

MADRAS LEGISLATIVE COUNCIL DEBATES

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

Volume X (Nos. 1 to 19).

22nd to 26th and 28th February, 1st to 4th, 17th to 19th, 24th,
26th and 29th March and 5th to 7th April 1955.

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GOVERNOR OF MADRAS

SRI SRI PRAKASA

MEMBERS OF THE COUNCIL OF MINISTERS

- 1 SRI K. KAMARAJ NADAR, *Chief Minister.*
- 2 SRI A. B. SHETTY, *Minister in charge of Medical and Public Health, Co-operation, Housing and Ex-servicemen.*
- 3 SRI M. BHAKTAVATSALAM, *Minister in charge of Agriculture, Forest, Fisheries, Cinchona, Rural Welfare, Community Projects, National Extension Scheme, Women's Welfare, Industries and Labour, Animal Husbandry and Veterinary.*
- 4 SRI C. SUBRAMANIAM, *Minister in charge of Finance, Food, Education, Elections, Information and Publicity and Law (Courts and Prisons).*
- 5 SRI M. A. MANICKAVELU NAICKER, *Minister in charge of Land Revenue and Commercial Taxes and Rural Development.*
- 6 RAJA SRI SHANMUGA RAJESWARA SETHUPATHI, *Minister in charge of Public Works, Accommodation Control, Engineering Colleges, Stationery and Printing including Establishment questions of the stationery Department and the Government Press.*
- 7 SRI B. PARAVESWARAN, *Minister in charge of Transport, Harijan Uplift, Hindu Religious Endowments, Registration and Prohibition.*
- 8 SRI S. S. RAMASWAMI PADAYATCHI, *Minister in charge of Local Administration.*

Serial number and name of member.	Name and class of constituency.
23 Krishnamoorthi, T. G., B.A. . .	State Legislative Assembly.
24 Lakshmanaswami Mudaliyar, Dr. A., M.D., LL.D., D.S.C., D.C.L.	Madras Graduates.
25 Mahomed Usman, B.A.,	Nominated.
26 Manjubhashini, S.	Do.
27 Maruthavanam Pillai, C. . . .	South Arcot-cum-Tanjore-cum-Tiruchirappalli Local Authorities.
28 Mohamed Raza Khan	State Legislative Assembly.
29 Narayanaswamy Pillai, T. M., M.A., B.L.	Do.
30 Nallasonapathi Sarkarai Manradiar, N.	Do.
31 Narsapaya, S., B.A., B.L. . . .	Do.
32 Palaniswami Gounder, K. N. . .	Salem-cum-Coimbatore-cum-Nilgiris Local Authorities.
33 Parameswaran, E. H., M.A., L.T. . .	Madras Teachers.
34 Perumalswami Reddy, C.	Madras-cum Chingleput-cum-North Arcot Local Authorities.
35 Purushotham, T., B.A.	Madras-cum-Chingleput-cum-North Arcot Local Authorities.
36 Rajagopalachari, C., B.A., B.L. .	Nominated.
37 Ramaswami, V. V.	State Legislative Assembly.
38 Ramaswami Reddiar, O. P. . . .	Nominated.
39 Ranganathan, V. R.	Madras Teachers.
40 Rangaswami, V.	Salem-cum-Coimbatore-cum-Nilgiris Local Authorities.
41 Sankaranarayana Pillai, T. S., B.A., B.L.	Madurai-cum-Ramanathapuram-cum-Tirunelveli Local Authorities.
42 Sivasubramania Nadar, S. P., B.A., B.L.	Madurai-cum-Ramanathapuram-cum-Tirunelveli Local Authorities.
43 Somasundara Reddiar, A. . . .	South Arcot-cum-Tanjore-cum-Tiruchirappalli Local Authorities.

Serial number and name of member.	Name and class of constituency.
44 Sreenivasan, Dr. A., M. R. C. P. (Lond.)	Madras Graduates.
45 Srinivasa Rao, S., B.A.	State Legislative Assembly.
46 Subramanyam, A.	Do.
47 Subrahmanyam, B. V., B.A., B.L.	Do.
48 Subbalakshmi, R. S., B.A., L.T.	Nominated.
49 Thiagaraja Reddiar, P. B. K. . .	Salem-cum-Coimbatore-cum-Nilgiris Local Authorities.
50 Ummer Koya, P. P., M.A.	West Coast Local Authorities.
51 Venkatachalam, G.	Nominated.

Secretary to the State of Legislature, Madras—R. V. Krishna Ayyar, B.A., M.L., “Sri Vidya”, Chitrakulam East Ward Street, Mylapore, Madras-4.

Joint Secretary to the State Legislature, Madras—T. Hanumanthappa, B.A. (Hons.), B.L., “Stewards” Quarters, Government Estate, Mount Road, Madras-2.

Deputy Secretary to the State Legislature, Madras—A. J. Sabesa Ayyer, M.A., 4th, South Mada Street, Mylapore, Madras-4.

Assistant Secretary to the State Legislature, Madras—P. K. Harihara Ayyar, B.A., 9, Mundakanniamman Koil Street, Mylapore, Madras-4.

THE MADRAS LEGISLATIVE COUNCIL.

PRINCIPAL OFFICERS.

Chairman.

THE HON. DR. P. V. CHERIAN.

Deputy Chairman.

SRI A. M. ALLAPICHAJ.

Panel of Chairmen.

- 1 SRI T. G. KRISHNAMOORTHIL.
- 2 SRI T. M. DAIVASIKHAMANI ACHARIAR.
- 3 SRI V. CHAKKARATCHETTY.
- 4 SRIMATHI JOTHI VENCATACHELLUM.

Secretary to the Council.

SRI A. J. NABESA AYYAR, M.A.

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

Serial number and name of member.	Name and class of constituency.
1 Abdul Salam, M. K. M.	South Arcot-cum-Tanjore-cum-Tiruchirappalli Local Authorities.
2 Allapichai, A. M., B.A., B.L.	State Legislative Assembly. (Deputy Chairman.)
3 Annamalai Pillai, N.	Do.
4 Balasubramanya Ayyar, K., B.A., B.L.	Madras Graduates.
5 Bashyam Ayyangar, V., B.A., B.L.	Nominated.
6 Bhashyam, K., B.A., B.L.	Madras Graduates.
7 Bhaktavatsalam, M., B.A., B.L.,	State Legislative Assembly. (Minister).
8 Chakkarai Chetty, V., B.A., B.L.	Do.
9 Cherian, The Hon. Dr. P. V., M.B., B.S., F.R.F.P.S. (Glas.), F.R.C.S. (Edin.), D.L.O., R.C.S. (Lond.) (Chairman).	Madras Graduates.
10 Chidambara Mudaliar, A.	Madurai-cum-Ramanathapuram-cum-Tirunelveli Local Authorities.
11 Clubwala, Jadhav, Mary C.	Nominated.
12 Daivasikhamani Achariar, T. M., F.R.S.A. (Lond.)	Do.
13 Devaraja Mudaliar, T. V.	Madras-cum-Chingleput-cum-North Arcot Local Authorities.
14 Ethirajulu, M.	State Legislative Assembly.
15 Gajapathy Nayagar, A., B.A., B.L.	Do.
16 Gnanamuttu Alexander, M.A.	Madras Teachers.
17 Gopalan, K., B.A.	West Coast Local Authorities.
18 Govinda Menon, M. P., B.A.	State Legislative Assembly.
19 Gurunandan Row, V., Bar-at-law.	Do.
20 John, Dr. V. K., Bar-at-law.	Madras Graduates.
21 Jothi Vencatachellum, Srimalathi.	State Legislative Assembly.
22 Krishnamoorthi, G.	Madras Teachers.

THE MADRAS LEGISLATIVE COUNCIL.

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

Tuesday, the 22nd 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.

Posting of husband and wife employees in the same place.

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

(a) the orders of the Government with regard to the posting of husband and wife employees in Government and Local Board Services to one and the same place; and

(b) whether there is ban on the posting of such employees to one and the same office or institution?

THE HON. SRI M. BHAKTAVATSALAM (on behalf of the Hon. the Chief Minister):—“(a) So far as employees in Government service are concerned there is an order to the effect that, when a request is made by either the husband or the wife, both of whom are in Government service, for transfer to the station where the other is employed, it should be allowed if the transfer is permissible and can be made without prejudice to the public interest. This order also provides for transfers of either the husband or the wife to another station whenever the exigencies of service so require. No orders similar to the one referred to above applicable to employees in the Local Boards' Service have been issued.

“(b) There is no ban on posting of such employees to one and the same office or institution provided it is permissible according to the Service Rules governing their respective posts.”

SRI T. PURUSHOTHAM:—“With reference to the answer of the Hon. Minister to clause (a) of the main question, may I know whether the Government would be pleased to review the position and issue strict orders for the enforcement of the rule with regard to posting of these people in the same place as there are several instances in which they are kept separate in spite of the requests of the parties concerned?”

THE HON. SRI M. BHAKTAVATSALAM:—“I do not think a general review will be necessary. If the hon. Member could bring to the notice of the Government any of these cases Government will look into them.”

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SRI MOHAMED RAZA KHAN :—“ While even the natural law demands that both husband and wife should be together, why should the Government of Madras think of separating them in Government service? ” (Laughter.)

THE HON. SRI M. BHAKTAVATSALAM :—“ Sir, Government do not ever think of separating husband and wife. But I do not know whether the natural law demands that both husband and wife should be in service.” (Renewed laughter.)

SRI K. BHASHYAM :—“ Are the exigencies of service more important than the husband and wife being together? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ Yes, Sir. I am afraid it is so. Exigencies of service are more important. That does not necessarily mean that husband and wife should be separate. But, they will have to choose as to whether the husband should be in service or the wife should be in service.”

SRI T. PURUSHOTHAM :—“ May I request the Hon. Minister to consider the adoption of the same rule relating to Government servants in the case of local boards' servants also? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ Government will examine that request, Sir. If I remember aright, long ago a rule was observed by the local boards particularly with reference to teachers, according to which both husband and wife have to be posted as far as possible in the same place. Again, there must be a girls' school in a place where there is a boys' school.”

SRI T. PURUSHOTHAM :—“ While posting them in the same place, will the Government consider the desirability of banning their posting in the same office or institution in order to avoid collusive tendencies in official matters? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ I do not think it is right to suspect that there may be collusive tendency if both husband and wife were posted in the same office. We have got very great traditions of husband and wife taking very independent attitude without reference to their relationship.”

DR. A. SREENIVASAN :—“ Will not the posting of husband and wife in the same place bring about inefficiency? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ I do not at all think so, Sir.”

SRI A. GAJAPATHI NAYAGAR :—“ Can this State be called a Welfare State if the Government post husband and wife in different places? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ It is not a question of posting husband and wife to different places. If both the husband and wife choose to enter service, they will have

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to be prepared for separation. I know there are several husbands and wives who do not mind separation and they prefer separation in service to being together in domestic life.”

Sub-Inspectors belonging to Washerman and Barber communities.

* 170 Q.—SRI M. ETHIRAJULU : Will the Hon. the Chief Minister be pleased to state—

(a) the number of Sub-Inspectors belonging to Washerman and Barber communities appointed in the Police department since 1947; and

(b) how many of them were promoted as Circle Inspectors or otherwise?

THE HON. SRI M. BHAKTAVATSALAM (on behalf of the Hon. the Chief Minister) :—“ (a) One (belonging to the Barber community).

“ (b) Nil.”

SRI M. ETHIRAJULU :—“ அரசாங்க உத்தியோக விஷயங்களில், மிகவும் பிற்பட்ட வகுப்பினரான சலவைத் தொழிலாளர், ஷவரத் தொழிலாளர், மீன் பிடிப்பவர் இவர்கள் குறைந்த எண்ணிக்கை உடையவர்கள் தான் சர்க்கார் உத்தியோகத்திலிருக்கிறார்கள் என்பது சர்க்காருக்குத் தெரியும். ஆகவே, இப்போர்ப்பட்ட இனத்தவர்களுக்கு சூகுதியும் திறமையும் தேர்ச்சியும் இருக்கும் பட்சத்தில், உயர்ந்த பதவிகளுக்குத் தனிச்சலுகைகாட்ட அரசாங்கம் முன் வருமா? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ So far as direct recruitment is concerned, backward communities as such have this facility. A certain percentage of seats is reserved. If it is a question of promotion, that is governed only by merits. Government cannot undertake to look into every sub-community in the category of backward community, nor can they undertake to see the representation of particular communities and sub-communities in the matter of promotion to services.”

SRI K. BHASHYAM :—“ Has this been for their good or for their harm? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ It is for the communities concerned to decide whether it is for their good or for their harm.”

SRI A. SUBRAMANYAM :—“ இவர்கள் மிகவும் பிற்பட்ட இனத்தவராகியிருப்பதால், இவர்களை ‘ஷெட்யூலடு வகுப்பினர்’ ஜாப்தாவில் சேர்க்க முடியுமா? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ Sir, the Fishermen community has been representing that it must be treated on a par with the Scheduled Castes. That perhaps deserves some consideration. But I do not know whether objection

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would be raised from other quarters to this proposal as I could see that with reference to certain questions that were put in the other House."

Nature of treatment in the hospital attached to the College of Indigenous Medicine.

3 171 Q.—SRI A. GAJAPATHY NAYAGAR: Will the Hon. the Minister for Health be pleased to state—

(a) the diseases (acute and chronic) that are treated in the hospital attached to the College of Indigenous Medicine;

(b) whether it is a fact that the patients admitted in the hospital are mostly old people, if so, what their complaints are;

(c) whether any cases are sent from this hospital to the General Hospital; if so, how and why;

(d) what are the qualifications of the physicians in this hospital; and

(e) the systems of medicine according to which treatment is given in this hospital?

THE HON. SRI A. B. SHETTY:—“(a) All kinds of diseases are treated in the hospital attached to the College of Indigenous Medicine.

“(b) No, Sir.

“(c) No, Sir.

“(d) The Chief Physicians in the hospital possess the qualification of ‘High proficiency in Indigenous Medicine’ (H.P.I.M.) and the other Physicians possess G.C.I.M. or L.I.M. qualification.

“(e) Treatment is given in Ayurveda, Siddha and Unani systems of medicine. Cases of midwifery, maternity and surgery are admitted and treated in the Modern Medicine wards.”

SRI A. GAJAPATHY NAYAGAR:—“Are the Government aware of the fact that very many cases treated in the hospital attached to the College of Indigenous Medicine have been sent to the General Hospital for treatment?”

THE HON. SRI A. B. SHETTY:—“They have not been sent by the Hospital Physician. Some of the patients have probably gone there. I am not aware of it.”

SRI MOHAMED RAZA KHAN:—“May I know whether any research work is done in Ayurveda, Unani and Siddha in that hospital.”

THE HON. SRI A. B. SHETTY:—“Some kind of research is being done but we are not satisfied with it.”

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DR. V. K. JOHN:—“May I know whether we cannot combine these two systems of medicine in the same institution and teach every student both Allopathy and Indigenous Medicine?”

THE HON. SRI A. B. SHETTY:—“That is what is being done, Sir. I would request the hon. gentleman to visit the hospital and see for himself what is done there.”

DR. V. K. JOHN:—“Then, why should we have a College of Indigenous Medicine?”

THE HON. SRI A. B. SHETTY:—“Because people want it. They think this medicine is cheap. They have faith in Ayurveda and it is available in the rural areas easily.”

Age-limit for superannuation of Honorary Medical Officers.

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

(a) the age-limit for superannuation of Honorary Medical Officers in the State of Madras; and

(b) whether any exception has been made to the rule, and if so, the consideration which led to the exception, if any?

THE HON. SRI A. B. SHETTY:—“(a) No age-limit has been fixed. But Honorary Medical Officers who have attained the age of 55 years and who wish to continue in service have to produce a certificate of physical fitness.

“(b) Yes, Sir. Now and then persons who had attained 55 years of age, had to be appointed as Honorary Medical Officers, as there were no other applicants to the posts or in view of the post-graduate qualification and experience of the officers concerned.”

DR. A. SREENIVASAN:—“Is not the age of superannuation as mentioned in the rules published in the *Fort St. George Gazette*, 60 years? If so, why people over sixty years are appointed?”

THE HON. SRI A. B. SHETTY:—“There may be one or two such cases.”

DR. A. SREENIVASAN:—“Why, Sir? Is it because suitable people are not available or because the Government wanted to appoint superannuated people willy-nilly?”

THE HON. SRI A. B. SHETTY:—“I have already said that people with high post-graduate qualifications and teaching experience are selected in cases where other suitable candidates are not available.”

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DR. A. SREENIVASAN :—“ Did not the Selection Committee reject the applications of very many people for the reason they had reached the age of superannuation, even though they possessed the highest qualifications in the country? ”

THE HON. SRI A. B. SHETTY :—“ That depends on the availability of applicants in each case.”

Admission of in-patients in the Government Headquarters Hospital, South Arcot district.

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

(a) the number of in-patients admitted in the Government Headquarters Hospital, South Arcot district, now;

(b) the average number of out-patients attending the hospital daily; and

(c) the number of doctors, nurses, male nursing orderlies, sanitary workers and female nursing orderlies working in the hospital?

THE HON. SRI A. B. SHETTY :—“ (a) The average in-patient attendance for the three years ended with 1954, was 289.

“ (b) The average attendance was 577.

“ (c) Doctors 12
Nurses 21 (excluding one nursing Superintendent and two head nurses.)
Nursing Orderlies. 22 (12 men and 10 women.)
Toties 13 ”

SRI M. ETHIRAJULU :—“ Is it not a fact that the Government have decided to increase the bed strength in that hospital and if so, by how many? ”

THE HON. SRI A. B. SHETTY :—“ There has been a proposal to increase the bed strength in the case of several hospitals. Increase in the bed strength is effected where there is an urgent need for it consistent with the availability of funds.”

SRI M. ETHIRAJULU :—“ May I know the number of honorary women medical officers in that hospital? ”

THE HON. A. B. SHETTY :—“ I have given the total number of doctors. I cannot now give the particulars asked for.”

SRI M. ETHIRAJULU :—“ Will the Government consider the question of appointing honorary women doctors if they apply? ”

THE HON. SRI A. B. SHETTY :—“ Wherever it is considered necessary, we appoint honorary women doctors. If suitable people are available it is done.”

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Ayurvedic studies in the College of Indigenous Medicine.

* 174 Q.—SRI G. KRISHNAMOORTHY : Will the Hon. the Minister for Health be pleased to state—

(a) whether it is a fact that the number of hours devoted to Ayurvedic studies in the College of Indigenous Medicine, Madras, has been reduced recently; and

(b) if so, the reasons therefor?

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

“ (b) (i) To avoid overlapping of the same subject-matter in different classes.

(ii) To avoid matter which is of no practical use to the would-be doctors in their practice.”

SRI G. KRISHNAMOORTHY :—“ May I know, Sir, what subjects were deleted from the course? ”

THE HON. SRI A. B. SHETTY :—“ Indigenous midwifery and indigenous surgery.”

SRI G. KRISHNAMOORTHY :—“ May I know, Sir, whether these subjects were deleted for want of professors or for want of demand on the part of students? ”

THE HON. SRI A. B. SHETTY :—“ Surgery and midwifery have advanced to a revolutionary extent. There is no meaning in teaching indigenous midwifery and surgery now.”

SRI G. KRISHNAMOORTHY :—“ Is it a fact that besides surgery, certain other items of Ayurveda which are very useful and very effective have been taken away? ”

THE HON. SRI A. B. SHETTY :—“ No, Sir. Whatever is useful and effective is retained.”

SRI G. KRISHNAMOORTHY :—“ Is it a fact that a knowledge of Sanskrit is not insisted on for the students? For the teaching of certain subjects, a knowledge of Sanskrit was insisted upon formerly, and may I know why it is not insisted upon now? ”

THE HON. SRI A. B. SHETTY :—“ The qualification for admission to the course are ‘ Intermediate with Science ’ ”

SRI G. KRISHNAMOORTHY :—“ In view of the suitability of Ayurvedic treatment to Indian health conditions and in view of the effective cures which it can effect in the case of certain diseases which even Allopathy cannot cure, will the Government constitute a committee to go into the whole question of establishing an Ayurvedic College and encouraging research in Ayurveda by awarding liberal stipends? ”

THE HON. SRI A. B. SHETTY :—“ The Government of India are conducting research in Ayurveda at Jamnagar. But I cannot say what the comparative value of the treatment in

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Ayurveda and modern medicine is. Physicians following different systems claim to cure many diseases but not all diseases. Some diseases are probably cured, some are arrested and in certain other diseases all that can be done is to give some comfort to the patient."

Formation of a road from Vishnuvakkam to Red Hills.

* 175 Q.—SRI V. GURUNANDAN RAO: Will the Hon. the Minister for Agriculture be pleased to state—

(a) at what stage the proposals for the formation of a road from Vishnuvakkam to Red Hills, Tiruvellore Road, and the construction of a bridge across the Katangal stand at present;

(b) whether in connexion with this road and bridge, the Government received any representations in August and December 1952, and subsequently, from any of the villagers of Vishnuvakkam undertaking to form a road at their own expense for the convenience of the villagers; and

(c) if so, the action taken thereon?

THE HON. SRI M. BHAKTAVATSALAM :—“(a) The Board of Revenue has been requested to ask the Collector of Chin- gleput to include the work under the ‘Local Works’ programme of the Tiruvellore National Extension Service Block and to take necessary action for its execution.

“(b) Yes, Sir. Representations, dated 19th August 1952 and 5th December 1952, had been received stating that the cost of the work will be met by the villagers.

“(c) The Board of Revenue has been instructed to take action as stated in answer to clause (a) above.”

SRI V. GURUNANDAN RAO :—“May I know why there has been such a delay in dealing with such representations which were made in 1952?”

THE HON. SRI M. BHAKTAVATSALAM :—“Perhaps the hon. Member is also aware that there has been some litigation which must have caused this delay to some extent.”

Recovery of money due to the workers of the Madras Electric Tramways, Limited.

* 176 Q.—SRI V. GURUNANDAN RAO: Will the Hon. the Minister for Agriculture be pleased to state—

(a) whether the Government have received any application from the workers of the Madras Electric Tramways, Limited, for recovering moneys due to them under the award of the Special Industrial Tribunal, Madras (Mr. C. Narasimhalu);

and (b) if so, when the application was received by Government;

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(c) whether the Government have taken any action on that application, and if not, why not?

THE HON. SRI M. BHAKTAVATSALAM :—“(a) Yes, Sir. “(b) Two sets of applications were received, one on 12th March 1954 and the other on 12th June 1954.

“(c) The Government have preferred an appeal against the orders of the Madras High Court granting permission to wind up the Madras Electric Tramways. Action for recovering the money due to the workers will be taken up after the appeal is disposed of.”

DR. V. K. JOHN :—“May I enquire whether it was not the attitude of the labour which mainly contributed to the stopping of trams and labour is the worst sufferer for it?”

THE HON. SRI M. BHAKTAVATSALAM :—“I may tell the hon. the Deputy Leader of the Opposition that it is a matter of opinion. Further this does not arise out of the main question.”

SRI V. GURUNANDAN RAO :—“May I know whether there has been a stay of proceedings of the tribunal before an appellate court?”

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

SRI V. GURUNANDAN RAO :—“May I know what is the reason for waiting for the disposal of the appeal in the absence of a stay order?”

THE HON. SRI M. BHAKTAVATSALAM :—“It is a question of recovery. The High Court ordered the winding up of the Madras Electric Tramways. It is now felt that it would not be possible to recover the dues payable to the labourers. Therefore, the Government have preferred a ‘Letters Patent’ appeal against the order of the High Court to wind up the Madras Electric Tramways. Further, the Commissioner of Labour is not able to verify the claims of the workers. He has suggested that the Industrial Tribunal, Madras, which has given the award, may be asked to determine the exact amount due to the ex-tramway workers and that the amount so fixed may be recovered under the provisions of the Act. But, Sir, in another case, the High Court has held that reference to a tribunal for elucidation or clarification of the provisions of the award of the tribunal is *ultra vires*. The Government have preferred another ‘Letters Patent’ appeal against this order of the High Court. The Government have to wait for decisions on these two appeals before they can take further action.”

SRI V. GURUNANDAN RAO :—“Is it meant then that the application by the workers did not contain the amounts due to them?”

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QUESTIONS AND ANSWERS

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THE HON. SRI M. BHAKTAVATSALAM :—“ The Commissioner of Labour feels that he is not able to determine or verify the claims of workers.”

SRI MOHAMED RAZA KHAN :—“ When this is the case about moneys due to workers, what about the money due to the Government of Madras? What action has been taken to recover the same? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ That is a different question. Government feel that they will not be able to receive the moneys due to workers unless the judgment of the High Court is reversed. The position will be worse even with reference to Government.”

Enquiry into the causes for dead fish in the Bhavani River.

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

(a) whether on or about the 25th December 1954 and for some days thereafter a large number of dead fish was found floating in the Bhavani river in Mettupalayam reaches;

(b) whether the fish in the town water-storage tank were also found to die, when the Bhavani water was pumped into it; and

(c) what action has been taken to find out the cause for the same, when, by whom and with what result?

THE HON. SRI M. BHAKTAVATSALAM :—“ (a) The answer is in the affirmative.

“ (b) The Government have no information.

“ (c) As soon as a report regarding the death of fish was received the staff of the Fisheries Department at Bhavani-sagar conducted necessary investigation to find out the causes. It was found that the death of fish was not due to abnormal condition or adverse biological factors. It was found it was due to the poisoning of waters with bark and dynamites in the upper reaches of the rivers in Western Ghats. The staff of the Fisheries Department have been instructed to have a closer supervision for enforcing strict conservancy measures against such poisoning and pollution.”

DR. A. SREENIVASAN :—“ Did this give rise to an epidemic of gastro-intestinal disorder in the locality? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ I want notice, Sir.”

SRI V. CHAKKARAI CHETTY :—“ What about the fish? Were they thrown away or eaten up? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ I hope that these dead fish which were dead on account of being poisoned were not eaten up by any persons.”

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SRI V. CHAKKARAI CHETTY :—“ Thanks.”

SRI A. GAJAPATHY NAYAGAR :—“ Are the Government aware that there are more fish in the Bhavani river than ever came out of it? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ Perhaps it is so and Government are trying to exploit them.”

Tube wells in the South Arcot district.

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

(a) the number of tube wells sunk so far in the South Arcot district;

(b) whether the Government have any proposal to sink any more tube wells; and

(c) the cost of the tube wells sunk so far?

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

“ (b) The Government are considering a proposal for the sinking of one experimental tube well in Chingleput district.

“ (c) Roughly Rs. 27,000.”

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

II.—MESSAGE FROM THE ASSEMBLY.

MR. CHAIRMAN :—“ I have to announce to the House that I have received the following message, dated the 21st 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 Madras Plantations Agricultural Income-Tax Bill, 1954 (L.A. Bill No. 30 of 1954), as passed by the Assembly, on the 21st February 1955 and signed by me for the recommendations of the Council.

2. I certify that this is a Money Bill within the meaning of Article 109 of the Constitution of India.”

III.—GOVERNMENT BILL.

THE MADRAS PLANTATIONS AGRICULTURAL INCOME-TAX BILL, 1954
(L.A. BILL NO. 30 OF 1954).

THE HON. SRI M. A. MANICKAVELU NAICKER :—“ Sir, I move—

“ That the Madras Plantations Agricultural Income-Tax Bill, 1954 (L.A. Bill No. 30 of 1954), as passed by the Assembly, be taken into consideration.”

“ In doing so I would like to point out to this House that the system of levy of land tax in this State has been subjected to the criticism that the burden of tax is not distributed equitably among the different classes of landowners and it is also generally accepted

* Printed as Appendix on pages 44-82 infra.

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that the levy of tax on agricultural income is a progressive and equitable method of taxation. Hon. Members know that there is at present no tax on agricultural income in this State. The question of levying a tax on agricultural income has been under the consideration of the Government for a considerable time even as long ago as 1913. The levy of the tax has been postponed from time to time for some reason or other. The Land Revenue Reforms Committee, constituted to advise the Government on land revenue reforms and land tenure reforms, recommended, among other reforms, the levy of an agricultural income tax over and above the land revenue assessment, the levy being applied in the first instance to plantation areas and extended gradually to other areas when there is a general progress in the standard of education of farmers. The Government have examined the recommendation of the Land Revenue Reforms Committee and in view of the many difficulties that will have to be faced by the farmers if the agricultural income-tax is to be levied on all agricultural produce, the Government decided to levy, in the first instance, the tax on plantations. To secure this result and to obtain an addition to the revenue in the State, the Government decided to levy with effect from 1st April 1955, a tax on agricultural income from coffee, tea, rubber, cardamom and cardamom plantations and drafted a Bill accordingly.

"The Madras Plantations Agricultural Income Tax Bill, 1954, was introduced in the Assembly on 9th August 1954 and was referred to a Select Committee. The Select Committee subjected the provisions of the Bill to a very careful scrutiny. The Bill as amended by the Select Committee was passed by the Legislative Assembly without any major changes. The salient features of the Bill are as follows:—

"The tax will be levied on every person whose total agricultural income is not less than Rs. 3,000 and in the case of every Hindu undivided family or an Aliyasanthana family or branch, or a Marumakkattayam farwad or tavazhi including a Nambudiri family, not less than Rs. 6,000. The scale of levy ranges from 9 pies to 5 annas 6 pies in the rupee. Persons who will be liable for the levy of the tax will not have to pay income-tax on the first Rs. 1,500 of their agricultural income. The companies will however have to pay a tax at 5 annas and 6 pies per rupee on their total agricultural income.

"As it would cause great hardship if the thousands of small owners cultivating small extents of plantations are required to maintain accounts, planters owning not more than 5 acres in extent if used for growing tea or not more than 15 acres in extent if used for growing any other crop have been completely exempted from the payment of the agricultural income-tax. Persons owning not more than 20 acres in the case of tea and not more than 60 acres in the case of other crops have been given the option to compound the agricultural income-tax at the concessional rates specified in Part II of the Schedule.

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"Liberal concessions have been allowed in the matter of computing the agricultural income such as by allowing deduction for replanting expenses, interest on amounts borrowed for current expenditure subject to certain limits, bonus paid to workers, cultivation expenses, amount paid as land revenue or rent by landlord, expenses incurred for the maintenance of protective works for the benefit of the plantations, the sum written off for depreciation of machinery, buildings, etc., the expenditure incurred on the purchase or replacement of cattle, implements, etc., and any insurance premium paid against damage or loss of crop.

"The assesses under the Madras Land Revenue (Surcharge) Act, 1954, need not pay surcharge on land revenue assessments in respect of plantations owned by them. The procedure for the assessment and collection of the tax follows mainly the provisions of the Indian Income-tax Act and the Travancore-Cochin Agricultural Income-tax Act. The authorities who will exercise powers and functions under this Act will also correspond to those in the Acts mentioned above. Provision has been made for filing revision petitions to the High Court as in the case of the General Sales Tax Act."

Mr. CHAIRMAN :—"Motion moved—

"That the Madras Plantations Agricultural Income-tax Bill, 1954 (L.A. Bill No. 30 of 1954), as passed by the Assembly, be taken into consideration."

* DR. V. K. JOHN :—"Mr. Chairman, Sir, I must pay a compliment to the Select Committee for the labour it undertook and also to the accommodating spirit of the Government because the Bill as introduced in the Assembly after it has gone through the Select Committee is different in many respects from the original Bill drafted by Government. It is not very often that the Government show such accommodating spirit and allow changes to be made in the Bill. Particularly, among the many changes made in the Bill, I find that super-tax has been given up and that there is no income-tax on dividend. Some more deductions have been allowed in the computation of income. I find one new thing has been introduced, namely, advance tax. The Government pay two per cent interest to a person who pays the advance tax when he has himself to borrow at many times that two per cent from the bank to carry on his business. Having complimented the Select Committee and the Government, I should say that it would have been much better if a Joint Select Committee of both the Houses had been constituted. I do not find anything in our rules prohibiting the constitution of Joint Select Committees even in the case of Money Bills. I find the Government are neglecting this House by constituting only a Select Committee of the Assembly. In the Joint Select Committee, the majority of Members will be from the Assembly, and then again Members belonging to the Congress Party will be in the majority. I think the Government would do well to

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constitute Joint Select Committees on all important matters and particularly on a most important matter like the Plantations Agricultural Income-tax Bill. Somehow the Government did not think of getting the assistance from the Members of this House. They could have selected Members belonging to the Congress Party alone. Even then some assistance would have been given to them. Therefore, I request the Government to consider hereafter the question of associating the Members of this House in Select Committees on important Bills. (The Hon. Sri C. Subramaniam: 'Unofficially?') It is a Joint Select Committee I say. The constitution of a Joint Select Committee even on Money Bills is not against our rules at all.

"Sir, the question now for consideration is whether we should have this Bill passed into law and again whether it should be passed in the form in which it has been passed by the Assembly. Before proceeding into the pros and cons of the Bill, I should like to place certain facts before this House. We have 83,509 acres under tea and these are owned by 2,792 persons. We have 99,770 acres under coffee owned by 15,232 persons. This shows that coffee estates are owned by small men and not big persons. We have 32,337 acres under rubber owned by 341 men. One important fact to remember about the plantation industry is that it is an industry started about a hundred years ago. There are persons who want to expatriate or discriminate against European planters. If any European did any service to this country in the field of industry, it is the plantation industry. In other cases he has stood against us. The Europeans discouraged other industries so that their goods might be sold. In the case of the plantation industry, they did not do so. The plantation industry would not be occupying the position that it does now but for the fact that many pioneers—many adventurers—came and underwent all trouble and suffering in the cause of the industry. They invested their money on land and cultivated the land. Sir, the economic life of the tea plant, we have to remember, is fifty to sixty years. In the case of rubber and coffee it is about 40 years. Now almost all trees in our State are overaged, and replantation is, therefore, very necessary. We have reached a stage when the produce is becoming less and less every year for two reasons, namely, (1) no replantation and (2) no scientific methods being employed as in other countries. What we want therefore is the reinvigoration of the area, which is now under cultivation. The second fact that we must note about the plantation industry is that the area under plantation must be expanded. There are hundreds of thousands of acres on the hillsides in our State which can be usefully cultivated (they are fit for cultivation). Tea, rubber, coffee, cardamom, and other produce can be grown. There is an international agreement regarding the acreage under tea. We are allowed to grow tea only on 19,050 acres. But we are not growing tea on such a large number of acres. We have grown tea only on 50 per cent of the acreage allowed under the international agreement. As regards rubber, there has hardly been any expansion. After 1946 there has been no expansion at all. In

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the case of coffee, there has been no expansion after 1952. The second fact which the Government and the public have to keep in view is that there is great necessity for expanding the cultivation of tea, rubber, coffee, and other produce. One other factor to remember is that plantations employ a much larger number of men than any other industry in this country. It is said that oil refineries in Bombay costing Rs. 43 crores engage only less than 10,000 persons. On the other hand if we invest Rs. 43 crores on plantations, we can employ two lakhs and fifteen thousand workers. Actually we are employing in this industry 4 lakhs of persons. That is why the Plantation Act of 1951 provides for amenities of all sorts including housing, schools, recreation facilities, etc., to plantation labour. The next factor to remember is that the Government of India levy an income-tax of 40 per cent on the income of tea estates, and that there is the excise duty for local consumption at four annas per pound. There is the export duty of four annas per pound and the Madras Government also impose a levy of one and a half annas in the rupee on the turnover. There is the land tax in addition of about Rs. 2-4-0 per acre. Another factor to remember in this connection is that the Government of India being very much interested in the development of the plantation industry have appointed a Commission to enquire into the economic structure of this industry and that Commission has not yet submitted its report. We have the Taxation Enquiry Commission report, which is not yet published. Sir, there is a popular idea that plantations give very large dividends. I have figures with me taken from authoritative quarters, and I find that from 1920-1930, the dividend was 10 per cent, from 1930-1940, the dividend was 5-4 per cent, and from 1940-50, the dividend was 9-5 per cent. The question is whether we must introduce this Bill at all now. I am not on the form in which it is introduced. Should we have introduced the Plantations Agricultural Income-tax Bill at all, is the question. I agree on principle that a tax on income is very much better and must be welcome. It is very much better than the regressive measures of taxation such as sales tax and other taxes. It is much better to have a tax on income, because only if a man makes an income, he is liable to pay tax. Now that the industry is going through a crisis.

THE HON. SRI C. SUBRAMANIAM:—"Which industry?"

* DR. V. K. JOHN:—"This plantation industry. The trees are overaged and the area under plantations require replantation. The soil is exhausted, and it also requires replenishment and renovation. When we want more plantations, a great burden is now being placed on the industry. (Interruption.) Perhaps the Hon. the Minister for Finance did not listen to me. As I said, since 1946 there has been no increase in the plantation area so far as rubber industry is concerned. From 1952, there has been no increase in the plantation area of coffee. In the case of tea, there is an international agreement in regard to the acreage we can plant. But, we have not planted 50 per cent of the area under

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that international agreement. Also, we have tens of thousands of acres of land fit for cultivation of tea, rubber and coffee. That is why I have said that the industry is in a difficult situation. People would have put money into the industry and would have expanded it but for the fact that the industry as such is not thriving. Personally, I should have felt that it would have been better had we waited for the publication of the report of the Commission appointed by the Government of India to enquire into the financial and economic structure of the plantation industry. We could have also awaited the report of the Taxation Enquiry Commission. This is the budget time both for the Central Government and other State Governments. It is strange indeed that the report of the Taxation Enquiry Commission has not yet been published. I would have preferred to await these reports.

“ But, now that the Bill has been introduced and has also been passed by the Assembly, the only question for us to consider here at the present moment is whether we should have it in the form in which it has been passed by the Assembly or whether some changes are to be made. I know that no amendment in this House will pass through. No recommendation can be made by this House and even if a recommendation is made and sent to the other House, it will not be accepted. That has become the practice. So, anything we may say now will be only for the purpose of being useful for the future guidance of the Ministry. If they find that we have made some constructive criticism here, they may adopt our suggestions at a later date. For instance, for years I have been pressing for the levy of betterment contribution. As a result of repeated suggestions made in this regard by persons like me, the Government came forward only recently with a Bill to levy betterment contribution. Thus, the Ministry accepted the suggestion which we have been making repeatedly in the past. In the same way, the Government may consider the suggestions that we make with regard to this Bill also, and though they may not be able to accept them now, they may accept them at a future date after appreciating the soundness of our suggestions. In this spirit only, I wish to make certain criticisms.

