. That is why we have devised that formula. I made a rough calculation and I came to the conclusion that the share we claimed in the increased value will be only 1/4th or so. It is only a rough calculation. In the other House they asked me to give some rough idea as to how much it will cost per acre."

SRI T. PURUSHOTHAM :—" May I know how much it works out to per acre? "

THE HON. SRI M. A. MANICKAVELU NAICKER :—" I was about to reply when the young gentleman because of his impatience has begun to rise in his seat. According to my calculation it may range between Rs. 100 and Rs. 700 per acre. It is only a rough calculation. The formula is very good in the sense it will be like a spring board, which will react according to the weight. Here also the contribution will depend upon the fluctuation in prices. An amendment was also accepted by Government in the lower House that for every four years the price will be reviewed and the average will be taken. Therefore there will not be any hardship on the ryots. Further the levy is proposed to be collected in 20 annual instalments. That is a fairly long time and so there could be no objection to that.

"The Hon. Leader of the Opposition made some criticisms. I shall deal with them one by one. He said that the scope of the Bill was very wide. In fact in the original Bill the Government did not fix any limitation as Rs. 25,000 and so on. It was only in the Select Committee it was incorporated that the levy will be applicable only to works costing Rs. 25,000 and more. In fact in the Select Committee many members wanted the limit to be increased to one lakh and even to one crore. But when we clearly explained to them, they said 'No, no, we do not want one crore. Let it be Rs. 10,000'. It was because we explained that the Government were not likely to launch upon any scheme which was not going to give any betterment tax. It was all right when we had plenty of revenue surplus and when Government of their own accord took up big projects in the interest of people. Now it is not possible. Unless we are assured of some money, Government will not take up any big projects. When there is no scope of making this levy, Government may not take up any project or any scheme. That is why by putting the figure higher, the people will be deprived of those schemes which will greatly benefit them. Any big scheme may cost more than Rs. 25,000. So if we fix the limit at Rs. 1 lakh that will mean that we may

17th February 1955] [Sri M. A. Manickavelu Naicker]

not undertake any project at all costing less than Rs. 1 lakh because we will not then get anything in return as betterment levy. That is why when this was explained to the Members of the Select Committee, some readily said: "Then fix it at Rs. 10,000". Therefore only at the Select Committee stage, this limit of Rs. 25,000 was fixed as a compromise.

"The Hon. Leader of the Opposition referred to 'wells'. The idea is not to extend it to ordinary wells. It will be applicable only to big wells, just like some of the tube wells they have in Uttar Pradesh, built with the technical aid of Americans. Those wells cost Rs. 40 to 50 thousand each. They will supply water to about 100 acres perhaps. The levy will apply only to such wells. Then it was also said that wells may go dry after 20 or 25 years. Such wells that I referred to are not likely to go dry. The supply of water in those wells will be perennial. But even then if they go dry, God help us. (Laughter.)

"As regards the fixing of 1st January 1947, it was asked as to why that particular date was fixed. It was fixed deliberately. It was only from that year that Government launched upon schemes, large irrigation schemes and projects in the State under the Grow More Food Campaign. Further it was made known that from that year Government intended to make a betterment levy. That is why that year was fixed. It was also asked whether if the bund of a tank was raised, it will also come under the betterment levy? It will certainly come under the purview of this Bill. Take for instance a tank which irrigates about 1,000 acres. Suppose we increase the height of the bund by a few more feet; by that arrangement more water could be impounded and more acres could be irrigated. Then does it not amount to increasing the then existing irrigational facility? When a benefit is thus accruing, is it wrong to levy a betterment contribution? By the storing of more water by increasing the height of the bund more acres could be irrigated. Therefore there should not be objection if a betterment levy is imposed for the raising of the bund. In fact the ryots are eager to contribute for the raising the bunds of tanks, because more acres could be irrigated then. So it will apply only to such cases and not ordinary cases. It was also given in one of the explanations that ordinary repairs, etc., will not come under the scheme. In computing the contribution, the price level is taken into consideration but not the cultivation cost. Under this Bill, the cost of cultivation is taken into account only when the lands are brought into a more advantageous state of cultivation, that is, if lands which were originally under dry cultivation are brought under wet cultivation. We cannot be making provision for allowing the cultivation cost at every stage, during these twenty years. It is not possible and further there will be difficulty in ascertaining what the cultivation cost is. This will give rise to a lot of difficulties. That is why it was omitted.

[Sri M. A. Manickavelu Naicker] [17th February 1955]

"Now, coming to the question of charging 6 per cent interest, I think one hon. Gentleman used the word 'usurious'. I wonder whether the interest we have stipulated is 'usurious'. As far as the Vice-Chancellor is concerned, both in his capacity as a private gentleman and as Vice-Chancellor, I should say that he is not very much in touch with the money market and he does not know about the rates prevailing all over. If only he begins to enquire, he will come to know that the rate of 6 per cent is too low. The Government have borrowed at 2 or 3 per cent interest and they are paying on loan bonds even 4 per cent. Therefore 6 per cent interest is not heavy. Now this six per cent will be charged on the arrears of contribution. What will happen if this rate is lowered to 2 per cent? There will be no incentive on the part of the people to pay the contribution in instalments. They will go on postponing payment. The arguments advanced by the Hon. the Leader of the Opposition will equally apply here also. He said that if the rate of interest was high, the agriculturist will have to borrow. But if the rate of interest is low, he will prefer to postpone payment and he will lend it on higher interest. In villages people borrow even one rupee or two rupees. If a man lends one rupee, he will get two rupees after a few months. So, it would be in the interests of the agriculturist to provide for interest at 6 per cent.

"As regards the rules, I can state that we shall try to place the rules before this House also.

"It was stated that suitable officers should be put on the job. I assure that trained people who are competent to judge these matters properly will be put on the job.

"Another hon. Member wanted that a sort of Board should be appointed to go into these questions. The main question will be about fixing the contribution. As regards that, I gave an assurance in the Assembly that a Regional Advisory Committee will be constituted by the Government to help and advise them about local conditions and other matters. I think that will be a satisfactory arrangement that can be tried for the present.

"The hon. Member representing the teachers wanted—I think—that a contribution should be collected from the parents for paying the teachers. Well, it is no doubt a good idea. But what will happen? Now, by collecting this betterment levy and spending it on irrigation projects, we see that more lands are irrigated which means increased production and that means more money. But what happens in the case of teachers? They convert illiterate people into literate people and the result will be there will be more and more unemployed people. Already the Government are finding it difficult to tackle the unemployment problem. I do not know whether the ignorant parent will be grateful to the teachers for that. The parents will not realize that the teachers are changing an illiterate man into a literate man and be grateful for that. After all, the English-knowing man is a costly

17th February 1955] [Sri M. A. Manickavelu Naicker]

man to be maintained. He wants all modern amenities. So the result would be that the parent would feel that his son, who might be an S.S.L.C. holder or a graduate, is a costly man in the family to be looked after and perhaps an unemployed man also. But in this case it is not so. We derive actual benefit. There is greater production and more money. Therefore the levy of a betterment contribution from the parent will not be on a par with that from the agriculturists.

"One hon. Member suggested that a judicial mind should go into the question. Here much more than a judicial mind will decide the question. Here people who are trained in settlement work and who have got experience about the nature of the soil, etc., will decide. Some of the very eminent judicial officers do not know anything about land affairs at all. An officer who has got experience of land revenue, settlement and survey, will be more fitted for the job. Of course, he will be asked to do his work in a judicial manner. The set up will be such that he cannot go wrong. Even if he goes wrong, there is the appellate authority to check. (Sri V. V. Ramaswami: 'Is there provision for an appeal(?) Yes, there is provision for an appeal. (Sri V. V. Ramaswami: To Court?') There is provision for appeal to the prescribed authority. If we provide for an appeal to the Court, that will not be good for the cultivator.

"The Hon. the Deputy Leader of the Opposition suggested that some such measure should be brought in for the purpose of collecting money from those who were benefited by the abolition of zamindaris. But my answer is this. I do not want to exhaust all sources. I want to leave something for the Deputy Leader of the Opposition so that he may have recourse to that if he becomes a responsible Minister. (Laughter.) Then only he will realize what a job it is to bring in a taxation measure. I do not want to exhaust everything. Let me reserve something for him. (Renewed laughter.)

"Then, Sir, I admit that this is a new Bill of which we have no experience at all. We are having it for the first time. There may be some defects in the Bill but we would be able to spot them out only when it is actually worked out. If there are any serious defects, they would be looked into and remedied. We can bring in an amending legislation. In fact, there is no Act which has not been amended. The Criminal Procedure Code has been amended. There are so many Acts which have been amended. If there are any insuperable difficulties, this Act could also be amended if necessary. Sir, with these words I hope the House will accept this Bill."

SRI O. P. RAMASWAMI REDDIAR:—"Sir, what would be the probable revenue from this levy?"

THE HON. SRI M. A. MANICKAVELU NAICKER:—"Sir, it cannot be estimated now. The formula is so vague."

[17th February 1955]

SRI O. P. RAMASWAMI REDDIAR :—“ How can you levy contribution on that basis? ”

* THE HON. SRI M. A. MANICKAVELU NAICKER :—
“ The levy is on a working basis but we do not know how much it will be and to how many projects it will apply. ”

* DR. A. LAKSHMANASWAMI MUDALIYAR :—“ May I ask another question, Sir? May I know whether the revenue from this levy will exceed the cost that the Government had to incur in these works? The simple question is whether the Government are going to use this Bill to collect far more from the agriculturists than what they have themselves put in. Has the Hon. Minister for Revenue calculated the figures from that point of view and can he give an assurance that this betterment levy will not be in excess of the amount that the Government had to incur in a particular work? ”

4-20 p.m. * THE HON. SRI M. A. MANICKAVELU NAICKER :—
“ I do not think, Sir, that it will not be in excess of the amount spent. In fact I think that it will be far less. That is my idea about it. ”

MR. CHAIRMAN :—“ The question is—

“ That the Madras Irrigation (Levy of Betterment Contribution) Bill, 1954 (L.A. Bill No. 26 of 1954), as passed by the Assembly, be taken into consideration. ”

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

Clause 2 was put and carried.

Clause 3.

MR. CHAIRMAN :—“ Motion moved—

“ That clause 3 do stand part of the Bill. ”

SRI K. BALASUBRAMANYA AYYAR :—“ Sir, I move the amendments standing in my name, namely,—

“ In line 4, omit the words “ in their opinion ” and in lines 9 and 10, for the words “ twenty five thousand rupees ” substitute the words “ on lakh of rupees ”.

In Explanation I, line 4, for the words “ person or persons interested in such land ” substitute the word “ Landholder. ”

In Explanation II, add the following proviso :—

“ Provided that the landholders owning land, the extent of which is ten acres or below may be exempted from the application of the section. ”

Sir, there are legal difficulties and also policy difficulties. It is stated that the Government shall be entitled to levy a betterment contribution if, in their opinion, any land is benefited. The Government say that they will appoint an officer for this purpose

17th February 1955] [Sri K. Balasubramanya Ayyar]

and provide for an appeal against the order of that officer. I do not think the Government contemplate an appeal direct to the Government. Therefore, the officer's opinion is the Government's opinion, according to this Clause. How can that be? The Government cannot delegate their power of forming opinions to their officers. Also this provision works hardship on the ryots. Take, for example, that there is a small irrigation work. I am not now on big projects on which moneys have been spent and which should be collected from the ryots. There may be minor works of irrigation and drainage. Suppose in the case of a minor irrigation work, the Government think of making some alteration or making it more useful to the people. That may result in benefit to the people or it may not. There may be cases like that. There is the Explanation to this Clause which says ‘ A land shall be deemed to be benefited notwithstanding that the benefit is not enjoyed provided such non-enjoyment is due solely to action or inaction on the part of the person or persons interested in such land ’. It will be hard on the ryot to pay a betterment tax without getting any benefit substantially. It is not a question of the Government opinion alone in the matter. In substance the ryot should have received some benefit. The Government must be prepared to prove before the public that they have benefited the ryots. Then only they can think of levying the betterment contribution. Therefore, Sir, the words ‘ in their opinion ’ are not quite suitable. So, I move my amendment. This is a money Bill, and therefore my amendment can only be a recommendation to the Assembly, and such recommendations will not go to the Assembly at all. This difficulty is there, and the Government cannot accept the amendment even if they see the force of the amendment. I hope and trust that they will provide for an appeal in the rules to be framed by them. If they have the revisional powers with them, to some extent the ryots will be satisfied. This is the submission that I wish to make. It is hardly fair on the part of the Government to impose a betterment levy on people without proving actually what benefits had accrued to the people. Therefore, Sir, the words ‘ in their opinion ’ are not quite suitable.

“ The next point, Sir, is about raising the amount to Rs. one lakh. This amendment was proposed in the Assembly but was defeated. But there is very good reason behind the amendment. This Bill applies to minor irrigation works also. There are many small irrigation works which have cost more than Rs. 25,000. ”

SRI K. BHASHYAM :—“ Can two amendments be moved and discussed at the same time? ”

SRI K. BALASUBRAMANYA AYYAR :—“ The amendments are to the same clause. ”

MR. CHAIRMAN :—“ At the time of voting, I will put the amendments separately. ”

[17th February 1955]

SRI K. BALASUBRAMANYA AYYAR :—“ Sir, as I said, there are many small irrigation works quite different from major irrigation works. The minor irrigation work may be one of removing the defects in an existing work. For example, in Tanjore, Tiruchirappalli and Madurai districts, many irrigation works have been started, and those works have been taken up by Government because there have been appeals and complaints from the ryots saying ‘ This channel is not in order, that irrigation tank is not in order ’, etc. Sometimes the channels are silted up, and they have to be repaired. Sometimes a drainage channel will have to be reconstructed so that the irrigation work may be very useful. In all these cases, minor irrigation works are necessary. These are in the nature of an obligation cast upon the Government. The irrigation works are already there, and the Government have undertaken to supply water to the ryots. If there is any defect in the existing irrigation system, the Government have to repair it. Money spent on such irrigation works cannot be put on a par with money spent on big irrigation projects started for the first time to enable dry lands also to be brought under wet cultivation. The lands have also been made fit to raise commercial crops. That is why, I say, Sir, the limit may be raised to Rs. 1 lakh. This figure will cover all minor irrigation works and drainage works which the Government have undertaken for the purpose of removing the defects existing in the present irrigation system. Some others suggested Rs. 2 lakhs. But I say, Sir, ‘ Let us not go that far ’. I know the nature of the minor irrigation works and drainage works in Tanjore, South Arcot, and Tiruchirappalli districts fairly well. I know this one lakh of rupees will easily cover all minor irrigation works taken up for making the existing works really useful to the ryots and this will also not impose a hardship on the ryots. After 1947 many works have been undertaken, especially drainage works, and it will be very good on the part of the Government if they accept this limit. I am not even putting this in the form of an amendment directly contradicting the whole thing. If, in framing the rules, they take this into consideration and say, ‘ where a minor irrigation or drainage work is intended to remove an existing defect in the irrigation system, pointed out by the ryots, to their satisfaction, such irrigation works will not come within the purview of this Bill,’ it will be better. I would therefore put this mildly. I think the hon. Member Sri O. P. Ramaswami Reddiar will confirm my statement. If I am wrong I will withdraw my statement. He knows by experience the position in South Arcot district regarding the minor irrigation works. There are many minor irrigation works which have cost a lakh of rupees. I know the schedule of rates of the Public Works Department is much higher than the ordinary rates. If a private agency’s rate is Rs. 10,000 the Public Works Department’s rate will be Rs. 35,000. I am not complaining against the department. I only want that all these points must be taken into consideration.

4-30
p.m.

17th February 1955] [Sri K. Balasubramanya Ayyar]

“ There is another aspect so far as the minor irrigation works are concerned. Though it does not cover my amendment, as it is relevant to the point under discussion, I would like to refer to it. In respect of certain minor irrigation works and even drainage works, the Government have asked the ryots concerned to make some contribution towards the cost of the work. In many cases the ryots have accordingly paid some contribution. In their case, the Government need not unnecessarily levy this betterment contribution. The Hon. Minister made certain observations about the limit of Rs. 25,000. I am not saying anything against the Mover of the Bill. I only want him to take the various points mentioned by me into consideration while this limit is fixed.”

* DR. A. LAKSHMANASWAMI MUDALIYAR :—“ Sir, while seconding the amendments moved by Sri Balasubramanya Ayyar, I have to request the Hon. Minister for Revenue to throw some light on Explanation I to clause 3. This is what this Explanation says. ‘ A land shall be deemed to be benefited notwithstanding that the benefit is not enjoyed provided such non-enjoyment is due solely to action or inaction on the part of the person or persons interested in such land.’ Sir, when the Krishnarajasagar Dam was constructed and the Irwin canals were opened, the water was let out to the agriculturists who were expected to use the water for the lands nearby. But, they did not use the water for a number of years. According to this Explanation, will it constitute ‘ inaction ’ on the part of the agriculturists? The fact of the matter was that the opening of those canals led to a wide conflagration of malarial fever which decimated the villagers. They had to run away from the villages. Is it contemplated under this Bill that the Government should or will consider that as inaction on the part of those agriculturists? Will the Government consider that the betterment levy should still continue to work in their case? These are some of the aspects of the question that have to be thought of. Merely saying that there has been inaction will not solve the problem. It may be left to the Collector and the Revenue Divisional Officer to decide this matter. Or, ultimately, it may be left to a clerk or sometimes to the Revenue Inspector to make a decision. Suppose a dozen families stay in a particular village, but 40 other families had left the village on account of the evil and decimating influence of malaria; will the latter still be subjected to this betterment levy? When I say this, I am not drawing on imagination. It was only about 4 years ago, when the World Health Organization expert team visited the place and arranged for the spraying of D.D.T. on a large scale, the villagers once more returned to their village. The Hon. Minister in charge of Agriculture in Mysore State mentioned this fact and said that the villages were once more smiling with crops produced and this was possible as the health of the villagers was taken into consideration and safeguarded. What is it that the Government intend by saying ‘ inaction ’ in this particular Explanation? ”

[17th February 1955]

MR. CHAIRMAN :—“ Amendments moved—

‘ In line 4, *omit* the words “ in their opinion ” and in lines 9 and 10, *for* the words “ twenty-five thousand rupees ” *substitute* the words “ one lakh of rupees ”.

In Explanation I, line 4, *for* the words “ person or persons interested in such land ” *substitute* the word “ Landholder ”.

In Explanation II, *and* the following proviso :—

“ Provided that the landholders owning land, the extent of which is ten acres or below may be exempted from the application of the section.” 22

* DR. V. K. JOHN :—“ Sir, may I add a word more? The Hon. the Minister for Revenue was not present in the House when I spoke yesterday. I was saying yesterday that I had made a special study of the question of betterment contribution in other parts of the world. There are two fundamental principles governing it. One is that the land must have benefited before the owner was asked to pay the betterment contribution. It was not enough if the land was merely benefited. The benefit must be directly due to the irrigation facilities provided by the Government at some cost. This is the first condition to be satisfied before levying the betterment contribution. Secondly, the Government should not collect anything more than what they have actually spent. These two principles should always be borne in mind. The person who pays the money should have the satisfaction that the betterment contribution was settled by an authority, if not a Judge, at least by somebody who has some judicial background and who can decide the matter in a judicial spirit independent of the Executive. If necessary, there must be an appeal as in the case of the Town-Planning Act of 1920, to the Chief Judge of the Court of Small Causes against the decision of the arbitrator.”

* SRI K. BHASHYAM :—“ Sir, in this matter, there are a few facts to be considered. Under the old Irrigation Cess Act, water rate was leviable even in cases where the tenant himself did not use the water. So, simply because a few tenants in a certain locality will not use the water supplied to them, they cannot be exempted from the operation of this Bill. After all the work that is undertaken is for the general good of the people of the locality. If a few persons do not make use of the water for reasons of their own, we cannot say that they are to be exempted. But, there are certainly cases where as a matter of fact they could not make use of the water because of some difficulties just now mentioned by the hon. Leader of the Opposition. In such cases, if for reasons beyond their control, the agriculturists were unable to use the water, they have to be exempted and they cannot be asked to pay the betterment contribution. If a person

17th February 1955]

[Sri K. Bhashyam]

was unable to stay in a particular place because of its unhealthy condition, surely he should be exempted from the payment of this betterment levy. In such cases, the inaction was due to causes which were beyond their control. I think it is not the intention of the Government to compel such people to pay the betterment contribution. But I think due to bad drafting this has not been made clear. I have always been complaining about bad drafting. I think this position has been made clear in the Irrigation Cess Act and other enactments. Usually, when persons were not able to utilise the water because of some supervening causes and causes which were beyond their control, those persons have to be exempted. This has to be made clear in the enactment in some form or other. I know the Government meant this, but have not clearly expressed in the Bill what they really meant. At least in the rules which they may make, this may be made clear. I am not complaining against the Government's policy. But, it has not been correctly expressed. That is my complaint. The Government have drafted the Bill so badly as to give room for doubts and criticisms. It is only to avoid such criticisms and difficulties that I have always been pressing upon the Government the desirability of having a small Committee for the purpose of drafting the various enactments that the Government may wish to bring before the Legislature. But the Government will not take my advice and they have been committing blunder after blunder. I will appeal once again to the Government to consider my request. I have also spoken to the Hon. the Chief Minister in the matter. But nothing has been done. It is not as if the Committee suggested by me will lay down the policy. It is the Government who will lay down the policy. The Committee will only give shape to the policy enunciated by the Government.

“ There is one other matter. According to clause 3, a landlord will have to pay this betterment contribution if in the opinion of the Government the land held by him is benefited by the Government's undertaking any irrigation work. Even when they form their opinion in the matter, the Government must have some advice. There must be some body like the Irrigation Board that should help the Government in forming their opinion. Now, when the Government form their opinion, it is not likely to be examined by a court. We have to consider whether it is a subjective opinion or objective opinion. These are some aspects which require serious consideration and examination. On what basis the Government are to form their opinion in respect of this matter? Considering all these factors only, I suggest that we should evolve some machinery which will help the Government to form their opinion. They should not form their opinion arbitrarily. This matter has come in for a good deal of criticism in courts. Under the Rent Control Act, certain houses have been exempted from the operation of the Act. But there are no rules governing the grant of exemption from the Act or laying

[Sri K. Bhashyam]

[17th February 1955]

down any policy. This has been done arbitrarily so to say. The absence of any rules governing this exemption has been criticised in courts in many cases. Any exemption that the Government may give must be subject to a certain set of rules. It is not fair that the Government should be subjected to such criticisms. That is why I appeal to the Government once again to accept my advice. If they care to accept my advice, many of the criticisms could be avoided. I think an amendment at this stage of the Bill is not necessary for the purpose. When rules are framed, these points could be borne in mind. Whatever it is, the Government would do well to constitute a small Committee to help them in framing the rules and other enactments and also in forming their opinion in respect of the various matters.

"As for the small works, the Government might have carried out some repairs to some tanks here and some other irrigation work there which might already be in existence and from which the tenants are entitled to take water.

4-40
p.m.

"In fact, the Government's contract is that they will supply water to the ryot and that they will keep the tanks in good repair. The ryots are entitled to ask the Government to keep them in good repair. Like the good landlords, the Government must keep the irrigation sources in good repair. Even in the case of the Estates Land Act, there was some provision under which the majority of ryots might go before the Collector and represent that the irrigation sources needed repair. He would then execute the repairs and take the money from the landholder. If this is the case with the landholder, I do not see why the Government should not do it. The Government should not take such things into account for purposes of calculating the betterment contribution.

"Sir, Explanation I to clause 3 says:

"A land shall be deemed to be benefited notwithstanding that the benefit is not enjoyed provided such non-enjoyment is due solely to action or inaction on the part of the person or persons interested in such land."

I have already referred to it. Explanation II says:

"A land shall not be deemed to be benefited merely by reason of the maintenance of an existing work wholly or partly at the expense of the Government."

This provision also is not clear. Therefore, if it is a question of framing rules under the Act, the Government should see to it that repairs to tanks which often cost two or three or even four lakhs of rupees are not taken into account because it is the duty of the Government to see that the existing irrigation sources are kept in good repair. So, Sir, these matters deserve deep consideration on the part of the Government and I hope the Government will bear these in mind at the time of framing rules, if they cannot accept the amendments now.

17th February 1955]

* THE HON. SRI M. A. MANICKAVELU NAICKER:—
"Sir, as regards the first amendment, viz., omit the words 'in their opinion', I think they are necessary though it may not make much difference whether they remain or go. The sentence has to be there because 'Who is to say that so and so has benefited?' Then, Sir, it is said that the opinion of the Government is the opinion got from the lower rungs of the service. What is wrong in this? Somebody must judge the issue and I think there is not much harm in keeping the words 'in their opinion'.

"Then, Sir, about the Rs. 25,000 limit prescribed by the Government for the purpose of granting exemption from levy, there has been much misunderstanding. If I accept the 'one lakh limit' suggested in the amendment, I will be pleasing my friend, the Mover of the amendment, but I will not be doing my part of the duty properly. I shall not be doing justice by the people at large, because, if I accept this amendment, as I said in the beginning, the Government will take up only such schemes as cost more than a lakh of rupees. Schemes costing Rs. 30,000 and Rs. 40,000 will not come within the purview of the Bill and, therefore, Government may not take up any such schemes. The more the limit is raised, the more it is not good for the people. And then, Sir, as regards the other thing, even if the Government spend a lakh of rupees or more on repairing or maintaining the existing anicuts or other works, they will not be taken into account for purposes of the levy. The question of levy will arise only if an extra amenity is provided and extra supply of water is made over and above the normal supply. If there is any difference of opinion on this question, then we shall make the position clear in the rules that we may frame.

"As regards the question of action or inaction on the part of the landlord, it may be that the provision is not happily worded. The tribe of good draftsman is past disappearing as is the case in every walk of life now. The idea of the Government is, when under normal conditions water is available if a person does not take advantage of it, while all around him everybody utilises that water, his case must be taken note of. A man may be lazy; he may be a newly married man and so neglects the land. (Laughter.) Such cases should not be ignored. But the Government will not enforce this law in cases where there is malarial infection or where unforeseen troubles arise. Even now, Sir, what do the Board's Standing Orders say? They say revenue must be collected under certain circumstances even if there was a failure of crops. But what do the Government do? In acute cases of failure, they justifiably interfere and grant remission of kist."

SRI K. BHASHYAM:—"Remission is given not to persons paying a kist of more than Rs. 100."

[17th February 1955]

* THE HON. SRI M. A. MANICKAVELU NAICKER :—
The hon. Member is referring to some other subject. That is only a side issue and let us not cloud the present issue with that. What I wanted to say was that when conditions were normal, if anybody did not take advantage of those conditions, then such cases would be treated as cases of inaction. The idea is that the Government do not want to put a premium on idleness."

MR. CHAIRMAN :—" The question is—

' In line 4, *omit* the words " in their opinion " and in lines 9 and 10, for the words " twenty-five thousand rupees ", *substitute* the words " one lakh of rupees ".

In Explanation I, line 4, for the words " person or persons interested in such land ", *substitute* the word " Landholder ".

In Explanation II, *add* the following proviso :—

" Provided that the landholders owning land, the extent of which is ten acres or below may be exempted from the application of the section." "

The amendments were separately put and 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 amendments standing in my name, namely,—

' In sub-clause (1) *add* the following proviso at the end :—

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" Provided also that in the case of a work, whose construction, expansion or alteration removes the existing defect in the irrigation system already established or in the case of works for which contribution has already been levied towards the cost of construction, expansion, or alteration of such work, the landlord shall not be liable to pay any betterment contribution under section 3."

In line 1 of sub-clause (2) for the word " ten ", *substitute* the word " five "

Omit sub-clause (4).'

" I have already mentioned about this case. I do not want to speak further. The Hon. Minister spoke of ' maintenance '. It is quite a different thing from alteration, construction or repair. Take the case of construction of a tank. Suppose a tank has got to be dug. That is an irrigation work. Then again there is the question of repair. They will say that they have constructed a new channel or drainage work and therefore it is a construction,

17th February 1955] [Sri K. Balasubramanya Ayyar]

a new work, which comes under the wording ' construction, expansion or alteration of such work '. In some cases the ryots have already given contribution even after 1947. In those cases wherein contribution has already been paid, the betterment levy should not be imposed. That is why I have given notice of my amendment. If my amendment could not be incorporated at least in the rules that are going to be framed under this Bill a provision could be made by which Government could prescribe that in the case of a work for which contribution has already been levied towards the cost of construction, expansion, or alteration of such work, the landlord shall *not* be liable to pay any betterment contribution under section 3. Suppose there is a defect in a tank. Suppose there is a breach consequent on freshes. If that defect is set right, then that alteration removing the existing defect should not be taken as an irrigation work, for which betterment levy could be imposed. That is why to cover all these cases I have moved my amendment.