“ Sir, one fundamental principle of taxation is that it should not adversely affect the purchasing power of the people. If only we look at the address of the President of the United States of America to the Congress, we shall find that he has emphasised the one ambition of the Government, viz., that the purchasing power of the people which is at present 300 billion dollars must develop in a few years to 500 billion dollars. One cannot emphasise too much that the purchasing power must be raised. Only if we raise the purchasing power of the people, there can be business. Without raising the purchasing power of the people, there will be no meaning in raising production. If people do not have the purchasing capacity, business will come to a standstill. To-day, the purchasing power of the people is at a very low ebb. So, business is affected, production is affected and everything

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connected therewith is affected. To-day the Government are considering the question of exporting certain quantities of rice to other places. The Government do not ask the question, ‘ What is the reason for the paddy produced in this State not being purchased by the people of the State? ’ The prices are now coming down. There are not sufficient persons here in this State itself to purchase the foodgrains produced here. Why? Because, the purchasing power of the people of this State has gone down. Have the Government made an enquiry as to whether every person in this State has a square meal a day? Is the production of this State sufficient to feed the entire population? It is not. Millions of people are starving and they are not able to purchase the necessary foodgrains. It may look very well for the Government to consider a certain quantity of rice as excess and arrange to export the same to other places. Sir, any taxation measure that the Government may contemplate should not adversely affect the purchasing power of the people. Again, according to the theory propounded by Kayee, the well-known economist, which has found a very wide acceptance, the economic strength of a country depends upon spending on consumption and on investment. If only more and more money is spent on consumption and more and more money is invested on industries without being hoarded, there will be economic stability in the country and there will be all-round prosperity also. Applying this principle, the Government should have introduced a taxation measure which should give great encouragement to greater investment on the plantation industry. If only the Government had told that this tax would be levied on the income of the planter concerned after deducting therefrom amounts spent on expansion of the industry, improvement of the land and replantation, then people would have spent more money on rehabilitation of the existing area and expansion of the industry. Now, the Government have provided for a small deduction of 2½ per cent in this regard. If only the Government had said that they would give full deduction for every rupee spent on expansion and every rupee spent on improvement and replanting, then people would have invested larger sums of money on these expansion activities. The Government must come forward to encourage such expansion activities. Now, in computing the income, the Government do not take note of this fact. The Government take the entire income into account for the purpose of levying this tax without providing for substantial deduction for expansion of the industry, for bringing additional extents of lands under cultivation, and also for improving the existing area under cultivation. I think the Government have made very serious mistakes in regard to this matter.

“ There is another mistake which the Government have made. Although they have given up super-tax and put 5½ annas as the ceiling figure of taxation, actually it is only an eye-wash. Because, the Government have not introduced a provision which is found in the Indian Income-tax Act. According to this, if a company pays income-tax on behalf of the shareholders and if the

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shareholders' income does not exceed the taxable limit, refund will be made to the shareholders. This has been made clear in section 48 of the Indian Income-tax Act. My complaint is that the principle of the Indian Income-tax Act has not been followed here. Take the case of a company having 10,000 shareholders carrying on business. When income-tax is paid by this company, it is deemed to be paid on behalf of the shareholders and as I said there is a provision for refund. It is nowhere stated in the Bill that the dividend paid to a shareholder is an item of deduction."

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SRI K. BHASHYAM :—" The dividend paid is deducted from the profits for computing the income-tax."

* DR. V. K. JOHN :—" It is strange. Is it after making payments of the dividend that you come to the income for taxation? I am surprised that a leading lawyer like Mr. K. Bhashyam should speak without knowing what the Indian Income-tax Act says on the point I am making. There is a provision in the Indian Income-tax Act—I mean section 48—which says that the person who gets a dividend can claim a refund of the income-tax paid on it by the firm, if his income does not exceed the taxable limit. Suppose a widow has put some money into a firm in the shape of shares and suppose also she gets a dividend of Rs. 1,000. It means the company has already paid the income-tax on that amount, say to the extent of Rs. 200. If she applies for a refund of this amount, she gets it back if that is her only income or if her total income does not go beyond the taxable limit. If ten thousand persons joined together and created a company, is it equitable to take away from that company any money without regard to the financial condition of the shareholders? Sir, this is a very serious omission which the Government have made in drafting this Bill. In imposing an income-tax on plantations, the Government must closely follow the principles embodied in the Indian Income-tax Act. There is the quintessence of wisdom."

* SRI K. BHASHYAM :—" I would like to refer my friend to clause 10 of the Bill which says—
'Agricultural income-tax shall not be payable on that part of the total agricultural income of a person which is—
(a) any dividend which he receives as a shareholder out of the agricultural income of a company,
(b) any dividend which he receives as a shareholder out of the agricultural income of a company.'

So, dividend is not taxed at all."
* DR. V. K. JOHN :—" There is no tax on dividend. I am not saying anything about tax on dividend. I am referring to a provision in the Indian Income-tax Act enabling a person who has got a dividend on which the firm has already paid the tax, to apply for a refund on the ground that he has not got taxable income. This is a very important provision and the Government have made the mistake of omitting this in this Bill."

THE HON. SRI C. SUBRAMANIAM :—" We have deliberately done it."

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* DR. V. K. JOHN :—" Whether it is agricultural income-tax or any other income-tax, the principles embodied in the Indian Income-tax Act should be fully embodied in the Bill."

THE HON. SRI C. SUBRAMANIAM :—" Can we have the same scale of 14½ annas here also? "

* DR. V. K. JOHN :—" This 5½ annas is a mere eye-wash. What happens under the Central Act is, if the Government take two lakhs of rupees from a company, nearly a sum of Rs. 1,50,000 is returned or refunded. The Government get only Rs. 50,000 from the firm. Now, under this Bill, the Government are putting a heavy burden on the poor people. They are imposing a tax on a person getting less than Rs. 3,000. A man getting below Rs. 100 is sought to be taxed. Under the Indian Income-tax Act, a man receiving a dividend which is below the taxable limit can ask for a refund of the tax paid by the company because under section 49 (b), any tax paid by a company is tax paid on behalf of the shareholder. The shareholder can put in an application for refund in Form 36 and get the money back. Perhaps more than half the money paid by various firms in India to the Government by way of income-tax is returned to the shareholder as refund. If a person gets a dividend of hundred rupees, he has to bear now that portion of the tax on every hundred rupees which may be even fifty rupees. So, this 5½ annas will weigh heavily on the poor common man."

THE HON. SRI C. SUBRAMANIAM :—" What about the Corporation tax which the companies now pay? "

* DR. V. K. JOHN :—" What is the idea in not adopting the provisions of sections 48 and 49 (b) of the Indian Income-tax Act here, when they are embodied in the Travancore-Cochin Act, especially when the Government say that they have adopted the Travancore-Cochin Act, word for word, even with the same grammatical mistakes? I have pointed out some of these mistakes also. We have now got income-tax on agricultural land in West Bengal, in Assam, in Travancore-Cochin and in Coorg. Section 48 of the Indian Income-tax Act is embodied in the Travancore-Cochin Act and we have not done it in our Bill. Why? I know that the Government feel, once they give refund to the poor shareholders, perhaps much money will not come out of this measure. If a thousand people join and start a company, are they to pay tax on the whole income . . . ? "

* SRI K. BHASHYAM :—" My friend is labouring a point which really is not there."

DR. V. K. JOHN :—" You may explain it later in your speech. You may take a little time to study the Indian Income-tax Act before you speak on this Bill."

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* SRI K. BHASHYAM :—“ I am afraid, Sir, this is not the place for us to indulge in studying our comparative merits. This is a Bill relating to agricultural income-tax. Let us talk about it and not about persons.”

* DR. V. K. JOHN :—“ The hon. Member, Mr. Bhashyam, interrupts me to say that the provision is there, and here is the Hon. the Finance Minister who says, ‘ We have deliberately omitted it ’. I do not want to say anything more on this. All that I want is, when the Indian Income-tax Act contains a provision to enable persons who are shareholders to obtain a refund of the tax under certain conditions, and when the Travancore-Cochin Act also has a similar provision, we also should have it here. You say the taxable limit is Rs. 3,000. How can this provision work, when you do not allow refund to those whose taxable income is less than Rs. 3,000 but who have already been subjected to this tax? Section 49 (b) says that the income-tax paid by a company is paid on behalf of the shareholders. That is a principle accepted by all civilised countries of the world. The Hon. the Finance Minister says he has deliberately ignored this principle. Probably he feels, once they start refunding the money, they will lose much of the anticipated income. No good fixing a limit of Rs. 3,000, whereas the limit for every individual under the Indian Income-tax Act is Rs. 4,200. I do not know why that limit of Rs. 4,200 prescribed in the Indian Income-tax Act has been reduced to Rs. 3,000. Speaking from a practical point of view, by this tax every shareholder in a company is taxed and the tax is not refunded to him, whereas the refund is there in the Indian Income-tax Act. This is a very serious mistake. One of the cardinal principles which you should follow in any measure of taxation is that it must be levied on those who can bear it. The poor man who gets a dividend from a plantation company wherein he is a shareholder and who has no other income than the little portion that he gets as his dividend, is now taxed. He is not exempted. All shareholders are subject to this tax. Everybody is taxed. That is why I say it is against the principle adopted in the Indian Income-tax Act and also the principle adopted in a number of other States which have introduced this tax in their agricultural plantations. When each and every shareholder is taxed, what is the meaning of fixing the limit of Rs. 3,000? I say it is only an ‘eyewash’. Whereas it is said that no agricultural income shall be payable on a total agricultural income which is less than Rs. 3,000, in the last proviso to Part I of the Schedule it is said that in the case of every company, agricultural income-tax shall be charged at the maximum rate on the whole of the agricultural income. That means every shareholder is thus subject to tax on the dividend he receives. That is why I say, this fixing of Rs. 3,000 is only an ‘eyewash’.

“ As I said earlier every company and every planter will certainly pay a good deal of his money for the purpose of renovation and expansion. But you do not give any allowance for renovation

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and expansion. You do not deduct the expenses incurred on account of renovation and expansion from his total income and then ask him to pay agricultural income-tax. The shareholder who has to find the money for paying the tax, must also find the money for expansion and renovation, as well. When you tax him for on dividend he gets, is it not just and proper that due allowances should be made for renovation and expansion? The shareholder's portion must go for expansion as well. Is it not the duty of Government, especially now when we are in urgent need of renovation and expansion because of the trees having become old, to come to the rescue of these planters? Is it not their duty to deduct from the total income of the planters the cost of renovation and expansion, and then only tax them? But they have not done so. The present Bill does not deduct the cost of renovation and expansion. When such is the case, this tax will act as a detriment to the renovation of existing areas and their expansion, which expansion would really help the Government in future by giving them some more income.

“ What you should and ought to have done is to have said that *only* those persons who do not renovate and expand their existing areas, will be taxed and that all those persons who renovated and expanded would not be taxed. But you don't do that. You do not give any allowance for renovation and expansion. Deduction from the total income for renovation and expansion is not made. When such is the case, the cost of renovation and expansion by a plantation company has got to be borne by the shareholders. Then the shareholder will get hardly any dividend. What will be the logical conclusion if the Bill in its present form is passed? Nobody would be induced to invest anything on plantation. They will neither renovate nor expand. These people get 5 per cent or 6 per cent or 9 per cent by way of dividend. May be their shares might have gone up. At the present time a Rs. 100 share might have gone up to Rs. 200. But when the present Bill is passed, the value of the share might get reduced to Rs. 50 and there will be no dividend at all. People will lose the value of their shares, their capital, and production will decrease. So the Government must consider that this should not be a measure of taxation which will lead to the detriment of production but help production. You should not say ‘ whatever money one might put in plantation, whether it is for renovation nor expansion, we will tax them.’ (The Hon. Sri C. Subramaniam : ‘ Is such concession given under the Indian Income-tax Act? ’) I shall come to that. There are not 50 year-old trees which have got to be replanted under the Indian Income-tax Act. If the trees were planted last year, you will have to wait for 10 years in the case of rubber for the yield. It is not also clearly said how much the Government are going to get by way of this tax. I quite agree that Government must have some source of revenue. Income-tax is perhaps the most equitable source of revenue. But that income-tax should not be levied in such a way as to be a detriment to production. You have fixed the maximum rate of 5½ annas in the rupee. You might have started with a

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smaller rate and then slowly, after the Act is worked for several years, increased the rate. You might have started with a rate of one anna in the rupee. When the Indian Income-tax Act was first introduced, the tax was for a small amount and slowly it was increased in succeeding years. Instead of fixing the maximum rate of $5\frac{1}{2}$ annas in the rupee, you could have fixed the rate of one anna on all agricultural land. By that you could have realised the same amount which you, now, think of collecting by fixing the maximum rate of $5\frac{1}{2}$ annas in the rupee, on agricultural plantations alone. The reason given for not applying this income-tax on agricultural lands other than plantations, was that the ordinary agriculturists do not know how to keep accounts. Hereafter the agriculturist will learn to keep accounts. That is what is now hoped. I ask wherefrom this Government got the idea to levy this income-tax on plantations alone? You say this Bill is similar to the one they have in Travancore-Cochin State. But there in Travancore-Cochin, the agricultural income-tax is not on plantations alone but on all agricultural land. Take similar Acts in West Bengal and Assam. It extends to all agricultural land. When the agriculturists in those States could keep accounts, surely our agriculturists also could keep correct accounts. If you have started with the one anna rate and levied it on all agricultural land, you could have got the same amount which you now think you can collect by the present method of collection. Even though the Select Committee has made some improvements, I do not know why they have not considered this question.

"You have not done many things. If you mortgage any property for the purpose of raising some money, interest for the amount borrowed is not taken into account. You must make allowance for the interest. There are so many things you have not done. I would like to make three big criticisms. One is that you ought to have exempted all moneys spent on expansion and renovation. Secondly you ought not to have taxed the poor man. Thirdly you could have brought all the agricultural land into the scope of the Bill and reduced the rate to one anna or $1/10$ th of the present maximum rate prescribed. But here you have chosen only one industry, the plantation industry, which earns you dollars. That industry has been very useful in earning us dollars and that industry has been unopened for many years and has not been taxed so far. That industry which employs as many as 4 lakhs of labourers should be given the incentive to increase its earnings. Instead of encouraging that industry and without waiting for the report of the Taxation Enquiry Commission . . ."

THE HON. SRI C. SUBRAMANIAM :—"Sir, does it require so much of repetition by the hon. Member?"

DR. V. K. JOHN :—"I am only summarising, Sir."

THE HON. SRI C. SUBRAMANIAM :—"There is so much repetition, Sir."

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DR. V. K. JOHN :—"I am glad that the Hon. the Finance Minister has followed the points which I have been urging."

MR. CHAIRMAN :—"The hon. Member has taken forty minutes."

DR. V. K. JOHN :—"In my opinion, Sir, this Bill ought not have been introduced. At any rate it should not have been introduced in the form in which it is introduced."

* SRI K. BALASUBRAMANYA AYYAR :—"Sir, I do not want to cover the same ground that has been covered by Dr. John. I want to refer to one point only not in connexion with this Bill alone but with all Bills that are introduced here. Rule 125 of the Council Rules states: '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 Bill be taken into consideration.' Rule 126 says—

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

I take it that the Hon. Chairman would have 'otherwise directed' in this matter. But this seems to have become the order of the day. Up till now I have not had occasion to see that this rule requiring notice has been observed. I am saying this, Sir, with a certain amount of responsibility. No motion has been set down in the list of business three days after the receipt of message from the Assembly that the Bill in question has been passed. This Bill is a very complicated Bill involving accounting. Members of this House require time to study this Bill. The time given to us to understand this Bill is insufficient. But the Government may say 'We supplied copies of the Bill to Members long before'. It is not sufficient if copies of the Bill are in our hands. We must know the changes made by the Select Committee and the amendments made by the Assembly. These amendments have got to be taken into consideration. Then only we may understand the Bill properly. My submission to you, Sir, is that you will please allow us the usual notice period and not ordinarily waive notice. Of course if there is urgent necessity for it, I do not object. In other cases, I hope the Hon. Chairman will insist on the three days' notice period. This is my humble submission to the Chair.

"So far as this Bill is concerned, I may say, Sir, that any taxation measure is unpopular. I am not proceeding to discuss this measure on that basis. But I propose to speak on the general principle underlying taxation measures. I am not a planter, nor am I interested in plantations. I am not, therefore, arguing for any vested interest. But I am talking on the general principle to be followed in all measures like the present one. I want to test this particular Bill upon that principle. After the Second Five-Year Plan, equal importance is attached to the private sector also.

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That has been made clear in the speech of the Prime Minister when he moved the resolution on the establishment of a socialistic pattern of society. The plantation industries deal with tea, coffee, rubber, cinchona and cardamom. These five crops are some of the most important things for our country. They are also exported to foreign countries. They depend largely for their success on the prices they get in the foreign markets. These commodities are for internal consumption and also for export. The Government have always had strict control over the whole business. So far as coffee is concerned, there is the Coffee Board and Coffee Pool. Prices are fixed by the Government as also the quantities of coffee that should be exported and retained for internal consumption. All these things are entirely in the hands of the Government. The whole policy is dictated by the Government. So the planter has no special initiative of his own in all these matters. He has to depend entirely upon the foreign policy of the Government and upon the competition in prices all over the world. The Hon. the Finance Minister said that there was no crisis now. I am not saying that the industry is in any crisis. But some of the planters, I may say, have given their minutes of dissent. They have said that in the year 1952 they went through a very difficult period on account of depression. Tons of coffee were detained in the country without being exported. The stock deteriorated, and the value of the produce finally realized in the market was very low. Coffee also underwent a difficult time during 1952, and thereafter slowly recovered. Tea and rubber industries are not progressing as well as they should. These are some of the factors that we have to take into consideration. We should see whether that taxation measure will affect the industry. That is one of the chief considerations. We should see whether the measure will be a drag on efficiency or will impose a penalty on success or be a discouragement to the expansion of the industry. It should not be a drag on efficiency and it should not also be a penalty on success. In the private sector the Government have not done anything so far as the plantations are concerned. Some of these planters went through the various parts of the country and established their companies. Some are foreign companies. Though we may say that the foreign companies are taking very large profits out of this country, still many of these commercial crops are not cultivated by Indian companies. The industries are now very largely in Indian hands and the Government did not . . . (Interruption.) My impression is that some of the Indian companies have purchased the plantations from the foreign companies and that they have taken up the cultivation of these crops. It was asked by some Members 'Why the foreign companies should not pay this tax when they are taking out large profits from this country?' That may be one reason, but still what I want to say is that this is an industry which has to expand and improve. It is an industry that requires the support of our people. The fact is that in many of these industries, people have got a large number of shares. They are depending upon the value of their shares and on the

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dividends which those shares would give them. When this tax is levied on the industry, it will have a prejudicial effect on the dividend and also on the value of the shares. Judged from that point of view, we will see that there is the danger of the shares going down in value. Thereby property rights of these shareholders will be affected. Dividend on their shares also will go down. If the company is still able to pay dividend, after meeting this tax, it is all right. But if it is not able to pay, then the dividend will be seriously affected. There is the further fact that most of the plantations are already heavily taxed. So far as tea is concerned it is heavily taxed. There is the excise duty and various other duties and cesses. There are the municipal taxes. There is also the land revenue. We must take into consideration all these factors. I welcome the Government's move in not imposing a super tax, and also in limiting the tax to 5½ annas in the rupee. If there was also super tax, it would have been still more difficult. At any rate, the whole taxation policy of the various States and the Centre is being examined by the Taxation Enquiry Commission. I am sure they would also have gone into the question as to whether agricultural income-tax should be levied on plantations and that too immediately. We do not have a full report of that Commission. Possibly, the Government may have a copy of the report or may have some information in this regard. But, we do not have the full picture before us at the present time. That is why I say that it will be much better to take this Bill into consideration after we have a full picture of the recommendations made by the Commission, and after the Government of this State also had completely considered all aspects of the report. I would also like to point out that the Government of India have appointed a Committee for the purpose of enquiring into the condition of the plantations and the report of that Committee will also be very valuable to us in considering the measure which is before us. After the receipt and consideration of the reports of these two Committees, the Government will do well to come forward with a suitable and comprehensive measure. Sir, my point is that this measure will have a deterrent effect on the general expansion of the industry especially when the prices are so fluctuating and when the prosperity of the industry depends on various factors such as foreign market, etc. Moreover, the policy of the Government to control the industry will have a damping effect upon private initiative. The plantation industry depends much on private initiative. Many of our people, I mean many belonging to the middle classes, are also shareholders. When the industry has to depend entirely upon private initiative for its development and when the policy of the Government is to control it, it would have been much better if this industry had been left without being taxed at least for some time more. I am not saying that it should not at all be taxed. I only say that it may be spared from this tax for some time more.

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"There is another matter which I would like to mention in this connection. So far as the imposition of the rates are concerned, there is a special provision in the Indian Income-tax Act that every year the rate should be fixed by the Legislature through an enactment. That is why we see the financial Acts are being passed from year to year. It would have been much better if this wholesome provision has also been incorporated in the Bill before the House, instead of making this a permanent tax. It would have been much better if there was a provision which allowed the Legislature or the Government to review the whole position from time to time and come before both the Houses of the Legislature every year with suitable Bills fixing the rates of the tax from time to time. This could have been done and would have been very well indeed. All the factors concerning the industry should be taken into consideration. For instance, we must see whether at a particular time the industry was suffering from keen competition in foreign markets or due to any other reason. If it was really suffering at that time, we could lower the taxation rates. If, on the other hand, we find that the industry was enjoying huge profits, we can raise the taxation rates. This is the first general principle which I want the Government to consider. This provision relating to the passing of annual Acts found in the Indian Income-tax Act could have been incorporated in the Bill under consideration with considerable advantage.

"My next point is that the deductions that are allowed in the Indian Income-tax Act could have been followed in their entirety in our Bill. There are certain deductions so far as the plantations are concerned. These could have been incorporated here also. I do not want to go into the details of this matter. When we consider particular clauses, I would like to enumerate what further deductions are to be made so that the plantation industry may not be throttled. To mention only a few of the deductions made in the Indian Income-tax Act, I would like to refer to the deduction made for payment of some money to charitable and other purposes. There is no such provision in the present Bill. Then take the case of scientific research. So far as the plantation industry is concerned, whether it be tea, coffee, rubber or any other, a good deal of research is necessary for the purpose of expanding the industry and also for the purpose of seeing that the industry is efficiently and properly carried on. In this Bill, insurance premia are not allowed to be deducted. This is allowed in the Indian Income-tax Act. The life insurance premium in respect of the proprietor, his wife or members of his family is not taken into consideration here for purposes of deduction. As I said, these are only a few of the instances. When a taxation measure like the one under consideration is contemplated by the Government, all these factors must be taken into account. Then only the measure can be equitable and justifiable. When we consider particular clauses, I will go into the details of this aspect.

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"So far as the non-resident planters are concerned, they have plantations in the State but live outside the State. The present Bill says that they may have some agents here and that therefore they should be held jointly and severally liable with the non-residents. This is a very difficult matter, Sir. These agents are not the agents contemplated under the Indian Contract Act. There is a lot of difference. The agent defined in the Indian Contract Act is not the same person as the one defined in the Indian Income-tax Act. If the agent mentioned in the Bill is the same as the one defined in the Indian Contract Act, he may have recourse to indemnity against his proprietor and that may be reasonable. But it is not the case. Instead of making these agents jointly and severally responsible, it will be much better to recognize certain persons as agents for the purpose of this Act, viz., to serve notices, etc., and to collect the tax from the non-resident planters themselves. If this is done, it will be conducive to the proper working of the Act also. Otherwise, there will be difficulties in making the agent jointly and severally liable.

"There is another important provision. It is said that the losses of the previous year alone will be carried over. (Interruption.) I am sure there is such a provision. I have looked into it. When we come to the particular clause, I will refer to it in greater detail.

"So far as the joint family is concerned, the exemption limit is fixed at Rs. 6,000. In the Indian Income-tax Act, it is fixed at Rs. 8,700 and I would urge that this limit may be adopted so far as the plantations are concerned. So far as the exemption limit is concerned, it may be a little more than five acres. Some suggestions were made in the Assembly that in the case of tea, 10 acres might be fixed and so on. These are some of the matters on which the Bill could be improved. But as a general principle, I would like to make a fundamental point that so far as agricultural income-tax is concerned, the rates, etc., should be fixed by an annual Act instead of by a permanent taxation measure of this kind. This Bill could have been introduced after the Taxation Enquiry Commission, the special Plantation Enquiry Committee and the Government of India had made known their views on the present taxation structure in the country. If we have before us these three reports, we could have a better picture of the whole of the plantation industry. We would then be in a better position to judge whether a tax of this kind is just or equitable and will not cripple the resources of the plantation industry."

* SRI K. BHASHYAM :—"Mr. Deputy Chairman, Sir, I find some agreement at least between the Opposition and the Government in respect of the principle of the Bill. Income-tax is the most scientific and logical tax one could ever think of. I wish the land tax were abolished altogether because in all other countries, it is not the land that is taxed but it is the income from the land that is taxed. Income-tax on agricultural land is attempted for the first time in the Madras State and I welcome this measure."

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in that sense. If the Government bring in another Bill very soon for taxing all agricultural incomes—whether from plantations or otherwise—and taking away the land tax, that would be the best thing that the Government can do. It will be very much to their good because the Government will not be charged of being partial in that they tax only income from plantations and not non-plantation agricultural income.

“Then, Sir, there is this thing. The Bill that we are now passing may be slowly and naturally—and properly also to some extent—be extended to other incomes also from agriculture. When we do so, the provisions of this Bill will be taken as the basis for such a legislation and so, these provisions require careful and close examination. In that sense, I believe, the suggestions and remarks that we make on this Bill will be useful to the Government though I am sure they will not really be accepted now as the basis of amendments to the present Bill itself. The suggestions made by the hon. Member, Dr. John, also merit consideration and they may be helpful in drawing up any amending Bill to the measure that we are presently passing.

“Sir, so far as the drafting of the Bill is concerned, it leaves very much to be desired. In fact, as has already been pointed out by many members, some provisions of the Indian Income-tax Act have been taken and incorporated in this Bill without carefully examining the implications of such provisions and without studying the decisions of the courts on some of the sections so incorporated. Some provisions from other Income-tax Acts like the Travancore-Cochin Act, the Bihar Act and the Bengal Act, have been adopted here without perhaps co-ordinating all these and subjecting them to close examination. I agree with the remarks made by the Deputy Leader of the Opposition on this point though some of the suggestions made by him were not quite good. This Bill must have been submitted for examination to a small committee of experts who could advise the Government as to how it should be drafted. At this stage, it is neither possible nor profitable to argue the several inconsistencies contained in the Bill. However, I do want to point out one or two defects that are noticed in the Bill so far as the incidence of taxation goes. For instance, there is a provision in clause 3 (3) relating to the charge of agricultural income-tax. Perhaps hon. Members may be interested in what I am going to say and I would request them to listen to me. The sub-clause says—

‘In the case of persons holding property as tenants-in-common and deriving agricultural income, the tax shall be assessed at the rate applicable to the agricultural income of each tenant-in-common.’

When we apply the provisions of this sub-clause to a case covered by a latter clause—clause 29—we will notice the omission. Clause 29 deals with the question of assessment after partition of a Hindu undivided family, an Aliyasanthana family or branch or Marumakkattayam tarwad or tavazhi. This whole provision has been taken from the Indian Income-tax Act and the decision of

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courts so far goes to show that it is not enough to enter into a partition deed or get into a partition arrangement. There must be a division by metes and bounds. That is the law at the present moment. When we study clause 29 in the light of this decision and take it to clause 3 which says each tenant-in-common will be assessed to income-tax separately, how are these two provisions to be reconciled? Clause 29 of course reads all right. But there are decisions of courts and of Commissioners of Income-tax which say that the section does not apply to cases where there is merely a partition deed and that it applies only to cases where the division is by metes and bounds and the property put in possession of various persons. How are these two provisions to be reconciled, I ask?

“Then, Sir, take another case. ‘Person’ in the Bill is defined as ‘any individual or association of individuals’. What happens now is if there is a registered firm, it is the firm that is taxed and not each member thereof. Suppose there are two persons who are partners of a firm and one of them dies leaving minor children. The firm goes out of existence and the association comes in. Since according to the definition they are tenants-in-common, both can be taxed. These are some of the difficulties one will come across in the working of the Act. We know what the decisions of Courts on the Indian Income-tax Act are. I am afraid the Bill has been drafted without going into the very implications of these decisions.

“Sir, I am only mentioning these points and it is not for me to argue these in this House. There are also other serious omissions in the Bill. According to the Bill, ‘Principal Officer’ used with reference to any company or association means—

(i) the Secretary, Treasurer, Manager or Agent of the company or association, or

(ii) any person connected with the company or association upon whom the Agricultural Income-tax Officer has served a notice of his intention of treating him as principal officer thereof.’ So, whoever the Income-tax Officer selects can be called the principal officer of the company. Suppose, there is a clerk who is working there. It is not as if he is concerned with the various branches of the company’s business. It is wrong to define the principal officer as such since even a clerk can be termed so. He is not responsible for submitting returns to the officer; he is not responsible for payment or income-tax; he does not operate on the bank account. For any possible non-compliance with the provisions of this Act, he is likely to be prosecuted. I hope the Government will look into these things and rectify them.

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"I am not able to understand what exactly is meant by clause 9 (1) of the Bill. I do not understand the meaning of saying, viz.,—

"In computing the total agricultural income of an assessee, all agricultural income arising to any person by virtue of a settlement or disposition, whether revocable or not, and whether effected before or after commencement of this Act, from assets remaining the property of the settlor or disposer shall be deemed to be the agricultural income, etc."

It is said that the property remaining with the settlor shall be determined. Suppose a person has given his property to another and if it is not revocable, then how are you going to assess the agricultural income? Therefore it is I say that, while the object of Government is clear, the drafting of the clause is bad and will defeat the very purpose of the measure.

"A general survey has been made by the Members of the Opposition as regards the necessity or otherwise of this Bill in this State. They said that the Government could have waited for some time more and that they need not have rushed in with this Bill when there was the Plantation Enquiry Committee which was studying the problem. The Plantation Enquiry Committee is concerned with the social welfare of the workers in plantations and with the economic condition of the workers in plantations. While I admit that in an indirect way, the economic position of the competency, I am clearly of the opinion that it is beyond the purview of the Plantation Enquiry Committee to suggest whether there should be agricultural income-tax on plantations or not. As regards the Economic Enquiry Committee, the Finance Minister has stated that the agricultural income-tax is one of the things favoured by the Committee though the report is not yet out.

"I think the exemptions granted are liberal indeed. The five-acre limit is a reasonable one. It has been suggested in the Select Committee that further concessions may be given for small landowners cultivating coffee and tea in their lands. I am sure Government will think about them and make proper provision in the rules which they would make under clause 61. Otherwise the exemptions granted are fairly generous. Somebody said that provision for 'capital expenditure' has not been made. I would like that hon. Member to look into clause 5 (g) (ii). In fact, it is provided for. Clause 5 (g) states—

"Expenses other than capital expenditure incurred in the previous year of cultivating the crop from which the agricultural income is derived and of transporting such crop to market, including the maintenance of agricultural implements and cattle required for such cultivation and transport or both."

There is the proviso to clause 5 (g) which says—

"Provided that in any particular year the total replanting expenditure shall not exceed the amount necessary for replanting 2½ per cent of the acreage if the crop is rubber or coffee, 1 2/3 per cent if the crop is tea and 8½ per cent if the crop is cardamom and 10 per cent if the crop is cinchona."

I think objection could not be taken to the fixing of this percentage. I think enough provision has been made for replanting. I was not one of the witnesses examined. But, I think it was Mr. Pais

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speaking for landlords, in the Select Committee who said that the percentage fixed for 'capital expenditure' in this clause was a big figure incurred on replanting.

"I would like to say a word or two with regard to 'refund'. In the case of companies, it is the company that is taxed. In the case of a joint Hindu family, it is the joint family that is taxed. In the case of a firm, it is the firm that is taxed and not the individuals. Of course, individuals if they own property themselves and not jointly with others, they are taxed because they own the property. If a company is taxed, it is the aggregate of shareholders that are taxed and not each and every one separately. To the extent that a shareholder, if the company is taxed, has got to pay his share of the tax, there is an indirect bearing of the tax on the shareholder. But you have got to remember one principle in this taxation. The amount that is paid as dividend to the shareholder cannot be an agricultural income. The Supreme Court has held such a view. The tax is levied on the company and not on each shareholder. Suppose a shareholder receives Rs. 200 as a dividend and he has 20 or 30 acres. In computing the value of the income which he derives, the amount he got by way of dividend is not taken into account because the amount that is derived by way of dividend cannot be treated as agricultural income. Therefore, I say, the question whether refund should be made is quite unnecessary for the purpose of this Bill. If the shareholder has no land and if you say that the tax which as a shareholder he may likely have to pay should be refunded to him, that is perfectly legitimate. But to go further and say that each and every one should get refund, is, I think, going far beyond and I think that that is not justifiable. That is my point of view. The Supreme Court have held that any dividend received from a company which is engaged in agricultural operation is not agricultural income at all. They have come to that decision. Therefore, the question of refund does not arise.

"A difficulty may arise when refund is claimed for, say, ten years. The refund may be claimed according to the prescribed clauses 44 to 48. Then the difficulty from 'what date one should calculate the income' may arise. But the Government are enforcing this measure only from April 1955. I think if any difficulty is experienced, they may bring in an amendment later.

"I would like to mention a serious mistake. In the Income-tax Act, the undetermined liability of the transferor is limited only to the year the transfer took place and the year previous to that. No such provision has been made here with regard to transfer of title on plantations. (Interruption.)

"Perhaps Dr. John is right and I am wrong. (Interruption.) I am not speaking on that. I am speaking of the claim to be made on the assessee. How far back can the claim go for this

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purpose? What I have been talking on is something different. I am on the subject of transfer and succession. The proviso to clause 23 reads—

‘Provided that when the transferor cannot be found, the assessment of such agricultural income of the previous year in which the transfer took place up to the date of the transfer and for the years preceding that year shall be made on the transferee in like manner and to the same amount as it would have been made on the transferor . . .’

This does not specify the number of years. That is the difficulty. In clause 28, there is some improvement. It says—

‘(1) Where, at the time of making an assessment under section 17, it is found that a change has occurred in the constitution of a firm or that a firm has been newly constituted, the assessment shall be made on the firm as constituted at the time of making the assessment.

‘(2) Where a person carrying on any business in the course of which agricultural income is received has been succeeded in such capacity by another person, such person and such other person shall each be assessed in respect of his actual share of the agricultural income of the previous year :—

Provided that, when the person succeeded in the business cannot be found, the assessment of the agricultural income of the year in which the succession took place up to the date of succession, and for the year preceding that year shall be made on the person succeeding him in like manner . . .’

In the case of succession to property by the ordinary law of inheritance, the person is liable to pay only that amount that has to be paid for the year and he has also to pay the amount for one year previous to that. In the case of assessment on transfer, there is no such limitation prescribed. The person is not only liable for the broken period but also for the previous year and years. I do not know for how many years he will have to pay. These are all matters to be discussed fully at the second reading stage of the Bill. I did not think it worth while to put all my ideas in the form of amendments, because they are not going to do any good now. I have in view many amendments to make clear some of the provisions of this Bill. The Government would accept them if they are not in a hurry to pass this Bill. I conclude by saying that, while I agree with a number of provisions in this Bill, I see there are certain clauses which require improvement not only in drafting but also in substance.

“Sir, in this matter, we have to face trouble from our household. We are all persons addicted to coffee. We drink coffee in the morning, in the evening, and perhaps in the night also.”

SRI A. M. ALLAPICHAJ :—“I take tea.”

* SRI K. BHASHYAM :—“Tea comes to the same thing. We have to consider whether this tax will not tend to increase the prices of coffee and tea. This is a question we have to answer in our household. I do not know how the Hon. the Minister for Agriculture will answer if he is put this question in his house. (Sri T. Purushotham : ‘He does not take coffee.’) Otherwise he would have felt the difficulty. The levy is only five and a half annas. But the so-called merchants and others will take

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advantage of this tax for the purpose of raising the price of coffee thrice. They may increase the price very much. To-morrow, it will be said that prices have gone up because of this tax. Sir, I think the Government will be incurring the odium and unpopularity of the people by pushing through this Bill at the present moment. I would caution this Government to think about this tax many times before they push through this Bill and bring it into force. After all, the Government live by votes. This question of votes and incurring the unpopularity of the people has to be considered. The Government may be generous enough to say ‘we shall see what happens later on’. While the Government may be all right, the followers of the Government will have to face their electorate and explain to them why they supported the Government on this measure. How can they answer their electorate? While I agree with the principle of the Bill, I think it requires considerable improvement before it is made acceptable to all. In drafting and also in substance, the Bill requires improvement. Apart from the Government, I congratulate the Minister on bringing forward this Bill. The Government have started the question of levying an income-tax on agricultural income. I hope this tax will be extended further to all other income from agriculture and that the land tax will be abolished.”

DR. A. LAKSHMANASWAMI MUDALIYAR :—“Sir, I crave your indulgence to make a representation on behalf of those sitting on this side of the House. Feelings have been running high in your absence and I am sure you will be the first to take cognisance of any representation that may be made. I am sure that you will see that justice is done to all. We have complete confidence in you. Therefore, I make this representation.

“My hon. Colleague Mr. Balasubramanya Ayyar has already referred to the fact that it has become more or less a custom here for the Government to seek to introduce Bills or to give notice of their intention to introduce Bills even before the other House has passed the Bills in question. It is well within your competence to direct that any motion can be set down in the list of business for any day even if there is no notice of the usual three days. We readily accept your authority. But we plead with you that when important Bills are passed in the other House late in the night, we have hardly any chance of preparing ourselves to contribute anything useful here the next day. Because, we are seriously handicapped for want of sufficient knowledge of what has taken place in the other House. I know that Hon. Ministers will say that the two Houses are now meeting at different hours and that hon. Members of this House are expected to be in the other House to listen to the debates there. What actually happens . . . (Interruption by Sri K. Bhashyam.) I am glad that the Hon. the Leader of the House has accepted our suggestion that the two Houses should meet at different hours of the day. When a Bill is presented to us, it does require some

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time to consider what the measure is, what are the amendments recommended, and whether support cannot be given to the Government in the light of the discussions that took place in the other House. I chanced to go through a copy of the report of the Select Committee on this Bill through the courtesy of the Secretary to the Council. As a matter of fact, this Bill, as passed by the Assembly, was presented to us this morning at 8 o'clock by a special messenger. The point that I wish to state is that the Select Committee on this Bill reported as far back as 30th November. The Government had enough time to introduce, at any stage, this important Bill between 30th November and now. Therefore, I appeal to you, Sir, that in such cases it should be possible for the Government to introduce it in such a manner that this House will have an effective voice in the debate, after discussion with the Members of the Assembly and after taking note of the amendments that have been moved. I would have even gone further to suggest that the practice in the House of Commons, namely, making available to Members the proceedings of the House of Commons within 24 hours of the meeting, be adopted here. That is the rule in the House of Commons. But here, on account of various factors, it is not possible. I do feel that some consideration may be given. After all, this is not an urgent Bill. This is not a Bill intended to supersede an Ordinance or anything like that. The ordinary time-limit, I beg to submit, may be given in future unless we feel otherwise. We have just received a notice as to what is to happen here to-morrow. The Madras Indebted Agriculturists (Repayment of Debts) Bill has been put in to-morrow's agenda for consideration by this House. It is stated in to-morrow's agenda that the Hon. Minister for Land Revenue will move that this Bill as passed by the Assembly may be taken into consideration. Supposing this Bill is not passed to-night by the Assembly, I wonder what would happen to the agenda already circulated to hon. Members of this House. After all, it may be said that only subject to the passing of the Bill by the Assembly, we can consider it here. But whatever it is, when the agenda for a particular day is sent to hon. Members, I think it must be on the basis that a particular item will be taken up for consideration. The time factor should also be taken into consideration. Sir, I do not want to elaborate it any further. I am sure you will be gracious enough to give due consideration to the views expressed by hon. Members sitting on this side of the House and will, in co-operation with the Government, see that we have a reasonable chance of contributing something which may be effective. So long as we are allowed to exist as a Council, it is but proper that we have a reasonable chance of contributing effectively to the debates that may take place here. We do not want to hamper the progress of any of the legislative programmes of the Government. But I do feel that if only they take into consideration the time factor also, it will enable them to introduce less number of legislative measures. I wish to touch upon this subject in my speech during the budget discussion. Many of the

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hopes have not come into fruition with reference to a number of Bills that have been passed. I have got four volumes with me and the fifth volume is also getting ready. I would like to quote many instances on this subject and I propose to do it when I speak on the Budget. That apart, the feelings of hon. Members of this House will be greatly assuaged if you will give us some assurance in this matter, Sir."