" Again under sub-clause (2) of clause 4 in line 1, for the word *ten* I want to substitute the word *five*. It is said under the Bill that ten times the annual increase in the gross produce estimated under sub-section (1) shall be deemed to be the increase in the capital value of each class of lands. I say, Sir, it is better to have the figure ' five ' instead of ' ten '. Mr. O. P. Ramaswamy Reddiar said that the prices were falling. I welcome the fall in prices. The prices may go down still further. That is the tendency. But they will never again go up. I am sure of that. They will never again go up unless some more sugar factories are established and the acreage under paddy is reduced, while increasing the acreage under sugarcane. (Dr. V. K. John : ' If war comes? ') If war comes, there will be no betterment levy. It will be Army levy. (Laughter.) It is said that ' the estimate shall be made with reference to the average of the prices prevailing, in the case of a work whose construction, expansion or alteration was completed before the commencement of this Act, during the three years immediately preceding such commencement and, in the case of a work whose construction, expansion or alteration was completed after the commencement of this Act, during the three years immediately preceding such completion.' This is what is contained in the second proviso to clause 4. As I said, the prices of agricultural products are falling. Therefore the working of the average of three years as specified in the second proviso to clause 4 will work hardship on the agriculturists. Judicial notice can be taken that agricultural prices have been falling. When such is the case it is better to put the figure as ' five ' instead of ' ten ' as specified in sub-clause (2). It is better to have the figure ' five ' which will help the agriculturists.

" Again I want that the whole of sub-clause (4) of clause 4 should be deleted. It is quite unnecessary. It is always better to have a judicial review. The Hon. Minister asked, ' what after

[Sri K. Balasubramanya Ayyar] [17th February 1955]

all the Judges could do in this respect?' That is not quite a correct statement. Judges deal with all sorts of cases upon evidences given. After studying the pros and cons of the problem, they come to an impartial judgment. Because of their capacity to view things impartially and come to a correct judgment, they are nowadays put as Industrial Tribunals to settle industrial disputes. There was the dispute between the employees and employers of banks. A Judge held an enquiry. Therefore in all fields, a judicial review of the case is always the best and accepted principle. I do admit that settlement matters are difficult matters. You have got your officers, I mean Settlement Officers. Unless and until the agriculturist is definite that his case has not been properly decided upon by Government, he will not decide upon going to court to vindicate his stand and get justice. Otherwise he will be busy with his cultivation. Therefore it is better to provide an appeal to a Court of Law against the judgment of the 'prescribed authority'. Therefore putting a ban on any appeal to a Court of Law against the decision of the 'prescribed authority', is not proper. It is against the principle for which we have fought all along. That is why I say it is better to delete sub-clause (4) of clause 4. It is better to have a judicial review. Let the ryot be given an opportunity to seek redress in a Court of Law in case he is sure that he has been denied any right which he could lawfully claim and in case an accepted right of his has been infringed by the 'prescribed authority'. Therefore I request that sub-clause (4) of clause 4 may be deleted."

The amendments were duly seconded.

MR. CHAIRMAN :—" Amendments moved—

In sub-clause (7) (a) 'add the following proviso at the end :—

" Provided also that in the case of a work, whose construction, expansion or alteration removes the existing defect in the irrigation system already established or in the case of works for which contribution has already been levied towards the cost of construction, expansion, or alteration of such work, the landlord shall not be liable to pay any betterment contribution under section 3."

' In line 1 of sub-clause (2) for the word " ten ", substitute the word " five "

' Omit sub-clause 4."

* DR. V. K. JOHN :—" I should like to say one word on the principle underlying betterment levy and which principle has been accepted in the Town-Planning Act of 1920. By a provision in the Town-Planning Act, the betterment contribution is fixed by an Arbitrator appointed by Government for the purpose of section 27 of the Town-Planning Act. The decision is given by the Arbitrator on evidences given by either party, one party being the Municipal Corporation and the other party comprising the person from whom betterment contribution is claimed. Even against

17th February 1955] [Dr. V. K. John]

his decision, there is provision for an appeal. Even though the decision by the 'prescribed authority' [as is specified in sub-clause (4) of clause 4 of this Bill] is final, let the person from whom contribution is claimed have the satisfaction that the betterment contribution has been fixed by some impartial authority independent of the Executive. I would therefore suggest that rules may be framed to follow the principle adopted under the Town-Planning Act of 1920."

* SRI K. BHASHYAM :—" Unfortunately, Mr. Chairman, we are now following a novel procedure by which hon. Members move all their amendments to a clause in lump at one stroke the Hon. Minister replies, and immediately the amendments are put to vote and declared lost. By that here is this likelihood of an impression being created that we are not serious in our discussion. There is not a sense of reality. My own feeling is that the Government ought to be a little more responsive to the suggestions made by hon. Members. It is because of the fact that the Government are unresponsive, the Chair also is encouraged to take such steps for the purpose of expediting business which we consider rather a waste of time. That is what I feel. Any-⁵ how, apart from the regularity or otherwise of the procedure, what I wish to point out is this. Now, as regards the Explanation to clause 3, in view of the assurance given by the Hon. Minister that the cost incurred in repairing or maintaining the existing anicuts or other works will not be taken into account and that he will take care to see that the position is made clear in the rules that are to be framed, we need not press our point. As regards the second amendment to this clause, it is a matter for the Government to decide, as it is a question of finance.

" On the question of giving power to law courts, I am in perfect agreement with my hon. Friend Sri K. Balasubramanya Ayyar. I am a lawyer and I speak not because I am a lawyer. I want that provision should be made for taking the matter to the courts. It is not because that I happen to be a lawyer I want that there should be provision for taking the matter to the courts. After all, why should people flock to courts? Do you mean to say that lawyers go after the clients? If any wrong is done to them, then people go to lawyers to see whether anything can be done for them in the law courts to get redress. Therefore, it is not the lawyer that seeks the business. What is it that usually happens? If persons are aggrieved by the action of the Government or by the decisions of some officers of the Government, they want to take the matter in appeal to some authority who will be independent of the Government. Here is a question for decision whether any benefit has been derived by a ryot from out of the works executed by the Government. What can an Officer of the Government do in such a matter? This is a matter concerning the Government on the one hand and the people on the other. Who is to decide the question in such matters? An officer of the

[Sri K. Bhashyam] [17th February 1955]

Government may decide in favour of the Government. In a dispute between the Government and the people, there must be an independent body to decide the issue and that body should not be subject to the influence of the Government. Therefore it is I am appealing to the Government, in their own interest, in the interests of fairplay and justice, that they must improve clause 4. Why do Trade Unions want Judges to be appointed to decide their cases? What do Judges know about trade disputes? Why should Justice Rajadyaksha decide a Bank dispute in which he does not know anything about banking? Why should election disputes be referred to Election Tribunals composed of Judges? It is because of the training that Judges have received and the confidence of the people, which they enjoy, and the fact that they will bring to bear upon these questions a mind free from all influences.

"I can just illustrate one case to show that as a matter of fact the training of the lawyer is so comprehensive and so good. In a case for damages against the Madras Railway Company on account of the Mangapatnam disaster, Mr. Norton was engaged. I was merely a Junior. A European Engineer was in the witness box for more than two days. Every intricate question relating to engineering was put to the Engineer and he was not able to stand the test of cross-examination. Even medical men come to courts. They are also questioned by lawyers. This is because lawyers can read up all books for the time being and can gather all the material necessary for the purpose of cross-examination. Therefore it is I say that lawyers are specially trained for all these purposes. They can concentrate their mind on a particular subject for a particular purpose. Therefore, if I speak for courts, it is not because I am interested in lawyers. Why should we boycott courts. It really means that we are boycotting something very good. Can a survey officer drawing somewhere near Rs. 200 per mensem depending for his promotion on the Collector of the district or the Government discharge his duties in an impartial manner? This is something like the old survey. Ten per cent increase will be there in respect of all settlements because private instructions have been given by the Government. Why should the Government lay themselves open to all such criticism? Therefore, it is I say that courts should not be boycotted for the sake of deciding matters between the Government and the people."

* DR. A. LAKSHMANASWAMI MUDALIYAR :—" Sir, as I was listening to this debate, I was strongly reminded of a debate that took place some four years ago in the old Legislative Council. Therefore I got the 1951 volume for reference. The debate was on the Madras Irrigation (Betterment Contribution and Inclusion Fees) Bill, 1951, a Bill very much analogous to the Bill that has been moved by my hon. Friend. In the first place, let me tell him that so far as this Bill was concerned, a Joint Select Committee of both the Houses was appointed and it was during the course of

17th February 1955] [Dr. A. Lakshmanaswami Mudaliyar]

the discussion for the appointment of a Joint Select Committee the Hon. the Minister, who moved the Bill, Sri H. Sitarama Reddi said :

'Another important factor that was referred to was the power that is sought to be vested in the Collectors, viz., the question of the ouster of Courts and the analogy of the Land Acquisition Act that was quoted. I would like to assure this House that it is necessary I am prepared to go into that question in the Select Committee. What I want to impress on the hon. Members of this House is that here is a principle which I have enunciated and if the principle is accepted the method of calculation and the equitable nature of the incidents from area to area may be considered later.'

I think we have progressed in democracy since then and therefore now we do not want Select Committees, we do not want any of these questions to be considered seriously, because 'that relieves us of all headache'. I am afraid that I cannot congratulate the Government on this."

* THE HON. SRI M. A. MANICKAVELU NAICKER :—" Mr. Chairman, Sir, as regards the first amendment to this clause, any alteration which gives only the normal supply of water and the normal amenities will not come under this Bill. Only an alteration which brings any extra facility by way of extra supply of water will come within the purview of this Bill. Suppose there is an anicut and from the anicut water is taken to the left bank and certain lands are irrigated. Now, if a new sluice is put up and there is an alteration and water is taken to the right bank, it is like a new service. In other words, lands which had no supply of water previously have got the benefit of water. It is a new benefit. Alteration in that sense will come under the purview of this Bill. Any new service which affords some extra facilities and not any alteration which ensures normal supply of water will come within the scope of the Bill. If there are any doubts on this point, we can make the position clear in the rules that are to be framed.

"As regards the amendment for substituting the word 'five' for 'ten', I will readily accept that, if 'gross produce' is changed into 'net produce'. The idea is to multiply the gross produce and not the net produce. The expenses for bringing the lands which were originally under dry cultivation and which, with a view to derive benefit from the work, are brought under wet cultivation are deducted. Only the cost of cultivation is not deducted. Therefore ten times increase is reasonable. In fact, it was originally put at fifteen. Then it was brought down. The levy will never yield more than what has actually been spent by the Government. I am sure about it. As regards omission of sub-clause (4) I 5-10 endorse all the remarks made about Judges. They are well trained p.m. people. They can do anything much better. But what I say is that they have all theoretical knowledge and they will not have the practical knowledge of settlement, survey, etc. I know from experience that they are good enough in other respects. Collectors and Deputy Collectors who have had settlement and survey training and who have gone out in the hot sun carrying survey chain, etc., have practical knowledge. On the theoretical knowledge of it, judges may be good. The hon. Member said that only if the

[Sri M. A. Manickavelu Naicker] [17th February 1955]

ryots were properly advised they would go to courts. I think the hon. Member hails from Tanjore district, and I believe from that district many land cases come up. There are many people I know who are not properly advised. So, there is the temptation for people to go to courts, and that will result in unnecessary hardship to the ryots. So, I oppose all the amendments."

MR. CHAIRMAN:—"Mr. Balasubramanya Ayyar can now speak."

* SRI K. BALASUBRAMANYA AYYAR:—"Sir, the Hon. Minister has not met my point. When a fundamental principle is lost sight of in the adjudication of a question whether benefit has been derived by the landlord and whether the amount arrived at for the purpose of fixing the levy is correct, I say that the matter should be reviewed by a judicial mind. This benefit can go to the ryots. The litigious nature of the ryots does not apply to the ryots of Tanjore. I can very well say from my experience that a ryot never resorts to a court unnecessarily at all. I am not saying that the lawyer gives good advice or bad advice. But any ryot will not unnecessarily go to court. He has no time in the first place. He has to attend to his cultivation operations. Unless he finds that there has been a hardship caused to him by this betterment levy, and that the benefit accruing to him is not commensurate with the levy imposed on him, he will not go to court. Only when he thinks there is hardship caused to him, he will go to court. The Hon. Minister said that this measure will be worked generously without inflicting any hardship on the ryots. My own feeling is that, on a reference made by the Collector or the prescribed officer on a substantial question of principle, an appeal to the court must be provided for. The ryot will have the satisfaction of his claims being considered. He is going to pay the contribution for 20 years or even 30 years. Why should he not have the satisfaction that his betterment contribution has been properly fixed? He will gladly pay it if he has been benefited."

* THE HON. SRI M. A. MANICKAVELU NAICKER:—"Sir, the hon. the Leader of the Opposition made a reference to the Irrigation Cess Act. With regard to that I want to say that there was a Select Committee on this Bill. Unfortunately it was not a Joint Select Committee. The Select Committee not only examined the position, but they also went out and saw for themselves the condition in the various projects. They went to Bhavani, Mettur, Malampuzha, etc. That was a Select Committee of the other House which went very carefully into the matter."

The amendments were put and lost.

Clause 4 was put and carried.

Clause 5 was put and carried.

Clause 6.

MR. CHAIRMAN:—"Motion moved—

'That clause 6 do stand part of the Bill.' "

17th February 1955]

SRI K. BALASUBRAMANYA AYYAR:—"Sir, I move the amendments standing in my name, namely,—

In sub-clause (1) in the first proviso, in line 2, for the word "two" substitute the word "five".

In sub-clause (1), in the second proviso, in line 4, for the words "at any time", substitute the words "five years".

This amendment seeks to relieve any hardship that may be caused to the ryot when the assessment is made on him two years after the construction, expansion or alteration of the work. I want to substitute 'two' for the word 'five'. From our experience of the Tungabhadra Project, Lower Bhavani Project, etc., we know that it is difficult for people to go and resume cultivation of the land and get the benefit of the irrigation project within two years after the construction of the work. This is not possible. People have not yet taken up cultivation in the Tungabhadra Project area even though the construction of the project was over a year or two ago. I am perfectly sure that in the course of another year people will be induced to go and take to cultivation. Still I would not be surprised if it takes another two or three years for people to go and settle on land. Unfortunately agriculture is an industry. It requires capital, skill, agricultural labour, etc. Facilities should be available on the spot. People are not quite ready to take to cultivation. They take some time. Large capital has to be invested. Only after investing lot of money, they will get yield. Only after they get good yield all the processes of estimating the increase of yield, etc., can arise. I think, therefore, the period of five years is a very reasonable period. After all the Government are going to recover the betterment contribution. They can as well recover after five years and not after two years. If, at the end of five years, it is proved that the ryots have been benefited, the levy can be made. The levy can be revised also if necessary. That is why, Sir, I say that a period of five years should be allowed."

The amendments were duly seconded.

MR. CHAIRMAN:—"Amendments moved—

In sub-clause (1), in the first proviso, in line 2, for the word "two" substitute the word "five".

In sub-clause (1), in the second proviso, in line 4, for the words "at any time", substitute the words "five years".

* SRI K. BHASHYAM:—"Sir, there will be difficulty in accepting the amendments. The work has been completed and water is taken out by any person for bringing his land under cultivation. Two years is a sufficient period. Five years is too long a period. Are the Government to wait for such a long period after spending large sums of money on these projects? I am not speaking as a cultivator now but as one having contributed to the benefits of the cultivators. The Government must get back their money as much as possible and early too. Therefore, 'two years' is quite sufficient."

[Sri K. Bhashyam]

[17th February 1955]

"Sir, clause 12 says, 'If, in the opinion of the Government, the enforcement or strict enforcement of all or any of the provisions of this Act will cause hardship in any case or cases . . . to impose'. Under this clause, if a period of two years is not sufficient, I do not think it will be difficult for the Government to extend the period further."

* THE HON. SRI M. A. MANICKAVELU NAICKER :—"Sir, I am glad the hon. Member behind me has put forth the case very clearly and I do not want to add anything more to what he has said, except to refer to his remark that the suggestions given by hon. Members of this House were not taken note of by the Government. Sir, I submit that I have respect for the views and remarks made by the eminent and indefatigable lawyer Members of this House. They put forth their case forcefully and correctly also. I have been giving the reasons why the Government were not in a position to accept certain amendments to certain clauses. Then there is the other aspect, viz., that amendments when carried here have to be taken back to the other House for getting passed there also. These are some of the difficulties experienced by us. So, let not hon. Members go with the impression that because we are not accepting their amendments, the Government want to treat them lightly. It is not so, Sir. We treat them with due regard."

MR. CHAIRMAN :—"The question is—

'In sub-clause (1) in the first proviso, in line 2, for the word "two", substitute the word "five".'

The amendment was lost.

MR. CHAIRMAN :—"The question is—

'In sub-clause (1) in the second proviso, in line 4, for the words "at any time", substitute the words "five years".'

The amendment was lost.

Clause 6 was put and carried.

Clause 7.

MR. CHAIRMAN :—"Motion moved—

'That clause 7 do stand part of the Bill'."

SRI K. BALASUBRAMANYA AYYAR :—"Sir, I move the amendments standing in my name, namely,—

'In sub-clause (1) in line 2, for the word "twenty" substitute the word "thirty".'

In sub-clause (2) in line 2, for the words "six per cent", substitute the words "three per cent".'

Add the following proviso to sub-clause (2) :—

"Provided that the landlord or other person has not paid the instalment on the due date for reason beyond his control, which may be proved to the satisfaction of the officer authorized under the Bill to collect the contribution."

Sir, I want that the word 'thirty' may be inserted in the place of the word 'twenty' occurring in sub-clause (1) of clause 7. Let

17th February 1955]

[Sri K. Balasubramanya Ayyar]

me explain the reason for this amendment. When a major irrigation project is executed, there is an increase in the water rate. The figures that I have collected from the statement of a ryot in respect of the Lower Bhavani Project area show that the water rate there is Rs. 20 per acre in the case of paddy, Rs. 15 per acre in the case of cotton and Rs. 7-8-0 per acre in the case of millets. There is the land revenue surcharge also. On account of the increased yield, the agriculturists have to pay an increased land revenue. Moreover, they have to pay certain cesses covered by separate enactments. Over and above all these, they have to pay this betterment contribution of Rs. 200, 300 or 400 as the case may be. Taking all these factors into consideration I suggest that the contribution may be made payable by the landholder in thirty annual instalments. Thirty years is a well-known period in revenue parlance. Take the case of settlement operations and other things. In all these cases, a period of thirty years has been fixed. Our ancestors were not unwise people. They had taken every aspect of the matter into consideration while fixing the period as thirty years. So, we can also with advantage copy their example and put it as thirty years instead of twenty years. As the landholders have to pay this betterment contribution over and above the water rate, usual land revenue, surcharge and other cesses, they will be put to a lot of difficulties. It is only to minimise their suffering and difficulty, I have suggested that the period of recovery may be spread over thirty years. If this is accepted, it may be that the Government may get a larger amount according to sub-clause (2) which prescribes a penalty of 6 per cent interest on the arrears of instalments of the contribution. Sir, I think that the Government will have absolutely no difficulty in recovering the arrears in thirty years. The Government have always a hold on the landholders and it will be very easy for them to collect the amounts due to them. So, the period of thirty years is nothing. The Government may very well accept the amendment."

DR. A. LAKSHMANASWAMI MUDALIYAR :—"I second the amendments, Sir."

MR. CHAIRMAN :—"Amendments moved—

'In sub-clause (1), in line 2, for the words "twenty", substitute the word "thirty".'

In sub-clause (2), in line 2, for the words "six per cent", substitute the words "three per cent".'

Add the following proviso to sub-clause (2) :—

"Provided that the landlord or other person has not paid the instalment on the due date for reason beyond his control, which may be proved to the satisfaction of the officer authorized under the Bill to collect the contribution."

[17th February 1955]

* THE HON. SRI M. A. MANICKAVELU NAICKER :—“ Sir, reference was made to water rates. Water rate is different. It is charged for the supply of water to the agriculturists. The cost of baling out water from a well or taking out water through pump-sets is very great indeed. Compared to this cost, the water rate of Rs. 20, Rs. 15 or Rs. 7-8-0 mentioned by Sri Balasubramania Ayyar is considerably less. I do not think the people grudge to pay this water rate, especially when they get an assured supply of water. So, that is a different question which has nothing to do with the Bill under consideration. Betterment contribution is something different. The Government want to have a share in the increased value of the land which might have benefited consequent on the seluthal ‘பங்கு செலுத்தல்’ as it is called in Tamil. The Government were instrumental in starting certain irrigation works by spending considerable sums of money. This has benefited quite a lot of landholders as the value of their lands has increased to an appreciable extent. In such cases, the Government want to take a share in the increased value of the land. To quote an expression used in plantations the Government want to ‘plough back’ the money that they get from the betterment levy for providing better facilities and amenities for the people. So, I do not see any reason for increasing the number of instalments to thirty. The period of twenty years itself is a long one. If we make it thirty years, it will be hopeless. Even as it is, I do not know whether the Government will be able to get a return of one or even half a per cent. For instance, take the Malampuzha Project which cost the Government about Rs. 4½ crores. It is expected to give a return of 0.47 per cent. The same is the case in regard to the Walayar Project and other works that we have started in Krishnagiri and Sattanur. On all these works we have been spending quite a lot of money, but we expect to get a return of only half or even quarter per cent from them. Now, the hon. Members, I believe, will understand that the Government are not out to make money. They have undertaken these projects only with a view to increasing the production of food. Only when there is increased production the people will be above want in regard to food and clothing and be happy and contented. This is the idea of the Government and not to make money.”

* SRI K. BALASUBRAMANYA AYYAR :—“ Sir, I would like to know whether the Government have taken all the factors into consideration. Can the Government guarantee assured water-supply throughout the year? Suppose there was no rain and suppose there was continuous drought for five or six years as we had in the recent past. What will happen? The Government can, if they so think, collect this betterment contribution in one lump sum. Nothing prevents them from doing it. But they have prescribed that the contribution will be payable by a landholder in twenty annual instalments. Why is it that they have prescribed this period of twenty years? It is with a view to minimising the agriculturists' hardships that this provision has been made. I only want that the

17th February 1955] [Sri K. Balasubramanya Ayyar]

same principle may be extended a little further and the instalments may be increased to 30. As I pointed out, there is the seasonal difficulty which will be experienced by the agriculturists. After all, the success of any irrigation project depends upon the will of the Almighty God. If the monsoons fail for a continuous period, any number of irrigation projects cannot help the agriculturists. This fact should not be lost sight of. Taking all these points into consideration, I suggest that the number of instalments may be raised to 30.”

The amendments were put and lost.

Clause 7 was put and carried.

Clauses 8 to 14.

* SRI K. BHASHYAM :—“ Sir, according to clause 11, when a landholder whose case is not covered by clause 10, pays the contribution or an instalment thereof, he has got to recover the amount from the person who occupies the land. If this person was a tenant, the landholder will be entitled to recover from him the instalment of contribution only in case the tenant was liable to deliver to the landholder a share of the produce. The amount that can be recovered from such a tenant should bear to the total amount of the instalment the same proportion as the tenants' share of the produce bears to the total produce of the land. This is the position according to clause 11. Are the Government going to encourage persons to make voluntary payment? Suppose somebody trespasses into the land and occupies it. What will be the position? Cases of mortgage are covered by clause 10. I can understand that. But with regard to clause 11, the position has not been made clear. Who are the persons that the Government have in view so far as clause 11 is concerned? Is it the trespasser? Is it the person who has committed trespass and forcibly acquired the land? Who are the persons you have got in view in clause 11? If the landholder is liable to pay notwithstanding he is not the owner, then clause 10 deals with his case with regard to reimbursement. In clause 11, who are the persons you have in view? Clause 9 deals with mortgages and clause 10 deals with cases where the patta is in the name of one person and possession vests in another. I am afraid, Sir, such an ambiguous provision will only help persons committing trespass on land.”

5.30
p.m.

* THE HON. SRI M. A. MANICKAVELU NAICKER :—“ Sir, clause 10 is meant to meet, among other things, the special conditions created on account of the Malabar Tenancy Act. Clause 11 says—

“Where a landholder whose case is not covered by section 10 . . .

[Sri M. A. Manickavelu Naicker] [17th February 1955]

That is, it excepts cases coming under the Malabar Tenancy Act. Then it goes on—

... and who has paid an instalment of contribution under this Act is not the occupier of the land, he shall in the absence of a contract to the contrary, be entitled to recover the amount of such instalment from the person who is in actual occupation of the land.

Here, the person to whom we look for contribution is called the landholder. There are cases where the landholder is not the occupier or the cultivator of the land. He has given the land to some other man to cultivate. Suppose the landholder is not in touch with the land and yet pays the contribution. To enable him to collect the money he has contributed from the man who is actually cultivating the land and who is actually benefited by the new supply or assured supply of water, this clause has to be there. The benefit of the project is enjoyed by him in the form of increased production. The landholder who is sitting somewhere else and pays the contribution should be entitled to get it back from the person who is really benefited."

Clauses 8 to 14 were put and carried.

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 Irrigation (Levy of Betterment Contribution) Bill, 1954 (L.A. Bill No. 26 of 1954), as passed by the Assembly, be passed.'"

* SRI T. PURUSHOTHAM :—" Sir, there can be no doubt that there has been valuable discussion in this House on this Bill and that the House has made a very valuable contribution towards the smooth working of this measure. The Hon. the Minister for Revenue has given several assurances, definite assurances that the Bill will not apply to maintenance works, raising of bunds and construction of weirs and so on. He has also told us that in the matter of maintenance of and repairs to existing works, the provisions of the Bill will not apply. He has given an assurance that suitable officials will be appointed for working the Act. I hope he will see to it that experienced Revenue officials are posted for this work. I wish to add that the Government should bear all these definite assurances in mind and lay down clear rules and issue clear departmental instructions so as to ensure proper working of the legislative measure that we are now passing."

* SRI K. BALASUBRAMANYA AYYAR :—" Sir, the suggestion made by the hon. Member, Mr. Bhashyam, that an Irrigation Board consisting of high officials of Government, very much experienced in settlement matters with a judicial officer—say a District Judge—at its head will offer a very good guarantee of seeing that the Government 'in their opinion' come to correct conclusions on questions whether lands actually benefit from an irrigation project or not. It is indeed a very good suggestion and it

17th February 1955] [Sri K. Balasubramanya Ayyar]

can be considered favourably by the Government for the easy and smooth working of the Act. Such a Board will do much better work than many other tribunals appointed by the Government. By the phrase 'in their opinion', the Government are taking upon themselves a very special responsibility. They cannot delegate this responsibility to anybody else. It is not possible. It is illegal to delegate it and say: 'My officer has said so and, therefore, I am of opinion . . .'. The Minister should be in a position to say, 'I am advised properly by an independent body I have set up consisting of very experienced men including a judge on these matters.' Then the whole scheme can be worked to greater satisfaction of all ryots. There are several irrigation works to be taken up under the Second Five-Year Plan involving huge sums of money, the expenditure running to several crores of rupees. The law that we make to-day is not for a year. It is a permanent law made for hundred of years. It will remain for centuries and therefore it is that I commend this principle to the acceptance of the Government."

SRI MOHAMED RAZA KHAN :—" Sir, I am also happy that valuable suggestions were made here but valuable suggestions are not generally accepted. That has been our fate for the last two years and it will continue to be so as long as we remain in this House. While one may congratulate the Hon. the Minister on getting this Bill through, I for my part do feel and maintain that the Government were not properly advised by the departmental men in this matter. The whole procedure with regard to the calculation of the increased value of land is so cumbersome that it will only lead to this. The Government will depute their extra Deputy Collectors and other revenue officials for the job and they will visit the places with all their paraphernalia and enjoy good rest there. Ultimately, we will find that what the Government get by way of contribution is less than the amount expected by the Government. It is possible that the Government will spend more money on the staff than what they may get. Let not the Minister feel sorry he has committed a mistake. He has committed a mistake and every one, for that matter, commits mistakes. Let him, before it is too late, devise a rational procedure by which the Government can get the contribution without any undue hardship on the part of the landholders."

THE HON. SRI M. A. MANICKAVELU NAICKER :—" Sir, I sincerely thank hon. Members for their useful remarks and suggestions. Mr. Raza Khan said that valuable suggestions were made but not accepted. At least in this case, his remarks are premature (laughter) for he must wait and see whether the suggestions are accepted or not.

"As for an advisory body, the Government have now started with a Regional Advisory Committee which was not in the original Bill. As the Act begins to work, we shall see what can be done

[Sri M. A. Manickavelu Naicker] [17th February 1955]

further. Though I have had my own way in getting the Bill through here without any amendment, yet it does not mean that the suggestions made by hon. Members will not have any bearing on issues to be settled by the Government in this regard.