* THE HON. SRI M. BHAKTAVATSALAM :—" Mr. Chairman, I want the Hon. Leader of the Opposition and other hon. Members of this House to appreciate the circumstances under which we are anxious that the Indebted Agriculturists (Repayment of Debts) Bill should be passed into law before the end of this month. The Moratorium Act is there and its life has been extended up to the end of this month. Unless this Bill is passed into law before the end of this month, the purpose of this legislation will totally fail. Further, I may point out that at the time when this Bill was referred to a Joint Select Committee, the Bill was discussed thoroughly in this House. A Joint Select Committee was also constituted. It met for two days. Its report has also been submitted. Of course, we are anxious that the Bill must be passed into law before the end of this month. At the same time, we do not want to curtail the discussion in this House. We know that it may take even two days for the House to consider this Bill, one day for the first reading and the second day for the second and third readings. That is why we have adopted this procedure of anticipating the passing of the Bill in the Lower House and put it in to-morrow's agenda for the Council."

DR. V. K. JOHN :—" May I enquire when we have to send our amendments to the Bill that we are at present discussing, viz., the Plantations Agricultural Income-tax Bill? Usually three days' time is given for sending in our amendments. Unless some reasonable time is given, it will be very difficult for us to produce amendments at a moment's notice. I would like to have clarification on this point also, Sir."

MR. CHAIRMAN :—" I am glad about the discussion on this subject. Unless there is some special reason, I am sure time is always given to hon. Members to study the Bills and send in their amendments. The Hon. the Leader of the House has just now explained that the Government are anxious to get the Indebted Agriculturists (Repayment of Debts) Bill passed before the end of this month. That is the reason why that Bill has been placed in to-morrow's agenda. I may assure hon. Members that hereafter every consideration will be given to them so that they may have enough time to study the Bill, digest it and send in their amendments, if any, in proper time. I do agree that hon. Members have a reason to complain. At the same time the

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Government also have a reason and have explained it. In future I will see that as far as possible the programme is adjusted to the satisfaction of everyone concerned."

SRI MOHAMED RAZA KHAN :—"What about the Business Advisory Committee, Sir? May I know when it will start functioning?"

MR. CHAIRMAN :—"The Business Advisory Committee will start functioning as early as possible. But, I may inform the hon. Member that it is somewhat difficult to arrange the business of the Council as it can be seen now."

DR. V. K. JOHN :—"Sir, what about giving us some time to table amendments to the Plantations Agricultural Income-tax Bill? As I said, usually three days' time is given. It is very difficult for us to send in our amendments within a short time."

MR. CHAIRMAN :—"I think Dr. John will remember that amendments which were sent in within a shorter time were all considered."

DR. V. K. JOHN :—"I can understand it if it was an urgent Bill. It may be all right in the case of the Indebted Agriculturists (Repayment of Debts) Bill."

* THE HON. SRI M. BHAKTAVATSALAM :—"May I suggest a *via media*? The Indebted Agriculturists (Repayment of Debts) Bill may be considered to-morrow. We may conclude the first reading on the Plantations Agricultural Income-tax Bill to-day and take it up again day after to-morrow for the clause by clause consideration. Meanwhile, we may extend the time for receipt of amendments till to-morrow afternoon."

MR. CHAIRMAN :—"Does the Hon. the Leader of the House want that the Plantations Agricultural Income-tax Bill be taken up day after to-morrow?"

* THE HON. SRI M. BHAKTAVATSALAM :—"I suggest that we may sit till 5-30 to-day and finish off the general discussion on the Bill. We may take it up again day after to-morrow for further consideration."

MR. CHAIRMAN :—"Then, there will be enough time for hon. Members to send in their amendments."

DR. A. LAKSHMANASWAMI MUDALIYAR :—"In view of what the Hon. Leader of the House has said, I agree to the suggestion. As I said, it is not our object to obstruct any of the legislative measures that may be brought forward here. I only explained the real difficulty which we were experiencing in the matter. Now, we are thankful to you, Sir, for the assurance that you have given."

MR. CHAIRMAN :—"So, we sit till 5-30. Sri G. Krishna-moorthi may now speak."

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* SRI G. KRISHNAMOORTHY :—"Mr. Chairman, I agree with many of the points and especially the last one, put forward by the hon. Member Sri K. Bhashyam with regard to this Bill. I would like the Hon. Minister who is piloting this Bill to tell us what steps the Government intend taking along with the Central Government to see that the prices of coffee and tea do not go up. Nobody can object to the principle underlying this Bill. Government always go in for new taxes in order to get revenue. The principle on which any taxation proposal is to be based is this. As far as possible, the Government should try to tax the very rich people, get the money realised by way of this tax and help the very poor and downtrodden. This principle has not been adopted so far as this Bill is concerned. The exemption limit given is very low. They have fixed 5 acres in the case of tea and 15 acres in the case of coffee, etc., for the purpose of exemption. This limit should be raised. When the Government have been so sympathetic towards big planters and have come forward to give up super tax, will it be too much for me to request them to extend the same sympathy towards the small planters also? The exemption limit may be raised to 15 acres in the case of tea and 60 acres in the case of coffee, etc."

"Sir, the next point put forward by Sri K. Bhashyam is with regard to extension of this measure. It deserves careful consideration at the hands of the Government. There is a fear among agriculturists that this Bill will form the basis for a further Bill to extend agricultural income-tax in respect of all agricultural lands other than plantations also. Sir, we would like to have an assurance from the Government that this measure will not form the basis of a future enactment to extend it to other agricultural lands also. I wish to point out that plantations stand on quite a different footing from other agricultural lands such as paddy lands and so on. In the case of plantations after the first three or four years, we have a permanent crop living for thirty or forty years. In the case of wet and dry lands, we have to cultivate not only every year but possibly every season. So, it is not proper to have this measure as the basis of any future enactment to extend it to other agricultural lands."

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"Sir, as the hon. Member, Mr. Bhashyam said if the Government think of extending this tax to the other branches of agriculture as well, they must give a guarantee that they will do away with land tax. It is now admitted on all lands that agricultural income-tax is based on a sound rationale that the agriculturist pays tax only if he gets income from his lands. It should not be imposed on the agriculturist over and above the land tax that is already paid by him. Therefore, the Government must give a guarantee that land tax will not be there if this Act is extended to the other sectors of agriculture also, since it will work great hardship on the agriculturists if both are there."

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"If a person owning ten acres of wet lands is subjected to agricultural income-tax also under provisions similar to those contained in this Bill, then he may have to pay at nine pies in the rupee on the first taxable Rs. 1,500 about twenty-five rupees. This is in addition to the Rs. 200 he is already paying as land tax. This is a point which we should consider. The Government should never think of an agricultural income-tax in addition to the land tax."

* SRI A. GAJAPATHY NAYAGAR :—"Sir, I congratulate the Hon. the Minister for Land Revenue on taking courage in his hands to bring forward this Bill. I say this Bill is long overdue. We know how the plantations grew in our land. Some European landed on the Madras Coast. He applied to the Collector and got some thousands of acres of land on some hill. He got a lot of credit in the bank. So the plantations grew. Our kanganis came forward to recruit cheap labour for him. Thus, we see to-day, an acre of land under tea or coffee yields five hundred rupees and the yield is equal to that from the best nanja land in any deltaic area. I ask, what is the harm in taxing income from a land which yields nearly five hundred rupees? If there are difficulties in the matter of application of the provisions of the Act and if there are difficulties in collecting the tax properly, we shall seek remedies for them one by one as they arise. I find that in the Legislative Assembly, the Bill was passed without any Member opposing it. I hope we shall also pass it unanimously. But I am sorry that time was not allowed to us to go through the Bill in detail. In fact, all the facts that I know now of the Bill I could get only after coming here and listening to the speeches made by hon. Members on the Bill. Therefore some time must be given to us to understand the Bill so that we can suggest what improvements are needed. I see there has been very great hurry about this. All the same, we welcome the principle of the Bill, and if there are any difficulties, we will co-operate with the Government in removing them."

SRI MOHAMED RAZA KHAN :—"Sir, I want to say just a few words on the Bill, especially after hearing the speech of my colleague sitting to my left who has just now spoken. I could claim to know something about the plantation industry because I was myself once a planter. If the industry had been so good, my friend, Mr. Gajapathy Nayagar would not have turned an advocate but become a planter himself. (Laughter.) Things are not so easy. It requires much money, skill and labour and even with all these, it is just a matter of luck. One sees to-day that a planter is making money. But at what cost in the initial stages? He went to malaria-ridden places on hill tops and by dint of hard labour over ten or fifteen years, converted those places into fine plantations. Now he gets some money, no doubt. But that is a different matter."

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"We know, Sir, every time the Budget was presented and the Hon. the Finance Minister mentioned new measures of taxation to cover up deficits in the Budgets, hon. Members jumped up and said : 'Why do you have these measures of taxation which will kill the poor? Why not you tax the planters?' Both Members of the Opposition and also those of the party in power joined together in making this demand. The Government of Madras have now acceded to the demand made by the Members of the Legislature. Now, Sir, as regards the principle underlying the Bill, there is something to be said in favour of the Bill itself. I think it would have been much better if the Hon. the Minister for Land Revenue had given us an idea of the receipts expected from this source. He has got his departmental people to work out figures. Of course, he cannot give correct figures. Approximate figures would have sufficed. I wish he had been in a position to give us an approximate estimate of receipts expected under this head."

"Then, Sir, the second point is this. I would like to know how far this Bill will help to develop the plantation industry in future. For the last three or four years, to my knowledge, there has been no incentive provided to the planters to bring under cultivation lands which are not under cultivation now. Whatever area was planted some three or four or five decades ago remains the same and nothing new has been added. I would like to know from the Hon. Minister categorically whether this Bill will create any incentive for them to develop the industry or it will retard its progress in future. I would also like to know how far it will affect our export trade. I may tell the House that in certain fields, our country, and particularly our State, cannot compete with others in the matter of exports. Let us take, for instance, rubber. The Hon. Minister will be aware that ten or fifteen years ago, just at the beginning of the war, a situation arose in the rubber industry when rubber planters could not even get back the cost of production. So, Sir, I would like to know how far this Bill will affect our export trade. These are some of the points on which we want detailed information so that we may properly assess the merits of the Bill and suggest amendments to the clauses at the appropriate time. I thank you, Sir, here for the extension of time you have allowed for giving notice of amendments."

"The next point is this. What is the check the Government have in regard to suppression of stocks? Are the Government to depend only on the returns submitted by the companies and individual owners of plantations? The very nature of business is such that receipts depend upon the stocks available for disposal. Suppose there is a suppression of stocks and they say only so much quantity of coffee, tea and rubber was sold. We must believe it. The only provision we have here is, if there is any doubt on the part of the Government, they will take the production in the neighbouring area for the purpose of calculating the

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production in the area concerned. I may tell the House this will not do any good to anyone. It always happens that the yield in a plantation varies from acre to acre. The yield is different. The age of the trees is different. The fertility of the soil varies.

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"In conclusion, I may say as was said by the Leader of the Opposition that the Government of Madras should feel very happy because they have established a record in the matter of legislation and especially legislation in regard to taxation measures. There are a number of Bills coming up everyday with the result we are not able to concentrate on all and we do not know on which we could concentrate. The Hon. Finance Minister is not here. I should say that both the Hon. Finance Minister and the Hon. Revenue Minister ought to be congratulated on the record they have established particularly this year in the field of taxation. Everybody is looking to the Government of Madras for a lead. They look to Madras for guidance and help. Well, Madras has done the maximum possible. We have had the maximum of taxation measures particularly this year. Why I say this is because at least in future the Government might be a little careful and wait and carefully find out whether our people are in a position to bear any more taxation. If by all means our people are better off and could bear any additional taxation, then we will not grudge Government bringing in taxation measures, for after all ours is a Welfare State and in a Welfare State the money derived from taxation is spent on other welfare schemes for the benefit of the people. But we should know beforehand whether that taxation will retard our progress. Our taxation measures are increasing. I am afraid that the law of diminishing returns will set in and the Government will get less than what they propose to get by any taxation measure in future."

* THE HON. SRI M. A. MANICKAVELU NAICKER :—
"Mr. Chairman, I think with the solitary exception of the hon. Member representing teachers, all other hon. Members who took part in the debate are lawyers. That means one has to follow their speeches rather carefully and cautiously. The Hon. Deputy Leader of the Opposition, as usual, made an elaborate survey of the whole subject and also the allied subjects and traversed many countries including America. He said that the principle of taxing the income was good and that he welcomed it. But finally he ended by saying that Government should wait for the report of the Taxation Enquiry Commission and that this period was not the opportune for pushing through the Bill. For theoretical purposes as the principle of taxing the income was good, he welcomed it. Then coming to the practical side of it, for various reasons best known only to himself, he said this was not the opportune time for passing this Bill. He wanted that this Bill should follow more closely the Indian Income-tax Act. We have tried to follow as far as we can the Indian Income-tax Act. But it does not mean that we should follow it in each and

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every detail. The scheme of this Bill is different from that of the Indian Income-tax Act. In the Indian Income-tax Act they levy what is called the 'corporation' tax' and now the tendency is to raise it more and more so that that tax when collected may not be dealt with on the basis of a share being given to the States concerned. That is why the tendency is to encourage the corporation tax. He then referred to the question of 'refund'. The difficulty in giving refund was explained by Mr. Bhashyam. As was pointed out by Mr. Bhashyam, we cannot pursue the income when it leaves the hands of persons as dividends because that cannot be considered as agricultural income. So when a dividend is declared and it goes to the hands of an individual, we cannot treat it as agricultural income. We have to give it up. So in the Select Committee, it was decided not to levy the 'super tax'. Having given up the 'super-tax', we did not want to levy the 'super-tax' only on companies. We did not want to make any invidious distinction. Originally the highest rate was Re. 0-4-0, besides super-tax. Now super-tax is not there. We have made it a flat rate of Re. 0-5-6 in the rupee, as we cannot pursue the income when it changes as dividend. The Hon. Deputy Leader of the Opposition also said that all that he said was not for the present but only for our future conduct. So in that light I think he does not insist that everything he said to-day should be taken very seriously just now and translated into action but only to bear that in mind in future. That is what Mr. Bhashyam also said. Government will bear all the valuable suggestions offered and whenever they come here with further proposals of taxation or when they bring in any other Bill, they will keep all those suggestions in mind.

"It was asked as to why we should hurry like this and as to why we could not have waited for the report of the Taxation Enquiry Commission. No doubt one could have waited for that report. But one thing was clear, viz., whatever report it may make, we had an inkling that the Taxation Enquiry Commission was not disinclined to this taxation. So we have proceeded forthwith.

"It was said that no provision was made for replanting and other purposes. Clause 5 enumerates a number of categories for which provision has been made and one category is as regards replanting. Ample provision is made for insurance payment, bonus, capital depreciation and so many other things. In fact great objection was taken in the other House that we have made too much allowance for these things and that we have walked into the parlour of the planters.

"As regards exemption, some hon. Members had asked as to why further exemption need not be granted. If I now give an idea as to how the present exemption will work, I think all hon. Members will be satisfied that what we have now provided for is more than sufficient. Out of a total of 18,960 persons who

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are assesseees (or planters, whatever it is), 17,410 are now exempted. They go scot free. Nine hundred and twenty-seven persons only come under the compounding clause and need not keep any accounts to check. Only 623 persons are subject to this taxation. Therefore the present exemption has been very liberal. A very large number of people have been exempted. I do not see any reason for further exemption being given in that respect.

"As regards profit that is made from plantations, I may also give some figures, which will make hon. Members look up. I have got figures of certain companies. The dividend that has been declared ranges from 5 per cent or 6 per cent to 17½ per cent and 22½ per cent. The amount that is earmarked for reserve fund is in one case Rs. 1 lakh, in another case Rs. 1½ lakhs and in one case Rs. 4 lakhs. So it is clear that the industry or plantation business is making good profit. No doubt now and then there was depression and the industry was in a bad way. But recently it has retrieved, and even the people concerned have almost agreed with the provisions that we have made. One hon. Member wanted to know what the income was likely to be from this taxation measure. I cannot give any accurate figure now, but from what I say he can draw his own inference. In the beginning we thought we might get Rs. 15 lakhs or Rs. 20 lakhs out of this. But now we find that we may get about Rs. 75 lakhs. When I look at this great disparity, I think it is better that I do not say anything definite now. Let him draw his own inference. It will be a handsome figure; that too after so leniently dealing with the industry. I have taken great care to see that the goose that lays the golden egg is not killed. We do not want to kill this industry.

"One hon. Member said that the industry was suffering from keen competition. That is true not only in our country but all over the world, e.g., Malaya, America, Africa, and other countries think that this a gold mine and want to take to this industry. We must be so very cautious in this matter. If we are too hard and rigid, we will be driving out this trade to some other country. That will not be in the interests of our country. We must be very careful and proceed cautiously. That is why, Sir, even though some hon. Members in the other House were very anxious to raise the rate of tax by means of amendments to the Bill, the Government were not anxious to accept them. Those amendments were moved with some other object. So we said 'We do not want to kill the industry' and that we would not accept the amendments. I realize, Sir, there are certain defects and drawbacks in drafting. Because all are very well trained lawyers in this House they are able to see the defects. As far as possible, we shall try to remove the defects. Even if it is not possible to remove them at this stage at one sitting, if essential, no one prevents us from bringing forward the necessary legislation to remove them. There is no difficulty about that now."

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"I hope this House will pass the motion, Sir."

MR. CHAIRMAN :—"The question is—

'That the Madras Plantations Agricultural Income-tax Bill, 1954 (L.A. Bill No. 30 of 1954), as passed by the Assembly, be taken into consideration.'"

The motion was carried.

MR. CHAIRMAN :—"I now adjourn the House to meet again at 3 p.m. to-morrow."

The House then adjourned.

5-30
p.m.

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APPENDIX.

[Vide item III on page 11 supra.]

L.A. BILL No. 30 OF 1954.

(As passed by the Assembly.)

A Bill to provide for the levy of a tax on agricultural income from plantations in the State of Madras.

WHEREAS it is expedient to provide for the levy of a tax on agricultural income from plantations in the State of Madras;
BE it enacted in the Sixth Year of the Republic of India as follows:—

CHAPTER I.

PRELIMINARY.

1. *Short title and extent.*—(1) This Act may be called the Madras Plantations Agricultural Income-tax Act, 1955.
(2) It extends to the whole of the State of Madras.

2. *Definitions.*—In this Act, unless the context otherwise requires—

(a) "agricultural income" means—

(1) any rent or revenue derived from a plantation;

(2) any income derived from such plantation in the State by—

(i) agriculture, or

(ii) the performance by a cultivator or receiver of rent-in-kind of any process ordinarily employed by a cultivator or receiver of rent-in-kind to render the produce raised or received by him fit to be taken to market, or

(iii) the sale by a cultivator or receiver of rent-in-kind of the produce raised or received by him, in respect of which no process has been performed other than a process of the nature described in sub-clause (ii);

Explanation I.—Agricultural income derived from such plantation by the cultivation of tea means that portion of the income derived from the cultivation, manufacture and sale of tea as is defined to be agricultural income for the purposes of the enactments relating to Indian Income-tax;

Explanation II.—Agricultural income derived from such plantation by the cultivation of coffee, rubber, cinchona or cardamom means that portion of the income derived from the cultivation, manufacture and sale of coffee, rubber, cinchona or cardamom, as the case may be, as may be defined to be agricultural income for the purposes of the enactments relating to Indian Income-tax.

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(3) any income derived from any building owned and occupied by the receiver of the rent or revenue of any such plantation or occupied by the cultivator or the receiver of rent-in-kind of any plantation with respect to which or the produce of which any operation mentioned in sub-clauses (ii) and (iii) of clause (2) is carried on:

Provided that the building is on or in the immediate vicinity of the plantation, and is a building which the receiver of the rent or revenue or the cultivator or the receiver of the rent-in-kind, by reason of his connexion with the plantation, requires as a dwelling-house or as a store-house or other out-building;

(b) "agricultural income-tax" means the tax payable under this Act;

(c) "Agricultural Income-tax Officer" means a person appointed to be an Agricultural Income-tax Officer under section 14;

(d) "Aliyasantana family or branch" means a family or branch governed by the Madras Aliyasantana Act, 1949 (Madras Act IX of 1949);

(e) "assessee" means a person by whom agricultural income-tax or any other sum of money is payable under this Act and includes every person in respect of whom any proceeding under this Act has been taken for the assessment of his agricultural income or of the loss sustained by him or of the amount of refund due to him;

(f) "Assistant Commissioner" means the person appointed as Assistant Commissioner of Agricultural Income-tax under section 14;

(g) "Collector" means the Collector or other officer in charge of a district;

(h) "Commissioner" means the person appointed to be the Commissioner of Agricultural Income-tax under section 14;

(i) "Company" means a company as defined in the Indian Companies Act, 1913 (Central Act VII of 1913), or formed in pursuance of an Act of Parliament of the United Kingdom or of Royal Charter or Letters Patent or by an Act of the Legislature of a British possession and includes any foreign association, whether incorporated or not, which the Government may, by general or special order, declare to be a company for the purposes of this Act;

(j) "dividend" includes—

(i) any distribution by a company of accumulated profits, whether capitalized or not, if such distribution entails the release by the company to its share-holders of all or any of the assets of the company;

(ii) any distribution by a company of debentures or debenture stock, to the extent to which the company possesses accumulated profits whether capitalized or not;

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(iii) any distribution made to the shareholders of a company out of accumulated profits of the company on the liquidation of the company :

Provided that only the accumulated profits so distributed which arose during the six previous years of the company preceding the date of liquidation shall be so included; and

(iv) any distribution by a company on the reduction of its capital to the extent to which the company possesses accumulated profits whether such accumulated profits have been capitalized or not;

Provided that "dividend" does not include a distribution in respect of any share issued for full cash consideration which is not entitled in the event of liquidation to participate in the surplus assets, when such distribution is made in accordance with sub-clause (iii) or (iv);

Explanation.—The words "accumulated profits" wherever they occur in this clause shall not include "capital profit";

(k) "financial year" means the year beginning on the 1st April and ending on the 31st March next following;

(l) "firm", "partner" and "partnership" have the same meanings respectively as in the Indian Partnership Act, 1932 (Central Act IX of 1932), but the expression "partner" shall also include any person who being a minor has been admitted to the benefits of partnership;

(m) "Government" means the State Government;

(n) "Hindu undivided family" includes a family governed by the Madras Nambudri Act, 1932 (Madras Act XXI of 1933);

(o) "landlord" means any individual who receives rent for plantation either in cash or kind from a tenant;

(p) "Marumakkattayam tarwad or tavazhi" means a tarwad or tavazhi governed by the Madras Marumakkattayam Act, 1932 (Madras Act XXII of 1933), or the Mappilla Marumakkattayam Act, 1938 (Madras Act XVII of 1939); and in the case of a tavazhi possessing separate properties the provisions of this Act shall apply as if the tavazhi were a tarwad;

(q) "person" means any individual or association of individuals, owning or holding property for himself or for any other, partly for his own benefit and partly for another, either as owner, trustee, receiver, common manager, administrator or executor or in any capacity recognized by law, and includes an undivided Hindu Mitakshara family, an Aliyasanthana family or branch, a Marumakkattayam tarwad or a tavazhi possessing separate properties, or a Nambudiri or other family to which the rule of impartibility applies, a firm or a company, an association of individuals, whether incorporated or not, and any institution capable of holding property;

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(r) "plantation" means any land used for growing all or any of the following, namely, tea, coffee, rubber, cinchona or cardamom;

(s) "prescribed" means prescribed by rules made under this Act;

(t) "previous year" means—

(i) the twelve months ending on the 31st day of March next preceding the year for which the assessment is to be made or, if the accounts of the assessee have been made up to a date within the said twelve months in respect of any year ending on any date other than the said 31st day of March, then, at the option of the assessee, the year ending on the day to which his accounts have so been made up;

Provided that, if the option has once been exercised by an assessee, he shall not exercise it again so as to vary the meaning of the expression "previous year" as then applicable to him except with the consent of the Agricultural Income-tax Officer and upon such conditions as he may think fit; or

(ii) such period as may be determined by the Commissioner in the particular case of any person or class of persons;

(u) "principal officer" used with reference to any company or association means—

(i) the Secretary, Treasurer, Manager or Agent of the company or association, or

(ii) any person connected with the company or association upon whom the Agricultural Income-tax Officer has served a notice of his intention of treating him as principal officer thereof;

(v) "registered firm" means a firm registered under the provisions of section 27;

(w) "State" means the State of Madras;

(x) "total agricultural income" means the aggregate of all agricultural income mentioned in section 4 computed in accordance with the provisions of section 5 and includes all income of the description specified in section 9 and all the receipts of the description specified in section 10.

CHAPTER II.

CHARGE OF AGRICULTURAL INCOME-TAX.

3. *Charge of agricultural income-tax.*—(1) Agricultural income-tax at the rate or rates specified in Part I of the Schedule to this Act shall be charged for each financial year commencing from the 1st April 1955 in accordance with and subject to the provisions of this Act, on the total agricultural income of the previous year of every person.

(2) Where there is included in the total agricultural income of an assessee any income exempted from agricultural income-tax

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by or under the provisions of this Act, the agricultural income-tax payable by the assessee shall be an amount bearing to the total amount of the agricultural income-tax which would have been payable on the total agricultural income had no part of it been exempted, the same proportion as the un-exempted portion of the total agricultural income bears to the total agricultural income.

(3) In the case of persons holding property as tenants-in-common and deriving agricultural income, the tax shall be assessed at the rate applicable to the agricultural income of each tenant-in-common.

4. Total agricultural income.—Subject to the provisions of this Act, the total agricultural income of any previous year of any person comprises all agricultural income derived from a plantation situated within the State and received by him within or without the State, but does not include—

(a) any agricultural income derived from a plantation situated without the State;

(b) any agricultural income derived from property held under trust or other legal obligation wholly for religious or charitable purposes, and in the case of property so held in part only for such purposes, the income applied thereto.

Explanation.—In this section, “charitable purpose” includes relief of the poor, education, medical relief and the advancement of any other object of general public utility.

5. Computation of agricultural income.—The agricultural income of a person shall be computed after making the following deductions, namely,—

(a) any sums paid in the previous year on account of land revenue due to the Government, local rates and cesses and municipal taxes in respect of plantations;

(b) any rent paid in the previous year to the landlord or superior landlord, as the case may be, in respect of the plantation from which the agricultural income is derived;

(c) any expenses incurred in the previous year on the maintenance of any protective work constructed for the benefit of the plantation from which the agricultural income is derived;

Explanation.—“Maintenance” includes current repairs and includes also, in the case of protective dykes and embankments, all such work as may be necessary from year to year for repairing any damage or destruction caused by flood or other natural causes;

(d) any expenses incurred in the previous year on maintenance and repairs in respect of any capital asset which was purchased or constructed for the benefit of the plantation from which the agricultural income is derived;

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(c) any expenditure incurred in the previous year (not being in the nature of capital expenditure on personal expenses of the assessee) laid out or expended wholly and exclusively for the purpose of the plantation;

(f) in respect of depreciation of buildings, machinery, plant and furniture which are the property of the assessee and are required for the purpose of deriving the agricultural income, a sum equivalent to such percentage on the written-down value thereof as may in any case or class of cases be prescribed, and where the buildings have been newly erected or the machinery or plant newly installed, a further sum subject to such conditions as may be prescribed:

Provided that the prescribed particulars have been duly furnished:

Provided further that the aggregate of all such allowances made under this Act shall in no case exceed the original cost to the assessee of the buildings, machinery, plant or furniture, as the case may be;

Explanation.—In this clause, “buildings” include all structures constructed with a view to provide amenities to workers [as defined in the Plantations Labour Act, 1951 (Central Act LXIX of 1951)], employed on the plantations.

(g) expenses other than capital expenditure incurred in the previous year of cultivating the crop from which the agricultural income is derived and of transporting such crop to market, including the maintenance of agricultural implements and cattle required for such cultivation and transport or both;

Provided that in any particular year the total replanting expenditure shall not exceed the amount necessary for replanting $2\frac{1}{2}$ per cent of the acreage if the crop is rubber or coffee, $1\frac{2}{3}$ per cent if the crop is tea and $8\frac{1}{3}$ per cent if the crop is cardamom, and 10 per cent if the crop is cinchona;

(h) any tax, cess or rate paid on the cultivation or sale of the crop from which such agricultural income is derived;

(i) cost incurred in the previous year in the purchase or replacement of cattle or implements, which are necessary for cultivation, to such extent as may be prescribed, less the amount realized by sale of the cattle or implements replaced or their estimated value;

(j) any sum paid in the previous year in order to effect an insurance against loss or damage of crops or property from which the agricultural income is derived or insurance against loss or damage in respect of building, machinery, plant and furniture necessary for the purpose of deriving the agricultural income:

Provided that any amount received in respect of such insurance in any year shall be deemed to be agricultural income for the purposes of this Act, and shall be liable to agricultural income-tax

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after deducting the portion thereof, if any, which has been assessed to income-tax under the Indian Income-tax Act, 1922 (Central Act XI of 1922);

(k) any interest paid in the previous year on any amount borrowed and actually spent on the plantation from which the agricultural income is derived:

Provided that the need for borrowing was genuine having due regard to the assets of the assessee at the time:

Provided further that the interest allowed under this clause shall be limited to six per cent on an amount equivalent to twenty-five per cent of the agricultural income from the plantation in that year;

(l) any sum paid to a worker as defined in the Plantations Labour Act, 1951 (Central Act LXIX of 1951), as bonus for services rendered where such sum would not have been payable to him as profits or dividend if it had not been paid as bonus:

Provided that the bonus is of a reasonable amount with reference to—

- (i) the wages and conditions of service of such worker;
- (ii) the income from the plantation in the year in question;
- and
- (iii) the general practice in plantations:

Provided that no deduction shall be made under this section if it has already been made in the assessment under the Indian Income-tax Act, 1922 (Central Act XI of 1922), or is allowable in assessing a person to tax under that Act.

Explanation.—For the purpose of this section ‘paid’ means actually paid or incurred according to the method of accounting upon the basis of which agricultural income is computed under this section; ‘plant’ includes vehicles and scientific apparatus purchased for the purpose of deriving the agricultural income; and ‘written down value’ means—

- (i) in the case of assets acquired in the previous year, the actual cost to the assessee; and
- (ii) in the case of assets acquired before the previous year, the actual cost to the assessee less such sum as may be prescribed.

6. Assessment of income derived from plantations partly within the State and partly without.—Where agricultural income is derived from plantations situated partly within the State and partly without the State, agricultural income-tax shall be levied under this Act—

- (i) where the portion of such income attributable to the plantations situated within the State can be determined from the accounts maintained by the assessee, on the portion so determined;

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(ii) where the portion of the income so attributable cannot be determined by the method specified in clause (i), on such portion as may be determined in the prescribed manner.

7. Method of accounting.—Agricultural income shall be computed for the purpose of sections 5 and 6 in accordance with the method of accounting regularly employed by the assessee:

Provided that, if no method of accounting has been regularly employed by the assessee, or if the method employed is such that, in the opinion of the Agricultural Income-tax Officer, the agricultural income cannot properly be deduced therefrom, then the computation shall be made upon such basis and in such manner as may be prescribed.

8. Liability of Court of Wards, Administrator-General, etc.—

(1) (a) In the case of agricultural income taxable under this Act which the Court of Wards, Administrator-General or Official Trustee or any receiver, administrator, executor, trustee, guardian or manager appointed by or under any law or by an order of court or by written agreement is entitled to receive on behalf of any person, the tax shall be levied upon and recoverable from the Court of Wards, Administrator-General, Official Trustee or from such receiver, administrator, executor, trustee, guardian or manager, as the case may be, in like manner and to the same amount as it would be leviable upon and recoverable from the person on whose behalf such agricultural income is receivable, and all the provisions of this Act shall apply accordingly.

(b) Where the agricultural income received on behalf of any person by the Court of Wards, Administrator-General, Official Trustee, receiver, administrator, executor, trustee, guardian or manager referred to in clause (a) is part only of the total agricultural income of such person, the agricultural income-tax payable under this Act shall be assessed on the total agricultural income of such person and the amount of tax so assessed shall be levied upon and recoverable from the Court of Wards, Administrator-General, Official Trustee, receiver, administrator, executor, trustee, guardian or manager, as the case may be, and from such person rateably according to the portion of the total agricultural income of such person received by the Court of Wards, Administrator-General, Official Trustee, receiver, administrator, executor, trustee, guardian or manager, as the case may be, and the portion received by such person.

(c) Nothing contained in this sub-section shall prevent either the direct assessment of the person on whose behalf the agricultural income is receivable or the recovery from such person of the tax payable in respect of such income.

(2) (a) Save as provided in sub-section (1), if a person holds plantations from which agricultural income is derived partly for his own benefit and partly for the benefit of others or wholly for the benefit of others, agricultural income-tax shall be assessed on the

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total agricultural income derived from such plantations at the rate which would be applicable if such person had held the plantations exclusively for his own benefit.

(b) Any person holding such plantations shall be entitled, before paying to any beneficiary the amount of agricultural income which such beneficiary is entitled to receive, to deduct the amount of agricultural income-tax at the rate at which such income is or will be assessed under clause (a).

Explanation.—In this section “beneficiary” means a person entitled to the whole or any portion of the income derived from the plantation.

9. Income from settlement disposition, etc.—(1) In computing the total agricultural income of an assessee, all agricultural income arising to any person by virtue of a settlement or disposition, whether revocable or not, and whether effected before or after the commencement of this Act, from assets remaining the property of the settlor or disposer shall be deemed to be the agricultural income of the settlor or disposer, and all agricultural income arising to any person by virtue of a revocable transfer of assets shall be deemed to be the agricultural income of the transferor:

Provided that, for the purposes of this sub-section, a settlement, disposition or transfer shall be deemed to be revocable if it contains any provision for the re-transfer directly or indirectly of the agricultural income or assets to the settlor, disposer or transferor or in any way gives the settlor, disposer or transferor a right to re-assume power directly or indirectly over the agricultural income or assets:

Provided further that the expression “settlement or disposition” shall, for the purposes of this sub-section, include any disposition, trust, covenant, agreement or arrangement and the expression “settlor or disposer” in relation to a settlement or disposition shall include any person by whom the settlement or disposition was made:

Provided also that this sub-section shall not apply to any agricultural income arising to any person by virtue of a settlement or disposition which is not revocable for a period exceeding six years or during the lifetime of the person and from which agricultural income the settlor or disposer derives no direct or indirect benefit but that the settlor shall be liable to be assessed on the said agricultural income as and when the power to revoke arises to him.

(2) In computing the total agricultural income of any individual for the purpose of assessment, there shall be included—

(a) so much of the agricultural income of a wife or minor child of such individual as arises directly or indirectly—
(i) from the membership of the wife in a firm of which her husband is a partner;

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(ii) from the admission of the minor to the benefits of partnership in a firm of which such individual is a partner;

(iii) from assets transferred directly or indirectly to the wife by the husband otherwise than for adequate consideration or in connection with an agreement to live apart; or

(iv) from assets transferred directly or indirectly to the minor child not being a married daughter by such individual otherwise than for adequate consideration; and

(b) so much of the agricultural income of any person or association of persons as arises from assets transferred otherwise than for adequate consideration to the person or association by such individual for the benefit of his wife or minor child or both.

10. Exemption from assessment of income-tax.—Agricultural income-tax shall not be payable on that part of the total agricultural income of a person which is—

(a) any sum which he receives out of the agricultural income of a Hindu undivided family, an Aliyasanthana family or branch or a Marumakkattayam tarwad or tavazhi, if he receives such sum as a member of the family or tarwad or tavazhi and tax under this Act has been levied on the agricultural income;

(b) any dividend which he receives as a shareholder out of the agricultural income of a company;

(c) any sum which he receives as his share out of the agricultural income of a firm or association of persons, if the tax under this Act has been levied on the agricultural income of such firm or association;

(d) any sum which he receives out of the agricultural income in respect of which tax under this Act has already been levied under section 9.

11. Non-residents.—(1) A person who is residing outside the State and who is in receipt of agricultural income from a plantation in the State shall be liable to pay tax on such income; if the non-resident person has an agent in the State, such person and the agent shall be jointly and severally liable for the tax. The assessment may be made either in the name of the non-resident person or his agent or both; and where the assessment is made in the name of the agent, such agent shall be deemed to be, for the purposes of this Act, the assessee in respect of such tax.

(2) Any person employed by or on behalf of a person residing out of the State or through whom the non-resident person is in receipt of any agricultural income, upon whom the agricultural Income-Tax Officer has caused a notice to be served of his intention of treating him as the agent of the non-resident person shall, for the purposes of this Act, be deemed to be such agent:

Provided that no person shall be deemed to be the agent of a non-resident person unless he has had an opportunity of being heard by the Agricultural Income-tax Officer as to his liability.

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(3) Where a notice under this Act has to be served on a non-resident person it shall be served in the prescribed manner.

12. Carrying forward of loss.—Where any person sustains a loss in agricultural income in any year, the loss shall be carried forward to the following year and set off against the agricultural income for that year and if it cannot be wholly so set off, the amount of loss not so set off shall be carried forward to the following year and so on; but no loss shall be carried forward for more than six years:

Provided that, in the case of loss sustained before the commencement of this Act, this section shall apply only to such loss as was sustained in the previous year immediately before such commencement.

13. Supply of information regarding dividends.—The principal officer of every company shall, on or before the 15th day of June in each year, furnish to the prescribed officer a return in the prescribed form and verified in the prescribed manner of the names and of the addresses, as entered in the register of shareholders maintained by the company, of the shareholders to whom a dividend or aggregate dividends exceeding such amount as may be prescribed in this behalf has or have been distributed during the preceding year and of the amount so distributed to each such shareholder.

CHAPTER III.

INCOME-TAX AUTHORITIES.

14. Income-tax authorities.—(1) There shall be the following classes of income-tax authorities for the purposes of this Act, namely:—

- (a) The Board of Revenue;
- (b) The Commissioner of Agricultural Income-tax;
- (c) Assistant Commissioners of Agricultural Income-tax;
- (d) Agricultural Income-tax Officers;

(2) (a) The authorities specified in clauses (b) to (d) of sub-section (1) shall be appointed by the Government.

(b) The authorities specified in sub-section (1) shall exercise and perform in such areas, such powers and duties as the Government may, by notification in the *Fort St. George Gazette*, determine.

(3) The Government may, by notification in the *Fort St. George Gazette*, empower any other officers than the authorities specified in sub-section (1) to exercise such powers and perform such functions and duties under this Act in respect of such classes of persons or classes of income and in such areas, as may be specified in the notification.

(4) The authorities specified in sub-section (1) and the officers specified in sub-section (3) shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code (Central Act XLV of 1860).

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(5) All officers and persons employed in the execution of this Act shall observe and follow the orders, instructions and directions of the Board of Revenue:

Provided that no such order, instruction or direction shall be given so as to interfere with the discretion of any appellate authority in the exercise of its appellate functions.

CHAPTER IV.

APPELLATE TRIBUNAL.

15. The Appellate Tribunal.—(1) The Government shall from time to time appoint, as and when may be necessary, an Appellate Tribunal consisting of one but not more than three members:

Provided that the member, or as the case may be, at least one member, of the Tribunal, shall be a Judicial Officer not below the rank of District Judge, or an advocate of not less than ten years' standing.

(2) Where the Appellate Tribunal consists of more than one member, the judicial officer shall be its Chairman.

(3) Where the Appellate Tribunal consists of three members, the following provisions shall apply:—

(a) The functions of the Appellate Tribunal may be exercised by a Bench consisting of all the members of the Tribunal or by a Bench consisting of two members constituted by the Chairman or, in the event of the office of a member other than the Chairman being vacant, by a Bench consisting of the Chairman and the other member:

Provided that, if any case which comes before a Bench (of which the Chairman is not a member) involves a question of law, the Bench may, in its discretion, reserve such case for decision by a Bench to be constituted under this clause of which the Chairman shall be a member.

(b) Where an appeal is heard by all the three members of the Tribunal, and the members differ in opinion on any point, the point shall be decided in accordance with the opinion of the majority.

(c) Where an appeal is heard by a Bench consisting of two members, and the members are divided in their opinion on any point, the point shall be found against the appellant and the members shall, after delivering their separate opinions, pronounce a joint judgment announcing the result of the findings, if any, on which they are agreed and of the findings recorded against the appellant on points on which they are divided.

(4) Subject to the provisions of this Act, the Appellate Tribunal shall have power to determine the times and places of its sittings and to regulate its own procedure and the procedure in all matters arising out of the discharge of its functions.

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CHAPTER V.

RETURN OF INCOME, ASSESSMENT, ETC.

16. Return of income.—(1) Every person whose total agricultural income during the previous year exceeded the maximum amount which is not chargeable to agricultural income-tax shall furnish to the Agricultural Income-tax Officer so as to reach him before the 1st June every year a return in the prescribed form and verified in the prescribed manner, setting forth his total agricultural income during the previous year.

(2) In the case of any person whose total agricultural income is, in the opinion of the Agricultural Income-tax Officer, of such amount as to render such person liable to payment of agricultural income-tax in any financial year, he may serve in that year a notice in the prescribed form requiring such person to furnish within such period not being less than thirty days as may be specified in the notice, a return in the prescribed form and verified in the prescribed manner setting forth (along with such other particulars as may be provided for in the notice) his total agricultural income during the previous year.

(3) If any person has not furnished a return within the time allowed by or under sub-section (1) of sub-section (2) or, having furnished a return under any of those sub-sections discovers any omission or wrong statement therein, he may furnish a return or a revised return, as the case may be, at any time before the assessment is made.

(4) The Agricultural Income-tax Officer may serve on any person who has made a return under sub-section (1) or upon whom a notice has been served under sub-section (2), a notice requiring him, on a date to be therein specified, to produce or cause to be produced, such accounts or documents as such officer may require, or to furnish in writing and verified in the prescribed manner information in such form and on such points or matters (including with the previous approval of the Commissioner a statement of all assets and liabilities not included in the accounts) as such officer may require for the purposes of this section:

Provided that such officer shall not require the production of any accounts relating to a period more than three years prior to the previous year.

17. Assessment of income.—(1) If the Agricultural Income-tax Officer is satisfied that a return made under section 16 is correct and complete, he shall, by order in writing, assess the total agricultural income of the assessee and determine the sum payable by him on the basis of such return.

(2) If the Agricultural Income-tax Officer is not satisfied without requiring the presence of the person who made the return or the production of evidence that the return is correct and complete, he shall serve on the person who made the return a notice

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requiring him on the date specified therein, either to attend the office of the Agricultural Income-tax Officer or to produce or to cause to be produced, any evidence on which such person may rely in support of the return.

(3) On the day specified in the notice under sub-section (2) or as soon afterwards as may be, the Agricultural Income-tax Officer, after considering such evidence as such person may produce and such other evidence as that officer may require on specified points, assess the total agricultural income of the assessee and determine the sum payable by him on the basis of such assessment.

(4) If any person fails to make a return under sub-section (2) of section 16, or fails to comply with all the terms of a notice issued under sub-section (4) of that section or under sub-section (2) of this section, the Agricultural Income-tax Officer shall make the assessment to the best of his judgment and determine the sum payable by the assessee on the basis of such assessment, and, in the case of a firm, may refuse to register it or may cancel its registration, if it is already registered:

Provided that the registration of a firm shall not be cancelled until fourteen days have elapsed from the issue of a notice by the Agricultural Income-tax Officer to the firm intimating his intention to cancel its registration.

(5) Notwithstanding anything contained in the foregoing sub-sections, when the assessee is a firm and the total income of the firm has been assessed under sub-section (1), sub-section (3) or sub-section (4), as the case may be—

(a) in the case of a registered firm, the sum payable by the firm itself shall not be determined but the total income of each partner of the firm, including therein his share of its income, profits and gains of the previous year, shall be assessed, and the sum payable by him on the basis of such assessment shall be determined:

Provided that, if such share of any partner is a loss, it shall be set off against his other income or carried forward and set off in accordance with the provisions of section 12:

Provided further that, when any of such partners is a person not resident in the State, his share of the income, profits and gains of the firm shall be assessed on the firm at the rates and gains of the firm shall be assessed on the firm at the rates which would be applicable if it were assessed on him personally, and the sum so determined as payable shall be paid by the firm; and

(b) in the case of an unregistered firm, the Agricultural Income-tax Officer may, instead of determining the sum payable by the firm itself, proceed in the manner laid down in clause (a) as applicable to a registered firm, if, in his opinion, the aggregate amount of the tax payable by the partners under such procedure

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would be greater than the aggregate amount which would be payable by the firm and the partners individually if the firm were assessed as an unregistered firm.

(6) When in the course of the assessment of the total agricultural income of the assessee it is found that a loss has been sustained which he is entitled to have set off under section 12, the Agricultural Income-tax Officer shall notify to the assessee by order in writing the amount of the loss as computed by him.

18. Power to make provisional assessment in advance of regular assessment.—(1) The Agricultural Income-tax Officer may, at any time after the receipt of a return made under section 16, proceed to make in a summary manner, a provisional assessment of the tax payable by the assessee, on the basis of his return and the accounts and documents, if any, accompanying it, after giving due effect to the allowance referred to in section 12.

(2) A partner of a firm may be provisionally assessed under sub-section (1) in respect of his share in the firm's income, profits and gains, if its return has been received although the return of the partner himself may not have been received.

(3) A firm may be provisionally assessed under sub-section (1) as if it were an unregistered firm, unless the firm fulfils such conditions as the Government may, by notification in the *Port St. George Gazette*, specify in that behalf.

(4) There shall be no right of appeal against a provisional assessment made under sub-section (1).

(5) For the avoidance of doubt, it is hereby declared that the provisions of sections 40 and 41 apply in relation to any tax payable in pursuance of a provisional assessment made under sub-section (1) as if it were a regular assessment made under section 17.

(6) After a regular assessment has been made under section 17, any amount paid towards a provisional assessment made under sub-section (1) shall be deemed to have been paid towards the regular assessment; and where the amount paid towards the provisional assessment exceeds the amount payable under the regular assessment, the excess shall be refunded to the assessee.

(7) Nothing done or suffered by reason or in consequence of any provisional assessment made under this section shall prejudice the determination of the merits, of any issue which may arise in the course of the regular assessment under section 17.

19. Cancellation of assessment in certain cases.—Where an assessee, within one month from the service of a notice of demand issued as hereinafter provided, satisfies the Agricultural Income-tax Officer that he was prevented by sufficient cause from making the return required by section 16 or that he did not receive the notice issued under sub-section (2) or sub-section (4) of that section or sub-section (2) of section 17 or that he had not a reasonable

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opportunity to comply, or was prevented by sufficient cause from complying, with the terms of any such notice, the Agricultural Income-tax Officer shall cancel the assessment and proceed to make a fresh assessment in accordance with the provisions of section 17.

20. Penalty for concealment of income.—(1) If the Agricultural Income-tax Officer, the Assistant Commissioner, the Commissioner or the Appellate Tribunal is satisfied that any person—

(a) has, without reasonable cause, failed to furnish the return of his total agricultural income which he was required to furnish under sub-section (1) or sub-section (2) of section 16, or

(b) has, without reasonable cause, failed to furnish such return within the time allowed and in the manner required by sub-section (1) of section 16 or by a notice served under sub-section (2) of that section, or

(c) has concealed the particulars of his agricultural income or has deliberately furnished inaccurate particulars of such income, he or it may direct that such person shall pay by way of penalty, in addition to the amount of agricultural income-tax, if any, payable by him, a sum not exceeding that amount :

Provided that—

(a) no penalty shall be imposed under this sub-section upon a person who has failed to furnish a return under sub-section (1) of section 16, if he proves that he has no income liable to tax ;

(b) where a person has failed to comply with a notice under sub-section (2) of section 16 and proves that he has no income liable to tax, the penalty imposable under this sub-section shall not exceed twenty-five rupees ;

(c) no penalty shall be imposed under this sub-section upon any person assessable as the agent of any person not resident in the State for failure to furnish the return required under section 16 unless a notice under sub-section (2) thereof or under section 35 has been served on him ;

(d) when the person liable to penalty is a registered firm, or an unregistered firm treated under section 17 (5) (b) as a registered firm, so that the amount of the agricultural income-tax payable by the firm itself has not been determined, that amount shall be taken to be an amount equal to the tax which would have been payable by an unregistered firm on an income equal to the firm's total agricultural income, and in the cases referred to in clauses (b) and (c), the amount of the agricultural income-tax which would have been avoided if the income as returned had been accepted as the correct income, shall be taken to be the difference between the amount of this tax which would have been payable by an unregistered firm on an income equal to the firm's total agricultural income and the amount of the tax payable by an unregistered firm on income equal to the income of the firm as actually returned by the firm.

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(2) If the Agricultural Income-tax Officer, the Assistant Commissioner, the Commissioner or the Appellate Tribunal in the course of any proceedings under this Act, is satisfied that the profits of a registered firm have been distributed otherwise than in accordance with the shares of the partners as shown in the instrument of the partnership registered under this Act governing such distribution, and that any partner has thereby returned his income below its real amount, he or it may direct that such partner shall in addition to the agricultural income-tax payable by him pay by way of penalty a sum not exceeding the amount of agricultural income-tax which has been avoided, or would have been avoided if the income returned by such partner had been accepted as his correct income; and no refund or other adjustment shall be claimable by any other partner by reason of such direction.

(3) No order under sub-section (1) or sub-section (2) shall be made unless the assessee has been heard or has been given a reasonable opportunity of being heard.

(4) No prosecution for an offence against this Act shall be instituted in respect of the same facts on which a penalty has been imposed under sub-section (1).

(5) The Appellate Tribunal, the Commissioner or the Assistant Commissioner shall, on making an order under sub-section (1), send forthwith a copy of the same to the Agricultural Income-tax Officer concerned.

21. Power to assess individual members of certain associations.—

(1) Where the Agricultural Income-tax Officer is satisfied that any association of individuals other than a Hindu undivided family, and Aliyasantana family or branch, Marumakkattayam tarwad or tavazhi or a company is under the control of one member thereof, and that such association has been formed or is being used for the purpose of evading or reducing the liability to agricultural income-tax of any member thereof, he may, with the previous approval of the Commissioner of Agricultural Income-tax, pass an order that the sum payable as agricultural income-tax by the association shall not be determined, and thereupon the share of each member in the agricultural income of the association shall be included in his total agricultural income for the purpose of his assessment thereon.

Explanation.—A member of an association who owns the whole or the major portion of the capital of the association shall not by reason only of that fact be deemed to control the firm or association.

(2) The Commissioner of Agricultural Income-tax shall not give his approval to any order proposed to be passed by the Agricultural Income-tax Officer, under this section until he has given the firm or association concerned an opportunity of being heard.

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(3) Where any member of an association of individuals makes default in the payment of tax on his share of income which has been included in his total agricultural income under the provisions of sub-section (1), such tax may be recovered from the association.

(4) Where agricultural income-tax is recoverable from an association under this section, a notice of demand shall be served upon it in the prescribed form showing the sum so payable, and such association shall be deemed to be the assessee in respect of such sum, for the purposes of Chapter VI.

22. *Assessment in case of departure from the State.*—(1) Where it appears to the Agricultural Income-tax Officer that any person intends to alienate his right, title and interest in any plantation in the State and that such person may leave the State during the financial year or shortly after its expiry and that he has no present intention of returning, the Agricultural income-tax Officer may proceed to assess him on his total agricultural income for the period from the expiry of the last previous year for which he has been assessed to the probable date of his departure from the State: For each completed previous year included in this period, an assessment shall be made on the total agricultural income of such person at the rate at which it would have been charged had such income been fully assessed, and for the period from the expiry of the last of such previous years to the probable date of departure, the Agricultural Income-tax Officer shall estimate the total agricultural income of such person and assess it at the rate applicable to the agricultural income:

Provided that nothing herein contained shall authorize an Agricultural Income-tax Officer to assess any agricultural income which has escaped assessment or has been assessed at too low a rate in respect of which he is debarred from issuing a notice under section 35.

(2) For the purpose of making an assessment under sub-section (1), the Agricultural Income-tax Officer may serve a notice upon such person requiring him to furnish, within such time not being less than seven days as may be specified in the notice, a return in the same form and verified in the same manner as a return under sub-section (2) of section 16, setting forth, along with such other particulars as may be provided for in the notice, his total agricultural income for each of the completed previous years comprised in the period first referred to in sub-section (1) and his estimated total agricultural income for the period from the expiry of the last such completed previous year to the probable date of his departure, and the provisions of this Act shall, so far as may be, apply as if the notice were a notice issued under sub-section (2) of section 16.

23. *Assessment in case of transfer of right in plantation.*—Where a person in receipt of agricultural income from any plantation in the State is found to have transferred his interest in such

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plantation to another person, the transferor and the transferee shall each be assessed in respect of his actual share, if any, of such agricultural income :

Provided that when the transferor cannot be found, the assessment of such agricultural income of the previous year in which the transfer took place up to the date of the transfer and for the years preceding that year shall be made on the transferee in like manner and to the same amount as it would have been made on the transferor, or when the tax in respect of the assessment made for any or all of such years assessed on the transferor cannot be recovered from him, it shall be payable by and recoverable from the transferee, and the transferee shall be entitled to recover from the transferor the amount of any tax so paid.

24. Tax of deceased person payable by representative.—(1) Where a person dies, his executor, administrator or other legal representative shall be liable to pay, out of the estate of the deceased person, to the extent to which the estate is capable of meeting the charge, the agricultural income-tax assessed as payable by such person or any agricultural income-tax which would have been payable by him under this Act if he had not died.

(2) Where a person dies before the 1st June in any year, or before he is served with a notice under sub-section (2) of section 16 or under section 35, as the case may be, his executor, administrator or other legal representative shall, on the serving of the notice under sub-section (2) of section 16 or under section 35, as the case may be, comply therewith, and the Agricultural Income-tax Officer may proceed to assess the total agricultural income of the deceased person as if such executor, administrator or other legal representative were the assessee.

(3) Where a person dies without having furnished a return which he has been required to furnish under section 16, or having furnished a return which the Agricultural Income-tax Officer has reason to believe to be incorrect or incomplete, such officer may make an assessment of the total agricultural income of such person and determine the agricultural income-tax payable by him on the basis of such assessment, and for this purpose may, by the issue of the appropriate notice which would have had to be served upon the deceased person had he survived, require from the executor, administrator or other legal representative of the deceased person any accounts, documents or other residence which he might under section 16 or section 17 have required from the deceased person.

25. Assessment in case of discontinued business of company, firm or association.—(1) Where agricultural income is received by a company, firm or association of persons and the business through which such income is received is discontinued in any year, an assessment may be made in that year on the basis of the agricultural income received during the period between the end of the

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previous year and the date of such discontinuance, in addition to the assessment, if any, made on the basis of the agricultural income received in the previous year.

(2) Any person discontinuing any such business shall give to the Agricultural Income-tax Officer notice of such discontinuance within fifteen days thereof and where any person fails to give the notice required by this sub-section, such officer may direct that a sum shall be recovered from him by way of penalty not exceeding the amount of agricultural income-tax subsequently assessed on him in respect of any agricultural income of a company, firm or association of persons up to the date of the discontinuance of the business.

(3) Where an assessment is to be made under sub-section (1), the Agricultural Income-tax Officer may serve on the person whose agricultural income is to be assessed or, in the case of a firm, on any person who was a member of such firm at the time of its discontinuance or, in the case of a company, on the principal officer thereof, a notice containing all or any of the requirements which may be included in a notice under sub-section (2) of section 16 and the provisions of this Act shall, so far as may be, apply accordingly as if the notice were a notice issued under that sub-section.

26. Liability in case of discontinued business of firm or association.—Where agricultural income is received by a firm or association of persons and the business of such firm or association is discontinued or such firm or association is dissolved, every person who was at the time of such discontinuance or dissolution a partner of such firm or member of such association shall be jointly and severally liable to assessment on such agricultural income and for the amount of agricultural income-tax payable under this Act by such firm or association and all the provisions of this Act shall, so far as may be, apply to such assessment.

27. Procedure in registration of firms.—(1) Application may be made to the Agricultural Income-tax Officer on behalf of any firm, constituted under an instrument of partnership specifying the individual shares of the partners, for registration for the purposes of this Act and of any other enactment for the time being in force relating to agricultural income-tax.

(2) The application shall be made by such person or persons and at such times and shall contain such particulars and shall be in such form, and be verified in such manner, as may be prescribed, and it shall be dealt with by the Agricultural Income-tax Officer in such manner as may be prescribed.

28. Change in constitution of a firm and succession to business.—(1) Where, at the time of making an assessment under section 17, it is found that a change has occurred in the constitution of a firm or that a firm has been newly constituted, the assessment shall be made on the firm as constituted at the time of making the assessment.

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If the agricultural income-tax cannot be recovered from the firm as so constituted, such tax shall be recoverable from the persons who were members of the firm during the previous year.

(2) Where a person carrying on any business in the course of which agricultural income is received has been succeeded in such capacity by another person, such person and such other person shall each be assessed in respect of his actual share of the agricultural income of the previous year:

Provided that, when the person succeeded in the business cannot be found, the assessment of the agricultural income of the year in which the succession took place up to the date of succession, and for the year preceding that year shall be made on the person succeeding him in like manner and to the same amount as it would have been made on the person succeeded or when the tax in respect of the assessment made for either of such years assessed on the person succeeded cannot be recovered from him, it shall be payable by and recoverable from the person succeeding, and such person shall be entitled to recover from the person succeeded the amount of any tax so paid.

29. Assessment after partition of a Hindu undivided family, an Aliyasanthana family or branch or Marumakkattayam tarwad or tavazhi.—(1) Where, at the time of making an assessment under section 17, it is claimed by or on behalf of any member of a Hindu undivided family, an Aliyasanthana family or branch or a Marumakkattayam tarwad or tavazhi hitherto assessed as undivided that a partition has taken place among the members or groups of members of such family, branch, tarwad or tavazhi, the Agricultural Income-tax Officer shall make such inquiry thereinto as he may think fit, and if he is satisfied that the joint family property has been partitioned among the various members or groups of members in definite portions, he shall record an order to that effect:

Provided that no such order shall be recorded until notice of the inquiry has been served on all the adult members of the family, branch, tarwad or tavazhi entitled to the property as far as may be practicable or in such other manner as may be prescribed.

(2) Where such an order has been passed, the Agricultural Income-tax Officer shall make an assessment of the total agricultural income received by or on behalf of the family, branch, tarwad or tavazhi as such, as if no partition had taken place, and each member or group of members shall, in addition to any agricultural income-tax for which he or it may be separately liable, and notwithstanding anything contained in clause (a) of section 10, be liable for a share of the tax on the income so assessed according to the portion of the family, branch, tarwad or tavazhi property allotted to him or it, and the Agricultural Income-tax Officer shall make assessments accordingly on the various members and groups of members in accordance with the provisions of section 17:

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Provided that all the members and groups of members whose family, branch, tarwad or tavazhi property has been partitioned shall be liable jointly and severally for the tax on the total agricultural income received by or on behalf of the family, branch, tarwad or tavazhi as such up to the date of the partition.

(3) Where such an order has not been passed in respect of a Hindu family, an Aliyasanthana family or branch or a Marumakkattayam tarwad or tavazhi hitherto assessed as undivided, such family, branch, tarwad or tavazhi shall be deemed for the purpose of this Act to continue to be an undivided family, branch, tarwad or tavazhi.

30. Notice of demand.—When any tax or penalty is due in consequence of any order passed under or in pursuance of this Act, the Agricultural Income-tax Officer shall serve on the assessee a notice of demand in the prescribed form specifying the sum so payable.

31. Appeal against assessment.—(1) Any assessee objecting to the amount of income assessed or tax determined or loss computed under section 17 or denying his liability to be assessed under this Act or objecting to any order under any of the provisions of sections 19, 20, 21, 25, 29 and 41 made by the Agricultural Income-tax Officer or to the cancellation by him of the registration of a firm or to the refusal to register a firm may appeal to the Assistant Commissioner against the assessment or against such order:

Provided that no appeal shall lie in respect of an assessment made under sub-section (4) of section 17.

(2) The appeal shall be in the prescribed form and shall be verified in the prescribed manner.

(3) The appeal shall be presented within a period of thirty days from the date of service of the order; but the Assistant Commissioner may admit an appeal presented after the expiration of the said period, if he is satisfied that the appellant had sufficient cause for not presenting it within the said period.

(4) The Assistant Commissioner shall fix a day and place for the hearing of the appeal and may from time to time adjourn the hearing and make or cause to be made such further inquiry as he thinks fit:

Provided that on the application of the appellant and at his cost the Assistant Commissioner may, in appropriate cases, issue a commission to ascertain and report the yield and cultivation expenses or the rent and collection charges of the properties of the assessee included in the assessment order, and orders on the appeal shall be passed only after considering the said report.

(5) In disposing of an appeal, the Assistant Commissioner may—

- (a) in the case of an order of assessment—
 - (i) confirm, reduce, enhance or annul the assessment;

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(ii) set aside the assessment and direct the Agricultural Income-tax Officer to make a fresh assessment after such further enquiry as may be directed; or

(b) in the case of any other order, confirm, cancel or vary such order :

Provided that no enhancement of an assessment or penalty shall be made under this section unless the appellant has had a reasonable opportunity of being heard against such enhancement :

Provided further that at the hearing of any appeal against an order of an Agricultural Income-tax Officer, the Agricultural Income-tax Officer shall have the right to be heard either in person or by a representative.

(6) Where, as the result of an appeal, any change is made in the assessment of a firm or association of persons or a new assessment of a firm or association of persons is ordered to be made, the Assistant Commissioner may authorize the Agricultural Income-tax Officer to amend accordingly any assessment made on any partner of the firm or any member of the association.

(7) The Assistant Commissioner shall, on the conclusion of the appeal, communicate the orders passed by him to the assessee and to the Commissioner.

32. Appeals against orders of Assistant Commissioner.—(1) Any assessee objecting to an order passed by an Assistant Commissioner under section 20 or section 31 may appeal to the Appellate Tribunal within sixty days of the date on which such order is communicated to him.

(2) The Commissioner may, if he objects to any order, passed by an Assistant Commissioner under section 31, direct the Agricultural Income-tax Officer to appeal to the Appellate Tribunal against such order, and such appeal may be presented within sixty days of the date on which the order is communicated to the Commissioner by the Assistant Commissioner.

(3) The Appellate Tribunal may admit an appeal after the expiry of the sixty days referred to in sub-sections (1) and (2) if it is satisfied that there was sufficient cause for not presenting it within that period.

(4) An appeal to the Appellate Tribunal shall be in the prescribed form and shall be verified in the prescribed manner, and shall, except in the case of an appeal referred to in sub-section (2), be accompanied by a fee of five per cent of the sum appealed against, subject to a minimum of twenty-five rupees and a maximum of one hundred rupees.

(5) The Appellate Tribunal may after giving both parties to the appeal an opportunity of being heard, pass such orders thereon as it thinks fit, and shall communicate any such orders to the assessee and to the Commissioner.

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(6) Where, as the result of an appeal, any change is made in the assessment of a firm or association of persons or a new assessment of a firm or association of persons is ordered to be made, the Appellate Tribunal may authorise the Agricultural Income-tax Officer to amend accordingly any assessment made on any partner of the firm or any member of the association.

(7) Save as provided in section 54, orders passed by the Appellate Tribunal on appeal shall be final.

33. Appeal against an order of refusal to refund.—The provisions of sections 31 and 32 shall, so far as may be, apply to any order of refusal of any refund admissible under this Act or the rules made thereunder.

34. Revision.—(1) The Commissioner may, of his own motion or on application by an assessee, call for the record of any proceeding under this Act which has been taken by any authority subordinate to him and may make such enquiry or cause such enquiry to be made and, subject to the provisions of this Act, may pass such orders thereon as he thinks fit :

Provided that he shall not pass any order prejudicial to an assessee without hearing him or giving him a reasonable opportunity of being heard :

Provided further that an order passed declining to interfere shall not be deemed to be an order prejudicial to the assessee.

(2) The Commissioner shall not revise any order under sub-section (1) if—

(a) where an appeal against an order lies to the Appellate Tribunal the time within which such appeal may be made has not expired; or

(b) where an appeal against the order has been made to the Appellate Tribunal, the appeal is pending before it; or

(c) the order has been made more than one year previously.

(3) Every application by an assessee under sub-section (1) shall be accompanied by a fee of fifty rupees.

(4) Any order passed under sub-section (1) shall, subject to revision by the High Court under section 54, be final.

35. Income escaping assessment.—If for any reason agricultural income chargeable to tax under this Act has escaped assessment in any financial year or has been assessed at too low a rate, the Agricultural Income-tax Officer may, at any time, within three years of the end of that year serve on the person liable to pay the tax or, in the case of a company, on the principal officer thereof a notice containing all or any of the requirements which may be included in a notice under sub-section (2) of section 16 and may proceed to assess or re-assess such income, and the provisions of this Act shall, so far as may be, apply accordingly as if the notice were a notice issued under that sub-section :

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Provided that the tax shall be charged at the rate at which it would have been charged if such income had not escaped assessment or full assessment, as the case may be.

36. Rectification of mistake.—(1) The authority which passed an order on appeal or revision may at any time within three years from the date of such order passed by him on appeal or in revision and the Agricultural Income-tax Officer may at any time within three years from the date of any assessment or refund order passed by him, of his own motion, rectify any mistake apparent from the record of the appeal, revision, assessment or refund, as the case may be, and shall, within the like period, rectify any such mistake which has been brought to his notice by an assessee:

Provided that no such rectification shall be made having the effect of enhancing an assessment or reducing a refund unless the appellate or revisional authority or the Agricultural Income-tax Officer, as the case may be, has given notice to the assessee of his intention so to do and has allowed him a reasonable opportunity of being heard.

(2) Where any such rectification has the effect of reducing the assessment, the Agricultural Income-tax Officer shall make any refund which may be due to such assessee.

(3) Where any such rectification has the effect of enhancing the assessment or reducing a refund, the Agricultural Income-tax Officer shall serve on the assessee a notice of demand in the prescribed form specifying the sum payable and such notice of demand shall be deemed to be issued under section 30 and the provisions of this Act shall apply accordingly.

37. Tax can be collected to the nearest anna.—In the determination of the amount of tax or a refund payable under this Act, fractions of an anna less than six pies shall be disregarded and fractions of an anna equal to or exceeding six pies shall be regarded as one anna.

38. Power to take evidence on oath, etc.—The Appellate Tribunal, the Commissioner, the Assistant Commissioner and the Agricultural Income-tax Officer shall, for the purpose of this Chapter have the same powers as are vested in a Court under the Code of Civil Procedure, 1908 (Central Act V of 1908), when trying a suit in respect of the following matters, namely:—

(a) enforcing the attendance of any person and examining him on oath or affirmation;

(b) compelling the production of documents; and

(c) issuing commission for the examination of witnesses, and for ascertaining the yield and cultivation expenses in respect of any plantation; and any proceeding before the Appellate Tribunal, the Commissioner or Assistant Commissioner or the Agricultural Income-tax Officer shall be deemed to be a judicial proceeding within the meaning of sections 193 and 228, and for the purposes of section 196, of the Indian Penal Code (Central Act XLV of 1860).

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39. Power to call for information, etc.—(1) The Assistant Commissioner or the Agricultural Income-tax Officer may for the purposes of this Act—

(i) require any Hindu undivided family, an Aliyasantana family or branch, a Marumakkattayam tarwad or a tavazhi possessing separate properties, a firm or a company, to furnish a return of the names of all the members of the family, branch, tarwad, tavazhi, firm or company, as the case may be, their addresses and such other particulars as may be required for the purposes of assessment;

(ii) require any person whom he has reason to believe to be a trustee, guardian or agent, to furnish him with a return of the names of the persons for or of whom he is trustee, guardian or agent and of their addresses;

(iii) impound and retain in his custody for such period as he thinks fit any books of accounts or other documents produced before him in any proceedings under this Act:

Provided that the Assistant Commissioner or the Agricultural Income-tax Officer shall not—

(a) impound any books of account or other documents without recording his reasons for so doing; or

(b) retain in his custody any such books or documents for a period exceeding fifteen days (exclusive of holidays) without obtaining the approval of the Commissioner therefor.

(2) The Assistant Commissioner or the Agricultural Income-tax Officer may for the purposes of this Act enter and inspect any place where accounts are maintained, or other documents are kept, and take into his custody any such accounts or documents:

Provided that if any such place is a dwelling house, or an apartment, in the actual occupation of a woman, such officer shall, before entering such house or apartment, give notice to such woman that she is at liberty to withdraw and shall afford her every reasonable facility for withdrawing:

Provided further that such officer shall prepare a list of all accounts and documents taken into his custody and deliver a copy of such list to the occupant of the place or some person in his behalf.

(3) If the Assistant Commissioner or the Agricultural Income-tax Officer is resisted in the exercise of his power or in the discharge of his duties under this section, the Magistrate having jurisdiction shall, on the written requisition from such officer, direct any police officer not below the rank of Sub-Inspector to render such help as may be necessary to enable the officer to exercise such power or discharge such duty.

CHAPTER VI.

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RECOVERY OF TAX AND PENALTIES.

40. Recovery of tax and penalties.—Any amount specified as payable in a notice of demand under section 30 or an order under section 31, 32 or 34 shall be paid in such number of instalments, within such time, at such place, to such person and in such manner as may be prescribed, and any assessee failing so to pay shall be deemed to be in default:

Provided that, when an assessee has presented an appeal under section 31, the Agricultural Income-tax Officer may, in his discretion, treat the assessee as not being in default so long as such appeal is undisposed of.

41. Mode and time of recovery.—(1) When an assessee is in default in making a payment of agricultural income-tax, the Agricultural Income-tax Officer may, in his discretion, direct that, in addition to the amount of the arrears, a sum not exceeding that amount shall be recovered from the assessee by way of penalty.

(2) For the purposes of sub-section (1), the Agricultural Income-tax Officer may direct the recovery of any sum less than the amount of the arrears and may enhance the sum so directed to be recovered from time to time in the case of a continuing default, so however that the total sum so directed to be recovered shall not exceed the amount of the arrears payable.

(3) The Agricultural Income-tax Officer may forward to the Collector a certificate under his signature specifying the amount of arrears due from an assessee and the Collector, on receipt of such certificate, shall proceed to recover from such assessee the amount specified therein as if it were an arrear of land revenue:

Provided that, without prejudice to any other powers of the Collector in this behalf, he shall for the purpose of recovering the said amount have the powers which under the Code of Civil Procedure, 1908 (Central Act V of 1908), a Civil Court has for the purpose of the recovery of an amount due under a decree.

(4) No proceeding for the recovery of any sum payable under this Act shall be commenced after the expiration of three years from the latest day fixed for payment in the notice of demand served under section 30 or where the assessee has been treated as not being in default under the proviso to section 40 pending his appeal, after the expiration of three years from the date on which the appeal is decided.

42. Right, title and interest in property sold for arrears of tax in certain cases.—(1) Where any property of a Hindu undivided family, an Aliyasantana family or branch, or a Marumakkattayam tarwad or tavazhi is sold for the realization of arrears of agricultural income-tax, the right, title and interest of all the members of such family, branch, tarwad, or tavazhi in the property shall pass to the purchaser.

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(2) Where any person has been assessed to agricultural income-tax on the agricultural income derived from a plantation held by him wholly or partly for the benefit of other persons and the tax payable by him is in arrears, the plantation so held by him may be attached and sold for the realization of such arrears and on such sale, the right, title and interest of such person in the said plantation shall pass to the purchaser.

43. Recovery of penalties.—Any sum imposed by way of penalty under the provisions of section 20, section 25 or section 41 shall be recoverable in the manner provided in this Chapter for the recovery of arrear of tax.

CHAPTER VII.

REFUNDS.

44. Refunds.—(1) If any person satisfies the Agricultural Income-tax Officer that the amount of agricultural income-tax paid by him or on his behalf or treated as paid on his behalf for any year exceeds the amount with which such person is properly chargeable under this Act for that year, he shall be entitled to a refund of any such excess.

(2) The appellate or revisional authority, in the exercise of his appellate or revisional powers, if satisfied to the like effect, shall cause a refund to be made by the Agricultural Income-tax Officer of any amount found to have been wrongly paid or paid in excess.

(3) Where agricultural income of one person is included under any provision of this Act in the total agricultural income of any other person, such other person only shall be entitled to a refund under this section in respect of such income.

(4) Nothing in this section shall operate to validate any objection or appeal which is otherwise invalid or to authorize the revision of any assessment or other matter which has become final and conclusive or the review by any officer of a decision of his own which is subject to appeal or revision, or where any relief is specifically provided elsewhere in this Act, to entitle any person to any relief other than or greater than that relief.

45. Refunds admissible under rules.—Refunds shall also be admissible under this Act in such cases and to such extent as may be prescribed.

46. Power to set off amount of refund against tax remaining payable.—Where under any of the provisions of this Act, a refund is found to be due to any person, the Agricultural Income-tax Officer, the Assistant Commissioner or the Commissioner, as the case may be, may in lieu of payment of the refund, set off the amount to be refunded, or any part of that amount, against the agricultural income-tax, if any, remaining payable by the person to whom the refund is due.

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47. Power of representative of deceased person or persons disabled to make claim on his behalf.—Where through death, incapacity, bankruptcy, liquidation or other cause, a person who would but for such cause have been entitled to a refund under any of the provisions of this Act, or to make a claim under section 44 is unable to receive such refund or to make such claim, his executor, administrator or other legal representative or the trustee or receiver, as the case may be, shall be entitled to receive such refund or to make such claim for the benefit of such person or his estate.

48. Limitation of claims for refund.—No claim to any refund of agricultural income-tax under this Chapter shall be allowed, unless it is made within three years from the last day of the financial year commencing next after the expiry of the previous year in which the agricultural income was received or one year from the date on which the assessment is completed, whichever is later.

CHAPTER VIII.

OFFENCES AND PENALTIES.

49. False statements in declaration.—If any person makes a statement in a verification mentioned in section 16 or sub-section (2) of section 31 or sub-section (4) of section 32 or in any application under section 65, which is false and which he either knows or believes to be false or does not believe to be true, he shall be deemed to have committed the offence described in section 177 of the Indian Penal Code (Central Act XLV of 1860).

50. Failure to furnish return or to supply information.—If any person fails without reasonable cause or excuse—

(a) to furnish in due time any of the returns specified in sub-section (1) or sub-section (2) of section 16, section 13 or section 39, or

(b) to grant inspection or allow copies to be taken in accordance with the provision of section 60, or

(c) to produce or cause to be produced on or before the date mentioned in any notice under sub-section (4) of section 16, such accounts or documents as are referred to in the notice, he shall be punishable with fine which may extend to five rupees for every day during which the default continues.

51. Prosecution to be at the instance of the Assistant Commissioner.—(1) A person shall not be proceeded against for an offence under section 49 or section 50 except at the instance of the Assistant Commissioner.

(2) Before instituting proceedings against any person under sub-section (1), the Assistant Commissioner shall call upon such person to show cause why proceedings should not be instituted against him.

(3) The Assistant Commissioner may, either before or after the institution of proceedings, compound any such offence.

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52. Disclosure of information by public servant.—(1) All particulars contained in any statement made, return furnished or accounts or documents produced, under the provisions of this Act or in any evidence given or affidavit or deposition made in the course of any proceedings under this Act other than proceedings under this Chapter or in any record of an assessment proceeding or any proceeding relating to the recovery of a demand prepared for the purposes of this Act shall be treated as confidential and notwithstanding anything contained in the Indian Evidence Act, 1872 (Central Act 1 of 1872), no Court shall, save as provided in this Act, be entitled to require any public servant to produce before it any such return, accounts, documents or record or any part of such record or to give evidence before it in respect thereof.

(2) If a public servant discloses any particulars contained in any such statement, return, accounts, documents, evidence, affidavit, deposition or record, he shall be punishable with imprisonment which may extend to six months and shall also be liable to fine.

(3) Nothing contained in this section shall apply to the disclosure—

(a) of any such particulars for the purposes of a prosecution under the Indian Penal Code (Central Act XLV of 1860), in respect of any such statement, return, accounts, documents, evidence, affidavit or deposition or for the purposes of a prosecution under this Act; or

(b) of any such particulars to any person acting in the execution of this Act where it is necessary to disclose the same to him for the purposes of this Act; or

(c) of any such particulars occasioned by the lawful employment under this Act of any process for the service of any notice or the recovery of any demand; or

(d) of any such particulars to a Civil Court in any suit to which the Government are a party which relates to any matter arising out of any proceeding under this Act, or

(e) of any such particulars to any officer appointed to audit agricultural income-tax receipts or refunds; or

(f) of any such particulars relevant to any inquiry into the conduct of an official of the Agricultural Income-tax Department to any persons appointed commissioners under any law relating to enquiries into the conduct of public servants or to an officer otherwise appointed to hold such enquiry or the State Public Service Commission when exercising its functions in relation to any matter arising out of any such enquiry; or

(g) of any such particulars relevant to any inquiry into a charge of misconduct in connexion with the proceedings under this Act against a lawyer or registered accountant; or

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(h) of any such particulars occasioned by the lawful exercise by a public servant of his powers under the Indian Stamp Act, 1899 (Central Act II of 1899), to impound an insufficiently stamped document; or

(i) of such facts as may be necessary to enable a refund to be given in accordance with this Act or the rules made thereunder; or

(j) of such facts to an officer of the Central Government as may be necessary for the purpose of enabling that Government to levy or realize any tax or duty imposed by it; or

(k) of such facts to any authority exercising powers under any Act of the State Legislature imposing any tax or duty as may be necessary for enabling it duly to exercise such powers; or

(l) of such facts as may be necessary to establish whether a person is or is not entitled to be entered on an electoral roll, or

(m) of such particulars to the appropriate authority as may be necessary to establish whether a person has or has not been assessed to agricultural income-tax in any particular year or years where, under the provisions of any law for the time being in force, such fact is required to be established; or

(n) of such particulars in any rent-roll or other document, produced by any assessee as the basis of his agricultural income or any part of such income; or

(o) of such facts as may be necessary to enable an intending purchaser or other transferee of property to ascertain the nature and extent of the liability of any such property for agricultural income-tax.

(4) Nothing in this section shall apply to the production by a public servant before a Court of any document, declaration or affidavit filed, or the record of any statement or deposition made, in a proceeding under section 29 or to the giving of evidence by a public servant in respect thereof.

(5) No prosecution shall be instituted under this section—

(a) against a person who is not removable from his office save by or with the sanction of the Government or some higher authority, except with the previous sanction of the Government, or

(b) against any other person, except with the previous sanction of the authority competent to remove him from his office.

CHAPTER IX.

MISCELLANEOUS.