5.40 p.m. "Certainly I would take into account what all they have said. I say the Government is anxious to see that there is no injustice done. We want to work this as justly as possible so that the ryots need not be unnecessarily hit. It is hardly necessary for me to remind hon. Members that ours is a Welfare State. It is not a Police State of olden days. In a Welfare State, the primary object is to benefit the people. That is what we are trying to do. I may assure hon. Members that Government will work this Act in the right way and any small adjustment that could be made will be done when the rules are framed and if any major change is found necessary, Government will not hesitate to bring in an amending Bill."

MR. CHAIRMAN :—" The question is—

' That the Madras Irrigation (Levy of Betterment Contribution) Bill, 1954 (L.A. Bill No. 26 of 1954), as passed by the Assembly, be passed.' "

The motion was put and carried and the Bill was passed.

MR. CHAIRMAN :—" The House will now adjourn and meet again at 3 p.m. on the 21st instant."

The House then adjourned.

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

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

The South Kanara Cultivating Tenants Protection (Amendment) Bill, 1955 (L.A. Bill No. 3 of 1955).

17th February 1955]

APPENDIX I.

[Vide answer to starred question No. 147 asked by Sri M. Ethirajulu at the meeting of the Legislative Council held on 17th February 1955, page 856 supra.]

(a) *Qualifications prescribed for the post of Assistant Commercial Tax Officer.*—(1) *Transfer from the Madras Ministerial Service or Madras Secretariat Service.*—

(i) *Service qualification.*—(a) *Clerk in the Madras Ministerial Service.*—Service of not less than eight years in all including a minimum service of two years in the Commercial Taxes department, or in one of the Commercial Taxes sections of the office of the Board of Revenue.

(b) *Superintendent in the Madras Ministerial Service.*—Service for a total period of not less than two years out of a continuous period of three years in one of the Commercial Taxes sections of the office of the Board of Revenue.

(c) *Clerks in the Secretariat Service.*—Service of not less than eight years in all including a minimum service of two years as upper division clerk dealing with the subject of commercial taxes in the Revenue Secretariat.

(ii) *Qualifications regarding examinations and tests.*—Must have passed the following examinations and tests :—

(a) A pass or diploma in the Accountancy Examination conducted by the Institute of Chartered Accountants or a pass in the Government Technical Examination in Book-keeping by the lower grade or any equivalent examination prescribed in that behalf, by the State Government.

(b) The Account Test for Subordinate Officers, Part I.

(c) A test in the provisions of the Madras General Sales Tax Act, 1939, and such other Commercial Taxes Acts as have been specified by the State Government or the Board of Revenue from time to time and the rules framed thereunder.

(d) A pass in the second-class language test (full test either Tamil or Telugu).

[NOTE.—Other things being equal, preference shall be given to graduates. Among graduates preference shall be given first to those who possess a degree in Commerce and Law, secondly to those who possess a degree in Commerce and thirdly to those who possess a degree in Law.]

(iii) *Age qualification.*—No person shall be eligible to have his name included in the list of approved candidates for appointment by transfer as Assistant Commercial Tax Officer if he has completed

[17th February 1955]

or will complete the age of 40 years, on the 1st day of July of the year in which the report to the Board of Revenue about his fitness for such inclusion becomes due, or for appointment as Assistant Commercial Tax Officer by transfer if he has completed the age of 43 years.

(2) *Direct recruitment (before recruitment).*—(a) Must possess the degree of B.A., B.Sc., or B. Com. of University in the State, preference being given first to candidates who possess a degree in Commerce and Law, secondly to those who possess a degree in Commerce, and thirdly, to those who possess a degree in Law.

(b) *Age qualification.*—No person shall be eligible for appointment as Assistant Commercial Tax Officer by direct recruitment if he has completed or will complete the age of 23 years on the 1st day of July of the year in which the selection for appointment is made and in case he holds a degree in Law of a University in the State at the age of 25 years on that date.

(b) & (c) *Exemptions granted—*

Name.	Age at the time of selection.	Qualification.	Reasons for relaxations.
(1)	(2)	(3)	(4)
1951—			
1 Sri A. Soma-sundaram.	Forty-four years, three months and twenty-two days.	S.S.L.C., Revenue Tests, Parts I, II, III and Account Test 2 parts.	On the basis of his good record, he was considered fit for the inclusion in the list of Assistant Commercial Tax Officers.
1952—			
2 Sri P. Veera Reddy.	Forty-three years, eight months and twenty days.	Inter. (B.A. Part II), Revenue Test, Part II and Survey Training.	His record of work was good.
1953—			
3 Sri M. Subba Rao.	Forty-three years.	S.S.L.C.	He was the senior most clerk in the department and his record of work was good. There was also a paucity of good officers.
4 Sri K. Meena-kahisundaram.	Thirty-seven years, seven months and eight days.	B.A., Commercial Taxes Department Test, Account Test, Parts I and II, Book-keeping (Lower grade) Revenue Tests, Parts I, II and III, Criminal Judicial Test, Parts I and II.	Only 4½ months short of the required period of service as a clerk dealing with Commercial Taxes subjects in the Revenue Secretariat. Possesses a fair knowledge of Commercial Taxes Acts and Rules.
5 Sri G. Shan-mugam.	Forty-six years, four months and twenty-nine days.	.. ..	Long service and good record.

17th February 1955]

Name.	Age at the time of selection.	Qualification.	Reasons for relaxation.
(1)	(2)	(3)	(4)
1953—cont.			
6 Sri A. Subramaniam.	.. ..	.. ..	Particulars not available as the connected papers have been transferred to Andhra State.
1954—			
7 Sri G. Shaik Hamad.	Thirty-four years, months six and six days.	S.S.L.C., Commercial Taxes Departmental Test.	Latest reports about him were good.
8 Sri K. T. Vijayaraghavan.	Forty-one years.	Total service 19 years. B.A., Revenue Accounts, Criminal Judicial, R.I. Training, T.W. (L.). Has worked as Deputy Tahsildar for over 2 years.	All these three who were working as Superintendents in the office of the Board of Revenue (Land Revenue) were reverted as clerks for want of vacancies consequent on the separation of the Andhra State. Hence rules were relaxed to absorb them as Assistant Commercial Tax Officers.
9 Sri D. S. P. Jones.	Forty years	Total service 17 years. Revenue Accounts, R.I. Training, Special training in weights and measures, T.W. (L.), worked as Superintendent, Board of Revenue (Land Revenue) from 28th January 1952 to 30th September 1952.	Do.
10 Sri S. Raja-gopalan.	Thirty-nine years.	Total service 16 years. B.A., Revenue Accounts, Criminal Judicial, R.I. Training. Worked as Superintendent, Board of Revenue (Land Revenue) from 22nd February 1952. Included in the approved list of Deputy Tahsildars.	Do.

[17th February 1955]

Name. (1)	Age at the time of selection. (2)	Qualification. (3)	Reasons for relaxation. (4)
1954—cont. 11 Sri A. P. Daniel.	More than forty years.	Non-graduate ..	(Items 10-15)—In view of their long service in the Civil Supplies Department and the impending abolition of the posts of Assis- tant Rationing Officers, rules were relaxed to absorb them as Assistant Commercial Tax Officers.
12 Sri K. Nagappan	Less than forty years.	Do. ..	Do.
13 Sri C. H. Daniel.	More than forty years.	Do. ..	Do.
14 Sri K. Saranga- pani Rao.	Do.	Graduate ..	Do.
15 Sri T. M. Ram- ayya Pillai.	Do.	Do. ..	Do.
16 Sri S. Thomas.	Below forty years.	B.A., B.Com. (London).	In view of his good service as Assistant Rationing Officer and the impending abolition of the posts of Assistant Ration- ing Officers, rules were relaxed.
17 Sri S. P. Chu- dappa Raju.	Thirty-six years.	B.A. ..	Do.
18 Sri O. M. Nata- rajan.	Thirty-seven years.	Non-graduate ..	In view of his out- standing record of work and in view of the impending abolition of the Civil Supplies Department.
19 Sri N. S. Venu- gopal Naidu.	Forty-seven years and ten months.	Non-graduate. Revenue Test, Accounts Test and Sales Tax Test.	Long service, experi- ence and recent good record.

17th February 1955]

APPENDIX II.

[Vide item II (1), page 857 supra.]

L.A. BILL No. 3 OF 1955.

(As passed by the Assembly)

A Bill to amend the South Kanara Cultivating Tenants Protection Act, 1954.

WHEREAS it is expedient to amend the South Kanara Cultivating Tenants Protection Act, 1954 (Madras Act VI of 1954), for the purpose hereinafter appearing;

BE it enacted in the Sixth Year of the Republic of India as follows:—

1. *Short title.*—This Act may be called the South Kanara Cultivating Tenants Protection (Amendment) Act, 1955.

2. *Amendment of section 1, Madras Act VI of 1954.*—In section 1, sub-section (3), of the South Kanara Cultivating Tenants' Protection Act, 1954 (Madras Act VI of 1954), for the words "shall be in force for a year", the words "shall be in force for two years" shall be substituted.

THE MADRAS LEGISLATIVE COUNCIL.

Monday, the 21st February 1955.

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

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

MR. CHAIRMAN :—“ I am taking up question No. 168 first as the Hon. the Minister for Local Administration has to leave the House early.”

Provincialization of the services of Municipal Commissioners.

* 168 Q.—SRI V. V. RAMASWAMI: Will the Hon. the Minister for Local Administration be pleased to state—

(a) whether there is any proposal to provincialize the services of the municipal commissioners; and

(b) if so, when it will be given effect to?

THE HON. SRI S. S. RAMASWAMI PADAYATCHI :—“ (a) Yes, Sir.

“ (b) Necessary action to amend section 12-C of the Madras District Municipalities Act, 1920 (Madras Act V of 1920), to enable the Government to constitute a Government service for the post of municipal commissioners is being taken. After the Act is amended, the question of fixing a date for giving effect to the constitution of the service will be taken up.”

SRI T. PURUSHOTHAM :—“ Sir, has not the majority of the municipal councils signified their assent to the provincialization of the posts of municipal commissioners? ”

THE HON. SRI S. S. RAMASWAMI PADAYATCHI :—“ Yes, Sir.”

* SRI V. V. RAMASWAMI :—“ இந்த மாதிரி மாகாண ரீதியிலே இந்தச் சிப்பந்திகளை பட்டியலில் கொண்டுவந்துவிட்டால் சுகாதார அதிகாரிகளுக்கு மூன்றில் ஒரு பங்கும், என்ஜினியர்களுக்கு இரண்டில் ஒரு பங்கும் கொடுப்பது போல் கமிஷனர்களின் சம்பளத்தைப் பூராவும் சர்க்கார் கொடுப்பார்களா? அல்லது அந்தந்த நகராட்சி மன்றங்கள்தான் கொடுக்க வேண்டுமா? ”

THE HON. SRI S. S. RAMASWAMI PADAYATCHI :—“ That aspect also will be considered.”

SRI MOHAMED RAZA KHAN :—“ Sir, what is the answer to the main question? ”

THE HON. SRI C. SUBRAMANIAM :—“ ‘ Yes ’, Sir.”

[21st February 1955]

SRI T. PURUSHOTHAM :—“ May I ask, Sir, what has become of the Rathnasabapathi Mudaliyar Municipalities Reorganisation Committee reports, whether we are going to have a comprehensive amending Bill covering all the recommendations of that Committee or is the Bill promised by the Hon. Minister one regarding municipal commissioners only? ”

THE HON. SRI S. S. RAMASWAMI PADAYATCHI :—“ This has nothing to do with the main question, Sir. ”

Supply of oil engines and electric motor pumping-sets.

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

(a) the number of applications pending with the Agriculture department for the supply of oil engines and electric motor pumping-sets as on 1st November 1954 and the reasons for not supplying the same;

(b) whether all these pending applications will be fully complied with according to the target fixed under the Five-Year Plan; and

(c) whether any additional financial assistance has been offered by the Planning Commission from the Special Development Fund and, if so, why the same has not been utilized to comply with these pending applications?

THE HON. SRI M. BHAKTAVATSALAM :—

“ (a) Oil engines	1,960
Electric motors	37

The reasons for not supplying the sets to the above pending applicants are—

(1) non-inclusion of other established types of indigenous makes of oil engines which are popular with the ryots of this State such as Ruston, Textool, Packo, etc., in the rate contract list;

(2) the engines supplied under the rate contract are direct coupled, with pumps on the same base plate which are not normally required by the agriculturists; and

(3) the pumps which are popular in this State such as P.S.C., Vijya and D.P.F. are not included in the rate contract.

“ (b) If all the popular makes of oil engines and pumps that are generally required by the ryots are included in the approved list and if the Government of India sanction the loans necessary, it may be possible to comply fully with the pending applications.

“ (c) No. ”

SRI T. PURUSHOTHAM :—“ What steps do the Government propose to take to include in the list the popular types and also to comply with all the pending applications? ”

[21st February 1955]

THE HON. SRI M. BHAKTAVATSALAM :—“ The Government have already addressed the Government of India that this rate contract list system might be abolished so that the ryots may be free to purchase any engines they want. We expect that the Government of India would agree not to enforce this restriction. But even if the Government of India would not agree to remove the rate contract system, we have already addressed them that all the other types of engines which are popular with the ryots must also be included in the rate contract list, and we expect that that will be done. ”

SRI K. BHASHYAM :—“ If the ryots themselves are made to buy these oil engines, will the Government be prepared to help them with financial assistance as in other cases? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ Here the assistance is given from out of the funds that are made available by the Government of India. The Government of India have been insisting that only the types of engines and pumpsets that are included in the rate contract list should be purchased. Aid is being given to the ryots in accordance with this. ”

SRI T. PURUSHOTHAM :—“ May not loans be granted direct instead of the Government arranging to purchase and supply pumpsets to the ryots? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ I do not understand what the hon. Member means exactly by sanctioning loans direct. If it is only giving cash to the ryots, the ryots may not use the loan that they get for the purchase of engines, and they may dispose it of for some other urgent purpose of theirs. ”

SRI K. BHASHYAM :—“ Sir, is not a restriction placed on the ryots on the purchase of engines? When there is no freedom of purchase, why not the Government give the ryots assistance? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ Yes, Sir. The Government did impose this restriction on some principle, namely, certain engines that are approved by their technical advisers should be purchased by the ryots for which the Government of India would give their financial aid. ”

Beggar problem in Mahabalipuram.

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

(a) what steps have been taken by the Government to tackle the beggar problem in Mahabalipuram in Chingleput district; and

(b) whether a police station has been provided in that place?

[21st February 1955]

THE HON. SRI C. SUBRAMANIAM :—“(a) The beat police constables and other police officers on duty at Mahabalipuram take all precautionary measures to control the beggar nuisance at Mahabalipuram.

“(b) The Government have sanctioned the opening of a police outpost in that place.”

SRI T. PURUSHOTHAM :—“May I know, Sir, whether the Government have taken steps or do they propose to take any steps at all to extend the provisions of the Town Nuisance Act to Mahabalipuram?”

THE HON. SRI C. SUBRAMANIAM :—“By merely extending the Act this problem cannot be solved. It is an all pervasive problem which has to be tackled in a particular way. But as far as Mahabalipuram is concerned, we are taking steps to remove this nuisance, because this place is visited by a large number of foreigners. Therefore, we have to see that this beggar nuisance is not there. We are just now opening an outpost police station there. I hope that would improve matters.”

SRI T. PURUSHOTHAM :—“Sir, may I know whether the police outpost at Mahabalipuram has been opened only as a temporary arrangement or whether it will be made permanent?”

THE HON. SRI C. SUBRAMANIAM :—“Yes, Sir. If it is found necessary, it will be made permanent.”

SRI K. BHASHYAM :—“Sir, is it not possible by executive action to exclude all beggars from inside Mahabalipuram area for the present?”

THE HON. C. SUBRAMANIAM :—“We cannot throw a cordon for this purpose and exclude beggars entering Mahabalipuram. The problem has to be tackled slowly, and I am sure with the police station there, perhaps it may be possible at the most to control it.”

SRI V. V. RAMASWAMI :—“மஹாபலிபுரம் மட்டுமின்றி மற்ற எல்லா முக்கியமான கோயில்கள் உள்ள இடங்களிலெல்லாம் பிச்சைக்காரர்களின் தொல்லை அதிகரித்து வருவதால், அதைத் தடுப்பதற்கு சர்க்கார் ஏதாவது நடவடிக்கை எடுப்பார்களா?”

THE HON. SRI C. SUBRAMANIAM :—“கோயிலுக்குப் போகிறவர்கள், இந்தப் பிச்சைக்காரர்களுக்கு தர்மம் கொடுத்து புண்ணியம் சம்பாதிக்கலாம் என்று நினைப்பதால்தான், கோயில்களுக்கு முன்னால் பிச்சைக்காரர்கள் இருக்கிறார்கள்.” (சிரிப்பு.)

SRI T. PURUSHOTHAM :—“Have the Government taken any steps to investigate the types of beggars that throng at Mahabalipuram and would they institute an enquiry if they have not already done so?”

[21st February 1955]

THE HON. SRI C. SUBRAMANIAM :—“I do not think that any useful purpose will be served by such an enquiry. What-ever be the type of beggars—nuisance type or thieving type—they have to be excluded.”

SRI G. KRISHNAMOORTHY :—“Sir, will the Government ever consider the possibility of issuing free food rations to abate this nuisance?”

THE HON. SRI C. SUBRAMANIAM :—“It is very easily said, but the financial commitment will be enormous.”

SRI V. V. RAMASWAMI :—“இம்மாதிரி கோயில்களிலே கொடிய நோய்வாய்ப்பட்ட பிச்சைக்காரர்கள் ஏராளமாக நம்முன்னால் காட்சியளிக்கிறார்களே அதைத் தடுப்பதற்கு அரசாங்கம் முன் வருமா?”

3-10 P.M.

THE HON. SRI C. SUBRAMANIAM :—“இந்தக் காட்சியைப் பார்த்து பலபேருடைய மனம் இரங்குவதினால் சில பிச்சைக்காரர்கள் அந்த மாதிரிவேஷம் போடுகிறார்கள்.”

DR. V. K. JOHN :—“Will the Government be prepared to formulate a comprehensive plan to solve the beggar problem in the State?”

THE HON. SRI C. SUBRAMANIAM :—“It is a national problem, and that is what we are attempting to solve. The co-operation of the hon. Member also is required in this matter, Sir.”

SRI A. GAJAPATHY NAYAGAR :—“கனம் மந்திரி அவர்கள் ‘மஹாபலிபுரம்’ என்று சொன்னார்கள். இது சரியான பெயர் அல்ல. ‘மாமல்லபுரம்’ என்பதுதான் சரியான பெயர். ஆகவே இதை ‘மாமல்லபுரம்’ என்று மாற்றுவார்களா?”

THE HON. SRI C. SUBRAMANIAM :—“பெயர்களை மாற்றுவதினால் இன்னும் கஷ்டம் அதிகமாகுமே தவிர, அதனால் பிரச்சனை எதுவும் தீர்ந்துவிடப்போவதில்லை. ஊரின் பெயர், ஆரின் பெயர் இவற்றை மாற்றுவதால் என்ன பிரயோஜனம்?” (சிரிப்பு.)

SRI A. GAJAPATHY NAYAGAR :—“சரித்திர ரீதியாக பார்த்தாலும் மாமல்லன் என்று ஒரு அரசர் இருந்ததாகச் சொல்லப்படுகிறது. ஆகவே, மாமல்லபுரம் என்பதுதான் பொருத்தமான பெயராகும். பொருளற்ற பெயரைவிட சரியான பெயரை வைப்பது அரசாங்கத்தின் கடமையல்லவா?”

THE HON. SRI C. SUBRAMANIAM :—“இப்பொழுது பெயரை ‘மாமல்லபுரம்’ என்று மாற்றுவதாயிருந்தால் அதைப்பற்றி ஒவ்வொருவருக்கும் விளக்கிச் சொல்லவேண்டியிருக்கும்.”

SRI MOHAMED RAZA KHAN :—“Is it not possible that some of the beggars might be going to Mahabalipuram not so much for begging as for the purpose of sight seeing and appreciating the architectural beauties?”

THE HON. SRI C. SUBRAMANIAM :—“Beggars also are entitled to this kind of recreation.”

[21st February 1955]

Government contribution for the publication of the Tamil Lexicon.

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

(a) whether any contribution has been given by Government to the University of Madras for the publication of the 'Tamil Lexicon';

(b) whether the University of Madras has undertaken to issue a revised edition of the 'Tamil Lexicon' and if so, whether the Government have sanctioned any grant to the University of Madras for the above purpose; and

(c) what steps the Government have taken to ensure correction of the inaccuracies in the original issue of the 'Tamil Lexicon'?

THE HON. SRI C. SUBRAMANIAM:—“(a) A sum of Rs. 1 lakh was sanctioned to the University by Government in the year 1912 as grant for the publication of the Lexicon.

“(b) There is at present no proposal to revise the Lexicon. The University propose to consider the question of revision of Lexicon after the reprinting of certain parts of the Lexicon is finished. There is no proposal to sanction any grant.

“(c) The University will take steps to rectify the inaccuracies that have been brought to notice when the Lexicon is revised.”

SRI T. PURUSHOTHAM:—“Are the Government aware that there are certain glaring mistakes in the current edition of the Tamil Lexicon? As the Hon. the Minister for Finance has just now said that there is a proposal to reprint it, will the Government take up the matter with the University authorities and see that the mistakes are rectified? As an instance, may I refer to a glaring mistake, viz., ‘தமிழர்’ is described to mean ‘தமிளர்’ (Tamiiller) in the ‘Tamil Lexicon’.”

THE HON. SRI C. SUBRAMANIAM:—“I would invite the attention of the hon. Member to my answer to clause (c) of the main question.”

DR. V. K. JOHN:—“Are the Government aware that Mr. A. V. Raman has now edited an up-to-date Tamil Lexicon?”

THE HON. SRI C. SUBRAMANIAM:—“That does not arise out of this question. Anyway, I may inform the hon. Member that I am aware of that.”

SRI MOHAMED RAZA KHAN:—“Is it not a fact that a Committee with a President has been appointed for the purpose of compiling this Lexicon and if so, may I know the name of the President?”

THE HON. C. SUBRAMANIAM:—“It is only a committee which compiled this work, Sir.”

[21st February 1955]

SRI T. M. DAIVASIKHAMANI ACHARIAR:—“Are the Government subsidizing the concise Tamil Lexicon said to be under preparation by the Madras University?”

THE HON. SRI C. SUBRAMANIAM:—“I am not aware of any such proposal. I have already given the information that I have in my possession.”

Abolition of the First-class Bench Court at Cuddalore N.T.

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

(a) whether the First-class Bench Court at Cuddalore N.T. has been abolished; and

(b) if so, why?

THE HON. SRI C. SUBRAMANIAM:—“(a) & (b) The First-class Bench Court at Cuddalore N.T. was reconstituted as a second-class Bench Court in accordance with the revised policy of the Government (that Bench Courts need not generally be invested with first-class powers) and accepting the recommendation of the High Court and the District Officers.”

SRI M. ETHIRAJULU:—“இந்தப் பெஞ்சுக் கோர்ட்டுகளிலிருந்து சர்க்காருக்கு ஏதாவது வருமானம் கிடைக்கிறதா? அப்படியானால் ஒரு வருடத்தில் வரக்கூடியது எவ்வளவு?”

THE HON. SRI C. SUBRAMANIAM:—“சர்க்காருக்கு இதனால் வருமானம் கிடைக்காது. ஆனால் செலவுதான் உண்டு.”

SRI M. ETHIRAJULU:—“ஒரு வருடத்தில் சர்க்காருக்கு ரூ. 8,000 வருமானம் கிடைக்கிறது என்று சொல்லுகிறார்களே அது உண்மையா என்று கேட்கிறேன்.”

THE HON. SRI C. SUBRAMANIAM:—“I have not got figures with me. Perhaps some amount may be realized by way of fines, but I do not think that can be classified as income.”

SRI M. ETHIRAJULU:—“இம்மாதிரி பெஞ்சு கோர்ட்டுகளுக்கு மது விலக்கு கேஸ்களையும் விசாரிக்கும்படி செய்வதற்கு அரசாங்கம் யோசனை செய்யுமா?”

THE HON. SRI C. SUBRAMANIAM:—“I do not think those cases should be left to the Bench Courts.”

SRI A. M. ALLAPICHAJ:—“Are the Government aware that the Magistrates of the Bench Courts and the Honorary Magistrates are not qualified in law and are ordinary laymen. To entrust them with such work will be dangerous.”

(There was no answer.)

SRI T. PURUSHOTHAM:—“I think the Balakrishna Iyer Committee went into this matter. May I know what was the considered opinion of that Committee with regard to entrusting Bench Courts with first-class powers?”

THE HON. SRI C. SUBRAMANIAM:—“I want notice, Sir.”

[21st February 1955]

Proposals for development of tourist centres all over the country.

* 155 Q.—SRI V. V. RAMASWAMI: Will the Hon. the Minister for Finance and Education be pleased to state—

(a) whether it is a fact that at a conference of State representatives and Union Ministers which concluded on 20th December 1954 a short-term plan was drawn up for the development of over 40 tourist centres all over the country;

(b) if so, who the representatives of the Madras State at that conference were; and

(c) what the centres are in the Madras State that have been included in that plan?

THE HON. SRI C. SUBRAMANIAM:—“(a) Yes.

“(b) The Director of Information and Publicity represented the State Government.

“(c) Rameswaram, Tanjore, Kancheepuram, Mahabalipuram and Madurai.”

SRI T. PURUSHOTHAM:—“May I know why Courtallam has not been included in the list? Will the State Government recommend to the Central Government the names of all the important tourist centres in this State which should be developed?”

THE HON. SRI C. SUBRAMANIAM:—“These names have been included in the First Five-Year Plan to be taken up immediately. For the purpose of inclusion in the Second Five-Year Plan, the State Governments have been asked to send their recommendations and also to suggest further names.”

SRI V. V. RAMASWAMI:—“இரண்டாவது ஐந்தாண்டுத் திட்டம் தயாரிக்கும் பொழுதாவது குற்றாலத்தைச் சேர்த்துக்கொள்ளும்படி நமது சர்க்கார் மத்திய அரசாங்கத்துக்கு சிபாரிசு செய்வார்களா?”

THE HON. SRI C. SUBRAMANIAM:—“அதைப்பற்றி இந்த அரசாங்கம் கட்டாயம் ஆலோசனை செய்யும்.”

DR. V. K. JOHN:—“May I know whether the name of Kodai-kanal is in the list?”

THE HON. SRI C. SUBRAMANIAM:—“When the hon. Deputy Leader of the Opposition resides there, I don't think Government's interference is necessary to develop that place.”

SRI V. V. RAMASWAMI:—“இந்தமாதிரி முக்கியமான இடங்களுக்கு அபிவிருத்திக்கான செலவு தொகையை மத்திய சர்க்கார் கொடுக்கிறார்களா? அல்லது நமது சர்க்காரேதான் செலவு செய்துகொள்ள வேண்டுமா? அல்லது மத்திய சர்க்கார் ஏதாவது ஈவு தொகை கொடுக்கிறார்களா?”

[21st February 1955]

THE HON. SRI C. SUBRAMANIAM:—“இப்பொழுது ஏற்படக்கூடிய செலவை மத்திய சர்க்கார்தான் கொடுக்கிறார்கள். ஆனால் இது அதிகமான தொகையல்ல. இன்னும் அதிகமான இடங்களை எடுத்துக் கொள்ள வேண்டுமென்று சொல்லும்போது அதை எப்படி தீர்மானம் செய்கிறார்கள் என்று இப்போது சொல்ல முடியாது.”

Amaravathi Reservoir and Walayar Projects.

* 156 Q.—SRI T. PURUSHOTHAM: Will the Hon. the Minister for Public Works be pleased to lay on the table of the House a statement showing—

(a) (1) the details of progress made in the execution of the Amaravathi Reservoir and Walayar Projects, the amounts sanctioned for each of the works and the taluks and acreage the schemes are estimated to benefit; and

(2) the details of establishments sanctioned for each of the works and the amenities provided at project sites for the convenience of labourers employed at the two places;

(b) the extent of wet lands likely to be submerged under water on account of the above projects;

(c) whether Government poramboke and reserve forest lands are available in those areas; and

(d) whether the schemes under execution provide for generation of power and if not, why not?

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI:—“A statement* is placed on the table of the House.”

SRI T. PURUSHOTHAM:—“In view of the Hon. Minister's answer to clause (b), may I know whether compensation will be paid to the owners of submerged lands?”

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI:—“Yes, Sir.”

SRI T. PURUSHOTHAM:—“May I know what steps have been taken by the Government to rehabilitate the displaced and dispossessed persons in the project area and whether poramboke or reserve forest lands will be assigned to them?”

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI:—“That question is engaging the attention of the Chief Engineer, Sir.”