53. Place of assessment.—(1) Subject to any orders passed under sub-section (2), the agricultural income of a person shall be assessed by the Agricultural Income-tax Officer of the area in which is situated the plantation from which the greater part of the income is derived :

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Provided that, when an assessee has made a return under sub-section (1) of section 16 to the Agricultural Income-tax Officer having jurisdiction over the assessee's place of residence or the place where any of his plantation is situated or where his accounts are maintained, he shall be deemed to have elected such place as his place of assessment and it shall be accepted by the officer concerned unless for reasons to be recorded in writing he passes an order that the assessment shall be made in any other place.

(2) (a) An assessee who has not made a return under section 16 may, before the expiry of the time allowed for the submission of the return, apply to the Agricultural Income-tax Officer of the area in which is situated the plantation from which the greater part of the agricultural income of the assessee is derived, to be assessed at his usual place of residence or at the place where the accounts relating to his agricultural income are kept, if either of such places is situated in the State, and the Agricultural Income-tax Officer shall refer the matter to the Assistant Commissioner whose decision thereon shall be final.

(b) Where an order is passed under clause (a), the assessee shall not be entitled to make any further application to change his place of assessment :

Provided that the Agricultural Income-tax Officer may allow the assessee to be assessed at any other place upon such conditions as he thinks fit.

(3) Notwithstanding anything contained in this section, every Agricultural Income-tax Officer shall have all the powers conferred by or under this Act on an Agricultural Income-tax Officer in respect of any agricultural income derived from plantations situated within the area for which he is appointed.

54. Revision by High Court.—(1) Within sixty days of the date on which he is served with a notice of the order, the assessee or the Commissioner, in the case of an order under sub-section (5) of section 32, and the assessee, in the case of an order under section 34 enhancing the assessment or otherwise prejudicial to him, may prefer an application to the High Court against the order on the ground that the Appellate Tribunal or, as the case may be, the Commissioner has either decided erroneously or failed to decide any question of law :

Provided that the High Court may admit an application preferred after the period of sixty days aforesaid if it is satisfied that the applicant had sufficient cause for not preferring the application within that period.

(2) The application shall be in the prescribed form, shall be verified in the prescribed manner and shall, where it is made by the assessee, be accompanied by a fee of one hundred rupees or such lesser sum as may be prescribed.

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(3) If the High Court, on perusing the application considers that there is no sufficient ground for interfering, it may dismiss the application summarily:

Provided that no application shall be dismissed unless the applicant has had a reasonable opportunity of being heard in support thereof.

(4) (a) If the High Court does not dismiss the application summarily, it shall, after giving both parties to the application a reasonable opportunity of being heard, determine the question or questions of law raised and either reverse, affirm or amend the order against which the application was preferred, or remit the matter to the Appellate Tribunal or the Commissioner, as the case may be, with the opinion of the High Court on the question or questions of law raised or pass such other order in relation to the matter as the High Court thinks fit.

(b) Where the High Court remits the matter to the Appellate Tribunal or the Commissioner under clause (a) with its opinion on the question or questions of law raised, the Appellate Tribunal or the Commissioner, as the case may be, shall amend the order passed by it or him in conformity with such opinion.

(5) Before passing an order under sub-section (4) the High Court may, if it considers it necessary so to do, remit the application to the Appellate Tribunal or the Commissioner, as the case may be, and direct it or him to return the application with its or his finding on any specific question or issue.

(6) Notwithstanding that an application has been preferred under sub-section (1), tax shall be paid in accordance with the assessment made in the case:

Provided that, if as a result of the application any change becomes necessary in such assessment, the High Court may authorize the assessing authority to amend the assessment, and on such amendment being made, the amount overpaid by the assessee shall be refunded to him without interest, or the further amount of tax due from him shall be collected in accordance with the provisions of this Act, as the case may be.

(7) (a) The High Court may, on the application either of the assessee or of the Commissioner, review any order passed by it under sub-section (4) on the basis of facts which were not before it when it passed the order.

(b) The application for review shall be preferred within such time, and in such manner as may be prescribed, and shall, where it is preferred by the assessee, be accompanied by a fee of one hundred rupees or such lesser sum as may be prescribed.

(8) In respect of every application preferred under sub-section (1) or (7), the costs shall be in the discretion of the High Court.

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(9) When any person defaults to pay the costs ordered by the High Court, the Agricultural Income-tax Officer concerned may apply for the realization of the amount to the District Court having local jurisdiction and such Court shall, on receipt of the Agricultural Income-tax Officer's application, execute the order as if it were its own decree.

55. Appearance by authorized representative.—(1) Any assessee who is entitled or required to attend before any Agricultural Income-tax Authority in connexion with any proceeding under this Act otherwise than when required under section 38 to attend personally for examination on oath or affirmation, may attend either in person or by any person duly authorized by him in writing in this behalf being a relative or a person wholly or principally employed in the service of the assessee or a lawyer or an accountant or an Income-tax practitioner and not being disqualified on the ground of misconduct by or under any law or under any order of Government.

(2) No person who has been dismissed from Government service shall be qualified to represent an assessee under sub-section (1); and if any lawyer or chartered accountant or an Income-tax practitioner is found guilty of misconduct in connexion with any proceedings under the Indian Income-tax Act, 1922 (Central Act XI of 1922), or this Act by the authority empowered to take disciplinary action against members of the profession to which he belongs, or if any other person is found guilty of such misconduct by the Commissioner, the Commissioner may direct that he shall be thenceforward disqualified to represent an assessee under sub-section (1):

Provided that—

(a) no such direction shall be made in respect of any person unless he is given a reasonable opportunity of being heard,

(b) any person against whom such direction is made may, within one month of the making of the direction, appeal to the prescribed authority to have the direction cancelled, and

(c) no such direction shall take effect until one month from the making thereof, or, when an appeal is preferred, until the disposal of the appeal.

(3) In this section—

(i) a person regularly employed by the assessee shall include any officer of a Scheduled Bank as defined in the Reserve Bank of India Act, 1934 (Central Act II of 1934), with which the assessee maintains a current account or has other regular dealings;

(ii) "accountant" means a member of an association of accountants recognized in this behalf by the Government;

(iii) "Income-tax Practitioner" means an Income-tax practitioner as defined in the Indian Income-tax Act, 1922 (Central Act XI of 1922);

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(iv) "lawyer" means any person entitled to plead in any court of law in the State.

56. Receipt to be given.—A receipt shall be given for any money paid or recovered under this Act.

57. Indemnity.—Every person deducting, retaining or paying any tax in pursuance of this Act in respect of any agricultural income belonging to any other person is hereby indemnified for the deduction, retention or payment thereof.

58. Manner of service of notice.—(1) A notice or requisition under this Act may be served on the person therein named either by post or, as if it were a summons issued by a Court under the Code of Civil Procedure, 1908 (Central Act V of 1908).

(2) Any such notice or requisition may, in the case of a firm, Hindu undivided family, an Aliyasantana family or branch or a Marumakkattayam tarwad or tavazhi be addressed to any member of the firm or to the manager, yajaman or karnavan, or any adult member of the family, branch, tarwad or tavazhi and, in the case of any other association of persons, be addressed to the principal officer thereof.

59. Power to grant extension of time for returns, etc.—The Agricultural Income-tax Officer may, in his discretion, in the case of any person or class of persons, extend the date before which the return under sub-section (1) of section 16 has to be furnished or, on application by an assessee, allow him such extension or extensions of time as the officer thinks fit to furnish the return or comply with the terms of a notice under this Act.

60. Power to inspect registers of members of company, etc.—Any Agricultural Income-tax Authority or any person authorized by him in writing in that behalf may during such hours as may be prescribed, inspect and, if necessary, take copies or cause copies to be taken of any register of the members, debenture-holders or mortgagees of any company or of any entry in such register.

61. Power to make rules.—(1) The Government may, after previous publication, make rules for carrying out the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, they may make rules—

(a) as to the manner in which and the procedure by which agricultural income of a person shall be computed;

(b) as to the deductions to be made in the computation of agricultural income;

(c) as to the special deductions and allowances in cases where expenditure has to be incurred for a number of years, before income is derived therefrom;

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(d) as to the form of returns under section 16 and the manner in which they should be verified;

(e) as to the form of notice of the demand mentioned in section 30;

(f) as to the powers and duties of Income-tax Authorities appointed under sub-section (2) of section 14 and the relation of such authorities to each other;

(g) as to the form in which appeals under section 31 shall be presented and the manner in which they shall be verified;

(h) as to the form of the notice of demand mentioned in sub-section (3) of section 36;

(i) as to the manner in which and the authority to whom applications for refund shall be made and the procedure to be followed in respect of such applications;

(j) as to all other matters expressly required or allowed by this Act to be prescribed.

(3) 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, whether by way of repeal or amendment, as the Assembly may make within fifteen days during the session in which they are so laid.

62. Bar of suits in civil courts.—No suit shall be brought in any Civil Court to set aside or modify any assessment made under this Act and no prosecution, suit or other proceeding shall lie against any officer of the Government for anything in good faith done or intended to be done under this Act.

63. Computation of period of limitation.—In computing the period of limitation prescribed for any appeal under this Act or for any application under section 54, the date on which the order complained of was made and the time requisite for obtaining a copy of such order shall be excluded.

64. Amendment of Madras Act XIX of 1954.—In section 3 of the Madras Land Revenue (Surcharge) Act, 1954 (Madras Act XIX of 1954), the Explanation shall be numbered as Explanation I and after the Explanation as so numbered, the following Explanation shall be inserted, namely :—

Explanation II.—No surcharge shall be levied under this section from a landholder who is liable to pay land revenue in respect only of a plantation or plantations as defined in the Madras Plantations Agricultural Income-tax Act, 1955; but where he is liable to pay land revenue in respect also of other lands surcharge under this section shall be levied only on the land revenue payable by him in respect of such other lands but at the average rate applicable to the aggregate of the land revenue payable in respect of such plantation or plantations and of such other lands.

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65. *Composition of agricultural income-tax.*—(1) Any person, who derives agricultural income from a plantation not exceeding twenty acres in extent if used for growing tea or an extent equivalent thereto if used for growing any crop other than tea, may apply to the prescribed officer for permission to compound the agricultural income-tax payable by him and to pay in lieu thereof a lump sum at the rate or rates specified in Part II of the Schedule :

Provided that the lump sum payable under this sub-section shall be calculated only on the extent of the plantation which is in excess of five acres if used for growing tea or of an extent equivalent thereto if used for growing any crop other than tea.

Explanation.—In determining the extent of a plantation for the purposes of this section and of the Schedule, three acres of plantation used for growing any crop other than tea shall be taken to be equivalent to one acre of plantation used for growing tea and the plantation growing tea as well as the plantation growing any other crop from which agricultural income is derived by the same person shall be taken into account.

Illustration 1.—A has a plantation of four acres growing tea and a plantation of twelve acres growing coffee. This is equivalent to eight acres of plantations growing tea.

Illustration 2.—B has a plantation of fourteen acres growing tea and a plantation of thirty-six acres growing cinchona. This is equivalent to twenty-six acres of plantation growing tea.

(2) Every application under sub-section (1) shall be submitted in such form, in such manner and within such time as may be prescribed.

(3) The prescribed officer, after satisfying himself that the particulars specified in the application are correct may, by order in writing, grant the permission.

(4) A permission granted under sub-section (3) shall be in force for the year for which it is granted; and in respect of that period the provisions of this Act regarding the submission of returns, accounts or other documents, the assessment to agricultural income-tax or any other matter incidental thereto shall not apply in relation to the grantee.

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THE SCHEDULE.

PART I.

(See section 3.)

Rates of Agricultural Income-tax.

- | | |
|--|--|
| (1) On the first Rs. 1,500 of total agricultural income. | Nil. |
| (2) On the next Rs. 3,500 of total agricultural income. | Nine pies in the rupee. |
| (3) On the next Rs. 5,000 of total agricultural income. | One anna and six pies in the rupee. |
| (4) On the next Rs. 5,000 of total agricultural income. | Two annas and six pies in the rupee. |
| (5) On the next Rs. 5,000 of total agricultural income. | Three annas and six pies in the rupee. |
| (6) On the next Rs. 5,000 of total agricultural income. | Four annas in the rupee. |
| (7) On the balance of total agricultural income ... | Five annas and six pies in the rupee. |

Provided that no agricultural income-tax shall be payable—

(i) on a total agricultural income which is less than three thousand rupees; or

(ii) by a person who derives agricultural income from a plantation not more than five acres in extent if used for growing tea or not more than fifteen acres in extent if used for growing any other crop.

The limit referred to in the above proviso shall be Rs. 6,000 in the case of every Hindu undivided family or an Aliyasantana family or branch or a Marumakkattayam tarwad or tavazhi including a Nambudiri family or any other class governed by the law applicable to Nambudiris, which satisfies as at the end of the previous year the condition that it consists of at least five members :

Provided further that—

(1) the agricultural income-tax payable shall in no case exceed one-half of the amount by which the total agricultural income exceeds three thousand rupees or six thousand rupees, as the case may be;

(2) in the case of every company agricultural income-tax shall be charged at the maximum rate on the whole of the total agricultural income.

APPENDIX

[22nd February 1955]

PART II.

(See section 65.)

Extent.	Rate per acre.
<i>Plantations used for growing tea.</i>	
Plantations—	
(i) not exceeding 5 acres	Nil.
(ii) exceeding 5 acres but not exceeding 10 acres	Rs. 9.
(iii) exceeding 10 acres but not exceeding 20 acres.	Rs. 15.
<i>Plantations used for growing any other crops.</i>	
Plantations—	
(i) not exceeding 15 acres	Nil.
(ii) exceeding 15 acres but not exceeding 30 acres.	Rs. 3.
(iii) exceeding 30 acres but not exceeding 60 acres.	Rs. 5.

21st February 1955.

R. V. KRISHNA AYYAR,
Secretary to the State Legislature.

I certify that this is a Money Bill.

21st February 1955. J. SIVASHANMUGAM PILLAI,
Speaker, Madras Legislative Assembly.

THE MADRAS LEGISLATIVE COUNCIL.

Wednesday, the 23rd February 1955.

The House met in the Council Chamber, Fort St. George, at three of the clock, the Deputy Chairman (SRI A. M. ALLAPICHAJ) in the Chair.

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

Staff employed in the Lignite Mines, Neiveli.

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

(a) the number of clerks, superintendents and officers now employed in the Lignite Mines, Neiveli, South Arcot district; and

(b) how many of them are from the Backward and the Harijan communities?

THE HON. SRI M. BHAKTAVATSALAM :—“(a) A statement * is placed on the table of the House.

“(b) Two from the Backward communities, one each in the gazetted and non-gazetted services and none from the Harijan community.”

SRI M. ETHIRAJULU :—“தென் ஆற்காடு ஜில்லாவில் பிற்பட்ட வகுப்பினரில், ஹரிஜன மக்களும் தான் ஜனத்தொகையில் பெரும் பகுதியினராகியிருக்கிறார்கள் என்பது சர்க்காருக்குத் தெரிந்த விஷயம். அப்படி பிற்பட்ட இனத்தவர்கள் வாழும் பிரதேசத்தில் இருக்கக்கூடிய சுரங்கத் தொழிற்சாலைகளில் அதிகப்படியாக பிற்பட்ட இனத்தவர்களை உத்தியோகங்களில் நியமனம் செய்யவேண்டுமென்று சர்க்கார் அங்கேயுள்ள அதிகாரிகளுக்கு தெரிவிப்பார்களா?”

THE HON. SRI M. BHAKTAVATSALAM :—“சுரங்கத் தொழிற்சாலை ஒன்றும் அங்கேயில்லை. சுரங்கம் வெட்டி அதிலிருந்து பழுப்புக் கரி எடுக்க முடியுமா என்று தான் பரிசீலனை செய்யப்பட்டுவருகிறது. இந்த வேலையில் பிற்பட்ட வகுப்பினர், ஹரிஜன மக்கள், இவர்களுையெல்லாம் நியமிக்கவேண்டுமென்று அங்கேயுள்ள அதிகாரிகளுக்கு உத்திரவு போடுவது சரியல்ல என்று அரசாங்கம் கருதுகிறது.”

SRI V. CHAKKARAI CHETTY :—“If some special knowledge is required, some kind of discrimination may be understandable. But, if it is a question of manual labour, may I know why the Harijans cannot be preferred?”

THE HON. SRI M. BHAKTAVATSALAM :—“Sir, so far as technical posts are concerned, some special knowledge is required. In the case of other posts, it is not so. If there was any recruitment, the rules governing the recruitment are applied.”

SRI MOHAMED RAZA KHAN :—“Is it true that the number of gazetted officers belonging to other States is more than the number belonging to the Madras State?”

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THE HON. SRI M. BHAKTAVATSALAM :—" I do not have statistics with me, Sir."

SRI T. M. DAIVASIKAMANI ACHARIAR :—" May I know whether there are two layers of water, viz., the surface water and the underground water? May I also know whether any attempt has been made to tackle the 20 feet lignite layer sandwiched in between? "

THE HON. SRI M. BHAKTAVATSALAM :—" That is so, Sir. There are two layers of water covering the lignite and it is being tackled."

SRI MOHAMED RAZA KHAN :—" When there are a number of suitable Madrasis available for taking up the various posts, may I know why the Government thought it fit to fill up these posts by persons who do not belong to this State? "

THE HON. SRI M. BHAKTAVATSALAM :—" The hon. Member is not correct."

SRI T. PURUSHOTHAM :—" Is there any objection to persons coming from other States being employed in this State, Sir? "

THE HON. SRI M. BHAKTAVATSALAM :—" There is no objection at all as the hon. Member is aware."

SRI K. BHASHYAM :—" Is it not a fact that people with sound technical knowledge are required for these works? Is it also not a fact that for this purpose we may have to import people with the necessary technical knowledge from other parts? "

THE HON. SRI M. BHAKTAVATSALAM :—" That is quite true, Sir. From my answer to the main question, the hon. Member may have realized that the question related to ministerial staff like lower division clerk, steno-typists, typists, upper division clerks, head clerk, accounts clerk, etc., besides junior engineers, overseers, surveyors and supervisors."

SRI A. GAJAPATHY NAYAGAR :—" Is the Hon. Minister aware of the sense of dissatisfaction among the public with regard to the policy of the Government in appointing persons coming from other States in larger numbers? "

THE HON. SRI M. BHAKTAVATSALAM :—" Perhaps the hon. Member has got a sense of dissatisfaction which I cannot help. I am not aware of any dissatisfaction elsewhere."

SRI A. GAJAPATHY NAYAGAR :—" May I inform the Hon. Minister that I was only voicing the dissatisfaction of the public and not my own? "

THE HON. SRI M. BHAKTAVATSALAM :—" I do not think there is any such dissatisfaction. If it is there anywhere, that must be on account of wrong information."

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DR. V. K. JOHN :—" Is it not a fact that under the Constitution of our country, there cannot be any discrimination between one citizen and another to whichever State he may belong? "

THE HON. SRI M. BHAKTAVATSALAM :—" That is exactly so, Sir. But under the Constitution, Backward communities and Harijans are given some special representation."

Re-allotment of employees in the Civil Supplies department to other departments.

* 180 Q.—SRI M. ETHIRAJULU: Will the Hon. the Minister for Agriculture be pleased to state— 3-10 p.m.

(a) how many employees who were working in the Civil Supplies department in the South Arcot district have been re-allotted to other departments after passing the Madras Public Service Commission Examination;

(b) whether their previous service has been counted for increment and other purposes; and

(c) if not, the reasons therefor?

THE HON. SRI M. BHAKTAVATSALAM :—" (a) It is presumed that the hon. Member refers to the special competitive examinations held by the Madras Public Service Commission in February and June 1952, with a view to absorb the temporary employees of the Civil Supplies and other temporary departments in the regular departments. If so, the number of employees of the Civil Supplies department in the South Arcot district who appeared for the competitive examination held in June 1952 was 16 and the number selected out of them was 15. No candidate belonging to the Civil Supplies department in South Arcot district sat for the examination held in February 1952.

" (b) The candidates who were selected in the special competitive examinations held in February and June 1952, and allotted to regular departments are entitled to count the last span of their continuous temporary service in the Civil Supplies or other temporary departments for the purpose of increments in the regular departments. These persons are also allowed to start their probation and acquire seniority from the date of their allotment and regularization in the regular departments, without prejudice to their continuance in the temporary departments, till such time as their services are required by the latter departments.

" (c) In view of the reply to clause (b) above, the question does not arise."

SRI T. PURUSHOTHAM :—" Is it a fact that the offices of the Civil Supplies department are still functioning? May I know when they will be finally wound up? "

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THE HON. SRI M. BHAKTAVATSALAM:—“As there is still some little work to be carried out, those offices are functioning. When the work is completely over, the department will be completely wound up.”

SRI T. PURUSHOTHAM:—“In view of the statement of the Hon. Minister, am I to presume that the major portion of these establishments will be closed down and that only a skeleton staff will be maintained to close the accounts and attend to such other minor matters?”

THE HON. SRI M. BHAKTAVATSALAM:—“Yes, Sir, that will be so.”

SRI M. ETHIRAJULU:—“ரெயில்வே சர்வீஸ், தபால் இலாகா இவைகளில் ஏற்படும் வேலைகளுக்கு, ஏற்கனவே இந்த Civil Supplies department-ல் வேலை பார்த்தவர்களுக்கு உத்தியோகம் கொடுக்கப்படுமென்று சென்ற வருடத்தில் மத்திய அரசாங்கத்தால் ஒரு விளம்பரம் செய்யப்பட்டது. இந்த மாகாணத்திலுள்ள சிலில் சப்ளை உத்தியோகஸ்தர்களுக்கு எவ்வளவு பேர்களுக்கு மத்திய அரசாங்கத்தாரால் வேலை கொடுக்கப்பட்டிருக்கிறது என்று சொல்ல முடியுமா?”

THE HON. SRI M. BHAKTAVATSALAM:—“மத்திய அரசாங்கம் எத்தனை பேருக்கு வேலை கொடுத்திருக்கிறார்கள் என்பதற்கு விவரம் என்னிடமில்லை. இப்பொழுது சென்னை அரசாங்கத்தினிடம் இருக்கும் அரிசி ஸ்டாக்கை யெல்லாம் மத்திய அரசாங்கம் எடுத்துக்கொள்கிறது. அப்படி எடுத்துக்கொள்ளும்போது, godowns-களில் வேலை செய்கிறவர்களை எவ்வளவு தூரம் எடுத்துக்கொள்ள முடியுமோ அவ்வளவு தூரம் எடுத்துக்கொள்ள மத்திய அரசாங்கம் ஒப்புக் கொண்டிருக்கிறது.”

SRI M. ETHIRAJULU:—“அது போக மீதியிருப்பவர்களின் ஜாப்தாவைத் தயாரித்து, இன்னும் அவர்களுக்கு உத்தியோகம் கொடுக்க வேண்டுமென்று சென்னை அரசாங்கம் மத்திய அரசாங்கத்தைக் கேட்டுக் கொள்ளுமா?”

THE HON. SRI M. BHAKTAVATSALAM:—“மத்திய அரசாங்கத்தைப் பொதுவாகக் கேட்டுக் கொள்வதில் பயனில்லை. ஏற்கனவே அவர்களை எடுத்துக்கொள்ள மத்திய அரசாங்கம் ஒப்புக்கொண்டிருக்கிறது. நமது அரசாங்கத்திலேயும் என்னென்ன இலாக்காக களில், அவரவர்களின் யோக்க்யதைக்குத் தக்கவாறு பரீட்சை பாஸ் செய்தவர்களை எடுத்துக்கொள்ளமுடியும் என்பதெல்லாம் கவனிக்கப்பட்டு வருகிறது.”

Fixed grant to lower elementary grade teacher in aided elementary schools.

* 181 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 lower elementary grade teacher in an aided elementary school is allowed only a fixed grant;

(b) if so, why no scale of grant has been fixed for this grade;

(c) whether the recently sanctioned increase of Rs. 3 in the monthly assessed grant for a teacher is allowed for this grade; and

(d) if not, the reasons therefor?

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THE HON. SRI C. SUBRAMANIAM:—“(a) Yes, Sir.

“(b) It is the policy of the Government to eliminate lower elementary grade teachers. Hence no time-scale of grant was fixed.

“(c) No, Sir.

“(d) For the same reason as given in the answer to clause (b).”

SRI G. KRISHNAMOORTHY:—“May I know, Sir, why in view of the change in the policy of the Government, those who got themselves regularly qualified some years before should be punished by way of discrimination?”

THE HON. SRI C. SUBRAMANIAM:—“There is no discrimination. A person should be properly qualified for the purpose of teaching. If he does not have proper qualifications, it is better to discourage him from continuing as teacher.”

SRI G. KRISHNAMOORTHY:—“In view of the fact that the course in which these teachers got themselves fully qualified was a recognized course in those days, will the Government kindly consider their case, especially in view of their small number, in granting them increment and also the three rupees that has been given to other teachers?”

THE HON. SRI C. SUBRAMANIAM:—“That is why they have been given a concession in the matter of continuance in service. Otherwise, they would have been sent out of service. Because they have undergone a certain course of training and served for a certain period of time as teachers, they are allowed to continue in service.”

SRI G. KRISHNAMOORTHY:—“If the Government change their policy, is it equitable and just that those who got themselves qualified by undergoing a particular recognized course of training approved by a previous Government, whose responsibilities this Government have undertaken, are to be treated as not fit for teaching and are not to be given, in consequence, any increment or the special grant of Rs. 3 which has been recently given to others?”

THE HON. SRI C. SUBRAMANIAM:—“We have got a special responsibility to see that proper teachers are appointed in schools. That responsibility will have to be borne in mind.”

DR. V. K. JOHN:—“Do the Government believe that the teachers have a living wage?”

THE HON. SRI C. SUBRAMANIAM:—“That is a different question. Not only teachers but many other people do not earn a living wage in our country.”

SRI V. V. RAMASWAMI:—“இந்த Lower grade வகுப்பினரை ஒழிக்கு முன்பு, சம்பந்தப்பட்ட வாத்தியார்களெல்லாம் Higher grade யாஸ் செய்து கொள்வதற்கு ஏதாவது வாய்ப்பு அளிக்கப்பட்டதா?”

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THE HON. SRI C. SUBRAMANIAM :—“ அவர்கள் இப்பொழுது வேண்டுமானாலும் ஹையர் கிரேட் பாஸ் செய்துகொள்ளலாம்.”

SRI G. KRISHNAMOORTHY :—“ Will the Government see that justice is rendered to these teachers by granting them the extra grant of three rupees at least in view of the fact that there are only some 2,000 such teachers and also in view of the fact that they have not so far been given any ultimatum to appear for the higher grade examination within a specified period of time and get qualified further? ”

THE HON. SRI C. SUBRAMANIAM :—“ I have considered this case and I am sorry, I am unable to agree to the suggestion of the hon. Member.”

School education to children between the ages of 6 and 11.

* 182 Q.—SRI A. GAJAPATHY NAYAGAR: Will the Hon. the Minister for Finance and Education be pleased to state—

(a) the percentage of children between the ages of 6 and 11 to whom Government propose to provide school education; and

(b) whether the Government have any proposal to raise the percentage of children between the ages of 11 and 17 undergoing secondary education?

THE HON. SRI C. SUBRAMANIAM :—“ (a) No target was fixed in the First Five-Year Plan. The proposals under the Second Five-Year Plan have not yet been finalized and therefore it is not possible to say at present whether any such target will be fixed in the Second Five-Year Plan.

“ (b) There is no specific proposal, as such, to raise the percentage of children between the ages of 11 and 17 undergoing secondary education.”

DR. V. K. JOHN :—“ When do the Government expect to implement the provisions of Article 45 of the Constitution of India to give free and compulsory education to children below fourteen years of age within ten years from the date on which the Constitution came into force? ”

THE HON. SRI C. SUBRAMANIAM :—“ We are hoping to implement that programme.”

Non-fulfilment by teachers of the terms of stipend granted to them.

* 183 Q.—SRI M. ETHIRAJULU: Will the Hon. the Minister for Finance and Education be pleased to state how many teachers in each grade trained prior to the beginning of the Basic Training scheme have not fulfilled the terms of the stipend granted to them in the State; and what action has been taken by the Government against them?

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THE HON. SRI C. SUBRAMANIAM :—“ The number of teachers who have not fulfilled the terms are as follows :—

Secondary Grade—1,991.

Higher Elementary Grade—10,048.

Lower Elementary Grade—18.

Ordinarily notices are issued by the heads of the training institutions to the defaulters for the recovery of the stipends paid to them. If the candidates fail to refund in time the stipends drawn, the amounts are recovered as arrears of land revenue (under Revenue Recovery Act). In some cases when the whereabouts of the students are not known their names are published in the Gazette and suitable action taken if traced. To recover the stipends, court action is also taken. Stipends are written off, if found irrecoverable, after all attempts at recovery have failed.”

SRI K. BHASHYAM :—“ In view of the large number of cases of breach mentioned by the Hon. the Minister and in view of the fact that it will be a great hardship on these people if action is taken against them, will the Government think of writing off the claims as irrecoverable? ”

THE HON. SRI C. SUBRAMANIAM :—“ In certain cases where it is recoverable, we are recovering. Where it is not possible, we are writing off. After all, when we impose a condition, we must also see that the condition is fulfilled. The large-scale breach of the conditions in my view is due to the fact that we are giving them not a sufficient wage to attract them to continue as teachers.”

Committee for examining the elementary education scheme.

* 184 Q.—SRI T. M. DAIVASIKAMANI ACHARIAR: Will the Hon. the Minister for Finance and Education be pleased to state—

(a) whether any expert committee has been constituted for examining the elementary education scheme;

(b) if so, what the strength of the committee is; and

(c) whether any experts in industries or persons actually engaged in cottage or other industries have been nominated as members of this committee?

THE HON. SRI C. SUBRAMANIAM :—“ (a) to (c) A copy of G.O. Ms. No. 1714 A, Education, dated 4th December 1954, constituting a committee for reform of elementary education is placed on the table of the House.”

SRI T. PURUSHOTHAM :—“ May I know whether the Legislature will be given an opportunity to discuss the recommendations of the committee before the reorganization scheme is finalized? ”

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THE HON. SRI C. SUBRAMANIAM :—" I will certainly consider the suggestion after the receipt of the report."

SRI G. KRISHNAMOORTHY :—" Will the report be available in time for implementation of the recommendations in the next school year? "

THE HON. SRI C. SUBRAMANIAM :—" I am not quite sure. But the committee has promised to expedite its work and submit its report as early as possible. There is no use of hurrying it. The committee has to survey the whole situation and make proper recommendations."

SRI T. PURUSHOTHAM :—" Has the questionnaire of the committee been sent to all Members of the Legislature to elicit their opinion? If not, will the Government kindly issue instructions to the Director of Public Instruction to send copies of the questionnaire to all Members? "

THE HON. SRI C. SUBRAMANIAM :—" I am under the impression that all legislators have been supplied with a copy of the questionnaire. If it has not been done, I will certainly look into the matter."

SRI K. BHASHYAM :—" Since the communication enclosing the questionnaire was sent very late to the members, will the committee be asked to extend the time-limit fixed for sending replies? "

THE HON. SRI C. SUBRAMANIAM :—" There is no question of instructing the committee. It is an independent committee. I am sure it will take into account the delay in sending the questionnaire and will not stand on technicalities and refuse any suggestions received by it late."

SRI T. M. DAIVASIKAMANI ACHARIAR :—" May I know whether the strength of the committee is being increased by adding some more members? "

THE HON. SRI C. SUBRAMANIAM :—" The committee has been given power to co-opt members if it wants. I find it is co-opting members from each region when it visits that particular region."

SRI MOHAMED RAZA KHAN :—" Sir, the last portion of the main question, viz., whether any expert or anyone engaged in cottage industries has been nominated to the committee has not been answered. I would like to have an answer."

THE HON. SRI C. SUBRAMANIAM :—" I do not think I have included any person in the committee who is engaged in cottage industries or any other industries. Persons who have got expert knowledge of these have been included."

SRI T. M. DAIVASIKAMANI ACHARIAR :—" May I know what are the places that have been visited by the committee? "

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THE HON. SRI C. SUBRAMANIAM :—" I am sorry I have not been following the programme of the committee quite closely. I cannot give the names of places visited by it off-hand."

SRI T. M. DAIVASIKAMANI ACHARIAR :—" What is the approximate time within which the work of the committee will be over? "

THE HON. SRI C. SUBRAMANIAM :—" Visit to the various places will be over by April."

Bifurcation of Sattur taluk.

* 185 Q.—SRI V. V. RAMASWAMI: Will the Hon. the Minister for Land Revenue be pleased to state—

(a) whether there is any proposal to bifurcate Sattur taluk so as to form a separate taluk by name Virudhunagar taluk in Ramanathapuram district; and

(b) if so, at what stage it stands at present?

THE HON. SRI M. A. MANICKAVELU NAICKER :—" (a) No Sir.

" (b) Does not arise."

SRI T. PURUSHOTHAM :—" Is there any proposal to split up any of the taluks in Chingleput and North Arcot districts? "

THE HON. SRI M. A. MANICKAVELU NAICKER :—" We are on Ramanathapuram district."

SRI T. PURUSHOTHAM :—" I am referring to it, arising out of the main question."

SRI V. V. RAMASWAMI :—" நீதிநிர்வாகப் பிரிவினைக்கு முன்பு, விருதுநகர் பிராந்தியம் ஒரு sub-taluk ஆகியிருந்து, அங்கே ஒரு டிப்டி தாசில்தார்-ஸப்-மாஜிஸ்ட்ரேட் கோர்ட்டிருந்தது இப்பொழுது அங்கே சின்னஞ் சிறு இனாம்களெல்லாம் ஒழிக்கப்பட்டு, அந்த இடத்தில் அதிக வேலையிருக்கிறது என்று பொது மக்கள் கருதுவதினால், சாத்தூர் தாலுகாவை இரண்டாகப் பிரிவினை செய்வது பற்றி சர்க்கார் யோசிப்பார்களா? "

THE HON. SRI M. A. MANICKAVELU NAICKER :—" If a strong case is made out for it, it will be considered."

Grant of concessions to ex-tappers for tapping neera.

* 186 Q.—SRI T. PURUSHOTHAM: Will the Hon. the Minister for Religious Endowments and Transport be pleased to state—

(a) the concessions granted to ex-tappers for tapping neera;

(b) whether any licence fee is levied for the above purpose;

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(c) whether the Government have considered any proposal to permit ex-tappers to sell neera and if so, the orders passed thereon?

THE HON. SRI B. PARAMESWARAN :—“(a) The concessions granted to ex-tappers for tapping are as follows :—

- (i) Tapping of palmyra trees for sweet toddy for the purpose of jaggery manufacture through co-operative societies has been permitted throughout the State;
- (ii) Tapping of coconut trees for the said purpose is allowed in select areas of Coimbatore, Malabar and South Kanara districts. In North Arcot and Malabar districts, tapping of date trees and sago trees is also allowed respectively for the same purpose.
- (iii) Sale and consumption of sweet toddy as a beverage is allowed throughout Ramanathapuram and Tirunelveli districts.
- (iv) In South Kanara, Salem and Madurai districts; a few jaggery societies have been permitted to run neera parlours. In Madras City, such parlours are run in summer season and in the exhibitions conducted annually by Congress and other organizations.

“(b) No Sir.

“(c) A proposal to introduce a State-wide neera scheme has been dropped in the interest of Prohibition.”

SRI T. PURUSHOTHAM :—“Is there any proposal to permit by licence the tapping of trees as a general scheme for non-alcohol purposes, of course, say, for the manufacture of sweet toddy, jaggery, etc., referred to by the Hon. Minister?”

THE HON. SRI B. PARAMESWARAN :—“I do not know whether it is possible. But there is the possibility of mis-using the licence if licence is given in that respect.”

Additional staff employed for Prohibition enforcement work.

* 187 Q.—SRI T. PURUSHOTHAM: Will the Hon. the Minister for Religious Endowments and Transport be pleased—

(a) to lay on the table of the House a list showing details of the additional staff and officers employed in the Police Department for the Prohibition enforcement work recently taken over by that department; and

(b) to state the total saving effected by Government by the transfer of the above work to the Police Department?

THE HON. SRI B. PARAMESWARAN :—“(a) The staff sanctioned for the Excise and Prohibition Department, both permanent and temporary, has been divided between the Board of Revenue (Excise) for residuary work and the

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Inspector-General of Police for enforcement work. The staff transferred to the Police Department for enforcement work consists of 3 Assistant Commissioners of Excise, 20 Inspectors of Excise, 37 Assistant Inspectors of Excise, 201 Sub-Inspectors of Excise, 247 Petty Officers, 2,525 Prohibition Guards, 1 Superintendent, 9 Head Clerks, 17 upper division clerks, 45 lower division clerks, 3 typists and 1 attender. Nineteen lorries and buses, 3 station waggons and 18 jeeps with 22 bus drivers, 22 cleaners and 18 jeep drivers have also been transferred to the Police Department. The Government have sanctioned temporarily from 29th November 1954 to 28th February 1955, a post of an officer on Special Duty (Re-organization) in the Office of the Inspector-General of Police with the rank of Deputy Inspector-General of Police and pay in the scale of Rs. 1,950—50—2,150 with overseas pay of £13-6-8 per mensem and with 1 Junior Superintendent, 1 upper division clerk, 1 lower division clerk and 1 typist to attend to the preliminary work in implementing the transfer in respect of the large staff taken over by the Inspector-General of Police and their re-disposition and in formulating a re-training scheme for them.

“(b) There has been no saving on account of the transfer.”

DR. V. K. JOHN :—“May I know what is the total amount spent by the Government on enforcing Prohibition?”

THE HON. SRI B. PARAMESWARAN :—“I want notice, Sir.”

Use of the office of the Deputy Commissioner of Police as a bus stand in connection with the Avadi Congress Session.

* 188 Q.—SRI V. GURUNANDAN ROW: Will the Hon. the Minister for Religious Endowments and Transport be pleased to state—

(a) whether the Office of the Deputy Commissioner of Police, Traffic and Licensing, Poonamallee High Road, Madras, was being used as a bus stand for parking buses belonging to private bus operators from about the 15th January 1955 in connection with the Avadi Session of the Indian National Congress; and

(b) whether any rent was collected from them for using the Government premises as a bus stand and if so, how much?

THE HON. SRI B. PARAMESWARAN :—“(a) No Sir. In connection with the All-India Congress Session at Avadi in January 1955, arrangements were made in the public interest to run special buses from Madras to Avadi and back from four convenient loading points in the City. One of these loading points was located opposite to the Office of the Deputy Commissioner of Police, Traffic and Licensing, at Egmore. Since all the buses could not be parked at the loading point

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without creating traffic problems, they were allowed temporarily into the compound of the Office of the Deputy Commissioner before being brought to the loading point.

“(b) Does not arise.”

SRI V. GURUNANDAN ROW :—“ May I know whether any private operator buses were diverted from other routes and used for the Avadi Session? ”

THE HON. SRI B. PARAMESWARAN :—“ Some arrangements were made but on the whole the public were very much satisfied with the arrangements made.”

SRI K. BHASHYAM :—“ Is it not a fact that this arrangement was made only as a general arrangement in the interest of the public to accommodate the rush of people and consequent keeping of smooth traffic movement and that there is no question of Government diverting private buses for Avadi Congress Session? ”

SRI T. PURUSHOTHAM :—“ Have not several bus owners been specially requested to arrange these services in Madras City in connection with the Avadi Congress Session? ”

SRI K. BALASUBRAMANYA AYYAR :—“ On a point of order, Sir. Two members put questions before the Hon. Minister has answered the first.” (Laughter.)

THE HON. SRI B. PARAMESWARAN :—“ I agree with the questions put by Mr. K. Bhashyam and Purushotham.”

SRI V. GURUNANDAN ROW :—“ May I know whether that request came from the Congress or from any public body that the buses should be run on that route? ”

THE HON. SRI B. PARAMESWARAN :—“ Government had to discharge their duty, and for the convenience of passengers who went to Avadi, we had had to make our own arrangements. Whether the request came from the Avadi Congress people or the general public, I cannot say. But there was the moral duty on the part of Government to see that passengers were comfortably taken to Avadi and back.”

DR. V. K. JOHN :—“ Are the Government aware of the fact that during the Avadi Congress Session, the Police, and particularly the Traffic Department, did wonderfully well and that people are very much obliged that order and security had been kept up? ”

THE HON. SRI B. PARAMESWARAN :—“ I am very happy that at least once in his life, Dr. John has congratulated the Government.” (Laughter.)

SRI T. M. DAIVASIKAMANI ACHARIAR :—“ Are the Government aware of the fact that all those mufassal buses returned to their places either with profit or loss? ”

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THE HON. SRI B. PARAMESWARAN :—“ It was no question of profit or loss. Normally the charges could have been Re. 1-2-0. But only Re. 1 was charged for to and fro journey.”

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

II.—BUSINESS OF THE HOUSE.

* THE HON. SRI M. BHAKTAVATSALAM :—“ Mr. Deputy Chairman, Sir, the Madras Indebted Agriculturists Bill has not yet been passed by the other House and forwarded to this House and my Hon. Colleague the Revenue Minister is quite confident that the Bill will be passed in the other House this evening. The clause by clause discussion of the Plantations Bill can be taken up day after tomorrow. Therefore, the House will have to adjourn now without transacting any further business. But, Sir, I would like to seek the co-operation of the House in getting the Madras Indebted Agriculturists Bill passed into law to-morrow itself. We shall meet at 2-30 p.m. to-morrow. Hon. Members will appreciate that after the passing of the Bill in this House, we shall have to get the consent of the Governor and then the President. And all these have to be done before the end of this month. Therefore I hope hon. Members will co-operate with the Government in getting the Bill passed to-morrow itself.”

SRI K. BHASHYAM :—“ May I know in view of the urgency of the passing of the Indebted Agriculturists' Bill to-morrow itself and in view of the possibility of our having to sit late, whether any over-time allowance would be paid to Members? ”

* SRI T. PURUSHOTHAM :—“ May I inform, Sir, that the Members of the Legislative Assembly who have to sit during nights for night session are not paid any special allowance? ”

* THE HON. SRI M. BHAKTAVATSALAM :—“ That was exactly what I was about to say. Hon. Members of the other House who are supposed to be comparatively poorer than the hon. Members of this House do not claim and they do not get any allowance for night sittings.”

* DR. V. K. JOHN :—“ I am a bit surprised that the question of allowance to Members has been raised. I think it was raised in a humorous spirit. But I want to make an earnest appeal that, while the Opposition is anxious to assist the Government in all matters of urgent importance, ordinarily the provision prescribed in the rules should be followed. We do not want to rush through. I quite understand the urgency in the case of the Indebted Agriculturists' Relief Bill. But we had to rush through the Plantations Bill yesterday. The Bill copy was handed over to the Leader of the Opposition yesterday morning at 9 and he was asked to speak on some involved questions of law in the course of the day. This

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sort of rushing through should not be allowed to be repeated, because it affects the dignity of the House and shows some sort of disrespect to us. Amendments are moved and get lost. We feel some disrespect when things are rushed through. The Opposition is anxious to co-operate with Government in getting their business through. At the same time, we want the rules regarding introduction of Bills and the subsequent discussion thereof are followed except in exceptional cases."

3-30
p.m.

* THE HON. SRI M. BHAKTAVATSALAM :—" Sir, I am very much obliged to the Hon. the Deputy Leader of the Opposition for the co-operation that he has offered to the Government in getting through urgent business. Sir, I do not think that either the Government or any hon. Member of this House can be charged legitimately with doing anything which would affect the dignity of this House. The Hon. the Deputy Leader of the Opposition often uses certain words. He would say 'No civilized Government would do this' as if this Government do things which uncivilized Governments would do. He has referred to the dignity of the House as if we on this side of the House are not aware of our own responsibilities and duties in maintaining the dignity and prestige of this House. There is no question of dignity involved at all. There is urgency sometimes. Regarding the Plantations Agricultural Income-tax Bill, we agreed yesterday that it could be taken up on the 24th. If the Indebted Agriculturists (Repayment of Debts) Bill should be taken up to-morrow, the Plantations Income-tax Bill will be taken up day after to-morrow unless the Indebted Agriculturists (Repayment of Debts) Bill is completed earlier in the afternoon. So, most probably, this Plantations Bill will be taken up only day after to-morrow. Therefore, the Hon. the Deputy Leader of the Opposition need not have come forward with a charge against the Government. Regarding the Indebted Agriculturists (Repayment of Debts) Bill, I am very glad to see that he has not raised any objection. Further, Sir, as I pointed out yesterday, there was a Joint Select Committee of both the Houses which examined the Bill. So, I would once again request hon. Members of this House to help the Government in getting the Bill through to-morrow."

* DR. V. K. JOHN :—" May I ask, Sir, what about the allotment of a day for non-official business? "

* THE HON. SRI M. BHAKTAVATSALAM :—" Non-official days will be had according to the rules that are in existence, Sir."

* DR. V. K. JOHN :—" But we have not had non-official days for a very long time."

* THE HON. SRI M. BHAKTAVATSALAM :—" For that the Government are not responsible. We never took away any non-official day. If on Saturday the House does not happen to sit, the Government will not be responsible for it."

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* SRI K. BALASUBRAMANYA AYYAR :—" Sir, I want to know when will copies of the Indebted Agriculturists (Repayment of Debts) Bill, 1955, as passed by the Assembly, be placed in our hands so that we may give notice of amendments."

* THE HON. SRI M. BHAKTAVATSALAM :—" Copies of the Bill as passed by the Assembly would reach hon. Members by to-morrow morning. I would suggest to you, Sir, not to fix any time-limit for giving notice of amendments."

DEPUTY CHAIRMAN :—" The House will now adjourn and meet again at 2-30 p.m. to-morrow."

The House then adjourned.

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

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

The Madras Plantations Agricultural Income-tax Bill, 1954
(L.A. Bill No. 30 of 1954).

[23rd February 1955]

APPENDIX I.

[Vide answer to starred question No. 179 asked by Sri M. Ethirajulu at the meeting of the Legislative Council held on 23rd February 1955, page 83 supra.]

Statement showing the number of officers, clerks and Superintendents employed in the Lignite Project, Neiveli.

Gazetted Officers	...	...	...	...	...	12
Non-Gazetted—						
Lower division clerks	...	...	...	...	...	14
Stenographers	...	...	...	...	...	2
Typists	...	...	...	...	...	2
Upper division clerks	...	...	...	...	...	9
Head clerk	...	...	...	...	...	1
Accounts clerk	...	...	...	...	...	1
Junior Engineers, Overseers, Surveyors, Supervisors, etc.	...	...	...	...	...	17

APPENDIX II.

[Vide answer to starred question No. 184 asked by Sri T. M. Daivasikamani Achariar at the meeting of the Legislative Council held on 23rd February 1955, page 89 supra.]

G.O. Ms. No. 1714, Education, dated 4th December 1954.

[Elementary Education—Reform Committee—Appointed.]

Order—No. 1714, Education, dated 4th December 1954.

In pursuance of the announcement made in the Legislative Assembly at the time of withdrawal of the Modified Scheme of Elementary Education that Government would take steps for the appointment of a Committee to go into the entire system of Elementary Education, the Government have constituted a Committee consisting of the following members:—

- 1 Dr. Rm. Alagappa Chettiar—*Chairman.*
- 2 Sri N. D. Sundaravadivelu, Director of Public Instruction.
- 3 Sri K. Arunachalam, Ramakrishna Vidyalaya, Coimbatore.
- 4 Sri S. Meenakshisundara Mudaliar, Kalaimagal Kalvi Nilayam, Erode.
- 5 Sri M. Arunachalam, Headmaster, P.K.N. High School, Tirumangalam.
- 6 Sri V. S. Gopalakrishna Iyer, Headmaster, Sir M. Ct. M. High School, Madras.

The Committee is empowered to co-opt any person as a member of the Committee.

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2. An officer of the rank of District Educational Officer will be appointed as a full-time Secretary to the Committee.

3. The terms of reference to the Committee will be as in the annexure.

4. The Committee is requested to submit its report as early as possible.

5. The Committee will be treated as a first-class Committee for the purpose of travelling allowance and daily allowance to the non-official members.

6. The expenditure will be debited to the relevant sub-head under "37. Education".

7. The Secretary to the Committee is authorized to draw the amount admissible to the non-official members at the usual rates and disburse it to them.

ANNEXURE.

Terms of reference.

The Committee is requested to—

(1) examine the present system of elementary education in this State in all its aspects with particular reference to—

- (i) aims, organization, content,
- (ii) its relationship to secondary education, and
- (iii) other allied problems.

(2) suggest ways and means for implementing the directive principle contained in Article 45 of the Constitution, that "the State shall endeavour to provide, within a period of ten years from the commencement of this Constitution, for free and compulsory education for all children until they complete the age of 14 years", taking into special consideration the following aspects:—

(i) the problem of bringing into schools the children of backward and poor classes of people now out of school; .

(ii) the special steps to be taken to ensure that pupils who join schools remain there till they undergo the entire course of elementary education;

(iii) the improvements to the system of elementary education suited to the needs and resources of this State;

(iv) the question of conversion of ordinary elementary schools into basic schools; and

(v) the question of qualifications, emoluments and status of teachers; and

(3) consider any other incidental problem relating to elementary education.

THE MADRAS LEGISLATIVE COUNCIL.

Thursday, the 24th February 1955.

The House met in the Council Chamber, Fort St. George, at half-past two of the clock, Deputy Chairman (SRI A. M. ALLAPICHAL) in the Chair.

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

I.—CONDOLENCE RESOLUTION ON THE DEATH OF
SRI A. VAIDYANATHA IYER.

DEPUTY CHAIRMAN :—“ I regret to have to announce to the House the death of Sri A. Vaidyanatha Ayyar, a former Member of the Madras Legislative Assembly.”

* THE HON. SRI M. BHAKTAVATSALAM :—“ Mr. Deputy Chairman, I move—

‘ That this House places on record its deep sense of sorrow at the demise of Sri A. Vaidyanatha Ayyar, a former Member of the Madras Legislative Assembly from Madurai, and conveys its sympathy to the members of his bereaved family.’

Sir, it was indeed a very shocking news that we saw this morning. I heard only last evening about Sri Vaidyanatha Ayyar's illness and I intended to see him this morning. But I could see this morning only the news that he was no more. Most of us have known Sri Vaidyanatha Ayyar and this shocking news must have depressed every one of us seriously and particularly those who have had opportunities of coming into close contact with him. Sir, I need not describe the feelings which everyone of us has at the passing away of Sri Vaidyanatha Ayyar so suddenly. Sir, I have had opportunities of coming into close contact with him in the last 25 years. I know that sometimes he differed seriously from the attitude of the organisation or the policies of the Government with which I was connected. But I would like to mention that he was uniformly kind to me all through. He may express his opinions very strongly against certain stands and certain policies. But, in spite of his strong expression of views and blunt expression of views, there was no rancour in him. Sir, earnestness, sincerity and a sense of sacrifice were the main features of his personality. He was uniformly devoted to great leaders, Mahathma Gandhi and Sri Rajaji. I know, Sir, that sometimes he was not able to appreciate the stand taken even by these leaders. But still, he dared not differ from them and he had an unflinching loyalty and devotion to these two great leaders.

“ Sir, Sri Vaidyanatha Ayyar unhesitatingly responded to the call of the nation whenever it came. When Mahathma Gandhi, at the initial stage of the non-co-operation movement, asked the lawyers to suspend their practice, Sri Vaidyanatha Ayyar, a very successful lawyer that he was at that time, came forward and

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suspended his practice for six months. Then, when he participated in the satyagraha movement and the civil disobedience movement and went to jail, he had a very lucrative practice and he could easily realise the risk that was involved in his going to jail regarding professional prospects. But still, he did not mind that risk and he carried on happily in spite of the sacrifice that was involved in such life. Even when he was in jail, I can very well remember the motherly interest he was evincing and the motherly service that he was doing to his co-prisoners. I still remember the interest with which he distributed food to the other prisoners day and night. Although he could not have any income when he was in jail, he liberally spent whatever he had earned before. He was not only helping the needy co-prisoners in the same jail in which he was, but was also affectionately enquiring about the conditions of lady political prisoners who were in the neighbouring jails. Sir, in 1931-32, women Congress Workers had to go to jail in large numbers and they were put in women jails. They were suffering on account of so many disabilities. I very well remember how Sri Vaidyanatha Ayyar used to enquire with interest about their condition and needs and how he was lavish in catering to the requirements of the Congress women prisoners in the women jail. Besides catering to the physical needs of the prisoners, I remember how Sri Vaidyanatha Ayyar served them in a number of other ways. With piety, devotion and love for the Tamil language, he started reading the great Tamil literature, 'Tiruvaimozhi' and all the 1,000 hymns during the course of the few months that we were in jail. Under the guidance of Sri Rajaji, Sri Vaidyanatha Ayyar took keen interest and earnestly read and explained the meaning of these fine Tamil verses to those prisoners who were with him. In this way, even when he was in jail, he did not miss serving his co-workers. He was a sincere enthusiast in constructive work. In spite of the leading part that he played and could play in the political movement, he never got into the Congress organisation as such seriously although he was zealously carrying out the constructive programme and did not miss going to jail whenever the nation called upon the people to do so.

2-40
p.m.

"Sir, in 1940, when the individual satyagraha movement was started by Mahatma Gandhi, Mr. Vaidyanatha Ayyar was anxious to participate in it, although he was not a member of the Legislature then and not even a member of the district or provincial or All-India Congress Committees. But it was Mahatma Gandhi who enjoined on him that in the interests of the continuance of constructive work, he should not offer satyagraha and court imprisonment.

"Sir, as hon. Members are aware, Mr. Vaidyanatha Ayyar was a great lawyer. He was highly respected by the Judges before whom he appeared. He was very popular among the clients who sought his aid. In spite of pre-occupations in public work, people did not hesitate to engage him. I have myself seen that when clients were there in his house waiting to instruct him, each one anxious about his own case, Mr. Vaidyanatha Ayyar would first

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speak to them elaborately about the various public questions that were attracting the attention of the people at the time. But the clients did not mind this. They knew his patriotism. They knew that in spite of his interest in public affairs, he was a thorough and efficient lawyer. Therefore, clients flocked to him so that one could say that in the Madurai court, he was representing invariably one of the two sides in all cases.

"Then, Sir, he had his concern for the condition of public workers. He never failed to help them materially. He would not of course hesitate to point out their short-comings. He would put it in a blunt way, sometimes, even in an offensive way, but there was no rancour in him. After all this, he would be liberal in his help to those poor workers. Many hon. Members of this House also have known and enjoyed Mr. Vaidyanatha Ayyar's lavish hospitality. Sir, only recently a circuit house has been constructed in Madurai for visitors from outside the district. But before that was constructed, Mr. Vaidyanatha Ayyar's house was the travellers' bungalow for many of us, who had to go to Madurai for some work or other.

"Hon. Members are aware that he was a great legislator. He was a Member of the Legislative Assembly from 1946 to 1952. I still remember, whenever he spoke in the House, Members on all sides of the House used to listen to him with rapt attention. He was thorough with the subjects that were before the House. When he spoke on a particular subject, he did it with all earnestness. Even when he criticized the attitude of the Government with regard to any matter, there was no misunderstanding of his stand. In fact, there was appreciation from every side of the House of his stand. He was also very keen in nurturing his constituency and I can personally testify to this fact. Not only did he not mind his professional work and came away from Madurai and remained here during the sessions of the Assembly, but when he went back to Madurai, in addition to his heavy professional work, he would not miss any opportunity of attending to the needs of his constituents and bringing them to the notice of the Government so that relief to the needy people could be arranged in time.

"Sir, of all the items of public service which he rendered and which could be considered as his contribution, the greatest achievement was his service in the cause of Harijan uplift. He played a very great part in improving the condition of these downtrodden people. He was popular among all the Harijans, even among his critics and those who were critical of the Government's programmes. He was uniformly popular among the Harijans. Sir, we claim with pride that this State was foremost in effecting that revolutionary reform in our society, namely, throwing open our great temples to a section of the Hindus, who had as much faith in these temples as others and yet who were not allowed inside these temples. The credit for this achievement goes entirely to Mr. Vaidyanatha Ayyar. We no doubt passed legislation and the enactment is there. Under the present law, no one can prevent the

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entry of Harijans into any temple. But how did the previous Government come about to pass this legislation? It was Mr. Vaidyanatha Ayyar who gave a bold and patriotic lead. He got the great temple at Madurai thrown open to Harijans. It was a *fait accompli* and Rajaji, who was the Chief Minister of this State then, came forward to introduce necessary legislation not only to indemnify that act but also to regularize the law with reference to entry of Harijans into temples.

"Sir, Mr. Vaidyanatha Ayyar was suffering from this ailment some time ago and underwent treatment. He got better. But he did not hesitate to accept the invitation from Vedaranyam, particularly, when he knew that Rajaji was going over there to participate in a function connected with an institution in Vedaranyam. He unhesitatingly, even disregarding the advice of doctors, ran up to Vedaranyam to participate in the function. He came back only a few days back. I have been told that it was this venture, this rash venture, this patriotic venture on his part without minding his own health, that hastened his death. I can only say that his death is literally an irreparable loss to this State and more particularly to Madurai. It cannot be repaired at all. I can only offer to the members of the bereaved family this solace that we Members of this House and all those outside this House do share this poignant sorrow that is suffered by the members of the family at his death.

"I commend the resolution for the acceptance of the House."

DR. V. K. JOHN :—"Mr. Deputy Chairman, Sir, I associate myself and the Opposition with the Motion that the Leader of the House has moved and the tribute he has paid to the departed soul. Mr. Vaidyanatha Ayyar was one of the greatest citizens of this country and this House mourns his death.

2-50
p.m.

"As a patriot, he had few equals and his sacrifices for the cause of the country and for the service of the poor were very great indeed. He had a personality of his own that endeared many a one who came in contact with him. His simplicity and sincerity, his frankness, may I say his bluntness, his conviction and his deep learning attracted everyone to him. As a member of the previous Legislative Assembly and as a member of the Congress Party he was never a 'rubber stamp'. I have heard him and read the reports of his speeches and I have always found and everybody knew that his criticisms were not based on any animosity to his party or to the Opposition, or to any particular person, but his criticisms were always borne out of his conviction. He spoke according to his conviction, whether it was for the Government or against the Government. He was really a great man. He was a lawyer by profession and a leader. We can find only very few men like Mr. Vythianatha Ayyar in our country. Once again I associate myself with the sentiments expressed by the Leader of the House."

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SRI V. CHAKKARAI CHETTY :—"Mr. Deputy Chairman, Sir, it was with a deep sense of sorrow that I read this morning the news about the passing away of Mr. Vythianatha Ayyar. I came to know of him when I happened to attend a political conference that was held in Madurai and he was good enough to entertain me in his house with his hospitality, to which reference was made by the Leader of the House. He was not a mere politician but he was a social force generating power in all directions and strengthening the social field of righteousness in our country by his righteous conduct and moral life. Therefore it is that I felt this morning, when I read this news, that the Tamil country had lost a great force in him which will be very difficult to replace. Therefore it is that I associate myself with the sentiments that have been expressed by member after member here in this House so that his family may receive some consolation, though not the fullest consolation which could only be given by God Almighty, in the bereavement they have sustained in the passing away of the head of their family and the void created in the field of social righteousness and reform in Madurai and throughout the Tamil country. Therefore it is that I want to associate myself heartily with all the sentiments that have been expressed. I hope the speeches we are making here may be transmitted to the members of his family so that they may have an idea of the appreciation and esteem in which his memory is still cherished in the minds of the Tamil people, so that it may be an inspiration to them in this hour when everyone in his family would individually be full of emotions. Our words of appreciation may be of some solace to them. He was one of the great sons of Tamilnad. He was no doubt inspired by Rajaji with social service. But, I do not think personal ambition played any role at all in his life. 'A noble mind bereft of personal ambition' as Milton's object was, could truly be said of Mr. Vythianatha Ayyar. Therefore it is I felt always attracted to his dignified personality. It was a 'social dynamo' emanating its laurels in all directions for the amelioration of the social and other economic conditions of our people. I also remember him asking question relating to the amelioration of the working class. He was in full sympathy with the working class although he felt at times that some of us had gone too far in our denunciation of capitalism. All the same I felt the importance of his dignified personality in various fields of activity in the Tamil country. As I have said, he was a politician only in name in the purely political field. But he was more than a politician, a deep social force, a social dynamo and inspired confidence in the minds of all people with whom he came into contact. I am not acquainted with him in his work as a lawyer because I did not move with him in the capacity of a lawyer. As a social reformer, as one who worked ceaselessly for the welfare of the Harijans and the amelioration of the conditions of the depressed classes, we have only a few equals to Mr. Vythianatha Ayyar. His was a great soul. I once again associate myself with the fine sentiments expressed by the Leader of the House and hope that our words of appreciation will in some way be of

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some consolation to the members of his family in the bereavement that has fallen upon them. Our words of appreciation would be something valuable to them and I hope that this resolution of ours would not be a mere resolution but one which would bring great consolation and satisfaction to the members of the bereaved family. With these words I once again express my deep appreciation of his great and dignified personality in various fields of social activity which personality worked ceaselessly for the betterment of the depressed classes."

* SRI C. RAJAGOPALACHARI:—"Mr. Deputy Chairman, Sir, when grief is poignant and personal it is difficult to join in paying tributes in a more or less formal manner as should be done on this occasion. As I have often observed the only language in which we could express grief is the language of the child and not in words. It gave me great consolation to hear the Leader of the House speak on many of the qualities and things with which we associate Sri Vythianatha Iyer's memory. It is difficult to remember when emotions have been disturbed.

3 p.m. "Everyone knows that it was an uncommon soul that inhabited Sri Vaidyanatha Ayyar's body. Rarely have we seen men of his type, and it is great shock to us when premature death takes such people away from us. Sri Vaidyanatha Ayyar shares with only one that I remember the glory of building Tamilnad as it is to-day. If in the Gandhian era, Tamilnad has played its part honourably and well, it is due to two men, namely, Dr. Rajan who passed away some time ago and Sri Vaidyanatha Ayyar who passed away yesterday. Whether it be the cause of independence, whether it be the cause of social reconstruction, or whether it be the maintenance of that character which is necessary to maintain a free national life, in all these steps I can say without exaggeration that Sri Vaidyanatha Ayyar was one of the primary builders of our State. We had in Sri Vaidyanatha Ayyar one who hated untruth, one who hated any form of fraud or malpractice. He hated injustice and he hated to see suffering. In fact his sensitive soul was his great feature. He could not contain himself if anything went wrong morally round about him. Sometimes this became a difficult thing for his friends who had to manage political and national life with much accommodation. Sri Vaidyanatha Ayyar could not understand these compromises which are forced upon the leaders of public life. That is why I sometimes advised him not to torture himself by being in political life. I have often told him 'You are not the man for politics because it causes pain to you, and you should avoid it'. But it is such men who purify and ennoble politics, and he did it during all these great years in our national history. I need not go further than mentioning these things in a general way. Last evening I was with him till half past five. It was a pleasure to see the brightness in his face, and I thought that there was no crisis yet although he was breathing with great difficulty on account of the very enlarged spleen and liver which he had to carry. I felt and

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told the doctor that his vitality was strong and that he could be saved. But it could not be done, and he has left us prematurely. He did not wish to die. He wished to work. It is a great loss as was observed—an irreparable loss as everybody knows. Beyond those who were publicly associated with him in national work, thousands have received assistance from him who would all to-day mourn. The greatest quality in him was his intense pain at seeing anything wrong and his intense benevolence. He could not suffer seeing people in difficulties. He helped people until one may say he found there was no end to that kind of work. We have lost a very uncommon soul. Reference was made to his share in the temple entry movement. It is not an exaggeration if I say on the floor of this House that it was due to his intense and earnest thought on the subject and his personality that the temples in South India stand open to Harijans now. But for him I do not know whether we would have taken this revolutionary and courageous step at all. We might have expressed sympathy. We might have done a lot of social work. We might have done a hundred other things. But I do not know if we would have interfered with the normal course of religious practice but for his courageous initiative. It was not a small village temple, but it was the great temple of Madurai which, urged by his conscience, he trespassed into with Harijans before the law was made which could justify that step. He did it in a most pious, orderly, and devoted manner. It was a step which can be ranked with some four or five events in the world where men disobeyed the law for the sake of conscience. I remember very well in this House how such a keen reformer like the Rt. Hon'ble V. S. Srinivasa Sastriar opposed the Indemnity Bill which I moved, and which was necessary to be moved to save legal action against Sri Vaidyanatha Ayyar as a result of what I called trespass for the sake of conscience. That is why I say but for his initiative I am not sure how our progress in this matter would have fared. If to-day Madras has a good record in respect of the removal of untouchability to show against the rest of India, it is entirely due to Sri Vaidyanatha Ayyar's courage and his conscience. It is not given to many to play the part he played in all the aspects of the Gandhian revolution in India. It fills me not only with grief, Mr. Deputy Chairman, but with shame that I am standing here to join in the offering of tributes to one who was younger and who has passed away before his time."

* THE HON. SRI B. PARAMESWARAN:—"Sir, Sri Vaidyanatha Ayyar was one of the sincere men who worked for the elevation of Harijans and depressed classes. It is very rarely that we come across such persons who work with not only sincerity but also with earnestness to see that those who are downtrodden are uplifted. Sir, in his death the community has lost one of the doughty champions. The work he did as Rajaji has now narrated

[Sri B. Parameswaran] [24th February 1955]

can only be measured when we compare the position of the community now with the position it occupied some years ago, say, 15 or 20 years ago. That was a time when nobody dared to come forward to take up the cause of the Harijans. We find today there are a number of persons vying with one another to speak on behalf of the Harijans. Those were days as I said, when people who came forward to speak for or champion the cause of Harijans were considered as enemies of the country. In those days when untouchability was very acute, Sri Vaidyanatha Ayyar came forward to speak for the Harijans and worked on their behalf. Particularly, I should like to mention the great effort that he took to secure the entry of Harijans into temples. I am sure it will be written in letters of gold in the history of our country and will be treasured in the affectionate recollections of generations yet unborn. He has done yeoman service and was doing it till his last day. He served the poor people irrespective of their caste or community. Even a few days ago, I received letters from him. At times, at 12 o'clock in the dead of night he used to speak to me over the phone about certain matters concerning the Harijans. He was ever alive to their problems and as I said, in his death, the Harijan community has lost a doubtful champion. I associate myself with the feelings expressed on the floor of the House and pray that his soul may rest in peace."

* SRIMATHI R. S. SUBBALAKSHMI :—" கனம் உப தலைவர் அவர்களே, இந்தியாவின் உத்தமமான தலைவர் ஒருவர், இந்திய மாதாவின் உத்தமப் புதல்வர் ஒருவர், 'நின்றான், இருந்தான், கிடந்தான், தன் கேள் அறைச் சென்றான்' என்பதற்கு உதாரணமாக, நம்மை விட்டுப் பிரிந்து நமது துர்ப்பாக்கியந்தான். 'இன்றைக்குப் பாபா நான்க்கிருப்பார்' என்று எண்ணுவோ திடமில்லையே, என்பதுதான் நான் நினைக்கிறேன். யிருந்த ஸ்ரீ வைத்தியநாதய்யர் அவர்களை திடீரென்று எதிர்பாராத விதமாக நாம் இழக்கும்படியாய்விட்டது. நாமெல்லோருக்கும் மிகுந்த வருத்தத்தை அளிக்கிறது. எழு அல்லது எட்டு வருஷங்களுக்கு முன்புதான் அகில இந்திய மாநாடு சங்க மகாநாட்டிற்காக எங்களில் சிலர் மதுரைக்குச் சென்றிருந்த பொழுது அவரைச் சந்திக்கும்படியான பாக்கியம் எழை எனக்குக் கிட்டியது. அவர் உயர்ந்த நோக்கங்கள் கொண்டவர்; எளிய வாழ்க்கை நடத்தியவர்; நிதர்சனமான லட்சிய புருஷர் என்பதில் சந்தேகமில்லை. 'செய்கரிய செய்வார் பெரியர்' என்பதற்கொப்பாக விளங்கினார். பேச்சளவில் எதையும் செய்கின்றதாகச் சொல்லுவார்கள் பலர்; ஆனால் அனுபவத்தில் செய்து காட்டுபவர்கள் வெகு சிலரே. அப்பேர்ப்பட்ட பெரியார் ஸ்ரீ வைத்தியநாதய்யர் என்று சொல்லலாம்.

"சென்ற பத்து நாட்களுக்கு முன்புதான் வேதாரண்யத்திலுள்ள குருகுலத்தில் அன்னபூர்ணையத் திறப்புவிழாவிற்கு தலைமை வகித்தார். இரண்டு மாதங்களுக்கு முன்பு சென்னையில் அவர் தங்கியிருந்த நர்ஸிங் ஹோமில் தன்னை வந்து பார்க்கப் பதற்கு அனுமதித்தார். ஒரு மணி நேரம் பல விஷயங்களைப்பற்றி பேசினார். நான் அங்கே சென்றபொழுது அவர் பேசிய ஒவ்வொரு விஷயமும் அர்த்தபூர்வமானிருந்தது. அவர் பேசிய ஒவ்வொரு வார்த்தையும் அருமையாகவும், அநேக நிர்மாணத் திட்டங்களை வகுத்து அவற்றை அனுபவத்திலும் நடத்திக் காட்டியவர். தாழ்த்தப்பட்டவர்களின் முன்னேற்றத்துக்காக வெகுவாகப் பாடுபட்டிருக்கிறார். ஆஸ்பப் பிரவேச இயக்கத்தை முதல் முதலாக மதுரையில் துவக்கி வைத்து, ஆதித் திராவிடர்களோடு கூடிய அனுமதிப்பதில் முன்னணியில் நின்றார். அவருடைய மனைவி, குழந்தைகள் எல்லோரையும் பார்க்கும்பொழுது எவ்வளவு ஒரு உத்தமமான லட்சிய வாழ்க்கை நடத்தி வரும் தம்பதிகள் என்று நிரம்பவும்

24th February 1955] [Srimathi R. S. Subbalakshmi]

சந்தோஷமாகயிருந்தது. அப்படிப்பட்ட மஹா புருஷரை நாம் இழக்கும்படியான துர்ப்பாக்கியம் நேரிட்டது குறித்து நாமெல்லோரும் மிகவும் வருத்தப்படுகிறோம். எல்லோருடைய சார்பாகவும் நம்முடைய அனுதாபத்தை அவருடைய தர்ம பததுணி அவர்களுக்கும், அவருடைய புதல்வர், புதல்வி களுக்கும் தெரிவித்துக்கொள்வோமாக."

* SRI V. BHASHYAM AYYANGAR :—" Mr. Deputy Chairman, I wish to join in the tributes of love and respect that have been paid to the late Mr. Vaidyanatha Iyer. Perhaps, in this House I have known him for the longest period, because I have known him for the last 40 years. He practically started his practice of law before me when I was the District Munsif at Tirumangalam in Madurai district. He was then a young man of about 25 years. Though he resided in Madurai, as Tirumangalam was very near Madurai, he used to appear in several cases before me at Tirumangalam. I have great respect for his ability as a lawyer. As a rising, young, capable and able lawyer, he used to devote the greatest attention to the work which was entrusted to him. Our friendship which began at that time continued till the date of his death. It was a great shock to me to read the news in the papers this morning about his death. He was not only a great lawyer, but also a great worker in the cause of the poor and the depressed. As has been expressed by the speakers who have spoken earlier, the work that he did for the abolition of untouchability was supreme and was unique and unequalled so far as Madras was concerned. He was also a great patriot who worked for the good of the country. I remember that in 1929-30, when he was sent to Vellore jail in connection with some political case, I was the District and Sessions Judge at that place. Then I had the honour of calling on him in the jail. I have a vivid recollection of how he was at that time in the jail. When I went to the jail he was reclining on an easy chair with *vibhuthi* on his forehead and was having a pleasant conversation with the co-prisoners.

"He has done very valuable service in the cause of not only the country, but for the benefit of the depressed classes. He was a very straightforward and honest man as pointed out by Rajaji. His lavish hospitality was very well known. His house in Madurai was a 'chatram' so to say. Anybody and every body that went to Madurai could go to his house and have food there without regard to caste, creed, or religion. He was a very lovable man and it was a privilege to be associated with him. After the comprehensive speech made by the Hon. the Leader of the House and our revered Rajaji, many words of mine are not necessary on the motion that has been moved by the Hon. Leader of the House. I consider it a privilege to join in the tributes which have been paid to him. I hope the motion and the sentiments of sympathy expressed here will be conveyed to the members of his family."

* SRI N. ANNAMALAI PILLAI :—" கனம் உப தலைவர்களே, சென்ற 2-20 முப்பது வருடங்களாக நமது நாட்டின் விடுதலைக்குப் பேராசிரிய ஒரு வீரனை

[Sri N. Annamalai Pillai] [24th February 1955]

நம் தேசம் இழந்துவிட்டது. மகாத்மா காந்தி அடிகளால் கொண்டு வரப் பட்ட நிர்மாணத் திட்டங்கள் அனைத்தையும் நிறைவேற்றுவதில், தென்னிந்தியாவில் முன்னணியில் நின்று அவைகள் வெற்றி பெறுவதற்காக கிரியாம்சையில் தானும் தன் கடமையைச் செய்து, பிறரையும் செய்யுமாறு தூண்டிய பெருமை நமது தலைவர் ஸ்ரீமான் வைத்தியநாதய்யர் அவர்களுக்கே உரித்தாகும். அதுமட்டுமல்ல, இந்த தேசத்திலுள்ள எல்லா வாலிபர்களையும் தட்டி எழுப்பி, இந்த தேசத்தின் போராட்டத்தை உருவகப் படுத்தி வைத்தார்.

“1922-ம் ஆண்டிலே ஆயிரக் கணக்கான மக்களை தேசியப் பணியில் ஈடுபடச் செய்து, சுமார் 200 பேர்களுக்கு மேல் கள்ளக் கடை மறியலில் பங்கு எடுத்துக்கொள்ளும்படி செய்து, அவர்களை ஜெயிலுக்கு அனுப்பி வைத்தார். மேலும் ஸைமன் கமிஷன் பகிஷ்காரத்தின் போது அவர் செய்த வீராவேச ஜோஸப் அவர்களும் தமிழ் நாட்டில் ஸைமன் கமிஷன் பகிஷ்காரத்திற்கு போதிய ஆதரவளித்தார்கள். காலம் சென்ற ஸ்ரீ ஸ்ரீவிவாஸ அய்யங்கார், ஸ்ரீ சத்தியமூர்த்தி போன்றவர்கள் ஸைமன் கமிஷன் பகிஷ்காரத்தில் முக்கிய பங்கு எடுத்துக்கொண்டதினாலே அந்த பகிஷ்காரம் வெற்றிகரமாக நடந்ததோடு மட்டுமல்லாமல், இந்த தேசம் பூரண சுதந்திரம் அடைவதற்கு அடிக்கோலியாகவும்கூட நமது தலைவர் ராஜாஜி அவர்கள் தலைமைப் பதவி ஏற்றுக்கொண்டு அரசியல் போராட்டம் நடத்திய ஒவ்வொரு சமயங் களிலும் முன்னணியில் நின்று பெரும் தொண்டு செய்து வந்தார்கள். அப்படிச் செய்து வந்ததால்தான் நமது தேசம் சுதந்திரம் அடைய முடிந்தது. நமது தேசத்தில் முக்கியமான தலைவர்களை எண்ணிப் பார்த்தால் இருபது பேர்களுக்கு மேல் இராது. அந்த இருபது பேர்களில் ஸ்ரீ வைத்தியநாதய்யர் ஒருவர்.”

“திண்டிவனையை ஒழிப்பதற்கு மதுரைக் கோவிலை ஹரிஜனங்களுக்குத் திறந்து விடுகிற பொழுது தமிழ் நாட்டே அதிர்ச்சி அடையும் நிலையிலிருந்தது. எவ்வளவு கொலைகள் நேருமோ, எவ்வளவு தூரம் ரத்த ஆறு ஓடப் போகிறதோ என்று எல்லோரும் நடுங்கிக்கொண்டிருந்த காலம் அது. அப்பொழுதான் மதுரையம்பதியில் ஸ்ரீ வைத்தியநாதய்யர் காலம் அது. ஆலயப் பிரவேசத்தை நடத்தி வைத்து, தமிழ் நாட்டிற்கு மட்டுமல்லாமல் இந்தியாவுக்கே ஒரு வழி காட்டியாக விளங்கினார். இப்படிப்பட்ட பெரியாரை நாம் இழக்க நேரிட்டது நமது தர்ப்பாக்கியமே.

“சென்ற பத்து தினங்களுக்கு முன்புதான் அவர் வேதாரணயத்திற்குச் சென்று வந்தார். வேதாரணயத்தின் மகிமையைப்பற்றிச் சொல்வதற்கு இப்போது நேரமில்லை. 1930-ம் வருடத்தில் அங்கே உப்பு சத்தியாக்கிரகம் நடந்த பொழுது தொண்டர்களை ஆதரித்து, ஆட்களை அனுப்பி வைத்து, ஆங்கில ஆட்சியை ஸ்தம்பிக்கச் செய்வதற்காக அவர் செய்த சேவை பாராட்டு தற்குரியது. நமது தலைவர் ராஜாஜி அவர்கள் திருச்சியிலிருந்து வேதாரண யத்திற்குக் கால் நட்டயாகச் சென்ற பொழுது, என் போன்றவர்கள் அவர் களுடன் முன்னணியில் செல்லுகின்ற காலத்தில் எங்களுக்கு வேண்டிய பாதுகாப்பெல்லாம் கொடுத்து, சத்தியாக்கிரகத்தை திறம்பட நடத்துவதற் கான ஆதரவு அளித்து வந்தார். சரித்திரப் புகழ் பெற்ற இந்த உப்பு சத்தியாக்கிரகம் வெற்றி கண்ட இடத்தை கடைசியாகப் போய் பார்த்துவிட்டு இன்றைய தினம் நம்மை விட்டுப் பிரிந்துவிட்டார். இந்தப் புனிதமான இடத்தைப் பார்த்த பிறகு, தான் போராடி வெற்றி கண்ட பழைய நினைவுச் சின்னங்களால் ஏற்பட்ட உணர்ச்சிதான் அவரைக் கொன்றுவிட்டதோ என்று ஆட்சியை ஒழித்துக் கட்டுவேன் என்று சொல்லிய இடரக் கட்சிக்காரர்களுக் கும் கூட, நல்ல சமயங்களில் அவர் ஆதரவளித்துள்ளார். இதை நான் இப்போது எடுத்துச் சொல்லக் கடமைப்பட்டுள்ளேன். உப்பு சத்தியாக்கிரக மென்ன, வாள் சத்தியாக்கிரகமென்ன, நீல சிலை சத்தியாக்கிரகமென்ன. இந்தப் போராட்டங்களெல்லாம் நானும் பங்கு எடுத்துக்கொண்டிருக்கி

[Sri N. Annamalai Pillai] [24th February 1955]

றேன். ஒவ்வொரு போராட்டத்திலும் ஸ்ரீமான் வைத்தியநாதய்யரும், டாக்டர் ராஜனும் திடீரென்று வந்து அந்தந்த சமயங்களில் வேண்டிய ஆதரவு கொடுத்து, தமிழகத்துக்கு அரும் பெரும் பணி ஆற்றி வந்துள்ளனர். மதுரையம்பதி ஒரு புகழ் பெற்ற பிரதேசம். அப் புகழ் பெற்ற பிரதேசத்துக்கு பெருமை தந்தவர் ஸ்ரீ வைத்தியநாதய்யர். ராஜாஜி அவர்கள் எடுத்துக்கொண்ட ஒவ்வொரு காரியத்திலும் பங்கு எடுத்துக்கொண்டு அவருக்கு உதவி புரிந்துள்ளார். 1921-ம் வருடத்திலே சட்ட சபைத் தேர்த லின் போது அவர் காட்டிய உத்வேகமும், உற்சாகமும் வர்ணிக்க முடியாது. தேசத்திற்கே ஒரு வழி காட்டியாகயிருந்து அரும் பணி செய்த உயர்ந்த தலைவர். தேசத்தின் விடுதலைக்காக பாடுபட்ட ஒரு முக்கியமான பிரதான புருஷராக விளங்கியவரை நாம் இழந்து விட்டோம்.