Issue of liquor permits on the basis of the applicant's income.

* 157 Q.—SRI T. PURUSHOTHAM: Will the Hon. the Minister for Religious Endowments and Transport be pleased to state—

(a) whether liquor permits are issued on the basis of the applicant's income; and

* Printed as Appendix on pages 941-944 infra.

[21st February 1955]

(b) if so, the groups into which they have been classified according to their income for this purpose and the quantity of liquor prescribed for issue to the several groups?

THE HON. SRI B. PARAMESWARAN :—“(a) The answer is in the affirmative.

“(b) As a general rule, the quantities of liquor allowed to Indians on the basis of their monthly income are as follows :—

Rs. 500 to Rs. 1,000—One unit per mensem.

Rs. 1,000 to Rs. 2,000—Two units per mensem.

Above Rs. 2,000—Four units per mensem.

Permits to Indians with an income below Rs. 500 per mensem will be granted only in special circumstances. Unless special grounds are made out for higher quantities the quantity will be restricted only to 2 units even in the case of applicants with a monthly income of over Rs. 2,000. One unit represents one quart bottle of whisky or other spirits including liquors or three quart bottles of wine or vermouth or twelve quart bottles of beer or cider.”

SRI T. PURUSHOTHAM :—“Is it a fact that the licensed quantity is being gradually reduced every time the licence holder comes forward with an application for renewal of the licence? What is the rationale behind this arrangement?”

THE HON. SRI B. PARAMESWARAN :—“The quantity that we reduce is half a unit. Except in special cases we generally follow this rule.”

SRI T. PURUSHOTHAM :—“Have the Government examined the implications of the specific provisions of Article 46 of the Constitution? How are the Government justified in cutting down the dosage prescribed by medical authorities in the medical certificates issued by them?”

THE HON. SRI B. PARAMESWARAN :—“At times doctors prescribe 4 units and even 8 units for a particular person. But the Government reserve the right to sanction the quantity which they think is necessary.”

3-20 p.m. SRI V. CHAKKARAI CHETTY :—“May I know why the income of a person is taken into consideration for supplying liquor? Does it mean that those who are getting high incomes are in need of liquor and that those who are not getting high incomes do not need it?”

THE HON. SRI C. SUBRAMANIAM :—“They can afford to waste a little more than others. Even if they get sick because of alcohol, they can get themselves treated by doctors by paying high fees.”

SRI V. V. RAMASWAMI :—“இந்தமாதிரி அனும்பி கொடுக்கப்படுவது ஒவ்வொரு ஆண்டும் கூடி வருகிறதா அல்லது குறைந்து வருகிறதா என்பதை கனம் மந்திரி அவர்கள் தெரிவிக்க முடியுமா?”

THE HON. SRI B. PARAMESWARAN :—“Notice.”

[21st February 1955]

SRI MOHAMED RAZA KHAN :—“What is the position of the Members of the Assembly and the Council? (Laughter.) Their salary is only 150 rupees officially and how much liquor will they get?”

THE HON. SRI B. PARAMESWARAN :—“If any Member applies for alcohol then I will answer that question.”

Number of motor vehicles used in the Prohibition Department in South Arcot district.

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

(a) the number of vehicles (motors, lorries and jeeps) that are now in use in the Prohibition Department in South Arcot district; and

(b) how many of them are not in working condition and for how long they are kept idle?

THE HON. SRI B. PARAMESWARAN :—“(a) There are at present 3 vans and 3 jeeps in South Arcot district.

“(b) All the vans and jeeps are now in running condition except one jeep No. MDF. 811 which is off the road since 3rd January 1955 for want of certain minor repairs.”

SRI T. PURUSHOTHAM :—“If it is unserviceable, may I know why action has not been taken to auction it?”

THE HON. SRI B. PARAMESWARAN :—“The vehicle in question has been declared out of order only recently, that is, on 3rd January 1955. Action is being taken.”

Shooting of Tamilians in the Travancore-Cochin State.

* 159 Q.—SRI A. GAJAPATHY NAYAGAR : Will the Hon. the Chief Minister be pleased to state how many Tamilians have taken refuge in the Madras State as a result of the shooting of Tamilians in the Travancore-Cochin State?

THE HON. SRI M. BHAKTAVATSALAM (on behalf of the Hon. the Chief Minister) :—“It is not possible to give accurate figures.”

SRI A. GAJAPATHY NAYAGAR :—“I do not want accurate figures, because it is not possible to give accurate figures. I want rough figures.”

THE HON. SRI M. BHAKTAVATSALAM :—“Government do not believe in giving rough figures. I do not have correct figures.”

SRI A. GAJAPATHY NAYAGAR :—“Were not the Government made aware of the fact last year that people were fleeing from the Travancore-Cochin State on account of shooting by the Police? Was not the news published in papers?”

[21st February 1955]

THE HON. SRI M. BHAKTAVATSALAM :—" Government have no data about it."

SRI A. GAJAPATHY NAYAGAR :—" But the Government were made aware of the fact that there was panic in that State and that, therefore, Tamils from that State were fleeing."

THE HON. SRI M. BHAKTAVATSALAM :—" Panic was in another State and not in this State. Therefore, Government did not get any data about it."

SRI A. GAJAPATHY NAYAGAR :—" I referred to the panic in that State as a result of which people were leaving that State."

THE HON. SRI M. BHAKTAVATSALAM :—" Yes. That was so. But Government did not think it necessary to collect figures as to how many people had come over to this State from there."

SRI K. BHASHYAM :—" In view of the serious situation created in the Travancore-Cochin State as a result of which many people left it, will the Government take a census of people who have come over here just to know the seriousness of the position over there? "

THE HON. SRI M. BHAKTAVATSALAM :—" That was only a temporary phase and I do think that the situation must be considerably improving now. Therefore, I do not think it is advisable to pursue this matter."

SRI K. BHASHYAM :—" How does the Hon. Minister expect improvement to take place? "

THE HON. SRI M. BHAKTAVATSALAM :—" A new Ministry has been constituted in the State of Travancore-Cochin and, therefore, I do expect a change in the situation."

Number of vehicles used by the Police Department in South Arcot district.

* 160 Q.—SRI M. ETHIRAJULU : Will the Hon. the Chief Minister be pleased to state—

(a) the number of vehicles (motors, lorries and jeeps) that are now in use in the Police Department in South Arcot district; and

(b) how many of them are not in working condition and for how long they are kept idle? "

[21st February 1955]

THE HON. SRI M. BHAKTAVATSALAM (on behalf of the Hon. the Chief Minister) :—" (a) Number of vehicles sanctioned for use in the district is 15 as stated below :—

Lorries	...	...	...	...	...	8
Jeeps	...	...	...	...	...	2
Land rover	...	...	...	...	...	1
Solo motor cycles	...	...	...	...	...	3
Motor cycle combination	...	...	...	...	...	1
						—
						15
						—

" (b) One motor cycle and two lorries have not been in working condition since 5th November 1954, 7th November 1954 and 8th December 1954, respectively."

Dean of the Madras General Hospital.

* 161 Q.—DR. A. SREENIVASAN : Will the Hon. the Minister for Health be pleased to state—

(a) whether the present Dean of the Madras General Hospital is an Andhra;

(b) when he retired from the Madras Medical Service;

(c) how long he has been functioning as the Dean of the Madras General Hospital; and

(d) whether there is any proposal to extend his services by another year?

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

" (b) 22nd August 1951.

" (c) From 10th March 1952.

" (d) This matter will be considered in due course."

DR. A. SREENIVASAN :—" Is it a fact that the Medical Board before whom he appeared just before his re-employment as Dean said that he was physically unfit for the job? "

THE HON. SRI A. B. SHETTY :—" I am not aware of that, Sir. If he was not physically fit, he would not have been re-employed."

DR. A. SREENIVASAN :—" May I request the Hon. Minister to peruse the report of the Medical Board in which it would be found that he was supposed to have suffered from cataract, high blood pressure"

MR. CHAIRMAN :—" Was the hon. Member on the Medical Board? "

DR. A. SREENIVASAN :—" I was not on the Board."

MR. CHAIRMAN :—" The report is confidential. How does he know anything about it? "

[21st February 1955]

DR. A. SREENIVASAN :—" The rumour is that is what the records have said."

SRI T. PURUSHOTHAM :—" May I know why this particular official was not allotted and transferred to the Andhra State when it was formed? "

THE HON. SRI A. B. SHETTY :—" He had been re-employed after retirement at that time."

SRI MOHAMED RAZA KHAN :—" For how many years has he been re-employed as such and on what terms of service? "

THE HON. SRI A. B. SHETTY :—" He is re-employed for a year at a time."

SRI T. PURUSHOTHAM :—" When does the period of his present service end? "

THE HON. SRI A. B. SHETTY :—" On 10th March 1955."

Starting of a short-term B.T. course in the South Kanara district.

* 162 Q.—SRI G. KRISHNAMOORTHY: Will the Hon. the Minister for Finance and Education be pleased to state whether there is any proposal to start a short-term B.T. course in the South Kanara district?

THE HON. SRI C. SUBRAMANIAM :—" No, Sir."

SRI G. KRISHNAMOORTHY :—" Is it a fact that some secondary grade trained graduate teachers from South Kanara were refused admission in July 1952 to the short-term B.T. course in Saidapet on the ground that their second language was Kannada and not Tamil? "

THE HON. SRI C. SUBRAMANIAM :—" A specific question may be put because the supplementary relates to the year 1952."

SRI G. KRISHNAMOORTHY :—" As the short-term B.T. course is conducted only at Saidapet and as persons who take as second language Kannada and Malayalam also are seeking admission to it, will the Government see to it that at least ten out of the forty seats available there are reserved for such people? "

THE HON. SRI C. SUBRAMANIAM :—" We cannot reserve but certainly persons coming from South Kanara will be provided for in the matter of admission."

SRI G. KRISHNAMOORTHY :—" May I request the Government to look into the matter and see whether admissions were really refused in 1952 to persons from South Kanara on the ground that their second language was not Tamil? "

[21st February 1955]

THE HON. SRI C. SUBRAMANIAM :—" No useful purpose will be served by making an enquiry with reference to 1952. I do not think there has been any refusal of admission in subsequent years. At any rate, they will be provided for in future."

SRI G. KRISHNAMOORTHY :—" Have the Government any figures to show how many persons from South Kanara have been admitted in years subsequent to 1952? "

THE HON. SRI C. SUBRAMANIAM :—" From the facts given to me, I find there have been a few admissions from South Kanara also."

Evasion of sales tax in South Arcot district.

* 163 Q.—SRI M. ETHIRAJULU: Will the Hon. the Minister for Land Revenue be pleased to state—

(a) the number of cases in which evasion of sales tax was detected during the years 1952-53 and 1953-54 in the South Arcot district;

(b) the action taken in such cases; and

(c) the total collection of sales tax in the South Arcot district during the above period? "

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

1952-53	...	...	...	...	153
1953-54	...	...	...	...	206

" (b) In the case of suppression of turnover, the turnover was enhanced suitably. Penal action was also taken under section 15 (a) of the Madras General Sales Tax Act, 1939, against the dealers for the breach of section 13 of the Act.

" (c)

					RS.
1952-53	...	...	...	...	29,20,324
1953-54	...	...	...	...	27,97,065."

Import of rotary paper reels for the Madras Government Press in 1953 and 1954.

* 164 Q.—SRI T. PURUSHOTHAM: Will the Hon. the Minister for Public Works be pleased to state—

(a) whether any rotary paper reels were imported for the use of the Madras Government Press, during the years 1953 and 1954, and if so, how much in each year;

(b) whether any of those reels were unsized ones not suitable to the rotary and if so, the quantity so found unsized and the reasons for importing the same;

(c) whether the unsized reels if any were returned to the suppliers or whether they were cut to the size suitable for the rotary in the press and if they were cut, the wastage of paper caused thereby and why they were not returned to the suppliers; and

(d) the financial loss to Government sustained by the above

[21st February 1955]

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI :—“(a) No, Sir.

“(b) to (d) Do not arise.”

Issue of notification by Government under section 1 (4) of the Electricity (Supply Act) Act LIV of 1948 (Central Act).

* 165 Q.—SRI V. GURUNANDAN ROW : Will the Hon. the Minister for Public Works be pleased to state—

(a) whether the Government have issued any notification under section 1 (4) of the Electricity (Supply Act) Act LIV of 1948 (Central Act);

(b) if not, whether the Government have asked for extension of time for the issue of the above notification;

(c) whether extension of time has been granted by the Government of India, and if so, to what period; and

(d) whether the Government have taken any decision in regard to the issue of the above notification?

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI :—“(a) The answer is in the negative.

“(b) The question does not arise as this Government are of the view that no State Electricity Board as envisaged under the Electricity (Supply) Act, 1948, is desirable or necessary for this State in the present position of development of generation and distribution of electrical energy in this State and representation has accordingly been made to the Government of India.

“(c) Yes, up to the 31st March 1955.

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

SRI V. GURUNANDAN ROW :—“May I know whether the fact that in the Electricity (Supply) Act, there is a provision that profits earned should be disposed of by the Board and should not go into the general revenues, has anything to do with the decision of the Government not to establish a Board?”

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI :—“That is not the point. The question, however, is an elaborate question. We have just now made representation to the Central Government. If the hon. Member wants a very detailed reply to this question, I would request him to wait till the Budget is presented when I will be making a very clear statement of our position.”

SRI V. GURUNANDAN ROW :—“Is it a fact that there was recently a conference when the Hon. Minister at the Centre requested all States to establish Boards immediately?”

[21st February 1955]

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI :—“They called our representatives to a conference and we have made our representation—that is, not to establish Boards in the present state of development of electricity in our State. Our representatives—including my Secretary—are yet to return. As soon as they return, I will know the position.”

SRI V. GURUNANDAN ROW :—“Has the establishment of an Electricity Council under the Act, which allows a representative of the electricity labour in that Council to advise them, anything to do with the Government's decision not to have this Board in this State?” 3-30 p.m.

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI :—“That has nothing to do with our decision. Once the question of establishment of the Board is decided, then all these questions may be taken up.”

SRI T. PURUSHOTHAM :—“In view of the admittedly remarkable progress made in this State in the matter of generation and development of electricity, will the Government consult the Legislature before taking any step to institute a fifth wheel in the coach in the shape of a State Electricity Board?”

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI :—“Yes, if we are driven to the necessity of having one, naturally we will be coming forward to the Legislature.”

Transfer of Prohibition work to the Police department.

* 166 Q.—SRI T. PURUSHOTHAM : Will the Hon. the Minister for Religious Endowments and Transport be pleased to state—

(a) whether the Prohibition department has been abolished with the transfer of Prohibition work in all the districts to the Police department;

(b) what arrangements have been made for issue of licences and permits under the Madras Prohibition Act, consequent on such transfer;

(c) whether the enforcement staff under the Prohibition department has been disbanded and if so, the detailed orders issued for disposition of the staff employed on such work hitherto; and

(d) whether all the incumbents referred to in clause (c) above have been reabsorbed and if so, how and whether any of them and if so, how many have been thrown out?

THE HON. SRI B. PARAMESWARAN :—“(a) The Excise and Prohibition department has not been abolished. Only a portion of its work, viz., the work of enforcement of prohibition in the eight districts previously in charge of this department has been transferred to the Police Department with effect from 3rd January 1955.

[21st February 1955]

(b) The Board of Revenue (Excise) will be in charge of all the residuary work connected with prohibition, including issue of licences and permits under the Madras Prohibition Act, in all the districts.

(c) & (d) The sanctioned staff, both permanent and temporary, employed in the Excise and Prohibition department has been divided between the Board of Revenue (Excise) for residuary work and the Inspector-General of Police for enforcement work. No portion of the staff has been disbanded nor any incumbents thrown out of service."

SRI T. PURUSHOTHAM :—" May I know whether Government have explored the possibilities of retrenchment of officers and staff by the transfer of this work to the Police department and if so, with what result? "

THE HON. SRI B. PARAMESWARAN :—" We expect a detailed report from the Special Officer who has been entrusted to go into that question. As soon as that report is received, we will think of considering the suggestion made by the hon. Member."

SRI MOHAMED RAZA KHAN :—" Will such of the members of the Prohibition staff who have been transferred to the Police department be put always on the job of detecting prohibition offences or will they be absorbed in the regular Police force? "

THE HON. SRI B. PARAMESWARAN :—" It is too early to say anything on that matter."

DR. V. K. JOHN :—" May I know when the report is due? "

THE HON. SRI B. PARAMESWARAN :—" The report is to be submitted before the end of February."

Town bus service in municipalities.

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

(a) the names of the municipalities in South Arcot district where town bus service exists;

(b) the number of town service buses running in each municipality; and

(c) the basis on which the stopping places of such buses are fixed?

THE HON. SRI B. PARAMESWARAN :—" (a) Cuddalore and Chidambaram.

(b) Cuddalore—7 (seven).

Chidambaram—3 (three).

[21st February 1955]

" (c) Stopping places are fixed at stage points and also in between stages, if necessary, according to the needs of the travelling public, each stage as far as possible, approximating to a mile."

SRI G. KRISHNAMOORTHY :—" Do Government insist on the construction of pavements and dust-proofing of roads before giving permission to municipalities to introduce town buses? "

THE HON. SRI B. PARAMESWARAN :—" It all depends upon the income of the municipality, Sir."

SRI G. KRISHNAMOORTHY :—" In view of the fact that many accidents have arisen because of non-construction of pavements and the town becomes unhealthy for want of dust-proof roads, will the Government as a policy insist on municipalities to construct these things before licence for town buses is given? "

THE HON. SRI B. PARAMESWARAN :—" I do not think it will be possible to insist on that condition. But wherever it is possible, the Government will think of implementing the suggestion made by the hon. Member."

Applications for aid for water-supply improvement schemes from the Chingleput and Tiruvallur Municipalities.

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

(a) whether any applications have been received by the Government from the Chingleput and Tiruvallur Municipalities for aid from the Central Government allotment for their water-supply improvement schemes;

(b) if so, the estimated cost of each of the two schemes referred to above; and

(c) whether the schemes have been included in the list of schemes for aid by way of loan or grant from the Central Government allotment in the Five-year Plan and when they will be taken up for execution?

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

(b) The schemes have not yet been designed, and the information is not therefore available.

(c) The answer is in the negative. The schemes for these municipalities will be taken up when their turn comes up in the priority list.

Since the supply of this answer, I have received information that for the Chingleput Water-supply Improvement Schemes, the plans and estimates are nearing completion, and that the cost will be approximately Rs. 4 lakhs. The scheme is proposed to be included in the supplementary list of the accelerated programme of water-supply."

[21st February 1955]

Government hospitals in the South Arcot district.

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

(a) the number of Government hospitals in the South Arcot district;

(b) the amount sanctioned for medicines during the years 1952-53 and 1953-54 to the District Headquarters Hospital, Cuddalore, South Arcot district; and

(c) whether the Government intend increasing that amount?

THE HON. SRI A. B. SHETTY :—“(a) Six, Sir.

“(b) Every year a consolidated amount is placed at the disposal of the District Medical Officer for expenditure on the purchase of medicines required for all the Government medical institutions in the district. No amount is, therefore, specifically sanctioned for medicines required for use in the District Headquarters Hospital, Cuddalore. An expenditure of Rs. 82,951 in 1952-53 and of Rs. 78,399 in 1953-54 has been incurred on the purchase of medicines for use in the hospital.

“(c) The amount allotted for the purchase of medicines has been found adequate and hence there is no need to increase it.”

SRI M. ETHIRAJULU :—“May I know whether the medicines and food supplied to the Headquarters Hospital are intended only to 160 in-patients or a greater number of in-patients?”

THE HON. SRI A. B. SHETTY :—“If there are more patients, more food and medicines will be made available.”

SRI M. ETHIRAJULU :—“May I know whether the Hon. the Minister for Health has received any telegram from the Kandanangalam hospital in South Arcot district protesting against the closure of that hospital? If so, may I know what action Government have taken on that?”

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

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

II.—GOVERNMENT RESOLUTION UNDER ARTICLE 252 OF THE CONSTITUTION OF INDIA.

* THE HON. SRI M. BHAKTAVATSALAM :—“Sir, I move—

“Whereas Parliament has passed the Estate Duty Act, 1953 (Central Act XXXIV of 1953) and Whereas it is desirable that Estate Duty in respect of agricultural land also should be regulated in the State of Madras by that Act;

Now Therefore, in pursuance of Article 250 of the Constitution of India this Council resolves that the Act aforesaid be

21st February 1955] [Sri M. Bhaktavatsalam]

adopted in the State of Madras and shall apply to matters which fall within entry 48 in List II (State List) of the Seventh Schedule to the Constitution of India.

Sir, Estate duty is a levy on the principal value of all property, settled or not settled, which passes on the death of a person to his heirs or successors-in-law. Under Article 269 of the Constitution of India, estate duty in respect of property other than agricultural land has to be levied and collected by the Government of India and assigned to the States. Under item 48 of List II in the Seventh Schedule to the Constitution, the State Legislature has got the power to legislate in regard to estate duty in respect of agricultural land. Under Article 252 of the Constitution, if it appears to the Legislatures of two or more States to be desirable that any of the matters with respect to which Parliament has no power to make laws for the States except as provided in Articles 249 and 250 should be regulated in such States by Parliament by law, and if the resolutions to that effect are passed by all the Houses of the Legislatures of those States, it shall be lawful for Parliament to pass an Act for regulating that matter accordingly, and any Act so passed shall apply to such States and to any other State by which it is adopted afterwards by resolution passed in that behalf by the House or, where there are two Houses, by each of the Houses of the Legislature of that State. Parliament has passed the Estate Duty Act, 1953 (Central Act XXXIV of 1953), providing for the levy of estate duty on property including agricultural land, and it has come into force with effect from 15th October 1953. The object of this resolution is that this State must have the benefit of estate duty on agricultural land under this Act. The Legislatures of certain other States had already passed resolutions that the levy of estate duty in respect of agricultural land in those States be regulated by the Central Estate Duty Act. Under section 5 (2) of the Act, the Central Government may, by notification in the official gazette, add the names of any other States to this schedule in respect whereof resolutions have been passed by the Legislatures of those States under Article 252 of the Constitution adopting the Estate Duty Act, 1953, in respect of estate duty on agricultural land in those States. When the provisions of this Act were under the consideration of the Government of India, they suggested to the States that if they would agree to include agricultural land in the proposed Bill, the Houses of the Legislature of the States might approve of it, and intimate their decision to the Government of India so that in the proposed Bill, these States might be included in the Schedule for the purpose of levy of the estate duty on agricultural land. This State considered the suggestion, Sir, and the Government came to the Legislature with a proposal that this Government might agree to the inclusion of agricultural land for a period of five years. A resolution was moved in the previous House and was discussed. But several Members including the present Leader of the Opposition, strongly opposed the idea of a legislature committing itself to a certain measure before actually knowing what

3.40
p.m.

[Sri M. Bhaktavatsalam] [21st February 1955]

were to be the provisions of the Act that was to be passed in Parliament. Consequently, Sir, the Government withdrew the resolution from the House. Now that it has been passed into an Act, and it has been in operation since October 1953, the Government are proposing this resolution so that the Madras State might be included in the Schedule, which would mean that on both the Houses of the Legislature accepting this resolution, estate duty will be levied on agricultural land in this State also. I may tell the House that this State will be benefited greatly on account of the revenue that would be derived by the levy on agricultural land in this State. I would, therefore, commend this resolution for the acceptance of this House."

MR. CHAIRMAN :—" Motion moved—

'Whereas Parliament has passed the Estate Duty Act, 1953 (Central Act XXXIV of 1953) and whereas it is desirable that estate duty in respect of agricultural land also should be regulated in the State of Madras by that Act;

Now Therefore, in pursuance of Article 252 of the Constitution of India this Council resolves that the Act aforesaid be adopted in the State of Madras and shall apply to matters which fall within entry 48 in List II (State List) of the Seventh Schedule to the Constitution of India.' "

* SRI K. BALASUBRAMANYA AYYAR :—" Sir, may I know, if the resolution is passed, whether they will issue another notification fixing a date or whether the Act will come into force immediately."

THE HON. SRI M. BHAKTAVATSALAM :—" Of course, a notification has to be issued. I expect that the duty will be leviable from the 1st April of this year."

* SRI G. KRISHNAMOORTHY :—" Sir, I beg to oppose this resolution. The object of the estate duty levy is to level down the very rich classes to the classes that may be called rich. If this resolution were to be implemented by our State Government, naturally the middle classes will be affected to a very great extent. The limit fixed in the case of succession to joint family property is Rs. 50,000. Even Rs. 50,001 will be liable to this levy. In the case of other property, the limit is just a lakh of rupees. Even if it is Rs. 1,00,001, the levy will be made. If agricultural lands are to be included, naturally the middle class men owning 10 acres will come under the operation of this levy. Under the Estate Duty Act all movables, perhaps excluding the funeral expenses of a thousand rupees, all cash, jewels and everything—even the ordinary utensils of the house—valued at the market rate at the time of the death of the person should be taken into consideration. Even if a house had been built for Rs. 5,000 and if the market value thereof has risen by four times, the value of the house will be fixed at Rs. 20,000. Many middle class people would have constructed houses or brought lands in 1937 and 1938 taking advantage of the low prices. If this resolution is to be implemented,

[21st February 1955] [Sri G. Krishnamoorthi]

and if the law is to come into force from 1st April 1955, many middle class people will be affected. The framers of the Estate Duty Act intended that the very rich classes should be levelled down to the rich classes. Even considering the socialistic point of view, we do not want the very rich to live by the side of very poor people. Our object is to level down the very rich to the rich. When property goes on to many people by succession, the level would have come down, and there would not be in existence the very rich class. It is not the intention to reduce the middle class to the poor class. When that is the case, and when there is no guarantee that the Government are going to utilize the proceeds to the betterment of the downtrodden, there is no use of bringing the agricultural lands under the purview of this Act and passing a resolution to this effect. This would ultimately affect the middle class people. With these words, I oppose the resolution."

* SRI K. BALASUBRAMANYA AYYAR :—" Sir, the Hon. the Mover of the Resolution said that at the time when the Estate Duty Bill was on the anvil of the Parliament, the Legislature in Madras considered that Bill and said that they would wait for some time after the Estate Duty Bill was passed. Now we are in a much worse position than before. On account of the various further levies—land revenue surcharge and other charges—and on account of the fact that certain land reform proposals are proposed to be brought forward, for example, fixing of a ceiling to landholdings, etc., the market value of agricultural lands is going down. Agricultural industry will not be of any benefit to the agriculturists. It may be of some benefit to persons who own money and property in towns and who own lands also in the districts. But those who are entirely dependent on agriculture, I do not think, will be able to benefit by agriculture as a profession and industry. When that is the case, is it right to apply the Estate Duty Act at the present time to agricultural lands in our State? Is it not better to wait till after all the land reforms are settled and the question of agricultural economy is settled? If that is done, we will be in a better position to know exactly the situation in our country regarding agriculture as an economic proposition. Before that, it is rather premature on our part to apply this Estate Duty Act to agricultural lands in our State at the present time. It was feared at the time when the Bill was being discussed in Parliament by many people that this might accelerate the fragmentation of holdings, because Rs. 50,000 was the limit fixed. It is natural that people tried to divide their holdings much earlier than the death of the person (the owner of lands) so that they might not be liable to pay Estate Duty. In anticipation of fixing ceilings, fragmentation has taken place to some extent. In Tanjore district, I know, fragmentation of holdings goes on to such an extent that it is feared that even under the Five-Year Plan all that fragmentation will not receive any benefit. But, unfortunately up till now land census has not been taken. So, it has been found to be difficult to fix exactly the

[Sri K. Balasubramanya Ayyar] [21st February 1955]

economic unit in our country. At present, we do not have any idea as to the extent of a holding which may be considered as an economic unit for an individual family of agriculturist. At this juncture, when land reforms have not yet taken place, when we have not yet fixed what constitutes an economic unit in our country and when land reform proposals are in the air, if we introduce this resolution and make the provisions of the Estate Duty Act applicable to agricultural lands also, I am sure it will create another uncertainty in the sphere of agriculture and agricultural planning and economy. It will have a serious effect on the agricultural industry as a whole and upon the agricultural production. At present, it is a few districts in Tamilnad like Tanjore, Tiruchirappalli and Tirunelveli which supply rice and other foodgrains to the rest of Tamilnad and also to Malabar. Under these circumstances, may I appeal to the Government to consider whether they can postpone consideration of this resolution for some six months before which time the Government would have taken a decision with regard to the land reform proposals and with regard to the fixing of an economic holding? It is very necessary that we must have full data with regard to all these matters. When we have this data, it will be time enough to consider the applicability of this Act to agricultural lands. Then, we will be in a much better position to know the exact effect of this resolution on agricultural lands. With these words, I once more request the Hon. the Leader of the House to postpone the consideration of this resolution to a future date."

* DR. A. LAKSHMANASWAMI MUDALIYAR :—" Mr. Chairman, the Hon. the Leader of the House, while moving the resolution under consideration, referred to the debate that took place in the last Council on 27th August 1951 when on a motion made by me, the Government for once withdrew that measure and said that they would defer consideration of it. In all my five years' experience in the previous Council, that was the only occasion when a Member sitting opposite to the Treasury Benches had the satisfaction of having his views accepted by the Government. I do not want to go into the details of that debate at present, Sir. Then I made a certain statement which I still feel is quite relevant even now. It is perfectly true that the Estate Duty Bill has been passed into law by Parliament and it now applies to agricultural lands and other properties. But my main point and objection are still there. For instance, suppose a person who owns 50 acres of agricultural land dies, will he have left liquid assets also so that his successor may pay the estate duty in respect of his land? In most cases, I am afraid the successor concerned may have to sell the property inherited by him to pay this estate duty. What measures do the Government propose to adopt in such cases? I wish to emphasize this particular aspect, because agricultural conditions vary from State to State. That is why, the framers of the Constitution have been wise enough to place this particular item in the State List. I would like to congratulate them on their having left at least one item to be dealt with by

21st February 1955] [Dr. A. Lakshmanaswami Mudaliyar]

the State Governments. But, I was surprised when the Government came forward with a proposal to change this arrangement on the basis of uniformity. Sir, we have been discussing nothing but agricultural problems in the last few days. I know definitely that agriculturists are very much agitated. Agriculturists owning both small and big holdings are agitated over this matter. They do not know where they stand. A report has just been published with regard to the manner in which agricultural lands are to be dealt with in future. That report is still awaiting the consideration of the Government. There is a proposal to levy income-tax on agricultural lands. There is also the Debt Relief Bill which is likely to come before the House shortly. We have already passed the Moratorium Bill. As a result of these, the agriculturists are already in a state of great disquietude as to what the future will be. I think Sri Balasubramanya Ayyar was right when he said that the agriculturists were already dividing their holdings into smaller holdings. It may ultimately be the policy of the Government to encourage small holdings. I can very well say that everybody knows that agricultural operations are very difficult. Unless a certain amount of capital can be invested and unless a certain amount of fluid assets are made available to the agriculturists, the agriculturists will find it extremely difficult to carry on their operations. But that apart, I venture to suggest that it would be better for the Government to have all these considerations first dealt with by a Special Committee. Let this Committee investigate the incidence of taxation on agriculturists according to our State Acts and see what will be the result of such measures with regard to those who hold agricultural lands and how far the people concerned will ultimately suffer by measures which are no doubt calculated to bring some increased income for the Government. In this connexion I am only reminded of the old proverb, 'Don't kill the goose that lays the golden eggs'. But, I feel and feel strongly that as a matter of fact the Government are only killing the goose that lays the golden eggs. Sir, the first and foremost point to be kept in mind is increasing agricultural production. Nothing should be done which will have the effect of restricting the agricultural production in any manner or interfering with it in the slightest degree. Whatever enactment we may push through the Legislature should not have the unfortunate result, though it may not be anticipated at the moment, of lowering agricultural production. Agricultural production is not a question concerning agriculturists owning small holdings or big holdings. It is a question of getting food for the people of the country. I know all of us will remember how the people of this State had to suffer in the past five or six years and how this State had to import foodgrains from other States at prohibitive rates. I do not want to go into it and it is not my intention to create any sort of inter-Provincial feeling about it. But, we know this much that those who have had the time to study some of the discussions on the food problems that were initiated session after session in the old days will remember what sort of problems we had to face then. Sir,

[Dr. A. Lakshmanaswami Mudaliyar] [21st February 1955]

I feel that my friend Sri Balasubramanya Ayyar has struck the right note in requesting the Government to withhold this resolution for some time and to appoint a Committee to examine the whole question of agricultural holdings. Let this Committee find out what are the taxes that the agriculturists have to pay at the present time, how much it will be profitable for them to keep lands and how far they will be able to cultivate the lands in the best manner possible. After all is said and done, nobody does anything as a welfare activity without expecting something in return. Human nature being what it is, everybody wants that there must be something in return for everything that he does. Have the Government any figures that can relieve our anxiety in regard to the future of agriculture in this State? Have they studied the problems of agriculture in other States and compared them with those experienced in this State? Is it not a fact that several of the Acts that we have passed are not operative in many other States? If that is so, is it desirable at this stage to pass this measure without further investigation?

"Sir, I feel that there is nothing lost in withholding this measure for some time and appointing a Committee to finalise the intentions of the Government with regard to agricultural holdings and allied matters. I cannot anticipate what the intentions of the Government in this regard are. Anyway, I think it will be better if they come to some final understanding about this subject which has been hanging fire. At one time I thought that the estate duty on agricultural lands, being a subject which has been left under the Constitution for the State to decide, may not be taken into consideration. Now that the Central Government have come into the picture and have decided that agricultural lands should come within the purview of the Estate Duty Act, this resolution has come before the House. However, I feel that there is no particular hurry about it. So, I would certainly endorse the suggestion made by my hon. Friend Sri K. Balasubramanya Ayyar to withhold this resolution for some time."

1. * SRI K. BHASHYAM :—"Mr. Chairman, Sir, before we discuss the resolution before the House, we must know where we stand in respect of this estate duty. The Estate Duty Act has been passed and is in force in this State as in other States. What is happening under this Act now is, in case a person dies leaving behind a large extent of property, his estate's total value is estimated which includes the value of his agricultural land also. But when actually the duty is levied, the estate does not pay any duty on the value of the agricultural land which has been taken into account for purposes of ascertaining the total value of the estate. So, the Estate Duty Act is an Act which is now in force under which duty is payable on the total assets left behind by the deceased which include agricultural land but no duty is payable on the value of these lands which are taken into account only for purposes of ascertaining the total value of the assets. As was pointed

[Sri K. Bhashyam] [21st February 1955]

out by the Leader of the Opposition, in the Constitution it is said that the subject 'agricultural land' is left to the States to be legislated upon and the Central Government are not entitled to do so. The Centre can, however, legislate for purposes of ascertaining the value of the total assets and therefore it is that the value of the agricultural land is also covered by the Act. But none need pay anything on the value of the agricultural land. Now, after this Act has been passed, the State Government have very rightly said that agricultural land also should be included in the Act as property in respect of which the levy has to be paid. That is the position. When we really want this to be done, what I would like to suggest to the Government is, they should bargain with the Central Government that that portion of the estate duty that is levied on agricultural land in this State should be handed over to this State so that the Government can utilize it for their own purposes. There is income-tax which goes to the Central Government. Of course, grants are made from the pool from time to time to this State in respect of various schemes. But, in respect of the duty levied on agricultural land, this State should be made eligible for getting the entire amount so collected in this State. I know the Central Government are already making a number of grants for schemes connected with agricultural operations—for supplying seeds, manures, etc. But this money that we get from agricultural land should be retained in this State so that it may be utilized by the State Government. It should be earmarked for the purpose of improving the position of agriculture and agriculturists. So far as the resolution itself is concerned, I feel that the resolution having been approved by other States as well, we should fall in line with those who really agree that agricultural land should be subjected to the levy of an estate duty. If we say that we stand out, then it is not fair or equity."

DR. V. K. JOHN :—"Not 'all' other States are for it."

* SRI K. BHASHYAM :—"Except two or three, all are for it. Many more States have come in since the Act has been passed."

THE HON. SRI M. BHAKTAVATSALAM :—"Sir, even in the Schedule to the Act, mention is made about the States of Bombay, Madhya Pradesh, the Punjab, Uttar Pradesh and Hyderabad and all Part 'C' States."

* SRI K. BHASHYAM :—"I find that the information is not up to date. There are other States also. Since the passing of the Act two other States have agreed to the principle of the resolution."

DR. V. K. JOHN :—"What other States?"

* SRI K. BHASHYAM :—"I must go to the Secretariat or look up my books to furnish that information. Whatever that is, if we stand out, apart from anything else, we will be doing something

[Sri K. Bhashyam] [21st February 1955]

which the Central Government will not like. Let us not have any sort of misunderstanding with the Central Government in this matter.

"Sir, so far as the duty is concerned, it is really a duty on persons who inherit property of the value of at least Rs. 50,000. So, it does not concern ordinary men at all. It does not concern poor people. It concerns those who have large property. The question of middle-class has unfortunately been dragged in. It is not quite correct to bring in the case of the middle-class here. Of course, there may be some cases of persons owning ten to fifty acres of land with a number of children. That is another matter, because the question of share for each child is to be considered first as we are all governed by the Mitakshara law. But that is not the question here. The question here is whether the Estate Duty Act is to be extended to agricultural land. That is a thing which we must seriously consider and the proposition that I have placed before the Government which should be a necessary corollary to this resolution, will greatly benefit the Government.

"Then, Sir, there is another point. Even the biggest of lawyers cannot really understand what the Act is. Even the Finance Minister who introduced the Bill in the Parliament had to confess that the subject was something like the Kadambari which he read in his student days and which is a very difficult Sanskrit composition in prose. He said that he had adopted the English statute on the subject almost word for word. But in England, Sir, conditions are different. There are a number of persons who are rich. We can understand such a law in England because after the Act was passed, it has been amended from time to time and there are several practitioners in this particular field, just as we have in India several practitioners of income-tax and so on. The subject is highly technical and if one wants to follow our Act, one has to be thorough with the working of the English Act. One must understand the background of the English law also. One must go through the case law on the subject. I have tried my best to understand the subject but I could go through certain portions easily but not through all portions. When such is the case, a layman, I am sure, cannot read and understand it. It will require a special class of persons practising this to enlighten us on this obscure subject. In England and America, there are many rich people and the Act may be all right there. Here it cannot be copied and worked as it is worked there. There, the estate duty will be enormous and will benefit the State much. But in a poor country like ours—especially in the southern States like Madras—persons who can be said to be lakhiers, Lakshathipathis, can be counted. How many rich men are there, it is not difficult to say.

10 m. "After all the money that could be derived from this is only going to be very small. When in course of time the standard of living of our people goes up, this measure could be welcome for

[Sri K. Bhashyam] [21st February 1955]

by then the amount that could be got out of this estate duty will be much, because commensurate with the rise in the standard of living, there will be an increase in the number of rich people. But as things stand at present, by this measure, the amount that could be derived is going to be very small and very little that it is not worth applying the Estate Duty Act to this State in respect of agricultural land. But many States have passed resolutions by which the Estate Duty Act could be applied in respect of agricultural land in their States also. For the sake of uniformity, to be in line with those States, I am not objecting to this resolution. But I once again request that the money that could be got out of this, should be utilized for such purposes as has been mentioned by me earlier."

* SRI T. M. NARAYANASWAMY PILLAI:—"Mr. Chairman, Sir, I listened very carefully to the speech of Mr. Bhashyam. I do not know why after his reasoned arguments against the Act he has chosen to give his assent to the motion moved by the Hon. Leader of the House; the arguments were all against this conclusion. First he said that this was a difficult piece of legislation; even a learned lawyer found it difficult to follow the provisions of the Estate Duty Act. If so the agriculturists are the last persons to be subjected to the penalties of such a cumbersome and difficult enactment. I could understand our applying this Act to people owning houses in big cities, people owning shares in big business and to rich people in cities. But I think it is very unwise to extend this ununderstandable Act to the agriculturists and expose them to its vagaries. If the Hon. Finance Minister at the Centre had said that it was difficult even for him to follow the provisions of the Act, I think it is better he spares and this Government spares the agriculturists from such a catastrophe.

"Next Mr. Bhashyam said that this estate duty was levied in rich countries like the United Kingdom and the United States. There they could get something by way of this taxation. He conceded that our State was not a rich one. It follows that in our State which is poor this estate duty need not be applied. Considering the fact that the Act is difficult to understand and also defective, it is better not to apply it to agricultural lands. When Mr. Bhashyam has said that ours is a poor State and that only in rich countries like the U.K. and the U.S. this estate duty could be levied, I do not understand his support to the motion seeking to levy the estate duty in respect of agricultural land in our State. The reasons urged by him is the desirability of having uniformity (some other States have passed resolutions by which the estate duty in respect of agricultural could be levied in their States); and therefore he said it could be levied in this State also. To enable the Centre to levy estate duty in respect of agricultural land in our State he said that our Constitution has made it obligatory that the State Legislature should pass a resolution to that effect. The Hon. Minister said that Article 48 of the State List, in the Seventh

[Sri T. M. Narayanaswamy Pillai] [21st February 1955]

Schedule to the Constitution relates to 'estate duty in respect of agricultural land', i.e., the State Legislature alone concerned could legislate in respect of that matter. Therefore it is all the more necessary that this House and both Houses of Legislature should apply their minds in detail in regard to a legislation of this kind. We cannot pass this measure without going into the pros and cons of it. Therefore without examination by a committee as to how far the incidence of taxation falls on agriculturists and without a thorough examination of all the issues covered by this legislation, I think we cannot lightheartedly pass this resolution. It is not a simple matter. Therefore, I say that it is rather going against the spirit of the Constitution (I do not say against the letter of the Constitution) to ask us to pass a resolution of this kind without placing before us the necessary data and the necessary information. What is the information which the Government have placed before us before asking us to pass this resolution? Merely saying that two or more States have passed such a resolution and that therefore there is no harm in our passing such a resolution, will not do. I am sorry that enough information has not been given to us. May be some States have passed some such resolution. The Leader of the House said six States have passed such resolutions. But the Deputy Leader of the Opposition has said no State has passed such resolutions. Other States might have passed resolutions and assented to the levy of estate duty in respect of agricultural lands in their States; but we have to go by the merits of the case. Even if the majority of States have passed such resolutions and even though ours may be the only State to oppose such a resolution, we can say in clear terms that we cannot pass such a resolution for definite reasons. There is nothing wrong in doing so.

"Another thing that I have not been able to understand is how agricultural land is at present sought to be included in estimating the value of an estate under the Estate Duty Act passed by Parliament. When it is conceded that Parliament *cannot* pass any law in respect of agricultural land in a State, how could we include the value of 'agricultural land' in our State when estimating the total value of an estate. Estate Duty Act cannot extend to agricultural land in our State. Therefore you cannot take at all into consideration the value of agricultural land in computing the value of an estate under the Estate Duty Act. Item 48 of the State List is specific. The Hon. Leader of the Opposition has now drawn my attention to item 87 of the Union List. It is clearly laid down in item 87 of the Union List, that Parliament can legislate only on 'Estate duty in respect of property *other than* agricultural land.' The wording is so clear. Therefore if we are asked to pay estate duty by taking into account the value of agricultural land also under the Estate Duty Act, it is clearly not legal, because item 87 of the Union List is specific and appear to prohibit such a course. Is the present move a move by this Government, because of their solicitude to the Centre, to make legal what is

21st February 1955] [Sri T. M. Narayanaswamy Pillai]

illegal under the present Estate Duty Act? According to me, the present resolution seeking authority to levy estate duty in respect of agricultural land also should not be agreed to. It is perhaps a move to legalise illegal things. I am not sure of my legal point. But I say this question has got to be considered.

"This State has been paying particular attention to agricultural land. In our State there is no large industry and no other big source of income. Therefore we should be very careful before passing this measure extending the extension of estate duty to our agricultural land. Because of the circumstances prevailing in their States, some States might have passed resolutions welcoming the application of estate duty over their agricultural land. But we have got to think deeply before passing any such resolution. The agricultural industry is our backbone. Let us not comfort ourselves with the thought that it is the rich who will pay estate duty under this Act. It is on those agriculturists the welfare of the society depends. Therefore we should be careful before passing any legislation which would affect their interests deeply. Let us not be carried away by the notion that this estate duty will affect only the rich people. I support the arguments of Mr. Balasubramanya Iyer and Dr. A. Lakshmanaswami Mudaliar and I vote against this motion."

* DR. V. K. JOHN :—"Mr. Chairman, I must express my deep regret that the Government should have brought this motion in so lighthearted a manner. Sir, if there are two States in India, they are Madras and Travancore-Cochin, which are not self-sufficient in food. It may be that this year the purchasing power of the people in Madras State has been reduced to such an extent that they are unable to purchase the food that is raised in the State. But if everybody purchases, we may require many tons of grains. When the purchasing power of the people was high during war time, there was such a scarcity of food that we had to control the distribution of foodstuffs. Travancore-Cochin and Madras, when compared with other States in India, are very poor in production of food. Agriculture is bad in these two States. These should be the last two States in which the estate duty on agriculture land should be levied. Sir, the Government, in their anxiety to get some money either for the Centre or for the State, have introduced many taxation measures, and estate duty itself is taxing the estate of the deceased person. They have introduced many taxation measures and one of them is the Estate Duty Act. I had occasion, when the Bill was published, to go into it thoroughly, and I wrote an article, which was published in the newspapers (though it was not in my name), criticising the Bill which was before Parliament. You will find that the Estate Duty Act has been introduced only in countries where there is liquid cash available to pay on the death of a person holding property. If liquid cash is not available, then the property itself has to be sold. The other day the Chancellor of the Exchequer in Britain regretted that this Estate Duty Act

4-20
p.m.

[Dr. V. K. John] [21st February 1955]

had swallowed up all the ancient estates and manor houses in Britain. But it was too late to regret, because they had not the money in cash to pay estate duty due to the Government. In this country people do not have liquid cash to pay on the death of any individual. Even people with money will try to invest their money on land. They will not keep it in bank. That is our habit. Our habits must change. Therefore the Estate Duty Act itself is a wrong Act, and we do not know what will be the result. The hon. Member Sri Bhashyam is not here now, but he said that this was copied from the British Act. There is one great difference between the British Act and our Estate Duty Act. The British Act provides that if a Controller of Valuation valued the property at a particular figure, and the person concerned did not agree to that valuation, the Treasury is bound to buy that estate. That provision of law is sadly wanting in this Act. There is no provision in the Estate Duty Act here that the Government are bound to buy the estate. Suppose the property is worth only a lakh of rupees and the Controller valued it at Rs. 2 lakhs, then there is the appeal. On a question of law, one can refer the matter to the High Court and the Supreme Court. But we have no such provision here, and that is the one great difference. There is no provision at all that the estate will be taken over at Rs. 2 lakhs by the Government. What will happen when the estate duty is levied on agricultural land? Can you point out one agriculturist in the whole of the estates who keeps liquid cash to pay estate duty? Under Section 67 of the Estate Duty Act, the fine for the non-payment of the estate duty within the time prescribed is double the amount of the duty. The Mover of this Resolution would not tell this House what are the provisions of this Estate Duty Act so that we may consider whether the provisions could really be made equitable. The hon. Member Sri Bhashyam, eminent lawyer as he is, said that he himself could not understand the provisions of the Act. The Members of the House could not understand what provisions of the Estate Duty Act were being attracted by this resolution. The framers of the Constitution thought that this should be left to the legislatures of each State to consider and pass resolutions if legislation for the levy of estate duty on agricultural land was to be imposed in their States. We may have certain peculiarities and certain weaknesses which would necessitate our not coming under the general Estates Duty law passed by Parliament. The Mover of the Resolution lightheartedly moved it saying 'We will get some money out of this'. What will be the result of this taxation in this State? He has not taken into account one fundamental fact. In the United States of America and other advanced countries taxation measures are not to be introduced if they would affect the purchasing power of the public. By direct and indirect taxation, we have taken away everything from the people. The purchasing power of the public has gone down and they have become impoverished. The result is seen in sales tax receipts. Receipts under this head have gone down by crores of rupees. That is because the purchasing power of the people has

21st February 1955] [Dr. V. K. John]

been taken away. Sir, the Government are now talking of fixing ceilings to agricultural holdings. We do not know what is the limit. Why not the Government first of all decide what their proposals regarding agricultural lands are? Let us know what the ceiling is. Before that question is decided, why rush through this resolution? The Government have also been considering the levy of a tax on agricultural income. They have now started with plantations. What the Government's intentions are, we do not know. The Mover of the Resolution would not tell us how many estates there are in this State to which this duty will apply."

THE HON. SRI M. BHAKTAVATSALAM :—" I would like to know from the Deputy Leader of the Opposition whether I am expected also to tell how many people are likely to die each year."

* DR. V. K. JOHN :—" Sir, I know every man has to die some time or other. Therefore it is not necessary to tell me that people will die. But we must know how many people own property, and what will be the estate duty that will be levied. We must have a survey. He has come forward with this resolution, and therefore we must know the amount of duty that is likely to be levied. 'Let us get something out of this Act' should not be the way to deal with this matter. He ought to say what the provisions of this Act are, what its defects are, if any, and why we must go in for this Act. There are a number of States like Bombay and others in the First Schedule. Article 252 of the Constitution, provides that if a State legislature passes a resolution that the Estate Duty Act be applied to that State, that State will be put in a particular Schedule. We are not in the First Schedule, whereas half a dozen States are in the First Schedule. They have passed resolutions and they must have considered the matter. But we did not pass the resolution then, because we wanted to know what the position would be. It is early now—after all the Act was passed and it came into force in October 1953. It is not even two years. Why then is this hurry, Sir? We could have found out how it worked in other States. The Hon. the Mover of the Resolution said that he could certainly not say how many would die. It is not as if he is praying for their death so that the Government may get this estate duty. Why not we wait for two or three years more to find out how this Act has been working in other States? We will have to see and see carefully whether the successor to an agricultural estate has got liquid cash to pay this estate duty. Can the Hon. the Mover of the Resolution point out one man in the street who can easily pay this duty? When the owner of a property dies, do the Government think that his successor will be in a position to pay this duty?

" There is another very difficult provision of law to which I would like to make a reference. It is with regard to the imposition of this duty in respect of a joint Hindu family. In such cases, the estate duty is charged after the person concerned attains majority. This is against Mitakshara Law. The result will be that when this Estate Duty Act comes into operation, almost every person

[Dr. V. K. John] [21st February 1955]

without exception, every family and every individual owning agricultural estates which may have been bequeathed to him will be in heavy debts and his properties may have to be sold to pay this estate duty. That will be the position, Sir. Because, there is a provision that this estate duty will be collected as an arrear of land revenue. When properties have to be sold for paying this estate duty, just imagine what amount of disruption it will create in the agricultural economy. Every person will be forced to be involved in heavy debts. As a matter of fact, agricultural indebtedness is already very heavy. It is so heavy that we are trying our level best to relieve the agriculturists of their heavy indebtedness. It is our duty to relieve the burden of not only the poor agriculturists, because every agriculturist, big or small, is heavily indebted. Have the Government made a survey of persons owning agricultural landed property worth more than Rs. 50,000? Have the Government made a survey as to whether the persons whom they consider as rich agriculturists are really in a solvent condition or whether they share the fate of the poor agriculturists? No such survey has been made and we have not been given any figures. What are the peculiar conditions in this State? We are simply asked to pass this resolution for the only reason that it might bring some revenue. Sir, I do not think that this measure will bring much revenue to the State especially as after the abolition of the zamindaris there will not be many people owning agricultural land from whom the estate duty could be collected. That is why I said that the Government 'might' get some money. The Government thinking that they may get some money say, 'Why should not we get the money from those people who have inherited some property?' I have a feeling that the Hon. Mover of the Resolution has brought forward this measure before this House in a most lighthearted manner and has asked us to pass it. I appeal to him that we may wait for one or two years more. Let us make a survey and find out the effects of this estate duty. Let the Government give us facts and figures. Let us find out what the experience of other States in this regard is. Has any other State passed this resolution and what is its experience? Let us not rush forward with this resolution before we consult our neighbouring States. The Mysore Legislature has not passed such a resolution. The Andhra Legislature has not passed such a resolution. The Travancore-Cochin Legislature has not passed such a resolution. The neighbouring States are there and let us see what their reaction to such a resolution is. Why should this State—a State which is deficit in food—rush forward with this resolution? I am quite sure that this duty will certainly adversely affect the agricultural production in the State. As I said, the richer agriculturists too are heavily indebted and as a result of this measure, they will all be ruined. I am definite that this will seriously affect production and will result in greater incidence of agricultural indebtedness. Considering all these factors, I earnestly appeal to the Hon. Mover of the Resolution to defer the consideration of the same for some time till we get some facts and figures.

[21st February 1955] [Dr. V. K. John]

"Sir, we have to study the working of this Estate Duty Act in other States. This is a difficult Act. I would not have had much objection or would have had no objection even, to this resolution if only there was a provision in the Estate Duty Act as they have in England and Ceylon, to the effect that the property will be purchased by the treasury if the Controller's valuation is not agreed to by the owner of the property who inherited or got it from the deceased. If only there was such a provision, I can very well understand it and it would have been a comprehensive Act too. In actual practice, we know what takes place. The persons entrusted with the job of collecting this duty will put the value of the property at a huge figure. The more they value the property, the more they are likely to get. This is very improper and this will ruin many a person. We must carefully see how this Act has worked elsewhere. After that, we have to consider whether we should have our own law or whether we should have this piece of legislation which is inequitable from every point of view. I again appeal to the Hon. the Leader of the House to defer the consideration of this resolution to a future date."

* **SRI V. V. RAMASWAMI** :—“கனம் தலைவர் அவர்களே, இந்தப் பிரேரணையானது கீழ் சபையில் பிரேரிக்கப்படுமூன், இந்த சபையில் கொண்டுவரப்பட்டிருக்கிறது. இந்தப் பிரேரணை மீது, விவாதம் நடக்கும்கால், சட்டத்திலே அனுபவம் பெற்ற பெரியோர்கள் பலர் இந்த விவாதத்தில் பங்கு எடுத்துக்கொண்டு பல அரிய கருத்துக்களை வெளியிட்டிருப்பார்கள். இந்த மாதிரி முக்கியமான பிரச்சினைகளையும், மசோதாக்களையும் முதன் முதலாக இந்த சபை முன் கொண்டுவந்தால், அனுபவம் பெற்ற சட்ட நுணுக்கங்கள் தெரிந்தவர்களுடைய கருத்துக்களை அரசாங்கம் தெரிந்துகொண்டு, சட்டங்களை நிறைவேற்றுவதற்குத் தோதாகியிருக்கும் என்று நினைக்கிறேன். ஆகவே அரசியல் சட்டம் எப்படியிருந்தபோதிலும், ஒரு வழக்கமாக, அவைகளைக் கீழ் சபையில் கொண்டுவரும்போது, இந்த சபையிலும் அதே நேரத்தில் அவைகள் பிரேரிக்கப்பட்டால், இந்த சபையின் கருத்துக்களையும் தெரிந்துகொண்டு, அதற்குப் பின்னால் சட்டத்தை நிறைவேற்றினால் நலமாகியிருக்கும் என்பதை நான் தெரிவித்துக் கொள்கிறேன்.