“கம்ப்யூனிஸ்ட் கட்சியைச் சேர்ந்தவர்களுக்குக்கூட சில காலத்துக்கு முன்பு தேசத்தின் விடுதலைதான் பிரதானம் என்று கம்ப்யூனிஸ்டுகள் கருதி வந்த காலத்தில் ஸ்ரீ அய்யர் அவர்கள் கொடுத்த ஆதரவு இவ்வளவு என்று சொல்ல முடியாது. இன்றைக்கு கம்ப்யூனிஸ்டு கட்சியை நம்முடைய விரோதி என்று நினைக்கிறோம். அந் நிலைமைக்கு அவர்கள் போய்விட்டார்கள். சோஷலிஸ்ட் கட்சியினருக்கும், மற்றும் இதர கட்சியினருக்கும் எவ்வளவோ ஆதரவு காட்டி வந்திருக்கிறார்.

“அவருடைய மனைவி, குழந்தைகளும் அன்னரின் குடும்பத்தாரும், மற்றும் பல லட்சக் கணக்கான பொது மக்களும் இன்று அவருடைய பிரிவி னால் தவித்துக்கொண்டிருக்கிறார்கள். அவருடைய குடும்பத்தாருக்கு என்னு மனமார்ந்த அனுதாபத்தைத் தெரிவித்துக்கொள்கிறேன். அவருடைய ஆன்மா சாந்தியடைய எல்லாம் வல்ல இறைவனைப் பிரார்த்திக்கிறேன்.”

SRI A. CHIDAMBARAM :—“கனம் உப தலைவரவர்களே, ஸ்ரீ வைத்தியநாதய்யர் அவர்கள் காலம் சென்றதை இன்று காலை பத்திரிகை வாயிலாக அறிந்து துக்கப்பட்டவர்களில் நானும் ஒருவன். சென்ற முப்பது ஆண்டுகளாக அரசியல் துறையிலும், பொது வாழ்விலும் தீவிரப் பங்கு எடுத்துக்கொண்டவர் அவர். அவருடன் கூட ஊழியம் செய்யும் வாய்ப்பு எனக்குக் கிடைத்தது. எந்தப் பொது விஷயத்திலும் முன்னணியில் நின்று ஒரு வழி காட்டியாக விளங்கி, நல்ல ரீதியிலே மக்களுக்குப் பணி ஆற்றி வந்த தலைவர் ஸ்ரீ வைத்தியநாதய்யர். மதுரை அரசியல் துறையிலும், இதர பொது வாழ்விலும் வழி காட்டியாகயிருந்த ஒரு தலைவர் மறைந்து விட்ட தால் ராஜ்ய நஷ்டத்துக்கு மேலாக, பெரிய நஷ்டத்தை மதுரை மக்கள் அடைந்துவிட்டார்கள் என்பதில் ஐயமில்லை. பொதுவாக தொழிலாளர்கள், ஏழைக் குடியானவர்கள், தாழ்த்தப்பட்ட மக்கள் இவர்களிடையே ஏற்படும் சச்சரவைத் தீர்த்து வைப்பதில் பெரும் பங்கு எடுத்துக்கொண்டு, தன் அலு வல்களைக்கூட விட்டு விட்டுக் கிராமம் தோறும் சென்று ஏழை மக்களிடையே சமாதானம் நிலவ அரும் பாடு பட்டிருக்கிறார்.

“அவர் ஒரு சிறந்த வக்கீல். அவருடைய சம்பாத்தியம் பெரிய அளவி லேயே இருந்தது. அவர் வருவாயில் ஒரு சிறிய அளவையே தன் சொந்த அனுபவத்திற்கு வைத்துக்கொண்டு பாக்கிப் பணத்தை பொது மக்களும், ஏழைகளும் பயனடையுமாறு பகிர்ந்து கொடுத்தார். அப்பேர்ப்பட்ட பெரியாரின் மறைவானது இன்று நாட்டில் மலிந்து வரும் ஏழைகளுக்கும், தொழிலாளர் களுக்கும், மற்றும் தாழ்த்தப்பட்ட மக்களுக்கும் பெருந்த நஷ்டத்தை உண்டாக்கியிருக்கிறது. அன்னரின் குடும்பமே அரசியல் துறையில் பெரும் பங்கு எடுத்துக்கொண்டதால் மதுரைக்கு நல்ல பெயரும், புகழும் ஏற்பட்டது. அப்பேர்ப்பட்ட பெரியாரை இழந்துவிட்டதினால் அவருடைய குடும்பத்தினரும் நாமும் துக்கக் கடலில் ஆழ்ந்திருக்கிறோம். அவருடைய குடும்பத்தாருக்கு இந்தச் சட்ட சபையில் நமது அனுதாபத்தை தெரிவிப்பதன் மூலம், அவர்க ளுடைய துக்கத்தில் நாமும் சிறந்த பங்கு எடுத்துக்கொள்வதாகயிருக்கும்.”

SRI MOHAMED RAZA KHAN :—“Sir, I just want to add a word or two to what has been said by several Members. Mr. Vaidyanatha Ayyar was a colleague of mine in the last

[Sri Mohamed Raza Khan] [24th February 1955]

Assembly and I do remember on this occasion the great part he played as a parliamentarian and as one who said what he had to say, without fear or favour, against the Government, when they went wrong. I make no exaggeration when I say this. He was sitting in this very hall, in some obscure corner, and making his contribution from time to time to the discussion of the various problems that came up before the House during the years 1946-1952.

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"It was not possible for him to attend the Assembly session on all days. But whenever any important problem, whenever there was any important Bill or measure, Mr. Vaidyanatha Iyer will make it a point to attend the Assembly meeting and he was always there on those days. It was of the least consequence to him as to how his speech would be felt by the members of the Treasury Benches; it was of the least consequence to him whether he was against the current or along with the current; it was of the least consequence to him whether he was for or against the party in power; but whenever he felt he had a point of view and that point of view was what his conscience told him, he stuck to it and he will have his say and leave it at that. In fact I could say that many a young man who was in the last Assembly if he could say now that he had learnt something of parliamentary procedure, I could say it was due to Mr. Vaidyanatha Iyer. He would encourage young men and put them in the right way and make them do the right thing. I would like to say on this occasion, because references have been made to his intellect, that he was one of those who believed deeply in his conviction and it will not be sufficient if I do not mention about his noble heart. There were many instances in his life which could be a source of lesson for others to practise. May I say on this occasion, apart from his service in the cause of Harijan uplift (to which references have been made) that he did his best to make the Hindus and Muslims live happily. Unfortunate time it was when there was communal tension in Madura at one time. There was bitterness between Hindus and Muslims and in this also Mr. Vaidyanatha Iyer took a prominent part to do his best to reconcile the two. Things could have gone beyond control had not Mr. Vaidyanatha Iyer stepped into the field and quietened the atmosphere. It was told that Mr. Vaidyanatha Iyer fell flat on the road and said:

"Hindus or Muslims shall not fight unless it be over my dead body. Believe me when I say right from that moment, peace and amity prevailed in Madura between Hindus and Muslims. He is no more to-day. But really it is good to have played such a noble part in life. In conclusion I might say that his was a noble life, well spent and many of us who are young could very well take an example from it. May his soul rest in peace."

* SRI A. SUBRAMANYAM :—"உபதலைவர் அவர்களே, நான் இன்று காலைதான் பத்திரிகையின் வாயிலாக ஸ்ரீ வைத்தியநாதய்யரின் மரணச் செய்தியை அறிந்து ஆழ்ந்த துக்கத்திற்குள்ளானேன். சென்ற முப்பது ஆண்டுகளாக, என் சிறிய பிராயத்திலிருந்தே அவருடன் கூடப் பழக

24th February 1955] [Sri A. Subramanyam]

வேண்டிய சந்தர்ப்பம் கிடைத்ததால் அவருடைய அரிய குணங்களை அறிந்து கொள்ள முடிந்தது. அவர் ஒரு பெரிய சட்ட நிபுணர்; சிறந்த மேதை; காந்தி அடிகளின் உண்மையான பக்தர். கனம் ராஜாஜி அவர்கள் கூறியது போல் இந்த மாகாணத்தில் காந்தியின் உண்மையான சீடர்கள் யாரேனும் இருப்பார்களேயானால் அவர் ஸ்ரீ வைத்தியநாதய்யர் என்றுதான் சொல்ல வேண்டும்.

"ஒரு விஷயத்தை மட்டும் இங்கே குறிப்பிட விரும்புகிறேன். 1942-ம் ஆண்டில் பாகிஸ்தான் பிரிவினைப் பிரச்சனை, இராஜாஜியின் பாகிஸ்தான் பிரச்சனை எழுந்த பொழுது, கனம் ஸ்ரீ ஆஸப் அலி அவர்களைக்கொண்டு விசாரிக்க காங்கிரஸ் மகா சபை ஏற்பாடு செய்தது. ஸ்ரீ ஆஸப் அலி இங்கே விஜயம் செய்த பொழுது அவர் முன்னிலையில் இராஜாஜியின் செயலேக் குறித்து ஸ்ரீ வைத்தியநாதய்யர் மிகவும் சிறந்த முறையிலே வாதித்தார். அவர் வாதித்ததைக் கேட்ட ஸ்ரீ ஆஸப் அலி 'உங்களைப் போன்ற மேதை, சிறந்த வழக்கறிஞர் இந்த மாதிரி வாதிப்பதை நான் இது வரை கண்டதில்லை. உங்களைப் போன்ற சிறந்த மேதை மத்திய அரசாங்கத்தில் மந்திரியாக இருந்து, எங்களுக்கெல்லாம் வழி காட்டியாகயிருக்க முடியும்' என்று அன்று கூறியது இன்று கூறுவது போலிருக்கிறது. அதுமட்டுமல்ல, ஸ்ரீ பிரகாசம் மந்திரி சபையில் கூட ஸ்ரீ வைத்தியநாதய்யர் ஒரு மந்திரியாக இருக்க வேண்டுமென்று வேண்டிக்கொள்ளப்பட்டது. அந்த வேண்டுகோளை அவர் ஏற்றுக்கொள்ளவில்லை.

"பொது ஜன சேவை செய்வதற்கு என்றும் ஊழியனாக இருக்கவே விரும்புகிறேன். பொது மக்களுக்குச் சேவை செய்வதுதான் என் கடமை' என்று சொன்னார். அத்தகைய மேதையை நாம் இன்று இழந்துள்ளோம். தாழ்த்தப்பட்ட மக்களுக்கு அவருடைய மறைவு மிகப் பெரிய நஷ்டமாகும். பிற்பட்ட வகுப்பினர், ஹரிஜனங்கள், பெண்கள், இந்த மூன்று சமூகத்தவர்களும் என்று சரிசரிசமான சமத்துவம் பெற்று மேன்மையடைகிறார்களோ, அன்றுதான் பூரண சுயராஜ்யம் அடைந்ததாகக் கருத முடியும் என்று அடிக்கடி கூறியிருக்கிறார். இந்த மேதையை இழந்தது நமக்கெல்லாம் மிகுந்த வருத்தத்தைக் கொடுக்கிறது. இந்த சட்ட சபையின் ஆழ்ந்த அனுதாபத்தைத் தெரிவிக்கும் இந்த சந்தர்ப்பத்தில், அன்னரின் குடும்பத்தினருக்கு நானும் எனது அனுதாபத்தையும், வருத்தத்தையும் தெரிவித்துக் கொள்வதுடன் அன்னரின் ஆத்மா சாந்தியடையப் பிரார்த்திக்கின்றேன்."

SRI A. GAJAPATHY NAYAGAR :—"கனம் உபதலைவர் அவர்களே, ஸ்ரீ வைத்திய நாதய்யரை நான் முதல் முதலாக மதுரையில் முறை காவலராயிருக்கும்பொழுது கண்டேன். அவர் ஒரு சிறந்த வழக்கறிஞராகத் தோற்றமளித்தார். பேசுவதில் அதிக சாமர்த்திய முன்னவர். எந்த விஷயத்தையும் நயம்பட உரைப்பார். பல பெரிய வழக்குகளை வாதித்திருக்கிறார். மேலும், இங்கே தேசப்பட்ட விஷயங்களிலிருந்து, நாட்டிற்குப் பல துறைகளிலும் அவர் சேவை செய்தது நன்கு புலனாகின்றது. எங்கே ஏழைகள் இருக்கிறார்களோ, எங்கே தாழ்த்தப்பட்ட மக்கள் இருக்கிறார்களோ, அங்கே அவர் மனம் செல்லும். 'அன்பிற்கு உண்டு அடைக்கும் தாழ், ஆர்வலர் புன் கணீர் பூசல் தரும்' என்று திருவள்ளுவர் கூறியிருக்கிறார். மதி நலனும் குண நலனும் ஒருங்கே படைத்தவர். சில பேருக்கு மதி நலன் அதிகமாயிருக்கும், ஆனால் குண நலன் இருக்காது. மதி நலன், குண நலன் இரண்டும் சேர்ந்திருப்பது சாலச்சிறந்தது. நமது நாட்டில் தோன்றிய பல குறைகளுக்கும், குற்றங்களுக்கும், வைத்திய நாதய்யர் என்ற பெயருக்கொப்ப நோய்களுக்கு வைத்தியம் செய்வதுபோல, 'வைத்தியம்' செய்திருக்கிறார். அவர் செய்த சேவை பாராட்டுதற்குரியது. ஆங்கில ஆட்சியில் ஒரு Official ஆக யிருந்த காலத்திலே, அவருடன் நெருங்கிப் பழகும் பாக்ஷியம் எனக்குக் கிட்டவில்லை. தமிழ் நாட்டில் பல விதத்திலும் அவர் மக்களுக்குத் தொண்டு செய்ததை நாம் மறக்க முடியாது. நேற்று நம்முடன் இருந்தவர், இன்று மறைந்து

[Sri A. Gajapathy Nayagar] [24th February 1955]

விட்டார். நெருங்கல் உடன் ஒருவன் என்று இல்லை என்றும் பெருமை உடைத்து இவ்வுலகம் சொல்லும். அன்னாரின் மனைவி, மக்களுக்கு நமது அனுதாபத்தைத் தெரிவித்துக்கொண்டு, நாட்டிற்கு இன்னும் சேவை செய்ய அவர் காட்டிய வழியைப் பின்பற்றல் வேண்டும்.

* SRI K. BHASHYAM :—“ Sir, when I read about the death of Mr. Vaidyanatha Iyer it was a great shock to me because I have not been made aware of the fact that he was laid up at all. In fact when he was present at Vedaranyam, six days before, I thought he had recovered from his illness and that he had become all right. Therefore, Sir, it was a great shock to me when I read about his death in this morning newspaper. Ever since I was associated with him for the last 30 years, I have not found a man better than what Mr. Vaidyanatha Iyer was. His chief quality was his loyalty to principles, loyalty to his friends and loyalty to his conviction. I think if only we analyse his character, his deep simplicity and his loyalty to his conviction would stand predominant. It is not for me to cover the whole ground again, since many of my friends have already traversed the field, but only to touch upon some of the great qualities which he had. In the profession which he took upon himself, namely that of a lawyer, he acted throughout according to his convictions. Unless he had the confidence that he would win the case, he would straightway tell the client that he would not take up the case. Such a loyalty to one's conscience is not to be easily found among all men. Mr. Vaidyanatha Iyer was a noble example in that regard. When we were in jail, some of us who were older than he, used to take lessons from him. It is my experience that only inside a jail one can exactly know what a man is like. It is there that we found that big leaders were after all men of clayey feet. It is the unusual conditions in jail life that bring out all the qualities of men which are really latent in them and which are not known to people outside. In jail we can see the imperturbability, hospitality and generosity of the people. Therefore it was a great privilege for me to be with him in jail on both the occasions. It is given to very few people to practise according to their conviction what they say. He practised untroubability wholly. I knew many cases where persons of the lowest class were living with him. His generosity is well known. In 1932 I was taking some part in the non-co-operation movement in Madras City. I took part in picketing and other things. He was then a great help to me. He was a person able to help me from Madras itself by sending many volunteers for the purpose of the work in Madras. But for the help rendered by him, it would not have been possible to complete the work which was taken up in 1932, and which brought to Madras some reputation in the matter of work in the cause of the freedom of this country. Such a big leader we have lost. He has left behind a great example of integrity, character and loyalty. I think, Sir, if we only remember these things and follow his example, we will be paying him the greatest homage.”

DEPUTY CHAIRMAN :—“ While associating myself with the handsome tributes paid to the departed soul, I wish to say one

24th February 1955] [Deputy Chairman]

thing, because that is rather peculiar. Some time after my coming away from jail in 1942—or it may be 1943 or 1944—I had to go to Madurai. There one of my friends took me to Sri Vaidyanatha Iyer's house and introduced me to him saying ‘He is Mr. Allapichai.’ With very great affection and kindness he received me. I remember that even to-day. That was the only occasion I saw him, and after that I had no chance to see him. But the one occasion that I saw I can never forget. He impressed me as the kindest man, a very good man, a very straightforward man and an honest man. We have lost a great man. We are very sorry to have lost him. But we could not help, because it is God's grace.

“ As a mark of respect to the memory of Sri A. Vaidyanatha Iyer and by way of passing the resolution, I would request hon. Members to stand in silence for a minute.”

The resolution was passed *nem con* all the Members of Council standing.

II.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

Working of the Co-operative Building Construction Societies, Cuddalore and Chidambaram taluks.

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

(a) the amount of loan given to the Co-operative Building Construction Societies, Cuddalore and Chidambaram taluks, from the year 1947 up to date;

(b) the number of houses constructed by them out of that loan;

(c) the conditions for membership in this scheme; and

(d) how many persons owning two or more houses have been admitted as members in this scheme?

THE HON. SRI A. B. SHETTY :—“(a) Rs. 6,11,720.

“(b) Ninety-two houses have been constructed so far and 8 are under construction.

“(c) Any person over 18 years of age who is competent to contract shall be eligible for admission as a member, provided he is not a member of any other building society working in the same area. Minors also may be admitted through their legal guardians, for the purpose of joining in the execution of bonds, or as legal representatives of deceased members.

“(d) None.”

SRI M. ETHIRAJULU :—“ May I know Sir, whether the Government will consider the question of prohibiting persons owning more than two houses from becoming members of the society? ”

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THE HON. SRI A. B. SHETTY :—“ The question of disqualifying persons already owning houses from becoming members of the housing societies and obtaining State loans is under consideration, Sir.”

Training of Village Blacksmiths under the National Extension Service Scheme.

* 190 Q.—SRI M. ETHIRAJULU : Will the Hon. the Minister for Agriculture be pleased to state whether the Government have any proposal to train village Blacksmiths under the National Extension Service Schemes and, if so, the details thereof?

THE HON. SRI M. BHAKTAVATSALAM :—“ Yes, the Government have sanctioned a scheme for the establishment of a workshop at the Grama Sevak Training Centre, T. Kallupatti, for imparting training to the village blacksmiths. The object of the scheme is to establish a workshop at one of the Extension Training Centres in this State for imparting training to the village level workers as well as to the village blacksmiths, carpenters and artisans of the neighbouring village in the manufacture and repairs of improved agricultural implements and in improved housing designs and construction. The workshop will have a Chief Instructor and two training officers, one each for smithy and carpentry. Each trainee will be given a stipend of Rs. 30 and hostel accommodation will be provided. Learning by doing will be the ideal method of training. In order to ensure that the trained men return to their trade in the villages after completion of their training and utilize the experience profitably, the Government will assist the successful trainees in obtaining suitable equipment to augment their village workshops by grant of takkavi or *ad hoc* loans recoverable in suitable instalments.”

Applications for takkavi loans from Cuddalore and other taluks.

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

(a) the number of applications received during the year 1952 from Cuddalore, Chidambaram, Villupuram and Tindivanam taluks for takkavi loans;

(b) the number of applications sanctioned; and

(c) the amount of loan disbursed during the year 1952?

THE HON. SRI M. A. MANICKAVELU NAICKER :—“ The particulars are furnished below :—

	Cuddalore taluk.	Chidambaram taluk.	Villupuram taluk.	Tindivanam taluk.
	(1)	(2)	(3)	(4)
(a)	194	146	621	1,488
(b)	32	17	108	457
(c)	Rs. 16,100	Rs. 2,950	Rs. 40,380	Rs. 87,050

[24th February 1955]

Service conditions of Maistris in the Public Works and Highways Departments.

* 192 Q.—SRI T. PURUSHOTHAM : Will the Hon. the Minister for Public Works be pleased to state—

(a) whether maistris of the Public Works and Highways Departments are treated as regular Government servants;

(b) whether they are eligible for confirmation, leave, allowance and service conditions as other Government servants; and

(c) if so, whether the Government will be pleased to place on the table of the House a copy of the Rules governing the service conditions of maistris of the Public Works and Highways Departments?

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI :—“ (a) Maistris in the Public Works Department required continuously for the normal work of the Department are treated as regular Government servants. The question of according similar treatment to the maistris, now designated as Road Inspectors, in the Highways Department is under examination.

“ (b) The answer is in the affirmative in respect of the maistris in the Public Works Department treated as regular Government servants. Other maistris in the Public Works Department who have not been brought on to regular establishment who are employed only casually with reference to the needs of expanding and contracting programmes and Road Maistris in the Highways Department are not eligible for the benefits.

“ (c) A copy * of the existing rules governing the conditions of service of the Maistris in the Electrical Engineer (General) Division of the Public Works Department treated as regular Government servants is placed on the table of the House. The question of issuing service rules in respect of such maistris in the Irrigation, General and Buildings branches of the Public Works Department and of the Road Inspectors in the Highways Department is under consideration.”

SRI T. PURUSHOTHAM :—“ May I know, Sir, if these maistris are treated as those coming under superior service or they are classified as coming under inferior service? ”

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI :—“ Inferior service, Sir.”

SRI V. CHAKKARAI CHETTY :—“ May I know whether those people are kept as casual labourers, whether they will be confirmed in their present job and if so how long will it take? ”

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* Printed as Appendix I on pages 155-159 infra.

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THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI:—"In the Public Works Department, we have regularised certain sections. There are some casual labourers whom we employ according as we take up our expansion programmes. In the Highways department, the matter of regularising their appointments is under consideration."

SRI T. PURUSHOTHAM:—"Will the Government consider the desirability of extending the rules applied to the maistris in the Public Works Department to those in the Highways Department also?"

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI:—"That is under the active consideration of the department, Sir."

Overtime allowance to the employees of the Madras Government Press.

* 193 Q.—SRI T. PURUSHOTHAM: Will the Hon. the Minister for Public Works be pleased to state—

(a) whether the employees of the Madras Government Press are asked to work overtime daily, and if so, the necessity for the same; and

(b) the total amount of (i) salary and (ii) overtime allowance paid monthwar to the technical employees of the Press from April 1954 to October 1954?

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI:—"A statement* is placed on the table of the House."

SRI T. PURUSHOTHAM:—"As more than 50 per cent of their salary is paid as overtime allowance, may I know whether it will not be better and more profitable to have regular employees during the regular working hours instead of resorting to overtime work?"

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI:—"Sir, we are short of some machinery. That is the reason for our resorting to overtime work. Anyway, it is an attraction for the workers. Once we expand the Press and get sufficient machinery we can employ regular workers on a permanent basis."

SRI T. PURUSHOTHAM:—"Will the Hon. the Minister for Public Works enlighten us as to whether there is any authority watching the need for such overtime work? Will the Government take effective steps to keep down the expenditure on overtime work by prescribing a return and having a check over such overtime allowances paid at Government level?"

A Printed as Appendix II on page 160 infra.

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THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI:—"That suggestion of the hon. Member can be considered, Sir. There is the Controller of Stationery and Printing who keeps a close watch over this work."

SRI V. V. RAMASWAMI:—"வேலைக்கு இயந்திரங்கள் எப்போது வரும்?"

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI:—"Perhaps in the next budget, Sir."

SRI K. BHASHYAM:—"Is it not a fact that this overtime work is only seasonal? That is, this overtime work is resorted to when there is heavy work such as the budget session of the Legislature. That being so, is it not a fact that it will not be possible to employ persons on a regular basis?"

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI:—"Now practically we have got overtime work right through the year. Because, after the attainment of independence our work in the various fields has gradually been expanding. It will take some time before we can have an arrangement on a permanent basis."

Application for acquisition of house-sites by Harijans of Kudamangalam.

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

(a) whether it is a fact that the Harijans of Kudamangalam, Cuddalore taluk, applied to the Revenue Divisional Officer, Cuddalore, about ten years back, for acquisition of sites for accommodation;

(b) whether it is a fact that they remitted Rs. 240 in that connection; and

(c) if so, the action taken by the authorities in the matter?

THE HON. SRI B. PARAMESWARAN:—" (a) to (c) A sum of Rs. 201-10-0 was remitted into the Cuddalore Sub-treasury in February 1940, towards payment for site proposed to be assigned to the Harijans of Konamangalam village. But no records are available to verify the details of the remittance and to show whether actually land acquisition proceedings were started or not. On a representation, dated 11th March 1954 from the Harijans of Konamangalam, the question of acquisition of suitable lands for the extension of the cheri has been taken up and proposals are awaited from the Collector of South Arcot."

SRI M. ETHIRAJULU:—"குடமங்கலத்திலுள்ள ஹரிஜனங்கள் இன்னும் குடியிருப்பதற்கு வேண்டிய இடம் கிடைக்காமல் அவஸ்தைப் பட்டுக்கொண்டிருப்பதை சர்க்காருக்குத் தெரிவித்திருக்கிறார்கள். இந்தப் பணத்தைக் கொண்டு துரிதமாக நடவடிக்கை எடுக்க அங்கேயுள்ள ஜில்லா கலெக்டருக்கு சர்க்கார் தாக்கீது அனுப்புவார்களா?"

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THE HON. SRI B. PARAMESWARAN :—“ We have asked the Collector to expedite the acquisition proceedings, Sir.”

SRI V. V. RAMASWAMI :—“ இந்த மாதிரி ஹரிஜனங்களுக்கு நிலம் கொடுப்பதில், பணம் ஒதுக்கப்பட்டு பல ஆண்டுகளாகியும், ஆர்ஜித் நடவடிக்கைகள் எடுப்பதில் கால தாமதம் ஏற்படுவதினால், கால தாமத மில்லாமலிருக்க, சட்டத்தைத் திருத்துவதற்கு சர்க்கார் யோசிப்பார்களா ?”

THE HON. SRI B. PARAMESWARAN :—“ The cumbersome procedure involved in the land acquisition proceedings has to be gone through. It is a Central Act and we cannot amend it here. However, we are asking the Revenue Board to submit us periodical reports as to the progress it has been making.”

Grant of house-sites to Harijans in South Arcot district from 1951 to 1954.

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

(a) the extent of land acquired by the Director of Harijan Welfare in the South Arcot district for the purpose of grant of house-sites to Harijans during the years 1951-52, 1952-53 and 1953-54;

(b) the number of families provided with house-sites during the above period;

(c) the number of applications for house-sites not complied with during that period; and

(d) the reasons therefor?

THE HON. SRI B. PARAMESWARAN :—“ (a) & (b)

Year.	Extent of land acquired. ACRES.	Number of families provided with house sites.
(1)	(2)	(3)
1951-52	0.22	6
1952-53	..	..
1953-54	6.72	92

“ (c) Nil.

“ (d) Does not arise.”

Districts allotted to the Regional Inspectors of Local Boards.

* 196 Q.—SRI V. V. RAMASWAMI : Will the Hon. Minister for Local Administration be pleased to state the districts allotted to each Regional Inspector of Local Boards?

THE HON. SRI S. S. RAMASWAMI PADAYATCHI :—“ The Regional Inspector of Municipal Councils and Local Boards, Southern Range, has jurisdiction over the districts of Chingleput, South Arcot, Tanjore, Tiruchirappalli, Madurai, Ramnathapuram and Tirunelveli and the Regional Inspector, Western Range, over the districts of Malabar, South Kanara, The Nilgiris, Coimbatore, Salem and North Arcot.”

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SRI V. V. RAMASWAMI :—“ இந்த ரீஜனல் இன்ஸ்பெக்டர்களுடைய எண்ணிக்கையை அதிகரிப்பதுபற்றி சர்க்கார் யோசனை செய்து வருகிறார்களா? அதற்குக் காரணம் ஏதாவது உண்டா ?”

THE HON. SRI S. S. RAMASWAMI PADAYATCHI :—“ அவர்களின் எண்ணிக்கையை அதிகரிப்பதற்கான யோசனை சர்க்காரின் கவனத்தில் இருந்துகொண்டிருக்கிறது.”

Bifurcation of the Cuddalore Municipality.

* 197 Q.—SRI M. ETHIRAJULU : Will the Hon. the Minister for Local Administration be pleased to state—

(a) whether the Government received any representation from the residents of Cuddalore Old Town during the period from 1947 to 1954 requesting the Government to bifurcate the Cuddalore Municipality; and

(b) if so, whether any action was taken thereon; and if not, the reasons therefor?

THE HON. SRI S. S. RAMASWAMI PADAYATCHI :—“ (a) Yes, Sir.

“ (b) The representations were rejected.”

SRI M. ETHIRAJULU :—“ அதற்கு ஏன் அவர்கள் அதைப் பிரிக்கக்கூடாது என்று மறுக்கிறார்கள் என்பதற்குக் காரணம் சொல்ல முடியுமா ?”

THE HON. SRI S. S. RAMASWAMI PADAYATCHI :—“ 1947-ம் ஆண்டிலிருந்தே இந்தப் பிரச்சனை இருந்துவருகிறது. அது ஒரு பெரிய சரித்திரமாகியிருப்பதால், இங்கே சொல்ல முடியாது. அதை கனம் அங்கத்தினருக்கு அனுப்பி வைக்கிறேன். அதை அவரே படித்துப் பார்க்கலாம்.”

Maintenance of travellers' bungalows in the State by local boards.

* 198 Q.—SRI M. ETHIRAJULU : Will the Hon. the Minister for Local Administration be pleased to state—

(a) the number of travellers' bungalows in the State maintained by the local boards; and

(b) how many of them have been provided with lavatory convenience?

THE HON. SRI S. S. RAMASWAMI PADAYATCHI :—“ (a) 227.

“ (b) Government have no information.”

UNSTARRED QUESTION.

Applications for loans and subsidies for improving the different cottage industries in the State.

15 Q.—SRI T. M. DAIVASIKAMANI ACHARIAR : Will the Hon the Minister for Agriculture be pleased to place on the table—

(a) the total number of applications received by the Government for loans and subsidies amounting to Rs. 500 and below for improving the different cottage industries in the State since 1953;

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(b) how many of them have been sanctioned and paid, how many were refused and how many are still pending; and

(c) whether any steps has been taken to increase the loan amount to Rs. 1,000?

A.—(a) 1953-54 ... 236
1954-55 ... 61

(b) Number of applications sanctioned and paid—

1953-54 ... 25
1954-55 ... 3

Number of applications refused—

1953-54 ... 155
1954-55 ... 14

Number of applications pending—

1953-54 ... 56
1954-55 ... 44

(c) The question is under examination of the Government.

III.—MESSAGE FROM THE ASSEMBLY.

DEPUTY CHAIRMAN :—“ I have to announce to the House that I have received the following message, dated the 23rd 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 Madras Indebted Agriculturists (Repayment of Debts) Bill, 1955 (L.A. Bill No. 2 of 1955), as passed by the Assembly, on the 23rd February 1955 and signed by me, for the concurrence of the Council.”

IV.—STATEMENT BY SRI T. PURUSHOTHAM UNDER RULE 41 (1) OF THE MADRAS COUNCIL RULES.

* SRI T. PURUSHOTHAM :—“ Mr. Deputy Chairman, under rule 41 (1) of the Madras Council Rules and with your permission, I invite the attention of the Hon. the Minister for Public Works and the Hon. the Minister for Local Administration to a matter of urgent public importance, viz., the tragic death of a 7-year old boy by name Papa of Triplicane in Peyalvar Koil Street, as a result of the boy coming into contact with a live-wire, while he was playing near his house in that street in Triplicane. It was a new moon night and there was a large gathering for the *teppam* festival of the Parthasarathi Swami temple. The boy was playing near the lamp post and was electrocuted in the public street. The trap door of the lamp post had fallen and there was only a cardboard tied round at the time. I was there when the accident took place and therefore, I have the personal authority to make this statement with personal knowledge. It is most unfortunate that sufficient precaution had not been taken in spite of the report made to the authorities about the missing trap door. The lamp post has been provided with a door after the incident. There are similar posts still to be seen in that area without trap door, but only covered with a cardboard. This is a serious matter which has resulted in

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the death of the boy and our sympathies are due to the poor parents. As there is a statutory obligation under the Indian Electricity Act to ensure all precautionary measures against electricity accidents, I bring this matter to the notice of the Hon. Ministers for necessary enquiry and redress.”

* THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI :—“ Mr. Deputy Chairman, Sir, immediately on hearing about this, I sent for a report from the Chief Engineer for Electricity. He has said, as was mentioned by the hon. Member himself, that that post was not secured or locked properly, that this boy seemed to have put his hand into the switch box and meddled with the switches and that it must have caused electrocution. Actually the lamp post belongs to the Corporation of Madras and the Chief Engineer has suggested that it is for the Local Administration Department to call for a report from the Corporation of Madras. Anyhow, my Colleague, the Hon. the Minister for Local Administration to whom I have spoken, has asked for a report from the Madras Corporation. I am sure he will be getting a detailed report shortly.”

V.—GOVERNMENT BILL.

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 the Madras Indebted Agriculturists (Repayment of Debts) Bill, 1955 (L.A. Bill No. 2 of 1955), as passed by the Assembly, be taken into consideration.”

Sir, this is a lucky Bill in the sense that it satisfies my friend, the hon. the Deputy Leader of the Opposition in so far as it was referred to a Joint Select Committee. I say ‘lucky’ because it will get easy and quick passage in the Council to-day. The Joint Select Committee went into the provisions of the Bill in detail and made certain changes. I may now refer to some of those changes.

“ The year of test with regard to income, profession tax paid, etc., was changed from 1950-51 to 1952-53. In the original Bill, the test of property-tax or house-tax was fixed as Rs. 50 per half-year. It was changed into an annual property value of Rs. 600 per year in order to obviate the difficulty caused by the different rates of tax obtaining in the municipality and the panchayat, respectively. In the original Bill, creditors were entitled to collect their debt if the debt was Rs. 5,000 and below. This provision was deleted by the Committee. Then, provision has been made to extend the facilities in the matter of collection of debt available to co-operative societies and the Government to chit fund organisations. Then, with regard to payment of debt in instalments, the provision ‘either arrears accrued up-to-date or one-eighth of the

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principal' has been changed into 'either arrears accrued and one-eighth principal or one-fourth of the total amount due, whichever is less'. The period also has been extended from three to four months. It has also been provided that the rules framed under the Act should be placed on the table of the Houses of Legislature.

"These are some of the important changes made in the Bill and the Assembly has accepted all these changes. The only change that was made in the Assembly was as regards redrafting of clauses, especially of clause 4 which makes its meaning quite clear now. Otherwise, the Assembly has accepted the Bill as was reported upon by the Joint Select Committee and the Bill is before the House for consideration."

DEPUTY CHAIRMAN:—"Motion moved—

"That the Madras Indebted Agriculturists (Repayment of Debts) Bill, 1955 (L.A. Bill No. 2 of 1955), as passed by the Assembly be taken into consideration."

* SRI K. BALASUBRAMANYA AYYAR:—"Mr. Deputy Chairman, Sir, I have spoken so often about the various principles that have to be taken into consideration in framing a Bill of this kind that I do not want to dilate upon them now. I am conscious that the Government are anxious to see that the Bill gets through both the Houses of Legislature and receives the assent of the President in time to take effect from the 1st March. I was also a Member of the Joint Select Committee and I am glad that the Government have made their position clear in respect of two important matters. One is that the object of this Bill is not to relieve the general agricultural indebtedness in our State. Therefore, this Bill is not intended for the purpose of giving relief to agriculturists by way of scaling down debts, ripping open transactions involving excessive rates of interest. The second thing is that the Government have made it clear that the debt has to be repaid. Many members of the Select Committee were anxious that repayment of debts should be spread over many instalments. In the first place, it will take more than a year before the debtor is asked to repay and it will be practically seeing that the debt is not paid or what is paid is not appreciated by the creditor. When the debt is repaid over such a long period of years, no ordinary creditor will appreciate the payment. I am glad, therefore, that the Government have made their position clear so far as these two matters are concerned. But, in a Bill of this kind, when the Government want to give relief to the agriculturists in the matter of repayment of loans soon after the Moratorium Act ceases to be effective, there are various difficulties likely to arise on account mainly of the fact that 'agriculturist' has been defined in a particular way now. It was not so in the old Act. Now the definition is circumscribed. Therefore, a large number of claims are now released from the application of the Moratorium Act. On account of these 'actors', there are very many difficulties that will arise. One is anxious to see that such difficulties are removed and the wording of the definition made so clear that the courts will be

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really helped to give proper adjudication on matters that may come up before them. If matters become complicated, then it will take a long time for courts to adjudicate upon the various issues involved in them. Therefore, if some of us on this side of the House try to move some amendments for the purpose of making the objects of the Bill clear, it is not with a view to delaying the passage of the Bill, but with a view to seeing that the Act is placed properly on the Statute Book and that it really helps the courts in adjudicating properly upon the claims by the respective parties. We are perfectly conscious of the fact that these amendments will not be accepted chiefly for the reason that they may delay matters still further. We mean moving certain amendments only in order to see that when the rules are framed or whenever any amending legislation is undertaken by the Government in future, things may be made clear. I do not want to speak any further on the Bill at this stage. When I move my amendments, I shall dilate on them so that the points that I may make may be borne in mind by the Government for future guidance."

SRI A. GAJAPATHY NAYAGAR:—"Mr. Deputy Chairman, Sir, as was pointed out by many hon. Members and others elsewhere, this Bill does not seek to solve the question of rural indebtedness. It affects rural credit. It is a Bill whose object is said to be to give relief to agriculturists in the matter of repayment of loans.

"The moratorium that was granted last year, and which was extended by a month expires at the end of this month. This Bill comes as a stop-gap just to give relief to the agriculturists from the creditors' filing of suits for the recovery of the amount due to them and also to enable the agriculturists to pay their dues in easy instalments. Of course, taking the time and the place, we must welcome this measure. But at the same time I must say that taking the whole picture of our country, the eternal poverty of our masses, the lack of purchasing power in our people, and the great state of penury pervading everywhere, the Government must bring in an all-pervasive measure which would do something to solve these big problems.