“இங்கே பேசப்பட்ட விஷயங்களிலிருந்து, இந்த மரண வரி விதிப்புச் சட்டத்தை அமுல் நடத்துவதில் எல்லோருக்கும் சங்கடமிருக்குமென்று தெரிகிறது. ஒருவன் பரம்பரை சொத்து வைத்திருந்தாலும் சரி, அல்லது சம்பாத்தியம் பண்ணி அதிகபட்ச சொத்து வைத்திருந்தாலும் சரி, தனக்குப் பின்னால் இந்த சட்டம் அமலுக்கு வரும்பொழுது அது தன் குடும்பத்தினரை எவ்வாறு பாதிக்குமோ என்ற பயத்துடன், மன நிம்மதியில்லாமல் உயிர் பிரியும் நிலைமைக்குத்தான் இந்த சட்டம் கொண்டு போய்விடுமோ என்று அஞ்சவேண்டியிருக்கிறது. இந்தச் சட்டத்தின் நுணுக்கங்களை மக்களுக்குச் சரிவரத்தெரியாத நிலைமையில், சட்ட அமுல் எப்படியிருக்குமென்று சொல்ல முடியாமலிருப்பதால், சர்க்கார் ஒரு கமிட்டியை நியமித்து இந்தச் சட்டத்தின் நுணுக்கங்களையும், யோசனைகளையும் ஆராய்ந்துகொண்டால், சட்ட சபை அங்கத்தினர்கள் பொது மக்களுடைய நோக்கங்களையும் கருத்துக்களையும் தெரிந்துகொண்டு, அவர்களுடைய ஆதரவைக் கொடுப்பதற்கு ஏதுவாகியிருக்கும். இந்த யோசனையை சர்க்கார் ஏற்றுக்கொண்டால் நலமாகியிருக்கும். எனவேப் பொருத்த வரையில், சில விஷயங்களில் விளக்கம் தேவையாகியிருக்கிறது. முக்கியமாக யார் யார் எந்தத் தொகையின் மீது வரி கொடுக்கவேண்டுமென்று தெரியவேண்டும். இந்த வரியிலிருந்து கிடைக்கும் பணம் பூராவும் மத்திய சர்க்காருக்குப் போய்ச் சேருமா; அல்லது நமது மாநில

[Sri V. V. Ramaswami] [21st February 1955]

அரசாங்கத்துக்குக் கிடைக்குமா; அல்லது வருமான வரி, கலால் வரியைப்போல மத்திய அரசாங்கம் நமது அரசாங்கத்துக்கு ஈவு தொகை கொடுக்குமா; என்ற விபரங்கள் தெரியவேண்டும். (Interruption.) இந்த வரியை வசூலிக்கச் செலவு செய்யவேண்டிய பணமே அதிலிருந்து கிடைக்கக்கூடிய வருவாயை விழுங்கி விடும் என்று எனது நண்பர் சொல்லுகிறார். இருந்தபோதிலும், இதிலுள்ள சட்ட நுணுக்கங்களை ஆராய்ந்தால்தான் எல்லாம் தெரியும். கேட்க நல சமுதாயத்தைக் குறிக்கோளாகக்கொண்ட நமது அரசாங்கம் மக்களிடத்திலே எவ்வித பீதிக்கும் திகிலுக்கும் இடம் கொடுக்காதபடி நடந்துகொண்டால்தான், நிம்மதியான இன்ப வாழ்க்கை நடத்தமுடியும். ஆகவே, மக்கள் கொடுக்க வேண்டிய வரி இன்னது என்று தெரிந்தபோதிலும், அதை வசூலிப்பதில் அவர்களுக்கு எவ்வித சங்கடங்களும் ஏற்படக்கூடாது. மக்களிடமிருந்து வசூலிக்கப்படும் பணம் மக்களின் நன்மைக்காகவே செலவிடப்படும் என்ற உறுதியாவது இருக்கவேண்டும். இந்த வரியிலிருந்து உத்தேசமாக எவ்வளவு கிடைக்குமென்ற தகவலும் அரசாங்கத்தினிடத்தில் இல்லை. இருதயநோய், மாரடைப்பு முதலியவைகளால் அடிக்கடி மரணம் ஏற்படுகின்ற இக்காலத்தில், இந்த மரண வரியானது அதிகபட்சம் பணம் வைத்திருப்பவர்களின் மரணத்தை துரிதப்படுத்தும் நிலைக்குக் கொண்டுவரப்படக்கூடாது. இந்த வரியிலிருந்து கிடைக்கும் பணம் இந்த நாட்டு மக்களுக்குப் பூராவும் பயன்படுமா என்று தெரியவேண்டும். இந்த வரி விதிப்பினால், பெரிய பணக்காரர்கள் கீழ் நிலைமைக்கு வந்து விடுவார்கள் என்ற வாதத்தை நான் ஒப்புக்கொள்ளவில்லை. பெரிய பணக்காரர்கள் சேர்த்துவைத்திருக்கும் சொத்தில், சர்க்கார், பொது மக்களுக்குப் பிரயோசனப்படும் வண்ணம் ஒரு பங்கை வரியாக எடுத்துக் கொள்கிறார்கள் என்றுதான் கருதவேண்டும். நமது மாநில அரசாங்கத்தார் இந்த வரியினால் கிடைக்கும் பணத்தைக்கொண்டு பொது மக்களுக்குப் பயன்படக்கூடிய வகையில் செலவழிப்பதற்கு மத்திய சர்க்கார் தடையாயிருக்க மாட்டார்கள் என்ற உறுதிவேண்டும். நான் மேலே குறிப்பிட்டுள்ள விஷயங்களுக்கு, அரசாங்கத்தார் விளக்கம் கூறவேண்டுமென்று கேட்டுக் கொண்டு என் உரையை முடித்துக்கொள்கிறேன்.”

* THE HON. SRI M. BHAKTAVATSALAM:—“ Mr. Chairman, Sir, the hon. the Deputy Leader of the Opposition could not indulge in his usual criticism against the Government, such as ‘the Bill ill-drafted,’ ‘there is bad drafting’ and ‘hasty drafting’ and all that. This time, it is only a resolution I have moved and I am very grateful to him for not having indulged in criticising the ‘bad drafting’ of the resolution. And, because he could not indulge in this favourite criticism of his, he has now come forward to charge this Government with lightheartedness in bringing forward this resolution. He repeated several times the word ‘lightheartedness’ in his usual way in the course of his brief speech, but I am unable to understand where that lightheartedness on the part of the Government is. As the hon. the Leader of the Opposition and the Deputy Leader of the Opposition, (who was then the Leader of the Opposition) would remember, a few years ago, appreciating the objection taken by hon. Members of the House, Government withdrew the resolution they moved on this subject, before the Act was passed by Parliament. But the Act is there since 1953 on the Statute Book. I am unable to understand how the Deputy Leader of the Opposition, an eminent and active lawyer as he is, pleads ignorance of the provisions of the Act. Then, Sir, it is not five States but nine States, besides the Part C States included in the Schedule, that have given their

[21st February 1955] [Sri M. Bhaktavatsalam]

consent. We are not concerned with the number of States that have agreed to the imposition of this levy on agricultural land. We have only to examine whether this is a sound measure. The Leader of the Opposition and the hon. Member Mr. Balasubramanya Ayyar expressed their concern that this imposition might lead to further fragmentation of holdings and impede our food production programme. I may tell the House that the Government are quite anxious—and I am particularly anxious—that we should do everything not only to step up food production but to develop the economy of this country which is essentially agricultural and rural. We are not merely interested in eating. We shall not be satisfied or content with securing our requirements of food alone. We are interested in the general development of agriculture in this State. That is the only way of raising the standard of living of our people, especially those who are living in the numerous villages. I may give this assurance to hon. Members. The point that was made by the Leader of the Opposition and others regarding fragmentation of holdings will be borne in mind when the Government take up questions of land reform for legislation.

“ The hon. Member Mr. Balasubramanya Ayyar, made mention about the falling of the market value of land. If the market value of land is falling, it should certainly be not a ground for opposing this resolution. The levy is only on the market value of the land and according to the market value, the inheritor should pay the duty. This is a duty that need not scare people living about what is going to happen after they die. The hon. Member Mr. Ramaswami expressed his anxiety that there should be no shock to the people on account of the passing of the Act. None need have any such anxiety. The Act itself is called the Estate Duty Act. Taxing does not mean taxing the dead. It is only taxing the man who is going to inherit the property because, under the law, the man who inherits stands to own the property which is left behind by the deceased.

“ Sir, the hon. Member Mr. Ramaswami wanted to know whether the revenue that would be derived from the imposition of this duty on agricultural land would go to the benefit of this State. I may tell him at once that whereas from the revenue derived from other levies under the Act, we can get only a share, as we get from out of the income-tax revenue, here, we stand to benefit from the levy on agricultural land entirely.

“ Then, Sir, the hon. Member Mr. Narayanaswami Pillai pointed out a legal difficulty with reference to a particular provision of the Act. That is for eminent jurists to take up and fight in courts of law. He maintained that the provision relating to the calculation of the value of agricultural land, even without a levy on the agricultural land, for the purpose of assessing the total tax that was payable in respect of the whole estate was not *intra vires* of the Constitution. Of course, that point is there for eminent jurists to consider. But Sri T. M. Narayanaswami Pillai wondered

[Sri M. Bhaktavatsalam] [21st February 1955]

whether this Government out of their solicitude for the Government of India, had come forward with this measure only to legalise some illegal provisions in that Act. Some of the hon. Members, eminent jurists as some of them are, have raised the legal point. I have not been aware of this possible objection and the Government have not been aware of this objection. Government did consider taking advantage of this Act even when the Bill was on the anvil of the Parliament. Government have considered it not in any lighthearted way but in a heavyhearted way. All these two years since the Act was passed by Parliament, the Government did consider taking advantage of this Act. They once considered it when ours was a composite State. Again after the separation of Andhra in October 1953, they did consider it very deeply and thought that we might take it up next year (1954). Accordingly again Government very seriously considered whether we could come forward with a resolution before the House in 1954 so that this levy might be imposed on the agricultural lands in our State. Finally Government decided to come forward with a resolution of this kind this year (1955) and therefore, Sir, this resolution is now brought before this House.

" Fragmentation is already there because of the apprehensions of talks of land reforms. That is no doubt unfortunate. I do not know who has been responsible for that. We are all quite anxious that this fragmentation should be avoided and discouraged. Government are anxious to avoid uneconomic holdings. We want many economic holdings so that with the combined effort of all the holders, we could develop agriculture to a very large extent.

" The hon. Member Sri G. Krishnamoorthi expressed his concern about ' middle classes '. No doubt when compared to the very rich people, the middle classes are not economically as well placed as the rich and when compared with the richer people, their economic condition deserves consideration. But, Sir, comparatively speaking, the so-called ' middle classes ' are a few in number when compared to the large number of people who have nothing which they could hold as their own, and we are here to cater to the needs of all the people of this State. The Deputy Leader of the Opposition himself admitted, though he charged us with having not supplied the necessary data, that the passing of this resolution would affect only a few persons in the State. Sir, when only a few persons, or when only a few inheritors who could afford to pay the levy for the benefit of the entire State, are taxed, I do not think there could be any valid reason to object to this measure.

" According to the present market value, even at the highest rate of Rs. 2,500 per acre, 20 acres could be estimated at Rs. 50,000. Therefore when only if one inherits 20 acres of land which according to present market values will cost Rs. 50,000 at the rate of Rs. 2,500 per acre, we ask that man to pay estate duty, I do not think anybody could maintain that it will be a great burden on the person who has to pay that levy. Sir, a suggestion was made by Mr. K. Balasubramnya Ayyar that this measure could be postponed by six months after the land reforms were considered and

[Sri M. Bhaktavatsalam]
[21st February 1955]

necessary legislation passed. I do not think that this measure should be postponed till the land reforms are taken up. I do not think any purpose will be served by such postponement. Rather I think it would be advantageous if this measure is passed and placed before the people, hon. Members of the Legislature and Government, so that they could know what exactly is the position before we take up the larger question of land reforms.

" The Hon. Leader of the Opposition referred to, so many burdens that are to be placed on the shoulders of the agriculturists. He referred to the proposal to levy an income-tax on agricultural land. I may tell him that Government long ago considered the proposal to levy an income-tax on agricultural land but that they have given up that proposal. They have found on a rough calculation of the possible revenue that could be derived from that income-tax, that it would not be worthwhile to levy an income-tax on agricultural land, particularly after the abolition of zamindaris. They have considered it not worthwhile to appoint the necessary staff and to launch on that levy. Then again the Leader of the Opposition referred to the other ' burden ' that is sought to be put on the shoulders of the agriculturist. He referred to the Moratorium Extension Bill that is now before the Legislature. I would like to point out to him that that Bill is intended to protect the agriculturists from ruination, from worry, and from the difficulties they would have to face otherwise if they are suddenly called upon to pay all the dues under the loans which they have incurred.

" I am indeed obliged to the hon. Member Sri K. Bhashyam who has given his support to this resolution. I particularly mention that because, with due deference to the hon. Member, we know his (Sri K. Bhashyam's) way of thinking is generally that of the hon. Members in the Opposition who criticized this measure. Sir, the Act is already there. Several States have come under that Act. I do not think it is right to maintain that this State might stand out. After all this State does stand to benefit by this measure. We have been carrying out a programme under the First Five-Year Plan, and I am glad to tell this House that the target of expenditure that has been fixed for this State under the First Five-Year Plan has been already reached under various heads of development. We are now quite anxious that we must have a big programme framed under the Second Five-Year Plan, but whatever be our needs, we have to look to the necessary resources. We have to see whether we can get such resources without causing any real hardship on the people. Sir, this Estate Duty, the Government do consider, is a measure which we can well take advantage of even with reference to agricultural land. The Act has been there, and it has been in operation in this State. There have been some inheritances (I do not say deaths) and the levy has been made. I do not think that there has been any serious difficulty felt. Of course, even for the richest it would no doubt be a hardship to part with funds in order to pay a levy that is imposed. That feeling is always there. But we have to take into account the

[Sri M. Bhaktavatsalam] [21st February 1955]

needs of the country as a whole, and our responsibility in arranging for meeting those needs. It is, in that way, after very seriously considering the position, the Government thought that they need not wait any longer, and that they could bring this resolution before both the Houses of the Legislature. I do hope, Sir, that this resolution will be accepted by this House."

MR. CHAIRMAN :—" The question is—

'Whereas Parliament has passed the Estate Duty Act, 1953 (Central Act XXXIV of 1953) and whereas it is desirable that estate duty in respect of agricultural land also should be regulated in the State of Madras by that Act;

Now Therefore, in pursuance of Article 252 of the Constitution of India this Council resolves that the Act aforesaid be adopted in the State of Madras and shall apply to matters which fall within entry 48 in List II (State List) of the Seventh Schedule to the Constitution of India.'"

The motion was carried.

MR. CHAIRMAN :—" I adjourn the House to meet again at 3 p.m. tomorrow."

The House then adjourned.

21st February 1955]

APPENDIX.

[Vide answer to starred question No. 156 asked by Sri T. Purushotham at the meeting of the Legislative Council held on 21st February 1955, page 909 supra.]

Particulars of progress of work, etc., relating to the Amaravathi and the Walayar reservoir projects.

Amaravathi Reservoir Project.

(a) (1) *Progress of work*—(a) (i) *Buildings*.—Quarters for 5 Assistant Engineers, 12 Junior Engineers, 12 clerks, 24 mechanics and 100 workmen, 16 staff dormitories, Project House, attached kitchen, garage and cafeteria, have been completed. Quarters for the other gazetted and non-gazetted staff, work-charged establishment, office buildings, hospital, police station and post office, etc., are in progress.

(ii) *Roads*.—The formation of the approach road to the dam site and various roads within the colony have almost been completed.

(iii) *Bridges*.—Two temporary bridges have been constructed. The bridge below dam across the Amaravathi river to enable movement of vehicles, machinery, labour and staff from one side of the river to the other, has been completed.

(iv) *Water-supply*.—The water-supply service reservoir is practically completed.

(b) *Dam*.—The excavation for the foundations of the masonry dam is in progress and about 1,420 units of earthwork, including excavation in rock have been done so far. Preliminary works connected with the execution of the earth dam are being carried out and materials are being collected.

Electrical power has been brought to the site and is being supplied to various works including the lighting of the colony.

(c) *Canal*.—The alignment of the canal on ground has been finalized for 15 miles out of 40. Land plans and schedules for a length of 7 miles have been sent to the Special Deputy Collector for acquisition proceedings and those for the balance are under preparation. Detailed working estimates are being prepared side by side.

Out of the total estimated (sanctioned) cost of Rs. 272.31 lakhs, a sum of Rs. 16.5 lakhs has been spent to end of 31st October 1954.

Acreage and taluks benefited.—The scheme is expected to ensure adequate supply of water to the existing ayacut of 28,000 acres of double-crop wet lands and 4,000 acres of thirvaijasti lands in the four taluks of Udampet, Dharapuram (Coimbatore district), Karur and Kulittalai (Tiruchirappalli district), and to

[21st February 1955]

bring newly under irrigation a total extent of 15,000 acres (50 per cent wet and 50 per cent dry cultivation) distributed as 7,500 acres each in Udamalpet and Dharapuram taluks.

(a) (2) Details of establishments sanctioned—

Serial number and category.	Number of posts sanctioned.
1 Executive Engineers	2
2 Assistant Engineers (Civil and Mechanical).	8
3 Assistant Engineer (Electrical)	1
4 Personal Assistant to Executive Engineer ..	1
5 Junior Engineers and Supervisors	41
6 Electrical Supervisors, I Grade	2
7 Electrical Supervisors, II Grade	2
8 Store-keeper, II Grade	1
9 Store-keeper, III Grade	1
10 Draftsmen, I Grade	2
11 Draftsmen, II Grade	4
12 Draftsmen, III Grade	5
13 Tracers	6
14 Blue Printers	2
15 Divisional Accountants	2
16 Divisional Head Clerks	2
17 Upper Division Clerks	18
18 Lower Division Clerks	23
19 Cashier	1
20 Typists	4
21 Steno-typist	1
22 Attenders	2
23 Peons	61
24 Health Officer, I Grade	1
25 Health Inspectors	3
26 Laboratory Assistant	1
27 Field Assistants	4
28 Typist-cum-clerk	1
29 Assistant Surgeon	1
30 Compounder	1
31 Maternity Assistant	1
32 Male Nursing Orderly	1
33 Female Nursing Orderly	1

The average number of skilled and unskilled labourers engaged per day on work by the department and by contractors are as follows :—

Skilled	900 approximate.
Unskilled	1,300 approximate.

21st February 1955]

Amenities for labourers.—For accommodating the workers, ten blocks of ten quarters each have been constructed with protected water-supply; roads within the colony including those leading to the quarters with street lighting have been completed. Electricity is being supplied to quarters, etc., for lighting purposes. Preventive measures against malaria, etc., are being taken by the Health Officer and his staff stationed at the site. Medical facilities are being provided at the site.

(b) *Submersion of wet lands.*—About 161.08 acres.

(c) *Availability of Government porambokes and reserve forest lands.*—Yes.

(d) *Provision for generation of power.*—No, as the construction of separate reservoir higher up the Amaravathi for more economic generation of power from a good fall of water is under consideration separately.

Walayar Project.

(a) (1) *Progress of work—Camp buildings.*—The construction of almost all the buildings have been completed. Work on a few additional buildings is in progress. Provision of protected water-supply and electricity to all the quarters, and other buildings, formation of feeder road, camp roads and construction of causeway below dam have all been completed or are nearing completion. In regard to the formation of a diversion road for a portion of the Madras-Calicut Trunk Road which will be submerged by the reservoir, earthwork has been completed for the entire road.

Masonry dam.—The excavation for foundation of the masonry dam and also benching the foundation have all been completed. The masonry work on the dam is in progress, about 12,000 units of masonry having been put in up to 1st November 1954.

Earth dam.—The excavation for foundation of earth dam is in progress. The refilling of the trenches to form the dam is being attended to.

Canals.—The main canal on the left side has been fully aligned on ground and land plants and schedules have been sent to the Revenue department for taking up acquisition proceedings. Preliminaries to start work on the canal are being made.

Out of the total estimated cost of Rs. 99.91 lakhs, an expenditure of Rs. 50 lakhs (approximately) has been incurred on the Project up to 1st November 1954.

Acreage and taluks benefited.—The project will benefit 6,500 acres in Palghat taluk made up of 820 acres of existing wet land under three private anicuts across the Walayar, 2,301 acres of existing single-crop wet lands (rainfed) and 3,379 acres of existing

[21st February 1955]

double-crop wet lands (rainfed). In addition, 1,000 acres of existing double-crop lands will be converted into triple-crop lands and 100 acres each of existing single and existing double-crop lands into perennial crop lands.

(a) (2) Details of establishments sanctioned—

Name of establishment.	Sanctioned strength.
Assistant Engineers	6
Divisional Accountants	2
Junior Engineers and Supervisors	30
Electrical Junior Engineer	1
Store-keepers	2
Upper division clerks	12
Lower division clerks	19
Typists	2
Attender	1
Peons	41
Draftsman, I Grade	1
Draftsman, II Grade	1
Draftsman, III Grade	2
Tracers	3
Head clerk	1
Health staff.	
Health Inspector	1
Field Assistant	1
Peon	1

The average number of labourers employed at the Headworks site is 350 per day.

Amenities for labourers.—A neat and well-laid-out camp providing for the workers has been formed. Eighteen blocks of 6 quarters each for workmen have been constructed with protected water-supply, electricity leading roads to quarters with street lights, etc. Spraying D.D.T., etc., and other preventive measures against epidemics are being taken up by the Health staff stationed in the colony. Provision shops and Cafeteria are in the camp area itself. Medical facilities are also provided at site. The Mail bus from Palghat to Coimbatore and back touches the dam-site area for the convenience of workers and others. A branch post office is functioning at site.

(b) *Submersion of wet lands.*—About 37 acres.

(c) *Availability of Government porambokes and reserved forest lands.*—Yes.

(d) *Provision of generation of power.*—No, as there is no proper scope for power generation at the dam.

INDEX TO MADRAS LEGISLATIVE COUNCIL DEBATES

Volume IX (Nos. 1 to 14)

SEVENTH SESSION OF THE LEGISLATIVE COUNCIL UNDER THE CONSTITUTION OF INDIA

2nd to 4th, 6th, 18th and 21st to 24th December 1954 and
8th, 15th to 17th and 21st February 1955.

PAGES

Abdul Salam, Sri M. K. M.—
See Questions and Answers.

Agricultural Colleges—
Question re increase in the number of — under the Five-Year Plan. 451

Agriculture—
Question re bifurcated courses in — introduction in high schools of
Tanjore district 13-14, 55

Alexander Gnanamuttu, Sri—
Discussion re Governor's Address 95-98

Allapichai, Sri A. M.—
Bills—
City Municipal (Amendment) Bill, 1955 737-738
Dramatic Performances Bill, 1954 656, 674
675, 683

Indebted Agriculturists (Repayment of Debts) Bill, 1955 787-788
Indebted Agriculturists (Temporary Relief) Amendment Bill,
1954 477, 478
479

Irrigation (Levy of Betterment Contribution) Bill, 1954 839-840
Motor Vehicles (Madras Amendment), Bill, 1954 303-305

Tenants and Ryots Protection (Amendment) Bill, 1954 463
Discussion re Governor's Address 221-223

Motion re Draft Rules of Procedure for Madras Legislative Council. 509-510

Amaravathi Project—
Question re details of progress of — 909

Andhra State—
Question re Andhra Officers and subordinates, retention in Madras
State after partition of — 258-259
323-347

A—cont.

Animal Husbandry Department— Question re artificial insemination centres maintained by the —, particulars re	85, 118
Annammalai Pillai, Sri N.— Bills— Dramatic Performances Bill, 1954	637-641
Estates (Abolition and Conversion into Ryotwari) Amendment Bill, 1954	414
Condolence resolution on the death of Parthasarathy Ayyangar, Sri C. R., Ramanathan Chettiar, Sri S. A. S. Rm. and Nadimuthu Pillai, Sri V.	3, 4
Discussion re Governor's Address	181-184
Motion re Draft Rules of Procedure for Madras Legislative Council.	512-514
Artificial insemination centres— See Animal Husbandry department.	
Arts Colleges— See Colleges.	
Assurances— Question re Hon. Ministers' — in the Council, instructions to departments	603
Assurances Committee— See Government Assurances Committee.	
Astrology— Question re school for teaching of —	73
Auto-rickshaws— Question re meters fixed in — in Madras City, complaints re ..	76
Avadi Congress Session— See Papers laid on the table of the House.	

B

B.T. course— Question re short-term —, starting of—in South Kanara district.	914-915
Balasubramanya Ayyar, Sri K.— Bills— City Municipal (Amendment) Bill, 1955	725 731-732
Dramatic Performances Bill, 1954	631-634 677-678, 680-681
Essential Articles Control and Requisitioning (Temporary Powers) Amendment Bill, 1954	406
Estates (Abolition and Conversion into Ryotwari) Amend- ment Bill, 1954	411-414 421, 423, 424, 425, 426, 427
General Sales Tax (Third Amendment) Bill, 1955	398-400 403-404
Indebted Agriculturists (Repayment of Debts) Bill, 1955 ..	777-781
Indebted Agriculturists (Temporary Relief) Amendment Bill, 1954	477, 478
Indian Bar Councils (Madras Amendment) Bill, 1954	271, 277 278

B—cont.

Balasubramanya Ayyar, Sri K.—cont. Bills—cont. Irrigation (Levy of Betterment Contribution) Bill, 1954	823 830-833, 872-875, 880-882 886-887, 888-889, 890-891, 892-893
Mappilla Marumakkattayam (Amendment) Bill, 1954	266-267
Motor Vehicles (Madras Amendment) Bill, 1954	293-295 309, 315-316
Preservation of Private Forests (Third Amendment) Bill, 1954 ..	390-391 394-395
Tenants and Ryots Protection (Amendment) Bill, 1954	466
Discussion re Governor's Address	30, 36-44
Motion re Draft Rules of Procedure for Madras Legislative Council.	494, 498 499, 503
Resolution re— Essential Articles, amendment of the Seventh Schedule to the Constitution of India	365-369 371, 373, 379
Estate Duty Act, 1953, application to agricultural land	923 924-925
Barnard Institute of Radiology— Question re— Radium used in —, particulars re	259-260
Radium needles purchased for — particulars re	450-451
Retention of Andhra Lady Assistant in —	600-602
Bashyam Ayyangar, Sri V.— Bills — Dramatic Performances Bill, 1954	644-645
Basic education— Question re conversion of primary schools into basic schools ..	604-605
Beggars— Question re beggar problem in Mahabalipuram	903-905
Bhaktavatsalam, the Hon. Sri M.— Bills— Essential Articles Control and Requisitioning (Temporary Powers) Amendment Bill, 1954	405-406 407, 408
Irrigation (Levy of Betterment Contribution) Bill, 1954	835, 842
Marumakkattayam (Amendment) Bill, 1954	459
Motor Vehicles (Madras Amendment) Bill, 1954	287
South Kanara Cultivating Tenants Protection (Amendment) Bill, 1955	857
Condolence resolution on the death of Parthasarathy Ayyangar, Sri C. R., Ramanathan Chettiar, Sri S. A. S. Rm., and Nadimuthu Pillai, Sri V.	1-2
Discussion re— Allotment of a day for non-official business	862
Governor's Address	24, 46 235-246
Motion re— Amendment to rules under the Cotton Transport Act, 1923 ..	263
Change in the order of business—Rule 22 (3) of the Council Rules.	406

B—cont.

Bhaktavatsalam, the Hon. Sri M.—cont.	
Motion <i>re</i> —cont.	
Change of non-official day into official day (rule 24 of the Council Rules)	460, 461
Draft Rules of Procedure for Madras Legislative Council	487, 490
	491, 492, 495, 496, 497, 498, 499
	500, 501, 504, 505, 506, 516-519
	520, 521, 522, 523, 524, 525, 526
	527, 529, 530
Non-official business, allotment of a day for	820
Question-hour, presence of Ministers during	770-771
Republic Day Honour 'Padma Shri', Conferment on Srimathi Mary C. Chubwala Jadhav	720
Resolution <i>re</i> —	
Essential Articles, amendment of the Seventh Schedule to the Constitution of India	318-319
	370, 385-387
Estate Duty Act, 1953, application to agricultural land	920-922
	927, 933
	936-940
Statement <i>re</i> disturbances in Madurai	85-86
Bharat Scouts Organization—	
Question <i>re</i> Grants made in 1953-54 and 1954-55 to —	125-126
Bhashyam, Sri K.—	
Bills—	
City Municipal (Amendment) Bill, 1955	725-727
	740-742
Dramatic Performances Bill, 1954	613, 617
	629-631, 633, 677
	684-685, 690-691, 692
Entertainments Tax (Amendment) Bill, 1954	472-473
Indebted Agriculturists (Repayment of Debts) Bill, 1955	781-784
Indebted Agriculturists (Temporary Relief) Amendment Bill, 1954	479-482
Indian Bar Councils (Madras Amendment) Bill, 1954	270-271
	274-276, 277, 280-281
Irrigation (Levy of Betterment Contribution) Bill, 1954	827-830
	876-878, 883-884
	887, 888, 891
Mappilla Marumakkattayam (Amendment) Bill, 1954	265, 267
Motor Vehicles (Madras Amendment) Bill, 1954	298-301
	308, 311-312, 313
	314, 315, 316, 317
Tenants and Ryots Protection (Amendment) Bill, 1954	464-466
Motion <i>re</i> Draft Rules of Procedure for Madras Legislative Council.	488, 489
	490-491, 493-494, 496
	500-501, 502, 503, 507
Resolution <i>re</i> —	
Essential articles, amendment of the Seventh Schedule to the Constitution of India	319, 320
	371-374

B—cont.

PAGES

Is—	
City Municipal (Amendment) Bill, 1955—	
Considered	722-743
	759
Message from the Assembly <i>re</i>	721
Passed	743
Dramatic Performances Bill, 1954—	
Considered	606-656,
	669-672
Message from the Assembly <i>re</i>	457
Passed	673-693
	693-705
Entertainments Tax (Amendment) Bill, 1954—	
Considered	470-474
	535
Message from the Assembly <i>re</i>	262
Passed	474
Essential Articles Control and Requisitioning (Temporary Powers) Amendment Bill, 1954—	
Considered and passed	405-408
	441
Message from the Assembly <i>re</i>	262
Estates (Abolition and Conversion into Ryotwari) Amendment Bill, 1954—	
Considered	408-428
	442-446
Message from the Assembly <i>re</i>	262
Passed	428-429
General Sales Tax (Third Amendment) Bill, 1954—	
Considered	397-404
	440
Message from the Assembly <i>re</i>	262
Passed	404-405
Indebted Agriculturists (Repayment of Debts) Bill, 1955—	
Message from the Assembly <i>re</i>	771-772
Motion for setting up a Joint Select Committee	772-793
Indebted Agriculturists (Temporary Relief) Amendment Bill, 1954—	
Considered	474-487
	535-596
Message from the Assembly <i>re</i>	487
Passed	291
Indian Bar Councils (Madras Amendment) Bill, 1954—	
Considered	268-282
	361
Message from the Assembly <i>re</i>	262
Passed	282-283
Irrigation (Levy of Betterment Contribution) Bill, 1954—	
Considered	793-794
	801-807, 821-843, 862-892
Message from the Assembly <i>re</i>	771
Passed	820-894

B—cont.

Bills—cont.	
Mappilla Marumakkattayam (Amendment) Bill 1954—	
Considered	265-268
	350
Message from the Assembly re	261
Passed	268
Marumakkattayam (Amendment) Bill, 1954—	
Message from the Assembly re	262-263
Motion for setting up a Joint Select Committee	458-460
Motor Vehicles (Madras Amendment) Bill, 1954—	
Considered	283-316
Message from the Assembly re	261
Passed	317-318
	352
Preservation of Private Forests (Third Amendment) Bill, 1954—	
Considered	388-395
	430
Message from the Assembly re	261
Passed	395-396
South Kanara Cultivating Tenants Protection (Amendment) Bill, 1955—	
Considered	857-862
	899
Message from the Assembly re	820
Passed	862
Tenants and Ryots Protection (Amendment) Bill, 1954—	
Considered	462-469
	534
Message from the Assembly re	262
Passed	469
Board of Revenue—	
Question re Members of the — duties of	132-133
	193-200
See Papers laid on the table of the House.	
B.T. degree—	
See Teachers.	
Buses—	
Question re purchase and disposal of — by Government during 1952-53 and 1953-54	447-448
Bus Service—	
Question re Town — in municipalities	918-919
Bus transport—	
Question re applications for permits for running buses in South Arcot district	856
Business of the House—	
Discussion re allotment of a day for non-official business	862
Business Advisory Committee—	
Nomination of members to—	772

C

Cattle—	
Question re damages caused by stray — in thoroughfares	761-762
Central Polytechnic, Madras—	
See Polytechnics.	
Certified schools—	
Question re continuance of — and vigilance service as an independent unit	596
Chairman, Mr.—	
Announcement re—	
Council Rules, approval by the House	693
Expunction of certain remarks made by Dr. A. Sreenivasan	721
Governor's reply to the Motion of thanks	261
Message from the Assembly re—	
City Municipal (Amendment) Bill, 1955	721
Dramatic Performances Bill, 1954	457
Entertainments Tax (Amendment) Bill, 1954	
Essential Articles Control and Requisitioning (Temporary Powers) Amendment Bill, 1954	
Estates (Abolition and Conversion into Ryotwari) Amendment Bill, 1954	261-263
General Sales Tax (Third Amendment) Bill, 1954	
Indebted Agriculturists (Repayment of Debts) Bill, 1955	771-772
Indebted Agriculturists (Temporary Relief) Amendment Bill, 1954	291
Indian Bar Councils (Madras Amendment) Bill, 1954	262
Irrigation (Levy of Betterment Contribution) Bill, 1954	771
Mappilla Marumakkattayam (Amendment) Bill, 1954	261
Marumakkathayam (Amendment) Bill, 1954	262-263
Motor Vehicles (Madras Amendment) Bill, 1954	261
Preservation of Private Forests (Third Amendment) Bill, 1954	261
South Kanara Cultivating Tenants Protection (Amendment) Bill, 1955	820
Tenants and Ryots Protection (Amendment) Bill, 1954	262
Nomination of members to :	
Business Advisory Committee	772
Government Assurances Committee	772
Panel of Chairmen, nomination of	19
Bills—	
City Municipal (Amendment) Bill, 1955	722, 727
	740, 743
Dramatic Performances Bill, 1954	613, 625
	633, 643, 645, 653, 659
	676, 681, 684, 690, 691, 692
	693, 705
Entertainments Tax (Amendment) Bill, 1954	470-474
Essential Articles Control and Requisitioning (Temporary Powers) Amendment Bill, 1954	406-408
Estates (Abolition and Conversion into Ryotwari) Amendment Bill, 1954	423-424
	425, 426, 427, 428, 429
General Sales Tax (Third Amendment) Bill, 1955	397, 403
	404, 405
Indebted Agriculturists (Repayment of Debts) Bill, 1955	773-774
	792-793
Indebted Agriculturists (Temporary Relief) Amendment Bill, 1954	475, 483
	487

	PAGES
Chairman, Mr.—cont.	
Bills—cont.	
Indian Bar Councils (Madras Amendment) Bill, 1954	269, 274
	276, 282, 283
Irrigation (Levy of Betterment Contribution) Bill, 1954	794, 821
	823, 843, 872, 873
	876, 880, 882, 886
	887, 888, 889, 894
Mappilla Marumakkattayam (Amendment) Bill, 1954	265, 268
Marumakkattayam (Amendment) Bill, 1954	459, 460
Motor Vehicles (Madras Amendment) Bill, 1954	284, 300
	303, 310, 311, 315
	316, 317, 318
Preservation of Private Forests (Third Amendment) Bill, 1954	389, 394
	395, 396
South Kanara Cultivating Tenants Protection (Amendment) Bill, 1955	857, 858
	862
Tenants and Ryots Protection (Amendment) Bill, 1954	462, 467
	469
Condolence resolution on the death of Parthasarathy Ayyangar, Sri C. R., Ramanathan Chettiar, Sri S. A. S. Rm., and Nadimuthu Pillai, Sri V.	1, 4
Discussion re Governor's Address	19, 29
	30, 48, 107, 169
	232, 247
Motion re —	
Amendments to rules under the Cotton Transport Act, 1923	264
Change in the order of business, rule 22 (3) of the Council Rules	405
Change of non-official day into official day (rule 24 of the Council Rules	460, 461
	462
Draft Rules of Procedure for Madras Legislative Council	488, 489
	491, 492, 494, 495, 496
	497, 498, 499, 501, 502
	504, 505, 506, 507, 508
	515, 519, 520, 521, 522
	523, 524, 526, 530-531
Non-official business, allotment of a day for	809
Republic Day Honour 'Padma Shri', conferment on Srimathi Mary C. Clubwala Jadhav	720
Resolution re—	
Essential articles, amendment of the Seventh Schedule to the Constitution of India	319, 320
	370, 387, 388
Estate Duty Act, 1952, application to agricultural land	922, 940
Chakkalai Chetty, Sri V.—	
Bills—	
City Municipal (Amendment) Bill, 1955	729-730
Dramatic Performances Bill, 1954	621-625
	697
Condolence resolution on the death of Parthasarathy Ayyangar, Sri C. R., Ramanathan Chettiar, Sri S. A. S. Rm. and Nadimuthu Pillai, Sri V.	2, 3
Republic Day Honour 'Padma Shri', conferment on Srimathi Mary C. Clubwala Jadhav	721
Resolutions re essential articles, amendment of the Seventh Schedule to the Constitution of India	348-385
	388

	PAGES
Chidambaram Mudaliar, Sri A.—	
Bills—Dramatic Performances Bill, 1954	652-653
Discussion re Governor's Address	98-100
Motion re Draft Rules of Procedure for Madras Legislative Council	509
Cinchona—	
Question re production of — in the State	852
City Municipal (Amendment) Bill, 1955—	
See Bills.	
Clubwala Jadhav, Srimathi Mary C.—	
Republic Day Honour 'Padma Shri', conferment on — by the President of India	721
See Questions and Answers.	
College(s)—	
Question re —	
Arts —, demand for more admissions in	127-128
Building grants to first and second grade —	594
Government Arts —, Coimbatore, Question re appointment of a lecturer in	714
Commercial Tax Officers—	
Question re qualifications prescribed for Assistant —, particulars re	856, 895
	898
Community Project—	
Question re progress of — schemes	716
Condolence resolution on the death of Parthasarathy Ayyangar, Sri C. R., Ramanathan Chettiar, Sri S. A. S. Rm., and Nadimuthu Pillai, Sri V.	1-4
Cottage Industries Board—	
Question re constitution of —	710-711
Cotton Transport Act, 1923—	
Motion re amendments to rules under —	263-264
Crossword puzzles—	
Question re ban on —	10
D	
Daivasikhamani Achariar, Sri T. M.—	
Bill—Dramatic Performances Bill, 1954	699-701
Discussion re Governor's Address	106-110
	141-145
Motion re Draft Rules of Procedure for Madras Legislative Council	516
See Questions and Answers.	
Dakshina Bharat Hindi Prachar Sabha—	
Question re Pracharak Diploma of the —	16, 53
District boards—	
Question re—	
Pay scales of staff in —	770
Representation from chamber of district boards for more powers	134-135
	205-207
Dramatic Performances Bill, 1954—	
See Bills.	

	PAGE
E	
Educational concessions— Question re withholding of — granted to teachers' children ..	140, 20 22
Elections— Question re bye-election for the Aruppukkottai Parliamentary Constituency, non-payment of allowance to teachers ..	760-77
Electricity— Question re thermal station in South Arcot district, opening of ..	596-597
Electricity (Supply) Act, 1948— Question re notification under —, issue of ..	916-917
Electricity Extension Schemes— Question re list of — in North Arcot and Chingleput districts ..	260 348-349
Elementary School, Ennayiram— See School(s).	
E.S.L.C. Examination— Question re Assistant Examinership for —, particulars re ..	362
Entertainments Tax (Amendment) Bill, 1954— See Bills.	
Erskine Hospital, Madurai— Question re radium for use in — particulars re ..	353-354
Essential Articles Control and Requisitioning (Temporary Powers) Amendment Bill, 1954— See Bills.	
Estates (Abolition and Conversion into Ryotwari) Amendment Bill, 1954— See Bills.	
Thirajulu, Sri M.— Bills—Dramatic Performances Bill, 1954 ..	701-703
Discussion re Governor's Address ..	226-229
Motion re Draft Rules of Procedure for Madras Legislative Council. See Questions and Answers.	510-511
Examinations— Question re T.S.L.C. Secondary Grade —, intimation to private teacher candidates of their failure in ..	768-769
Conclusion of remarks— Announcement re— ..	721
F	
Family planning— Question re birth control clinics, opening of — in the State ..	708-709
Fertilizers and Chemicals, Travancore, Limited, Alwaye— Papers laid on the table of the House.	
Locations— Question re location of — in South Arcot district ..	714-715
Madras Bench Court, Cuddalore— Question re abolition of — ..	907

	PAGE
F—cont.	
Five-Year Plan— Question re— Irrigation and power schemes, inclusion in first — ..	716-720
Progress under the — discussion of ..	673
Schemes under the — allotment of funds to the South Arcot district ..	598
Five-Year Plan (Second)— Proposals for the — ..	673
Flood(s)— Question re particulars re — at Tiruppurpuliur in September 1954 ..	818-819
Forests— Question re particulars of — in Madras State ..	9-10
G	
G.C.I.Ms.— Question re appointment of — as medical officers in local fund dispensaries ..	135-136
Gajapathy Nayagar, Sri A.— Bills— Dramatic Performances Bill, 1954 ..	609 633-636 657, 678 685-686
Estates (Abolition and Conversion into Ryotwari) Amendment Bill, 1954..	414-415
Indebted Agriculturists (Repayment of Debts) Bill, 1955 ..	784-785
Indebted Agriculturists (Temporary Relief) Amendment Bill, 1954.	485
Indian Bar Councils (Madras Amendment) Bill, 1954 ..	279
Irrigation (Levy of Betterment Contribution) Bill, 1954 ..	842-843
Motor Vehicles (Madras Amendment) Bill, 1954 ..	298
Tenants and Ryots Protection (Amendment) Bill, 1954 ..	466-467
Condolence resolution on the death of Parthasarathy Ayyangar Sri C. R., Ramanathan Chettiar, Sri S. A. S. Rm., and Nadi- muthu Pillai, Sri V. ..	3
Discussion re Governor's Address ..	30 89-95
Motion re— Change of non-official day into official day (rule 24 of the Council Rules) ..	461
Draft Rules of Procedure for Madras Legislative Council ..	497, 498 507-508, 517
Non-official Business, allotment of a day for ..	809, 820
Resolution re Essential Articles, amendment of the Seventh Schedule to the Constitution of India ..	320 370-371
See Questions and Answers.	
Gambling— Question re prevention of betting on American Cotton ..	5
Games Fund— Question re constitution of — in secondary schools ..	16, 55-57

	PAGES
<i>G—cont.</i>	
General Hospital—	
Question re Dean of —, particulars re	913-914
General Sales Tax (Third Amendment) Bill, 1954—	
<i>See Bills.</i>	
Gold and Silver Workers' Union, Madurai—	
Question re memorandum presented to Minister for Industries by —	715
Gopalan, Sri K.—	
Bill—Dramatic Performances Bill, 1954	645-646
Discussion re Governor's Address	173-174
Government advertisements—	
Question re publication of — in newspapers	815-816 844-845
Government Arts College, Coimbatore—	
Question re appointment of a lecturer in —	714
Government institutions—	
Question re list of — in rented buildings	363-365 435-438
Government Milk Factory, Madras—	
<i>See Papers laid on the table of the House.</i>	
Government offices—	
Question re Government institutions and — of Madras State, housed in rented buildings—, particulars re	363-365 435-438
Government motion(s)—	
<i>See Motion.</i>	
Government Press—	
Question re rotary paper reels for — import of — particulars re	915-916
Government Resolution—	
<i>See Resolution.</i>	
Government servants—	
Question re—	
Attenders, pay of	594-595
Municipal Commissioners, recruitment of	597-598
Governor's Address—	
Discussion re	19-48 58-63 86, 110 141-184 221-247
Reply to the Motion of Thanks for —	261
Government Assurances Committee—	
Nomination of members to	772
Govinda Menon, Sri M. P.—	
Bills—	
City Municipal (Amendment) Bill, 1955	742-743
Dramatic Performances Bill, 1954	641-644
Indebted Agriculturists (Temporary Relief) Amendment Bill, 1954	492, 494
Marumakkattayam (Amendment) Bill, 1954	458, 459
Preservation of Private Forests (Third Amendment) Bill, 1954	391-392 396
Tenants and Ryots Protection (Amendment) Bill, 1954	462, 467

	PAGES
<i>G—cont.</i>	
Govinda Menon, Sri M. P.— <i>cont.</i>	44-48
Discussion re Governor's Address	86-89
Motion re Draft Rules of Procedure for Madras Legislative Council ..	508
Resolution re essential articles, amendment of the Seventh Schedule to the Constitution of India	378-380
Grow More Food Campaign—	
Question re report on — of religious institutions	16-17
Gurunandan Row, Sri V.—	
Bills—	
Indian Bar Councils (Madras Amendment) Bill, 1954	279-280
Motor Vehicles (Madras Amendment) Bill, 1954	289-290
Motion re change of non-official day into official day (rule 24 of the Council Rules)	461
<i>See Questions and Answers.</i>	
<i>H</i>	
Handloom Cess Fund—	
Question re cess amount received from Central Government out of —	602-603 664-668
Hindi—	
Question re making — an alternative to Sanskrit in high schools ..	11-12 53-54
Hindi pandits—	
<i>See Teachers.</i>	
Hindi Pandits' Certificates—	
Question re Tamilnad Hindustani Training Institute (Coimbatore), non-recognition of	79-80
Hindi Pracharak Diploma—	
Question re Dakshina Bharat Hindi Prachar Sabha—Qualifications equivalent to —	16, 58
Homœopathy—	
Question re encouragement of —	78-79
Hospital(s)—	
Question re—	
District Headquarters — Cuddalore, increase in the bed-strength of	591
District Headquarters — bed-strength, etc., in	764-765, 796
District Headquarters — South Arcot district	920
Government, number of, in —	136
Royapetta Hospital, appointment of Honorary Surgeon in	763-764
Hospitals and dispensaries—	
Question re vacancies of doctors in Government — particulars re ..	763-764
Hostel(s)—	
Question re—	
Stanley Medical College —	
Disorderly behaviour of women students	596-599
Maintenance of accounts by the warden	599-600 660-663

H—cont.

Hotels—	
Question re plates in —, ban on the use of	77
House-sites —	
Question re acquisition of lands for — for teachers in municipal areas.	256-257
House-rent allowance—	
Question re grant of -- to local board employees, Salem district ..	15

I

Indebted Agriculturists (Repayment of Debts) Bills, 1955—	
See Bills.	
Indebted Agriculturists (Temporary Relief) Amendment Bill, 1954—	
See Bills.	
Indian Bar Councils (Madras Amendment) Bill, 1954—	
See Bills.	
Indigenous medicine—	
Question re—	
Graduates of the college of —, registration of	850-852
Need for promoting —	811
Industry—	
Question re Tanning —, Committee on —, report of	357
	432-433
Industries Department—	
Question re officer of —, interviews with	79
Irrigation (Levy of Betterment Contribution) Bill, 1954—	
See Bills.	
Irrigation projects—	
Question re Amaravathi Reservoir and Walayar Projects, details	
re	909

J

John, Dr. V. K.—	
Bills—	
City Municipal (Amendment) Bill, 1955	722
	734-737
Dramatic Performances Bill, 1954	605, 613
	623, 625-629, 657
Entertainments Tax (Amendment) Bill, 1954	470-471
Essential Articles Control and Requisitioning (Temporary Powers)	
Amendment Bill, 1954	407, 408
Estates (Abolition and Conversion into Ryotwari) Amendment	
Bill, 1954	410, 411
	419-420, 420-421, 422, 429
General Sales Tax (Third Amendment) Bill, 1955	397-398
	402, 403, 404
Indebted Agriculturists (Repayment of Debts) Bill, 1955	774-777
Indebted Agriculturists (Temporary Relief) Amendment Bill, 1954	475-477
	478, 479, 481, 484, 487
Indian Bar Councils (Madras Amendment) Bill, 1954	272, 276
	278, 282-283
Irrigation (Levy of Betterment Contribution) Bill, 1954	835-839
	840, 876, 882-883
Mappilla Mardmakattayam (Amendment) Bill, 1954	265-266
	268

J—cont.

John, Dr. V. K.—cont.	
ALLS—cont.	
Motor Vehicles (Madras Amendment) Bill, 1954	284-289
	291, 292, 300, 302, 303, 304
	305, 308, 310, 311, 312, 314, 317
Preservation of Private Forests (Third Amendment) Bill, 1954	389-390
	395-396
South Kanara Cultivating Tenants, Protection (Amendment) Bill, 1955	857-858
	462
Tenants and Ryots, Protection (Amendment) Bill, 1954	463-464, 465, 468, 469
Condolence resolution on the death of Parthasarathy Ayyangar, Sri C. R., Ramanathan Chettiar, Sri S. A. S. Rm and Nadimuthu Pillai, Sri V.	2
Discussion re Governor's Address	28, 29
	36, 39, 42, 45, 46, 86-107
	157-165, 175, 255-242
Motion re—	
Change of non-official day into official day (rule 24 of the Council Rules)	460
	489
Draft Rules of Procedure for Madras Legislative Council	511, 527
Resolution re—	
Essential articles—amendment of the Seventh Schedule to the Constitution of India	319
	380-384, 386, 388
Estate Duty Act, 1953, application to agricultural land	927
	931-935
Joint Transport Commissioner—	
Question re duties of —	133-134
	200-202
K	
Kasturba Hospital, Udipi—	
Question re amount of grant given to —	8-9
Kasturba Medical College, Udipi—	
Question re clinical facilities to —	60-69
Kodaikanal Municipality—	
Question re working of the —, report on	457
Krishnamoorthi, Sri G.—	
Bills—	
City Municipal (Amendment) Bill, 1955	730
Indebted Agriculturists (Repayment of Debts) Bill, 1955	788-790
Irrigation (Levy of Betterment Contribution) Bill, 1954	833-834
	30-36
Discussion re—	
Governor's Address	726-731
Republic Day Honour 'Padma Shri' conferment on Srimathi Mary C. Chubwala Jadhav	922-923
Resolution re Estates Duty Act, 1953—Application to agricultural land	
See Questions and Answers.	

K—cont.

Krishnamoorthi, Sri T. G.—

Bills—

City Municipal (Amendment) Bill, 1955	732-733
Motor Vehicles (Madras Amendment) Bill, 1954	301-303
	133, 314

L

Lakshmanaswami Mudaliyar, Dr. A.—

Bills—

City Municipal (Amendment) Bill, 1955	722-725
	726
Irrigation (Levy of Betterment Contribution) Bill, 1954	821-827
	872, 875, 884-885
Question-hour, presence of Ministers during	770, 771
Republic Day Honour 'Padma Shri', Conferment on Srimathi Mary C. Chubbwala Jadhav	720
Resolution re Estates Duty Act, 1953—Application to agricultural land	924-926

Lakshmi Bhanu, Dr. (Kumari) S.—

Question re retention of — in Barnard Institute of Radiology .. Madras	600-602
--	---------

Land Revenue (Surcharge) Rules, 1954—

See Papers laid on the table of the House.

Language pandits—

See Teachers.

Libraries (public)—

Question re opening of — by voluntary organizations and private agencies	711-712
--	---------

Lignite—

Question re Neiveli, — Project, investigation of	121-122
--	---------

Lignite mines—

Question re—

Employees in — Neiveli — Amenities for	852-853
Neiveli —, amount spent towards cost of machinery for	812

Liquor permits—

Question re issue of —	909-911
--------------------------------	---------

L.T. Assistants—

See Teachers.

Lorries plying on inter-State routes after formation of Andhra State—

See Papers laid on the table of the House.

M

Madras Electricity System—

Question re Thermal Station at Basin Bridge, — Grant of dust allowance to workers, etc. in, —	74-76
---	-------

Madras Industrial Investment Corporation, Limited—

See Papers laid on the table of the House.

adural disturbance—

Statement re —	85-86
------------------------	-------

M—cont.

Malabar Special Police—

Question re clash between — and Special Armed Police at Egmore ..	448-449
---	---------

Malabar Tenancy (Determination of Fair Rent) Rules, 1954—
See Papers laid on the table of the House.

Manickavelu Naicker, the Hon. Sri M. A.—

Bills—

Entertainments Tax (Amendment) Bill, 1954	470, 473
	474
Estates (Abolition and Conversion into Ryotwari) Amendment Bill, 1954	403-411
	420, 421, 422, 423, 424
	425, 426, 427, 428
General Sales Tax (Third Amendment) Bill, 1954	397, 402
	403, 404
Indebted Agriculturists (Repayment of Debts) Bill, 1955	772-773
	790-792
Indebted Agriculturists (Temporary Relief) Amendment Bill, 1954	474-475
	485-487
Irrigation (Levy of Betterment Contribution) Bill, 1954	793-794
	867-872, 879, 880
	885, 886, 888, 890
	891, 892, 893, 894
Preservation of Private Forests (Third Amendment) Bill, 1954	388-389
	392, 393, 394, 395
	396
South Kanara Cultivating Tenants Protection (Amendment) Bill, 1955	857-858
	861-862
Tenants and Ryots Protection (Amendment) Bill, 1954	462, 467
	469
Manual training instructors—	252
Question re scales of pay of—	
Manual Training Teachers' Certificate (s)—	12-13
Question re recognition of — issued by Department of Industries ..	
Mappilla Marumakkathayam (Amendment) Bill, 1954—	
See Bills.	
Marumakkathayam (Amendment) Bill, 1954—	
See Bills.	
Medical College (s)—	249-250
Question re —	354-355
Opening of — at Coimbatore	
Starting of —, proposals re	
Medical Registration Act, 1914—	850-852
Question re Graduates of the College of Indian Medicine, registration under the —	
Message from the Assembly—	
See Bills.	
Milk products—	812
Question re factory in Nilgiris district for producing tinned — ..	
Model Children's Bill—	130
Question re introduction of — proposals for	
Modified Scheme of Adult Education—	123-124
Details of —	188-190
	853-854
Question re—	
Particulars re	

M—cont.

Mohamed Raza Khan, Sri—

Bills—

Dramatic Performances Bill, 1954	625, 649-652, 674 689-690 691
Entertainments Tax (Amendment) Bill, 1954	472, 474
Estates (Abolition and Conversion into Ryotwari) Amendment Bill, 1954	415-418
General Sales Tax (Third Amendment) Bill, 1955	400 401
Indebted Agriculturists (Repayment of Debts) Bill, 1955	785-787 791
Indian Bar Councils (Madras Amendment) Bill, 1954	280
Irrigation (Levy of Betterment Contribution) Bill, 1954	864-866 893
Motor Vehicles (Madras Amendment) Bill, 1954	295-297
Preservation of Private Forests (Third Amendment) Bill, 1954	396
Discussion re Governor's Address	19, 30, 41 174-181
Motion re Draft Rules of Procedure for Madras Legislative Council..	508-509 519, 528 529, 530
Resolution re Essential Articles, amendment of the Seventh Schedule to the Constitution of India	319, 320 376-378
See Questions and answers.	
Motion re—	
Amendment to rules under the Cotton Transport Act, 1923	263-264
Change in the order of Business—Rule 22 (3) of [the Council Rules.	269, 405
Change of non-official day into official day (Rule 24 of the Council Rules)	460-462
Draft rules of procedure for Madras Legislative Council	487-531
Motor Vehicles—	
Question re—	
Number of — used by Police department in South Arcot district.	912-913
Number of — used in the Prohibition department in South Arcot district	911
Number of — used by Revenue department in Cuddalore taluk.	855
Motor Vehicles (Madras Amendment) Bill, 1954—	
See Bills.	
Motor Vehicles Rules, 1940—	
See Papers laid on the table of the House.	
Motor Vehicles Taxation Act, 1931—	
See Papers laid on the table of the House.	
Motor Vehicles (Taxation of Passengers and Goods) Act, 1952—	
See Papers laid on the table of the House.	
Motor Vehicles (Taxation of Passengers and Goods) Rules, 1953—	
See Papers laid on the table of the House.	
Motor vehicles, temporary licences for —	
See Papers laid on the Table of the House.	
Municipal commissioners—	
Question re services of — provincialization of	901-902

N

Nallasenapathi Sarkarai Manradar, Sri N.—

Bills—Irrigation (Levy of Betterment Contribution) Bill, 1954	840-842
Discussion re Governor's Address	154-157

Narayanaswamy Pillai, Sri T. M.—

Bills—	
Dramatic Performances Bill, 1954	613-621 672-674 680-681, 682 683, 688, 692
Indebtedre Agriculturists) Temporary Relief) Amendment Bill, 1954	488-484
Motor Vehicles (Madras Amendment) Bill, 1954	305-306
Discussion re Governor's Address	100-106
Motion to Draft Rules of Procedure for Madras Legislative Council..	514-515
Resolution re—	
Essential articles, amendment of the Seventh Schedule to the Constitution of India	374-376
Estate Duty Act, 1953—Application to agricultural land	929-931

Narsappaya, Sri S.—

Bills—South Kanara Cultivating Tenants Protection (Amendment) Bill, 1955	858-861
--	---------

Nationalization—

Question re public utility concerns in the City of Madras, steps for —	84-
Newspapers and weeklies—	
Question re free supply of — to Government officials, particulars re	81-82 112-117

Non-official business—

Allotment of a day for —	809, 820
Non-gazetted officers—	
Question re medical concessions to —, issue of essentiality certificate.	136-137 208

O

Oil engines—

Question re supply of — and electric motor pumpsets	902-903
---	---------

P

Palar—

Question re reservoir across — in North Arcot district, construction of	83-84
Palmistry—	
Question re school for teaching —	73
Panel of Chairmen—	
Announcement re —	19

P—cont.

Papers laid on the table of the House—

All-India Congress Session, Avadi, temporary licences for motor vehicles (G.O. Ms. No. 3660, Home, dated 11th December 1954) ..	744
Balance sheets and profit and loss accounts of Fertilizers and Chemicals, Travancore, Limited, Alwaye,—Radio and Electricals, Limited, Madras ..	50
Bills as passed by the Assembly—	
City Municipal (Amendment) Bill, 1955 ..	745
Dramatic Performances Bill, 1954 ..	659
Entertainments Tax (Amendment) Bill, 1954 ..	429
Essential Articles Control and Requisitioning (Temporary Powers) Amendment Bill, 1954 ..	
Estates (Abolition and Conversion into Ryotwari) Amendment Bill 1954 ..	321
General Sales Tax (Third Amendment) Bill, 1954 ..	
Indebted Agriculturists (Temporary Relief) Amendment Bill, 1954 ..	429
Indian Bar Councils (Madras Amendment) Bill, 1954 ..	321
Irrigation (Levy of Betterment Contribution) Bill, 1954 ..	795
Mappilla Marumakkattayam (Amendment) Bill, 1954 ..	321
Marumakkattayam (Amendment) Bill, 1954 ..	429
Motor Vehicles (Madras Amendment) Bill, 1954 ..	321
Preservation of Private Forests (Third Amendment) Bill, 1954 ..	
South Kanara Cultivating Tenants Protection (Amendment) Bill, 1955 ..	894
Tenants and Ryots Protection Amendment Bill, 1954 ..	429
Board of Revenue—Reorganized set up—	
[G.O. No. 1564, Public (Special), dated 6th September 1954] ..	110
Commercial Crops Markets Committees Provident Fund Rules—	
Amendments to—	
(G.O. Ms. No. 3132, Agriculture, dated 19th October 1954) ..	50
Commercial Crops Markets Rules, 1948—Amendments to—	
(G.O. Ms. No. 677, Agriculture, dated 9th March 1954) ..	50
(G.O. Ms. No. 696, Agriculture, dated 10th March 1954) ..	
(G.O. Ms. No. 2414, Agriculture, dated 20th March 1954) ..	
Commercial Crops Rules, 1954—Amendments to—	
(G.O. Ms. No. 3036, Agriculture, dated 9th October 1954) ..	50
Co-operative Societies Act, New Rule XXXI under—	
(G.O. Ms. No. 2340, I.L.C., dated 28th August 1954) ..	50
Fertilizers and Chemicals, Travancore, Limited, Alwaye, balance sheet of ..	795
Government Milk Factory, Madras, Expert Committee to examine the working of the—Report of ..	429
Land Revenue (Surcharge) Rules, 1954—Amendments to—	
(G.O. No. 49, Revenue, dated 8th January 1955) ..	49, 744
Lorries plying on inter-State routes after formation of Andhra State—Collection of tax on—	
(G.O. Ms. No. 2147, Home, dated 19th July 1954) ..	49, 50
(G.O. Ms. No. 2553, Home, dated 1st October 1954) ..	
G.O. Ms. No. 36, Home, dated 6th January 1955) ..	
Madras Industrial Investment Corporation, Limited—Balance sheet and profit and loss account as on 30th June 1954 ..	744
Malabar Tenancy (Determination of Fair Rent) Rules, 1954—Amendments to—	
(G.O. Ms. No. 3632, Revenue, dated 25th December 1954) ..	744

P—cont.

Papers laid on the table of the House—cont.

Motor Vehicles Rules, 1940—Amendments to—	
(G.O. Ms. No. 2770, Home, dated 15th September 1954) ..	195
(G.O. Ms. No. 3453, Home, dated 24th November 1954) ..	
(G.O. Ms. No. 3454, Home, dated 24th November 1954) ..	
(G.O. Ms. No. 3515, Home, dated 30th November 1954) ..	
((G.O. Ms. No. 3549, Home, dated 2nd December 1954)) ..	
(G.O. Ms. No. 43, Home, dated 6th January 1955) ..	
(G.O. Ms. No. 115, Home, dated 12th January 1955) ..	
Motor Vehicles Taxation Act, 1931—Notifications under—	
(G.O. Ms. No. 3461, Home, dated 24th November 1954) ..	48, 49, 321
(G.O. Ms. No. 3672, Home, dated 13th December 1954) ..	
(G.O. Ms. No. 3851, Home, dated 29th December 1954) ..	
(G.O. Ms. No. 1734, Home, dated 16th June 1954) ..	
(G.O. Ms. No. 2787, Home, dated 7th September 1954) ..	744-745
Motor Vehicles (Taxation of Passengers and Goods) Act, 1952—Amendment of schedule to—	
(G.O. Ms. No. 3762, Home, dated 21st December 1954) ..	794
Notification under—	
(G.O. Ms. No. 2609, Home, dated 31st August 1954) ..	49
Motor Vehicles (Taxation of Passengers and Goods) Rules, 1953—	
Amendments to—	
(G.O. Ms. No. 2980, Home, dated 8th October 1954) ..	110, 74
(G.O. Ms. No. 3430, Home, dated 22nd November 1954) ..	
Preservation of Private Forests (Amendment) Ordinance, 1954 ..	50
Public Service Commission Office—Revision of scales of pay of last grade Government servants—G.O. Ms. No. 1454, Public (Services), dated 27th August 1954] ..	49
Public Service Commission Regulation 1954—Amendments to—	
[G.O. Ms. No. 1453, Public (Services), dated 27th August 1954] ..	48, 49, 50
[G.O. Ms. No. 2109, Public (Services), dated 4th November 1954] ..	
Radio and Electricals, Limited, Madras, Balance sheet and Manufacturing, trading and profit and loss account of— as on 31st December 1953 ..	744
Revised agreement between the Government of Madras and the Reserve Bank of India—	
[G.O. No. 1089, Finance (Ways and Means), dated August 1954] ..	49
Short-term licence fees for motor cars—	
(G.O. Ms. No. 3816, Home, dated 24th December 1954) ..	744, 745
(G.O. Ms. No. 130, Home, dated 12th January 1955) ..	
Stage carriages plying within the limits of erstwhile Pudukottai State—Concessional rates of tax [G.O. Ms. No. 2380, Home, dated 17th November 1954] ..	745
Tenants and Ryots Protection (Amendment) Ordinance, 1954 ..	50
Parameswaran, the Hon. Sri B.—	
Bills—Motor Vehicles (Madras Amendment) Bill, 1954 ..	283-284
	308-310, 311-315, 316, 317, 318.
Parameswaran, Sri E. H.—	
Bills—City Municipal (Amendment) Bill, 1955 ..	733-734
Discussion re Governor's Address ..	24-29
Resolution re Essential articles, amendment of the Seventh Schedule to the Constitution of India ..	369-370
See Questions and Answers.	
Photographers—	
Question re details of—employed in Information and Publicity Department ..	854-855

P—cont.

PAGES

Physical Training Instructors—	
Question re scale of pay of — in high schools	131-132 192
Police department—	
Question re Deputy Superintendents of Police, promotion of Superintendents of Inspector-General's office as,—Information re.	449-450
Police—	
Question re—	
Special Armed — Strength, etc., of	707-708
Special women —, appointment of	596
Police firing—	
Question re particulars re — on Tamilians in Travancore-Cochin State	911-912
Polytechnic (s)—	
Question re Central Polytechnic, Madras, strength of teaching staff in	130, 191-192
Post-graduate courses—	
Question re applications for — in M.S. and M.D.	591-593, 660
Preservation of Private Forests (Third Amendment) Bill, 1954	
See Bills.	
Probation officers—	
Question re number of —, increase in the	452
Prohibition—	
Question re work relating to — Transfer to Police department	917-918
Property (landed)—	
Question re inspection of — of religious institutions	17
Public Health Board—	
Question re particulars re —	120-121
Public services—	
Question re.—	
Ministerial Service, qualifications for entry into	119-120 185-187
Persons belonging to Washerman and Barber communities — Number employed in the Revenue department in the districts	856
Service association, participation of non-officials in	65-66 111
Purushotham, Sri T.—	
Bills—	
City Municipal (Amendment) Bill, 1955	727
Discussion re Governor's Address	19-21 92, 164
Dramatic Performances Bill, 1954	678-679
Entertainments Tax (Amendment), Bill 1954	471-472
Estates (Abolition and Conversion into Ryotwari) Amendment Bill, 1954	418-419
Five-Year Plan, Progress under	673
Information re questions, supplementary questions on unstarred questions	260-264
Irrigation (Levy of Betterment Contribution) Bill, 1954	866-867 868, 892
Motor Vehicles (Madras Amendment) Bill 1954	291-289

P—cont.

PAGES

Purushotham, Sri T.—cont.

Bills—cont.

Motion re draft Rules of Procedure for Madras Legislative Council	492, 493 494, 495, 496 497-498, 499 504-505, 507 519, 520, 521 522, 523, 524 525, 527-528
Non-official business, allotment of a day for	809

See Questions and Answers.

South Kanara Cultivating Tenants Protection (Amendment) Bill, 1955	857
--	-----

Q

Question hour—	
Presence of Ministers during —	770-771
Questions—	
Information re putting supplementary — on unstarred questions	260-261
Questions and Answers—	
Abdul Salam, Sri M. K. M.—	
Question re—	
Forests in the Madras State, particulars of	9-10
Kodaikanal Municipality, report on the working of	457
Neiveli Lignite Project, investigation of	121-122
Sales tax on tanners, waiver of	82-83
Tanning Industry Committee, report of	357 432-433
Clubwala Jadhav, Srimathy Mary C.—	
Question re—	
Certified Schools and Vigilance Service, continuance of—as an independent unit	596
Model Children's Bill, introduction of	130
Probation officers, Number of, increase in the	452
Special Women Police, appointment of	596
Women's Welfare department, particulars re	766 796-799

Daivasikhamani Achariar, Sri T. M.—

Question re —	
"Assurances" by Hon. Ministers in the Council, instructions to departments	603
Cottage Industries Board, constitution of	710-711
Gold and Silver Workers' Union, Madurai, memorandum presented to Minister for Industries by	715

Q—cont.

PAGES

Questions and Answers—cont.

Ethirajulu, Sri M.—

Question re—

Agricultural Colleges in Madras State, increase in number of—under the Five-Year Plan	451
Assistant Commercial Tax Officers qualifications for	856
Buses, purchase and disposal by Government during 1952-53 and 1953-54	895-898
Cinchona, Production of—in the State	447-448
District Boards, scales of pay of staff in	852
District Headquarters Hospital, Cuddalore, increase in the bed strength of	770
Family Planning, birth control clinics, opening of—in the City	591
Fire stations, location of—in South Arcot district	708-709
First-class Bench Court, Cuddalore, abolition of	714-715
Five-Year Plan Schemes, allotment of funds to the South Arcot district	907
Flood at Tiruppapuliur in September 1954, particulars re	598
Government hospitals, number of—in South Arcot district	818-819
Government servants, Pay of attenders	920
Lignite Mines, Neiveli—	594-595
Arretries for employees in —	852-853
Amount spent towards cost of machinery for —	812-813
Milk products, starting of a factory in Nilgiris district for	812
Motor vehicles used by Revenue department in Cuddalore taluk, number of	855
Motor vehicles used by Police department in South Arcot district, number of	912-913
Motor vehicles used in Prohibition department in South Arcot district, number of	911
Permits for buses in South Arcot district	856
Photographers in Information and Publicity Department, details re	854-855
Public Services, number of persons of Washerman and Barber communities in the Revenue Department in the districts	856
Sales tax, evasion of—in South Arcot district	915
Taxi motor cars in Cuddalore, particulars of	819
Thermal station (s) in South Arcot district, opening of	596-597
Town bus service (s) in municipalities	918-919

Gajapathy Nayagar, Sri A.—

Question re—

Graduates of Indigenous Medicine, registration of	850-852
Indigenous system of medicine, need for promoting	811
Modified Scheme of Adult Education	856-854
Schools, conversion of primary schools into basic schools	804-805
Tamilians in Travancore-Cochin State, shooting of	911-912

Gurunandan Row, Sri V.—

Question re—

Electricity (Supply) Act, 1948, issue of notification under	916-917
Shops and Establishments Act, exemption from	812-815
Sugar Factory in Tanjore district, establishment of	710

Q—cont.

Questions and Answers—cont.

Krishnamoorthi, Sri G.—

Question re—

Aided Elementary School, Ennayiram, South Arcot, recognition of	82
Bharat Scouts Organization, grants made in 1953-54 and 1954-55	125-126
Bifurcated courses in Agriculture, introduction of—in high schools of Tanjore district	13-14
B.T. Course (short-term), proposal for starting—in South Kanara district	55
B.T. degree to persons who underwent the short-term B.T. course, grant of	914-915
B.T. degree to persons who underwent the short-term B.T. course, grant of	72-73
Bye-election for the Aruppukkotai Parliamentary constituency, non-payment of allowance to teachers	769-770
Educational fee concessions granted to teachers' children, withholding of	140
Elementary higher grade teachers, age of retirement of	209-220
Elementary schools, payment of dearness allowance to teachers of	139-140
Elementary school teachers posted to secondary schools, counting of service in elementary school for increment, etc., in the secondary school	713
E.S.L.C. Examination, Assistant Examinership for	80-81
Fixation of pay of L.T. Assistants, condonation of age-limit in respect of	362
Higher grade teachers under local bodies, revision of pay of	122
Hindi as an alternative to Sanskrit in high schools	69-70
Hindi Pandits' Certificates issued by the Tamilnad Hindustani Training Institute, Coimbatore, non-recognition of	11-12
Hindi pandits, eligibility for B.T. scales of pay	53-54
Homoeopathy, encouragement of	79-80
House-rent allowance, grant of—to local board employees in Salem district	140-141
Language pandits in Forms I to VI, scales of pay of	78-79
Manual training instructors, scales of pay of	15
Manual Training Teacher's Certificate issued by the Department of Industries, Recognition by of—Government	71-72
Medical concessions to non-gazetted officers, issue of essentiality certificate	252
Middle and high schools, admission of children in the middle of school term	12-13
Oriental elementary and secondary schools, applications for recognition from	136-137
Palar river, construction of reservoir across—in North Arcot district	208
Panchayat-schools allotment of funds for	250-251
Pay scales to aided secondary school teachers	250-251
Physical training instructors in high schools, scales of pay of	816-817
Plates in hotels, ban on use of—proposal	131-132
M.L.C. (Volume IX)—5	192
	77

Questions and Answers—cont.	PAGES
Krishnamoorthi, Sri G.—cont.	
Question re—cont.	
Pracharak Diploma of the Dakshina Bharat Hindi Prachar Sabha	18, 58
Pupils in High Schools, collection of fee for scouting	252-253
School assistants acting as headmasters, eligibility for allowance	322
School assistants in schools under Government, appointments and promotions	126-127
Scout activities of students, remarks in the S.S.L.C. register	138
Secondary Education Board, constitution and functions of	124
Secondary grade failed teachers and untrained graduates in elementary schools, grants in respect of	361-362
Secondary grade surplus teachers, appointment to higher grade vacancies	434
Students, selection of—for various grades of teachers' training	132
Superannuated and untrained graduate teachers in secondary schools in State, number of	253-254
Teacher candidates, laboratory training facilities for appearing for University Examinations	256
Teacher trainees pre-basic examination for—particulars re	137-138
Teachers, Government scales of pay to—in municipalities	45
Teachers in aided elementary schools in Chingleput district, termination of services of	451-45
Teachers in aided secondary institutions, grant of leave to—for leprosy treatment	312-31
Teachers in elementary and middle Schools in ex-Pudukkottai State area, transfer of	712
Teachers in local bodies, absence on Saturdays from headquarters	70
Teachers in local bodies, retrenchment of men teachers in preference to women teachers	595-596
Teachers in municipal areas, acquisition of lands for house plots	254-255
Teachers' Maintenance Fund, starting of	139
Teachers' retirement in the middle of school year	256-257
Teachers' Savings Bank Accounts of Provident Fund deposits, introduction of pass book for	131
Teachers, termination of services of—in aided secondary schools in Chingleput district	124-125
Teachers (untrained) in Pudukkottai area, permanent exemption	258-259
T.S.L.C. Examinations, intimation of examination centres to private candidates for	712
T.S.L.C. Secondary Grade Examinations, intimation to private teacher-candidates of their failure in	453-454
Vilupuram Municipality, Elementary School teachers, payment of salary to	141

Questions and Answers—cont.	PAGES
Mohamed Raza Khan, Sri—	
Question re—	
Betting on American cotton, prevention of	8
Colleges in the State, building grants to	594
Crossword puzzles, ban on	10
Handloom Cess Fund, amount received from Central Government	602-603
Kasturba Medical College, Udipi, clinical facilities to	66-69
Malabar Special Police and Special Armed Police at Egmore, clash between the two	418-449
Medical College for Coimbatore, opening of	249-250
Medical College, starting of—proposals re	354-355
State Aid to Industries Act, amount due to Government under	709, 746-747
Superintendents in Inspector-General's office, promotion as Deputy Superintendents of Police, information re	449-450
Parameswaran, Sri E. H.—	
Question re—	
Government Arts College, Coimbatore, appointment of a lecturer in	714
Rice, decontrol of, number of men thrown out of employment.	593-594
Rashtotham, Sri T.—	
Question re—	
Amaravathi Reservoir and Walayar Projects, details re	909
Andhra officers and subordinates, retention in Madras State after partition	258-259
Artificial insemination centres in the State, particulars re	323-347
Arts Colleges, demand for more admissions in	85, 118
Astrology and palmistry, school for teaching of	127-128
Auto-rickshaws in Madras City, complaints re meters in	73
Beggar problem in Mahabalipuram	76
Board of Revenue, duties of Members of	903-905
Central Polytechnic, Madras, strength of teaching staff in	132-133
Community Project schemes, progress of	130, 191-192
District Boards, representation from Chamber of District Boards for more powers	716
District headquarters hospitals, bed-strength, etc., in	135-136
Doctors' vacancies in Government hospitals and dispensaries, particulars re	205-207
Electricity extension schemes in North Arcot and Chingleput districts, particulars re	764-765
First Five-Year Plan, inclusion of irrigation and power schemes in	796
G.C.I.Ms., appointment as medical officers in Local Fund dispensaries	763-764
Games Fund in secondary schools, constitution of	260, 348-349
Government advertisements in newspapers, publication of	716-720
M.L.C. (Volume IX)—6	135-136
	16, 55-57
	815-816
	844-845

Q—cont.

Question and Answers—cont.
Purushotham, Sri T.—cont.

Question re—cont.

Government offices and institutions of Madras State housed in rented buildings, particulars re	363-365 435-438
Grow More Food Campaign of religious institutions, report on	16-17
Jewels and other valuables of religious institutions, appraisalment of	17-18
Landed properties of big religious institutions, inspection of	17
Liquor permits, issue of	909-911
Madras Electricity Thermal Stations, grant of dust allowance to workers, etc., in	74-76
Ministerial Service, qualifications for entry into	119-120 185-187
Modified Scheme of Adult Education, details re	123-124 188-190
Municipal commissioners, recruitment of	597-598
Newspapers and weeklies, particulars re free supply to Government officials,	81-85 112-117
Officers of the Industries Department, interviews with	71
Oil engines and electric motor pumpsets, supply of	902-904
Prohibition work, transfer to Police department	917-918
Public libraries, opening of—by voluntary organizations and private agencies	711-717
Public utility concerns in Madras City, nationalization of	84-8
Rice-stock in the godowns particulars re	357-36
Rickshaws, number of—in the city and mufassal	847-84
Rotary paper reels for Madras Government Press, import of—particulars re	915-916
Sales tax, non-payment of — during 1952-53, persons convicted and prosecuted, particulars re	454-457
Secondary schools (new), opening of — by local bodies	766-768
Secondary schools, rates of school fees	73-74
Service associations, participation of non-officials in activities of	65-66 111
Service associations recognition of — by Government	5-6 51-53
Special Armed Police, strength, etc., of	707-708
Tamil Lexicon, publication of—Government contribution for	906-907
Taxis (meterless), running of — in the State, proposal for	257-258
Transport Commissioner and Joint Transport Commissioner, duties of	133-134 200-204
Water-supply improvement schemes in Chingleput and Tiruvallur municipalities, aid to	919
Water-supply schemes in Madras State, amount allotted from Central funds for	15-16
Ramaswami, Sri V. V.—	
Question re—	
Municipal Commissioners, provincialization of the services of	904-905
Tourist centres all over India, development of — particulars re	905-906

Questions and Answers—cont.

Breenivasan, Dr. A.—

Question re—

Barnard Institute of Radiology, Madras, retention of (Andhra) Lady Assistant in	800-802
Cattle, damages caused by stray cattle in thoroughfares	761-762
Dean of Madras General Hospital, particulars re	913-914
Kasturba Hospital, Udupi, South Kanara, amount of grant to	8-9
Medical officers, deputation of—to foreign countries for post-graduate study in Radiology	128-130
Post-graduate courses for M.S. and M.D., applications for	591-593 660
Public Health Board, particulars re	120-121
Radiology, diploma course in	765-766
Radium, quantity used in Barnard Institute of Radiology	259-260
Radium needles for Barnard Institute of Radiology, particulars re	450-451
Radium treatment to patients in State institutions	848-850
Radium, use of—in Erskine Hospital, Madurai	353-354
Research Health Officers, particulars re	355-356 430-431
Royapetta Hospital, appointment of House Surgeon in	136
Stanley Medical College Hostel, disorderly behaviour of women students in	598-599
Stanley Medical College Hostel, maintenance of accounts by the warden	599-600 660-663
Vaccine prepared by King Institute, Guindy, investigation into	809-810
Water-supply and drainage works, periodical inspection of—by the Sanitary Engineer and his assistants	7, 53

R

Radio and Electricals, Limited, Madras—
See Papers laid on the table of the House.

Radiology—

Question re—

Deputation of medical officers to foreign countries for post-graduate study in —	128-130
Diploma course in —	765-766

Radium—

Question re—

Erskine Hospital, Madurai, use of radium in	353-354
Quantity of — used in Barnard Institute of Radiology	259-260

Radium needles—

Question re purchase of — for Barnard Institute of Radiology	450-451
--	---------

Radium treatment—

Question re facilities afforded for — to patients in State institutions	848-850
---	---------

Rajagopalachari, Sri C.—

Bills—Dramatic Performances Bill, 1954	693-698
Discussion re Governor's Address	40

R—cont.		PAGES
Ramaswami, Sri V. V.—		
Bills—Dramatic Performances Bill, 1954		635-637
Discussion re—		
Allotment of a day for non-official business		862
Governor's Address		223-236
Motion re draft Rule of Procedure for Madras Legislative Council		509
Resolution re Estate Duty Act, 1953, application to agricultural land		935-936
See Questions and Answers.		
Ramaswami Reddiar, Sri O. P.—		
Bills—Irrigation (Levy of Betterment Contribution) Bill, 1954		862-864
Discussion re Governor's Address		871, 872
Religious institutions—		
Question re appraisalment of jewels of —, particulars of staff employed, etc., for		145-154
Republic Day Honours—		
'Padma Shri', conferment on Srimathi Mary C. Clubwal, Jadhav		17-18
Research Health Officers—		
Question re particulars re —		720-721
Resolution re—		
Essential Articles — Amendment of the Seventh Schedule to the Constitution of India		355-356
Estate Duty Act, 1953 — Application to agricultural land		430-431
Rice—		
Question re—		
Decontrol of — number of men thrown out of employment		318-320
Stock of — in godowns, particulars re		365-388
Rickshaws—		
Question re number of — in the city and mufassal		920-940
Royapetta Hospital—		
See Hospitals.		593-594
Ruling—		
Decorum—		
Members can sleep, not snore in the House		357-361
Sales tax—		
Question re—		
Evasion of — in South Arcot district		847-848
Levy of — on tanners, waiver of		
Non-payment of — during 1952-53, persons prosecuted particulars re		915
convicted and		82-83
ankaranarayana Pillai, Sri T. S.—		
Discussion re Governor's Address		454-457
		229-231

S—cont.		PAGES
School(s)—		
Question re—		
Aided elementary —, Ennayiram, South Arcot district, Recognition of		82
Elementary —, payment of dearness allowance to		713
High —, collection of fee from students for scouting in		252-253
Middle and high —, admission of children into — in the middle of the school-term		322
Oriental elementary and secondary — applications for recognition from		250-251
Panchayat —, allotment of funds for		816-817
Secondary —, rates of fees in		363
Secondary (new) —, opening of — by local bodies		73-74
Scout activities—		
Question re—		
Remarks about — in the Secondary School-Leaving Certificate of students, entry of		766-768
Secondary Education Board—		
Question re constitution and functions of —		124
Service Association (s)—		
Question re recognition of — by Government		261-362
See Public Services.		434
Shetty, the Hon. Sri A. B.—		
Bills—City Municipal (Amendment) Bill, 1955		5-6, 51
Shops and Establishments Act—		
Question re exemption from —		53
Short-term licence fees for motor cars—		
See Papers laid on the table of the House.		
Sivasubramanya Nadar, Sri S. P.—		
Bills—Dramatic Performances Bill, 1954		722, 738-740, 743
South Kanara Cultivating Tenants Protection (Amendment) Bill, 1955—		
See Bills.		
Special Armed Police—		
See Police.		
Sreenivasan, Dr. A.—		
Bills—		
City Municipal (Amendment) Bill, 1955		617, 655
Dramatic Performances Bill, 1954		675-676, 677, 683
Indebted Agriculturists (Temporary Relief) Amendment Bill, 1954		478
Discussion re Governor's Address		166-171
See Questions and Answers.		
Stage carriages in Pudukottai State—		
See Papers laid on the table of the House.		
State Aid to Industries Act—		
Question re amount due to Government under —		709
		745-747

S—cont.

Subrahmanyam, Sri B. V.—	
Bills—Indian Bar Councils (Madras Amendment) Bill, 1954	271-272
Subramaniam, the Hon. Sri C.—	
Bills—Dramatic Performances Bill, 1954	605-613
	643, 653-659
	676-677, 679, 681
	686-688, 689, 691
	692, 693, 703-705
Indian Bar Councils (Madras Amendment) Bill, 1954	269, 272-
	273, 278, 280, 281
	282, 283
Irrigation (Levy of Betterment Contribution) Bill, 1954	822
Mappilla Marumakkattayam (Amendment) Bill, 1954	265, 267-
	268
Discussion re—	
Governor's Address	33, 36
	171
Five-Year Plan, progress under	673
Subramanyan, Sri A.—	
Bills—	
Dramatic Performances	646-649
	704
Discussion re Governor's Address	231-235
Motion re draft Rules of Procedure for Madras Legislative Council.	511-512
Sugar factory—	
Question re establishment of — in Pudukkottai district	710

T

Tamil Lexicon—	
Question re publication of — Government contribution	906-907
Tamilnad Hindustani Training Institute, Coimbatore—	
See Hindi Pandits' Certificates.	
Taxis—	
Question re—	
Number of — in Cuddalore	819
Running of meterless — in the State, proposal for	257-258
Teacher(s)—	
Question re—	
Aided elementary school — in Chingleput district, termination of services of	712
Aided secondary school — grant of leave for leprosy treatment	70
B.T. degree to — who underwent short-term B.T. course, grant of	72-73
Educational fee concessions granted to children of —, withholding of	140, 209-
	220
Elementary and middle schools — in ex-Pudukkottai State area, transfer of	595-596
Elementary higher grade —, age of retirement of	139-140

T—cont.

Teacher(s)—cont.

Question re—cont.

Elementary School — posted to secondary schools, counting of service in elementary schools for increment, etc., in secondary schools	80-81
Facilities for — candidates for laboratory training for University examinations	452
Fixation of pay of L. T. Assistants, condonation of age-limit in respect of —	122
Government scales of pay to — in municipalities	817-818
Higher grade — under local bodies, revision of pay of	69-70
Hindi pandits, eligibility for B. T. scales of pay	140-141
Language pandits in Forms I to VI, scales of pay of	71-72
Local board —, absence from headquarters on Saturdays	254-255
Pay scales to aided secondary school —	716
Retirement of — in the middle of a school year	124-125
Retrenchment of men — in local body institutions in preference to women teachers	139
Savings bank accounts of Provident Fund deposits of —, introduction of pass book for	255-256
School assistants acting as headmasters, eligibility for allowance	126-127
School assistants in schools under Government, appointments and promotions of	138
Secondary grade failed — and untrained graduates in elementary schools, grants in respect of —	132
Secondary grade, surplus —, appointment to higher grade vacancies	253-254
Selection of students for various grades of training	256
Superannuated and untrained graduate — in secondary schools in State, number of	137-138
Teacher trainees, pre-basic examination for—particulars re	451-452
Termination of services of — in aided secondary schools in Chingleput district	712
Untrained — in Pudukkottai area, permanent exemption	453-454
Villupuram Municipality elementary school —, payment of salary to	604
Teachers' Maintenance Fund—	
Question re starting of —	131
Tenants and Ryots' Protection (Amendment) Bill, 1954 —	
See Bills.	
Transport Commissioner —	
Question re duties of —	133-134
	200-204
Tourist Centres —	
Question re development of — all over India, particulars re	908, 909
T.S.L.O. Examinations—	
Question re intimation of examination centres to private candidates	141

U		PAGES
Umar Koya, Sri P. P. —		
Bills—Dramatic Performances Bill, 1954		698-699
Discussion re Governor's Address		171-172
Motion re Draft Rules of Procedure for Madras Legislative Council.		515
V		
Vaccine —		
Question re investigation of — prepared by King Institute, Guindy.		806-810
Vigilance service —		
Question re continuance of — as an independent unit		596
Villupuram Municipality —		
Question re elementary school teachers in — payment, of salary to.		604
W		
Walayar Project —		
Question re details of progress of —		909
Water-supply improvement schemes—		
Question re aid to — in Chingleput and Tiruvallur municipalities ..		919
Water-supply schemes—		
Question re amount allotted from Central funds for — in Madras State		15-16
Water-supply and Drainage Works —		
Question re inspection of — by the Sanitary Engineer and his assistants		7, 53
Women's Welfare Department —		
Question re particulars re —		766
		798-799