"This legislation is something like a piecemeal legislation which creates more difficulties and creates more problems and ends in dissatisfying everybody. Even though the Bill seeks to give relief to the persons who are agriculturists and who have incurred debts, it will end only in a kind of litigation. Therefore, Mr. Chairman, though I welcome this Bill, I would request the Government not to stop with this but to proceed and bring in an all-pervasive measure which would bring real solace to the ills of our country."

* SRI G. KRISHNAMOORTHY:—"Mr. Deputy Chairman, Sir, the Government have brought in this measure as a continuation of the moratorium that was declared for one year. The Government have declared that their policy is to be fair both to the debtor and the creditor. The original moratorium was intended to bring

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relief to the debtor and to see that the debtor was not unduly oppressed by the creditors. Now in the present Bill as it has emerged from the Select Committee, we find that the definition of the debtor has been narrowed down to such an extent that practically speaking many agriculturists cannot get the benefit of this new Bill. It has been narrowed down to such an extent that an indebted agriculturist who owns a little over six or seven acres of wet land cannot get relief because it has been stated that a person paying a land revenue of Rs. 150 and more cannot be protected by this Bill. He is no longer an 'agriculturist' as defined in this Bill. Again an agriculturist owning about $\frac{1}{2}$ an acre and having a house besides the one in which he resides with a rental value of about Rs. 600 and above a year, cannot claim to be an agriculturist for the purposes of this Act. Such a man owning $\frac{1}{2}$ an acre and owning a house with a rental value of Rs. 600 besides the house in which he lives will be only a 'middle-class man'. Again the definition of the agriculturist has been narrowed down to such an extent that when a man owns $\frac{1}{2}$ an acre and gets a monthly income of over Rs. 150 he cannot come under the purview of this Bill. When a man owns about $\frac{1}{2}$ an acre is an indebted agriculturist getting Rs. 151 as his monthly income inclusive of allowances, he is not a rich man but only a 'middle-class man' and even for him the definition has been so narrowed down as not to benefit him. I am afraid that many of the indebted agriculturists cannot come under the definition of 'agriculturist' that is now put under the Bill. So it is but right that the Government should raise the limit of exemption in all these cases.

"It is said that one assessed to profession tax on an income of over Rs. 900 per half year could no longer claim protection under this Bill. I think that should be raised to Rs. 1,800 per half year. Persons assessed to profession tax on an income of more than Rs. 900 per half year have been classified with persons paying income tax, who get Rs. 350 and above per month. (Income-tax is leviable only on those persons getting over Rs. 350 per month.) A person getting Rs. 350 and above per month has been classified similar to the person getting Rs. 150 per month by way of his profession and whose annual income will be less than Rs. 2,000. A person getting Rs. 350 and above has been classified with a person paying Rs. 150 as kist for a year. A person earning Rs. 150 a month gets Rs. 1,800 annually and a person paying Rs. 150 by way of kist gets an annual income of Rs. 2,000. These two categories of persons have been classified as coming under the category of persons paying income-tax, which is on the face of it not correct; for only persons getting more than Rs. 4,200 per year (Rs. 350 per month) could come under the category of those people who pay income-tax. Therefore it is I say that only those persons who are assessed to profession tax on an income of Rs. 1,800 and above per half year should be exempted from the purview of this Bill. Again I say that only persons who own a house with a rental value annually of Rs. 1,200 and above besides

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their own residential houses should be exempted from the purview of this Bill. If these things are done then the agriculturists who own some one or two acres of land besides some small residential houses, and who come under the 'middle-class' category would be saved. Otherwise they would be oppressed by their creditors.

"The Government have said that the purpose of this Bill is not to scale down debts. It is said that within four months from 1st March 1955 the debtor should pay one-eighth of the principal and the interest up to date or one-fourth of the total amount and the rest in three annual instalments. As I have said before the tendency of the human mind is to postpone things till the last moment. Suppose there is a bumper harvest in the first year then the agriculturist could save something. Then there is no provision in the Bill by way of inducement by which he could repay the whole of his debt within the end of the first year. Because of the provision of three equal annual instalments, he will pay only the portion prescribed for the first year and if in the succeeding years there is drought or something like that, he will not have money and will suffer to repay the debt. Therefore it is I submit that there should be a provision for rebate by which the agriculturist if he has a bumper harvest or a good harvest could be tempted to repay the whole of his debt within one year and four months. Otherwise if we say it should be in three annual instalments, we are giving temptation to the agriculturist to postpone the full payment by three years. Such a temptation should not be given. Fortunately we had a good season last year. I hope it will continue for some more years to come. Therefore I think we should give an inducement to the agriculturist to pay off his debt entirely whenever he realises sufficient money after a good harvest. That is what I suggested already. The rebate could be five per cent in the case of the first Rs. 1,000 and two and a half per cent in the case of the succeeding thousands. If that is so, naturally it would be an inducement to the debtor to pay off the creditor and the creditor will not consider this question as one of scaling down of debts. In the present circumstances every creditor who has lent money to a person who comes under the purview of this Bill has to be kept in suspense for three years and four months and then he has to go to Court in case payments have not been regularly paid. Are we to increase litigation? The Government are bound to give that inducement to the debtor to pay back the money when he is in a position to pay. In the first year he may have a bumper crop. For the next two years, especially in the case of dry lands, he may have to depend upon Lord Varuna for rainfall. Why should we not provide for some rebate as an inducement in the way of repayment by the debtor of the money to the creditor? I would request hon. Members of this House to just press this point, namely, that in case the debtor pays back his debt, at the end of the first year he must be eligible for five per cent rebate on the first 1,000 and 2½ per cent for each succeeding thousand. I do not think that any creditor would object to this.

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because he need not wait for full three years and four months, and he could invest the money properly on something else. With these words, Sir, I conclude."

* SRI C. RAJAGOPALACHARI:—"Sir, I wish to make only a few observations having been responsible, when the last moratorium was given, for a statement that it would be only for one year. I feel it my duty to explain, being present here, that I still hold the view that it should have been only for one year, and that it is really a disturbing factor that a new Bill has been brought forward, so to say, in breach of that promise. Not that the word given by a Government must be taken for ever as unalterable, but still it appears to me that any plea should be well supported by reasons before a breach could be made of a promise of that kind. I am not opposing the Bill. I leave it to the House to judge it on its merits. But I wish to make it clear that in my humble view constant interference with contracts is not a good thing for the credit that we want to be established for contracts entered into. For several reasons there is a large amount of uncertainty in the minds of people created during the last few years. Uncertainty is not a good thing for the conduct of natural life. There are uncertainties enough in this world as things stand without adding uncertainties of the law and of the incidence of contracts to these necessary uncertainties that we have to bear with. No one can deny that by this constant interference with the normal law, as jurists would understand it, everyone has come to believe that nothing is stable or settled. We are not dealing with any temporary matter. We are dealing with a very permanent incident in life, namely, that man must borrow when money is required from others who have been able to save money to be invested in capital for the purpose of society. If, therefore, borrowing is a necessary incident of life for all time, we should be careful and hesitant before creating a state of things in which no man is sure of what the law is going to be. It does not mean that the Government have no right to interfere with contracts in any manner. For instance, from time immemorial, it is not a new feature—laws have been passed restricting the rate of interest which could be charged and also allowing Courts the discretion to deal with instances of breaches of contract according to the requirements of the particular cases. For instance there are permanent provisions—my hon. colleagues will be able to show the House—by which the Court can give in its discretion any number of instalments for repayment. I am aware that Members can say that I myself was responsible for the original Debt Relief Act in favour of the agriculturists. I am not apologetic about it, because there the only interference was with the rate of interest. The rate of interest was declared to be too much if it was above a certain maximum provided, and if a man had by way of interest paid off his debt, although the principal would still be legally outstanding, that law provided that the debt should be taken to have been cleared. I do not think that any apology is needed for that inter-

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ference. It does not follow from my plea for the sacredness of contract that usury must be tolerated. The Moratorium Act was definitely a temporary measure. A promise was made that it should terminate after a year. The question now is, 'Have we done anything more?' My objection could be answered by pointing out 'All that has been done is to provide by way of legislation the discretion which we desire should be exercised by the Court; and only the minimum is provided by legislation. Any further discretionary concessions which the Court might deem necessary might also be given, and this Bill does not prevent that'. This is the answer which can be given to my objection. But my objection on general principle is not answered. My objection on general principle is that if we pass laws, from time to time, of this sort, we add to the feeling that when we enter into a contract, we cannot depend on it. There will be a feeling of insecurity. What is the result? There is no harm if money lenders feel insecure. I would not shed a tear for that reason. But there is this harm that credit may be affected and poor men may not be able to borrow money. Even if the poor man now goes to the potential creditor, I can imagine the conversation between them, namely, 'You are not going to pay it. Even if you are willing to pay, the Courts will say 'you need not pay'. Why should I lend you money now?' My imaginary debtor will say, 'Never mind what the law says, never mind what the Court says. I am going to pay.' 4-30 p.m. There are people who may make that kind of statement sincerely and there are people who will accept the promise with equal sincerity. But, I am afraid their number will be reduced considerably if this kind of legislation is repeatedly passed.

"So, without opposing the Bill, I wish to utter a note of warning since I am an old man, old enough to be entitled to warn the Government as well as the Legislature. I take this opportunity to point out that we must respect two things. We must respect the independences of Courts in any discretion that they exercise. Secondly, we must respect the sacredness of the contracts that men enter into. If we said that despite the contract, a debtor will have such and such concession, we break that sacredness of the contract. We smash that credit which the debtor is entitled to, which the debtors as a mass are entitled to in this country where it is considered to be a pious obligation on the part of the son to clear the father's debts. It is considered obligatory on the part of the son to clear the father's debts not only in law but also as a matter of social conscience. There is also a religious scruple about it and it is considered that a person will be reborn to pay a debt if he had not paid it already. In this country where such a fine tradition had been allowed to grow, has been encouraged to grow and has grown as a matter of fact, is it right to interfere with it again and again without sufficient thought? In fact, last time it was even pointed out that we would extend the Moratorium Act. I had the temerity to say that it would not be done. I am sorry therefore that we have been compelled, whatever may be the reason of the Government, to give further concession and so to say break the

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promise. It may be pointed out that prices have fallen and the debtors are therefore in difficulty. But, can I pray for rain and at the same time complain if I get wet on the road? When we wanted more rains so that more crops may grow, it meant that prices should fall. The fall of prices is a necessary consequence of plenty of crops. We cannot say that it is an unexpected consequence against which we should provide. Prices have to fall.

"Sir, I can understand a general provision giving further discretion to Courts to give more and more instalments and even to provide that if a person did not pay at all, limitation may be eased to some extent. Many such things can be done. But it is not right to say that the Courts' discretion must be exercised in such and such way. We must make laws for general purposes. We must not make laws for exceptional cases. What will happen if we make laws for exceptional cases is this. We will be lost in a maze of juridical difficulties. When we begin to provide for an exceptional circumstance some other thing follows from it which we do not want and when we provide for that yet another thing follows and we have to provide for that also. This will result in all sorts of complications and we may fail to do justice finally. This is the necessary consequence in jurisprudence when any Legislature begins to make laws for exceptional circumstances. The best thing to be done in these cases is to leave the discretion to the Courts, because they will have the opportunity to see A, B and C in concrete and can go into the details of the various cases. At the most, we can define here an agriculturist as a person who is not paying land revenue more than Rs. 150 or who is not paying any income-tax and so on. But, as Mr. Krishnamurthy just now pointed out, if a person paid one rupee more or one rupee less than the limit fixed under the Act, there will be difficulty, and there is a likelihood of injustice being done to certain people. That is why I say that if we leave these matters to the Courts, they will examine each and every case and see what the average income of a particular person is, whether he is really in any special difficulty and whether he deserves some special consideration. A man may be paying income-tax, but may have lost all his property in a fire accident. Should he not receive some consideration in view of his special difficulty? All these matters may very well be looked into and examined by the Courts whereas a law-making body cannot go into them for all time and for all cases. It is a very difficult thing which British jurisprudence never attempted to do. It is to point out these facts I have risen to make a few observations."

* DR. V. K. JOHN :—"Mr. Deputy Chairman, I am very pleased indeed that Sri Rajaji has intervened in this debate. I am wondering whether his advice will be taken by the present Ministry. It is a pity that it has become a rule that we will have only one or two Ministers besides the Hon. Leader of the House even when important matters are being discussed on the floor of this House. When this question was raised a few days ago, it was said that the Assembly was also sitting and therefore the Ministers could

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not be here. Then by the intervention of somebody, the Assembly began to sit in the morning. To-day the Assembly is not sitting now. But still, all the Ministers are not here. That is why I have been saying that this House has not been treated with respect and consideration . . ."

* SRI T. PURUSHOTHAM :—"Sir, may I inform the hon. Deputy Leader of the Opposition that the other Ministers are not Members of this House? Moreover, they are not dealing with the subject that we are at present discussing."

DR. V. K. JOHN :—"I have to tell the Chief Whip that even though they are not Members of this House, they are entitled to be present here. Because they are not Members of this House, it does not mean that they need not be present here. If only all of them were present here, what Rajaji said could have been heard by them all. When they sat in conference afterwards, they may reconsider the matter in the light of Rajaji's advice and remove certain defects."

* SRI C. RAJAGOPALACHARI :—"Sir, I am sorry that my observations have led to so much heat. The Hon. Deputy Leader of the Opposition, I respectfully submit is not right in making a great point on the absence of the Ministers on other business. It is impossible for all the Ministers to be imprisoned in the House and the country would go to the devil if it were done. It is necessary for the Ministers to attend to executive work also in addition to legislative work. I also wish to say that the Chief Whip made an observation which may not be all right and no advantage should be taken of the error in his statement. Every Minister, of whichever House he may be a Member, represents the whole Cabinet when he is present in the House. It is not right for Dr. John to continually refer to the absence of Ministers. It is one thing for Dr. John to say now and then that it is desirable for Ministers to be present here. But to create so much heat about the absence of some Ministers is, in my humble opinion, not correct, Sir."

DR. V. K. JOHN :—"I am thankful to Rajaji's observation, Sir. I respectfully endorse every word which Rajaji uttered on this matter. I wish all the Ministers were here to listen to his speech to-day. When I spoke on the Bill last time, I asked, 'What is the object of the Bill? Is it intended to help some people who are indebted or is it intended to liquidate agricultural indebtedness as such?' I was told that the object was simple. It was said that the scope of the Bill was limited and they were making a provision to relieve certain persons who were heavily indebted. Rajaji has to-day made the position clear. I told some of my friends in the Select Committee that the only thing to be done under the present circumstances was to provide for the discretion of the Courts. Let the Court exercise its discretion in the matter of giving instalments. The Court will be in a better

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position to see the merits of the case and take a decision. For example, it is for the Court to say whether the plaintiff in a suit deserved protection or the defendant. A Court can very well decide whether a party really needed the money for agricultural purposes or whether the party was really in difficulty and wanted time. It has been laid down that a general rule may work hardships. Why do you make these complicated pieces of legislation which would not be understood even by lawyers and certainly not by the agriculturists? When the case goes before a Court, the judge passes a decree and allows payment in instalments in fit cases. I also suggested, Sir, that the Government might make a provision in the Bill enabling Courts to remit the whole or a part of the Court-fee in deserving cases. I said: Let there be a provision to the effect that there shall be no Court-fee collected in cases where agriculturists demand their money back. If the suggestion had been accepted, the Government would have done wonderful justice to the litigant-agriculturists. Now, they have destroyed the credit. Sir, the other day, I referred to the poem written by Oscar Wilde. It is an interesting poem in which it is said that man kills a thing he loves, some men do it by some means and others do it by other means. You love the indebted agriculturist. But you are killing him. You want agriculture to improve. You have destroyed it and you are destroying the economy of the countryside thereby. I am not satisfied with the form the new Bill has taken. I ask you: Have you made any surveys? If not, have you taken advantage of the survey made at the instance of the Reserve Bank of India? Sir, it is stated in that report, the Government give only three per cent of the total loans required by the agriculturists. I also referred the other day to what the great economist, Kayce, has said, 'When you want to spend money on consumption, first of all spend money on investment'. This is what he said. It is good. It increases the purchasing power of the people. But when you hoard money, it is bad. When you lend money at usurious rates of interest, it is bad. I said 'Penalise and send people to jail if they have lent money at usurious rates of interest'. Let people lend only at 2 per cent interest. Let the Government ban money-lending at more than two per cent interest. If they ban it, what will be the result? All money will go into co-operative societies, co-operative credit societies in every village which can lend money to needy agriculturists at 4 per cent interest, or five per cent interest. That is one way of solving the problem of agricultural indebtedness. The Government must amend the Co-operative Societies Act. All the world over, man gets credit not because he has got property or money in the bank or in Government securities but because he is honest. It is honesty that gets him money. If a neighbour finds an agriculturist honest, he will at once give him money even at rates less than those charged by co-operative societies. We must do something which will liquidate agricultural indebtedness. We are monkeying—if that term is not

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unparliamentary—with this great problem of agricultural indebtedness. I am pleased indeed, Sir, that Rajaji, who intervened in this debate, was kind enough to say that it would be harmful if we had this legislation. It would interfere with contracts made between parties. If we pass such pieces of legislation every year, it destroys credit and kills the man whom you want to save. I say, Sir, the Government have brought in this Bill not because they like it but because they did not want the Communists to take advantage of the existing situation. The Government must be bold. We want a bold and courageous Ministry to do just and proper things and not be carried away by some artificial agitation carried on by some political parties. I know it is to put down Communist propaganda and to satisfy the Communists that you are introducing this Bill. You defeat the very object of the Bill. I would request the Government to reconsider the position. I promised the Hon. the Leader of the House yesterday that we would co-operate with the Government in seeing the Bill passed to-day. I stand by it even now. But at the same time, I want the Government to reconsider the Bill not on account of the criticisms I have offered but in the light of the suggestions made in the House by one in the position of Rajaji who has always stood by the poor indebted agriculturist and who introduced a Bill in 1938 to scale down debts. That Act of 1938 has worked great wonders in liquidating debts. Debt to the tune of crores of rupees has been liquidated. But what is this Moratorium Act? It was said last year that on account of continuous drought for many years, the Act was being passed to be effective for one year, to give some sort of relief to the agriculturists. The Government gave a definite undertaking that it would never be extended beyond one year. When the Government promised to do so, can a successor Government say: 'No, we are not bound by the promise made by the previous Government.' People have no confidence in the Government. The Chief Minister makes a solemn promise that the Act will not be in force for more than a year and that it is designed to meet a certain emergency that has arisen as a result of five years of continuous drought. Now the Government extend it in some other shape or form. I am sure it will kill the credit in the countryside. It has already killed the faith which people had in the Government. Rajaji has been so greatly pleased to make certain observations and I ask the Government to reconsider the position in the light of those observations."

* SRI K. BHASHYAM:—"Mr. Deputy Chairman, it was very refreshing to hear the free and frank statement made by Mr. Rajagopalachariar. There is no greater friend of the agriculturists than Mr. Rajagopalachariar. It is he that introduced the famous Bill of 1937."

SRI K. BALASUBRAMANYA AYYAR:—"It was he who brought in the Moratorium Act also."

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* SRI K. BHASHYAM :—“ I will come to it. I shall do it chronologically. He helped by his 1937 Act agriculturists to scale down the vast accumulation of debts they were suffering from. That Act gave great scope to courts of law to do justice to the agriculturists who were indebted. It was introduced not for limiting the powers of the Court but for the purpose of limiting the quantum of debts irrecoverable from the agriculturists. This Act has been working since 1937, for nearly twenty years, very well. The same Sri C. Rajagopalachari brought in this Moratorium Act last year. The idea at that time was that it would help to encourage increased production of food. As Chief Minister at that time he felt in his wisdom that if the agriculturist was not harassed for one year at least, production would go up. That expectation has been realized. Therefore, it is not as if the Act was passed for being in force for more than a year. I am glad that Sri Rajagopalachari has come here to give us the benefit of his views on this matter. Apart from the question whether one (the succeeding Government) could go back upon the promise given by the Chief Minister of the same party last year, I say that the present measure, though it seeks to give relief to the indebted agriculturists, does not solve the problem of rural indebtedness but is definitely harmful to the agriculturists. In spite of all our co-operative movement all these 50 years, have we solved the problem of rural indebtedness? No; the answer is in the negative. It is not a small problem as some seem to imagine. As far as my experience goes, and it is generally accepted, the agriculturists when they have plenty of money do not use it to pay back their debts but otherwise. Therefore by the passing of the moratorium, extending it by a month and then by bringing in this Bill, by this sort of constant cuddling of agriculturists the Government, in my view, are only bringing the agriculturists to their ruination.”

SRI MOHAMED RAZA KHAN :—“ On a point of order, Sir, I want to know whether having accepted the principle of the Bill when the motion for referring this to the Select Committee came, can the hon. Member speak on its principle now at the first reading stage? No doubt I have great regard for the opinions of Mr. Bhashyam. But I want to know whether it is in order for him to talk on the principle of the Bill at this stage, having accepted the principle when the motion for referring this Bill to the Select Committee came.”

* SRI C. RAJAGOPALACHARI :—“ On the point of order, Sir, no doubt if there is a point of order, the Chair will give its ruling. But I would like to mention that although the Bill may be passed now, as was mentioned by Mr. Bhashyam and Mr. John there is a provision and room for Government to reconsider the situation and it was therefore quite good and useful that Members expressed their views. Government has still the right of not going to the consent of the Governor or President in spite of the Bill having been passed.”

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SRI MOHAMED RAZA KHAN :—“ I beg to differ from Rajaji. I maintain that such advice could be given at the final reading of the Bill when we could say that although we do not approve of the principle, inasmuch as the Bill is passed, we would ask the Government to examine this question before submitting it for the assent of the Governor or President. I think only at the final reading, such a request would be in order, and not at the first reading and that too after having accepted the principle when the motion for the reference of it to a Joint Select Committee came before the House.”

* DR. V. K. JOHN :—“ May I draw Mr. Raza Khan's attention that under rule 127 we are definitely entitled to discuss the principle of the Bill, when the Bill is taken into consideration? It is absolutely clear, under rule 127, that we are entitled to discuss the principle of the Bill at the first reading, that is, when the motion for the consideration of the Bill is taken up.”

* SRI K. BHASHYAM :—“ I think Dr. John has come to my rescue. At the time when the motion is brought up for the reference of the Bill to a Joint Select Committee, no question of discussing the principle of the Bill arises at all. We need not at all speak on the principle of the Bill at that stage. Only at the first reading when we are face to face with the Bill, we can discuss the principle of it. Therefore we are perfectly in order in discussing the principle of the Bill at the first reading. If we discuss the principle, we also discuss the amendments moved to the several clauses of the Bill. For instance I have myself given notice of certain amendments. Therefore it is not a question of my having agreed to the principle first and then opposing it now.”

“ As early as 1937 Rajaji passed the Debt Relief Act. Nobody could be a greater friend to the agriculturist than Mr. Rajagopalachari. When he came again to power in 1952, he did what he could to relieve the suffering of the indebted agriculturist. He passed the moratorium but he definitely said that it would be only for one year. The Co-operative societies which have been in existence for half a century were intended to help the agriculturists, to provide them with easy credit. Has the movement succeeded in spite of 50 years of working? No; the answer is no. The problem of rural indebtedness is not a small problem. What does Mr. B. V. Narayanaswami Naidu's report go to show? If one could see his report, one finds that the indebtedness of the agriculturist has only gone up and not decreased. Solving the problem of rural indebtedness is a difficult job. For two reasons it is difficult. Whenever the agriculturist gets money, instead of paying off his debt, he will spend it on some other thing. Again he thinks that after all the Government would come to his rescue, and therefore the tendency is for him to go on postponing the debt ultimately waiting for the wiping off of all debts. As things stand the position of the Government is that great pressure has been brought to bear upon them and they cannot escape from it. As far

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as the present Bill is concerned, it was not a measure to scale down or wipe out debts altogether, it only provides that the agriculturists could pay their debts in easy instalments, limited to three annual instalments.

"I shall now come to the question of these annual instalments. I agree it is better not to interfere with the courts. Even under the laws now operating in the country, the Court has got the power, to allow a debtor to pay his debt in easy instalments to give him the desired relief. I know instances wherein the debtor has been given the concession to pay his debt in convenient instalments spread over a number of years. If the court is satisfied that the then economic condition of the debtor was such, it could give him the concession to pay his debt in easy instalments. That right is always there for the Court. The court exercises its discretion and decides on the merit of the case. Therefore I say that when that statutory power is there for the court, it is better to leave the matter to the court and not pass this Bill stipulating that the agriculturist could pay his debt in three years.

"Mr. Rajagopalachari has said the moratorium ought not to have been extended. But the pressure on the Government has been great as I have said before that they have come forward with this measure. As I have observed earlier, the jurisdiction of the Court need not have been superseded. But inasmuch as the Bill definitely states that its purpose is not to wipe off debt but to give relief to the agriculturist to pay his debt in three annual instalments I support the Bill and at the same time request that Government would take into account what I have said."

5 p.m. * SRI T. PURUSHOTHAM :—"If I intervene it is only to express my concern at the very unfortunate remarks made by the Deputy Leader of the Opposition. I wish to assure him, Sir, that it is not for any political reasons that this Bill has been brought forward. I wish he had not made such wide remarks because he knows very well that when the Moratorium Act was about to expire, we have been receiving a large number of representations from agriculturists praying for extension of the Act. We have some of us been going round the districts for hearing representations and people represented to us that the Act should be extended. There have also been representations from other quarters stating that there is no need to extend the Act. All these representations were considered, and because we felt that some relief was necessary for the agriculturists, this Bill has been brought forward. It is not for pleasing any political party. It is only to express strong protest against the statement made by the Deputy Leader of the Opposition that it was to please some other party that we have brought forward this Bill, I wanted to say that this Bill had nothing to do with any such political consideration and that it was only in the sincere belief that we should give

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some relief to the agriculturists, that we have come forward with this measure. The other representations against this measure were duly considered. Several exemptions have been provided to ensure that as far as possible only *bona fide* agriculturists are benefited by this measure. So it is I once again strongly protest against the insinuation made by the Deputy Leader of the Opposition against the party in power. I hope he will withdraw what he has said."

* DR. V. K. JOHN :—"It is not an insinuation. It is a statement. You are out to please and to placate the Communists." (Interruption by Sri K. Bhashyam.)

* SRI T. M. NARAYANASWAMY PILLAI :—"Mr. Deputy Chairman, Sir, we all respect the views given expression to by the hon. Member Sri Rajaji, namely, that the Legislature should not interfere with the sanctity of contracts and that in the field of agricultural credit, natural forces must be allowed to have their operation. He, however, conceded that the Legislature should interfere to give relief in cases of usurious rates of interest. He did not desire that the Legislature should proceed further. He said that the Moratorium Act should be repealed on the expiry of one year as promised by him. I ask, Sir, has it not been lifted now? The Moratorium having been lifted, he must have, in my opinion, no objection to the provision in the Bill for payment in instalments. He had no objection to Courts ordering payment in instalments but would object to the Legislature prescribing that mode of payment in the case under consideration. If the Legislature did not provide for payment by instalments in cases covered by the Moratorium Act, it is doubtful as to whether Courts would order payment in instalments. Now as a matter of fact the Moratorium has ceased and Mr. C. Rajagopalachari has no objection on that score. Listening to his speech, I was surprised to find how he could ignore the fact that this Bill was a natural consequence of the Moratorium Act passed by him last year—I might even add, the inevitable consequence of the Act passed last year. If that Act had not been passed last year, perhaps there would have been no necessity to consider whether relief for payment of debts by instalments ought to be given. The position is this: If what was said last year was correct, namely, that for a number of years the agriculturists had been affected by drought and had been unable to pay, and had been forced to pile up their debts, now, what would be the position if the Moratorium Act is suddenly lifted without any positive mode of payment? I would illustrate it by figures. A debtor perhaps was borrowing year after year a hundred rupees. This is not unusual. He was faced with a succession of drought years. At the end of 1953, he would have to pay his creditor a sum of Rs. 500 principal alone; to that sum interest must be added. If the moratorium had not been in operation, perhaps he would have had or even found means to negotiate with his creditor and got on as he had got on previously. Rightly or

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wrongly—this is not the time to question it—the Moratorium had come into effect. Therefore if all at once the Moratorium was removed without any stipulation as to the time of payment, the pent-up energies of the creditors would no more be kept at bay and they would suddenly sweep down upon the debtors; and the debtors who were not able to pay even Rs. 100 per year would be suddenly called upon to pay Rs. 500 with interest and they would be completely ruined. So, the first thing that interfered with the normal course of events and sanctity of contracts was the introduction of the Moratorium Act. Once the Moratorium Act was passed, and once there was the piling up of debts in successive years, is it right on the part of the Legislature merely to say now that the debtors are under a duty to pay all the five hundred rupees in the same year and must pay all at once? This is the problem. If perhaps there had been no piling up of arrears, it would have been different. But when once debts had been allowed to be piled up, there is absolute necessity on the part of the Legislature to see that normal credit facilities are restored gradually, without any rude shock either to the debtor or to the creditor. The courts are entitled to show relief by awarding instalment decrees in exceptional cases but they do not give relief in all cases. This Bill seeks to leave the question of payment in instalments to the discretion of courts in the case of all debtors having large means; the court's powers in these cases are not restricted or taken away; in the case of debtors of small means whose debts have been piled up, there is need to give relief by enabling them to pay in four instalments and the courts are compelled to take note of the provisions in the Bill and give relief in accordance with them. This appears to me to be the best method in the circumstances. If there is to be no Moratorium, the best way of helping the debtor and the creditor is to make them come together and try to have their disputes adjusted; but that is not practicable. The creditor if left to himself would not have attempted to get his differences adjusted; he would have rushed to court and ruined the debtor. I would have been most happy if conciliation had taken place. But that could not be done. It is too late in the day now for somebody to come and say that a Bill of this kind should not be passed on the theoretical ground that you should not interfere with the sanctity of the contract. One could not ignore the actual pressure brought upon the Government of the day by people who really suffered. Therefore, Sir, I for one, feel that the Government would not have done their duty if they had not brought forward this Bill for the relief of the agriculturists. The Government say that debts shall be paid back in four instalments. The Legislature does not refer to debtors of larger means. We need not go beyond the limited scope of the Bill; the people interfered with are men of small means and we need not object to this Bill. The hon. Member Sri Krishnamoorthy said that the term 'Agriculturist' has been narrowed down too much. He wanted a limit of Rs. 250 to be fixed. In his opinion the debtor who pays a tax of Rs. 250 is also a debtor-agriculturist of small means

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and should be allowed the benefit of payment in four instalments. The Government have not extended this Bill to people paying a land revenue of Rs. 250, that is to say such a debtor-agriculturist is not a debtor of small means in the opinion of the Government. In other words, the Government are interfering with the sanctity of contract in every case and propose to do so only in the case of debtors of small means because the Courts could not be expected to grant the relief of instalments uniformly in all cases.

"The Legislature has taken care to limit the relief only to cases where it thought such relief absolutely necessary. If all at once the Moratorium were to be removed without some relief of payment in instalments, there would be an utter collapse of the debtor-class of small means. 5 10 p.m.

"So a *via media* had been thought of and that is why the provision relating to instalments was introduced. I would have very much welcomed a provision in the original Bill with regard to small creditors. For some reason or other, that provision has been given up. Sir, this is not the time to deal with the question of agricultural indebtedness as such."

*SRI A. SUBRAMANYAM:—"கனம் உதவி சபாநாயகர் அவர்களே, இந்த நாட்டின் மறுதொழில்பாக உள்ள மக்கள் விவசாயிகள். அவர் களுடைய கஷ்டங்களைப் போக்குவதற்கு இம்மாதிரியான சட்டம், அதாவது கடன் வாய்ப்பா மசோதா கொண்டுவருவது மிக மிக அவசியம் என்பதை யாரும் மறுக்கமுடியாது. இருந்தாலும்கூட இதில் ஒரு முக்கியமான விஷயத்தை நாம் நெறித்துக்கொள்ளவேண்டும். ஏனென்றால் சிலர் இந்த மசோதாவின் நோக்கம் என்னவென்பதையே சரியாகப் புரிந்துகொள்ள வில்லை. கனம் ராஜாஜி அவர்கள் 1937-ல் முதல் மந்திரியாக இருந்த பொழுது கொண்டுவரப்பட்டது கடன் நிவாரணச் சட்டம். அடுத்தபடியாக சென்ற ஆண்டில் கனம் ராஜாஜி அவர்களால் கொண்டுவரப்பட்டது கடன் ஒத்திவைப்புச் சட்டம். இப்பொழுது அரசாங்கத்தாரால் கொண்டுவரப் பட்டிருப்பது கடன் வாய்ப்பாச் சட்டம். இந்த மூன்றுக்கும் உள்ள வித்தியாசத்தை கனம் அங்கத்தினர்கள் எல்லோரும் நன்கு புரிந்து கொண்டு விட்டார்களேயானால் இன்றையதினம் இந்தச் சட்டத்தில் பல குறைபாடுகள் இருப்பதாகப் தெரிகிறதே இடமிருக்காது என்பது என்னுடைய அபிப் பிராயம்.

"அன்றையதினம் கனம் ராஜாஜி அவர்கள் கடன் நிவாரணச் சட்டத்தைக் கொண்டுவந்தார்கள் என்றால் விவசாயிகளெல்லாம் கடன் சுமையினால் பெரிதும் பாதிக்கப்பட்டிருந்தார்கள். இவ்வளவுதான் வட்டி வாங்கவேண்டு மென்று நிர்ணயிக்கக்கூடிய சட்டம் எதுவுமேயில்லையாதலால் லேவாதேவிக் காரர்கள் விவசாயிகளிடமிருந்து கொள்ளை வட்டி வாங்கிவந்தார்கள். வட்டியே முதலுக்கு மேலாகப்போய் விவசாயிகளைத் தொல்லைக்கு ஆளாக்கி விட்டது. அதன் காரணமாக விவசாயிகளைக் காப்பாற்றவேண்டுமென்ற நோக்கத்தோடு கனம் ராஜாஜி அவர்களால் 1937-ம் வருஷத்தில் கடன் நிவாரணச் சட்டம் கொண்டுவரப்பட்டது.

"சென்ற ஆண்டு கடன் ஒத்திவைப்புச் சட்டத்தைக் கொண்டுவந்தார்கள் என்றால் அதற்கும் காரணம் இல்லாமலில்லை. சென்ற சில ஆண்டுகளாகத் தொடர்ந்தாற்போல மழையிலலாததின் காரணமாக விவசாயிகள் கஷ்டப் பட்டு வந்தார்கள். அதேசமயத்தில் சென்ற ஆண்டு கொஞ்சம் மழை பெய்து விவசாயம் ஈரல்முறையில் இருந்ததினால் கடன் கொடுத்தவர்கள் எங்கே விவசாயிகளை ஒரேயடியாக நெறித்துவிடுவார்களோ என்ற எண்ணத்தில்

[Sri A. Subramanyam] [24th February 1955]

இராஜாஜி சர்க்கார் கடன் ஒத்திவைப்பு மசோதாவை கொண்டு வந்தார்கள். விவசாயிகளுக்குக் கொஞ்சம் அவகாசம் கொடுத்தால் அவர்கள் கடனை கொடுக்க செனகர்யம் ஏற்படும் என்ற எண்ணத்தில்தான் ஒரு ஆண்டுக்கு ஒத்திவைக்க சட்டம் கொண்டுவரப்பட்டது. இவ்வாண்டும் சர்க்கார் விவசாயிகள் கொடுக்கவேண்டிய கடனை ஒரேயடியாகக் கொடுக்கச் சொன்னால் முடியாது என்ற கருணையினால் நான் தவணைகளில் கடனைக் கொடுக்கலாம் என்ற சலுகையை விவசாயிகளுக்கு அளிப்பதற்காக இந்தக் கடன் வாய்தாச் சட்டத்தைக் கொண்டு வருகிறார்கள்.

“இன்றைக்கு விவசாயிகளுக்கு முன்பு இருந்த கஷ்டம் இல்லை. அவர்கள் சுமாரான நிலைமையில் இருந்துகொண்டிருக்கிறார்கள் என்பதையாரும் மறுக்கமுடியாது. ஆகவே இன்றையதினம் கடன் ஒத்திவைப்பு மசோதா காலாவதியானால் உடனடியாக அந்த விவசாயிகளை கடன் கொடுத்தவர்கள் ஹிம்சை செய்து விடுவார்களே என்ற பயத்தால் அம்மாதிரி ஹிம்சை செய்யாமல் இருக்கவேண்டுமென்பதற்காக தவணைகளில் கொடுக்கலாம் என்கின்ற வசதியோடு இந்த மசோதா கொண்டு வரப்படுகிறது. இதுதான் இந்த மசோதாவின் உட்சருத்தாகும்.

“ஆனால் சிலர் சொல்லுகிறார்கள் நான்கு தவணைக்குள் எப்படிக் கொடுப்பது என்பதாக, மற்றொருவர் ஆறு தவணைகளில் கொடுக்கலாம் என்கிறார். இன்னொருவர் 10 தவணைகளில் கொடுக்கலாம் என்கிறார். இப்படி அவரவர்கள் அவர்களுடைய செனகர்யத்தை உத்தேசித்து சொல்லிக் கொண்டு போனால் எவ்விதமான பிரயோஜனமும் இல்லை. பொதுவாக விவசாயிகளுடைய நன்மையை உத்தேசித்து நான்கு ஆண்டுகளில் நான்கு தவணைகளில் வருலித்துக் கொள்ளலாம் என்று சர்க்கார் எல்லாவற்றையும் பரிசீலித்தே கொண்டு வந்திருக்கிறார்கள். ஆகவே இந்த மசோதாவை முழுமனதுடன் வரவேற்கப்பட வேண்டியதாகும். நானும் வரவேற்கிறேன்.

“இந்தச் சட்டத்தைக் கொண்டுவந்திருப்பதற்குக் காரணம், இந்தச் சட்டத்தின் நோக்கம் முதலியவற்றை நன்கு கவனித்து இதிலுள்ள சிறப்பான அம்சங்களைப் பாராட்டவேண்டுமே தவிர, இந்த மசோதாவின் கருத்துக்கு உட்படாத பல்வேறு விஷயங்களைக் குறிப்பிட்டு அவை எல்லாம் இதில் காணப்படவில்லை என்று குறை சொல்வதில் பிரயோஜனமில்லை. ரூ. 150-க்குள் கிஸ்தி கட்டும் விவசாயிகளுக்கு எல்லாம் இந்த மசோதாவின் அனுசூலம் உண்டென்றால் உடனே, ரூ. 250, ரூ. 500-க்குள் கிஸ்தி கட்டும் விவசாயிகளுக்கு எல்லாம் இந்த மசோதாவின் அனுசூலம் ஏற்படும்படி செய்யாதது ஒரு குறை என்று சொல்வது சரியல்ல. அதன்படி நாம் கிடைக்கும் என்றால் பின்னர் 1,000 ரூபாய் கிஸ்தி கட்டும் விவசாயிகளுக்கும் சலுகை கொடுக்க வேண்டுமென்று சொல்லப்படும். ஆகவே, இதற்கு ஒரு முடிவேயிருக்காது. கூடுமானவரையில் சர்க்கார் உண்மையான இதைக்கொண்டு வந்திருக்கிறார்கள். அதற்காகவே ரூ. 150-க்குள் கிஸ்தி கட்டும் விவசாயிகளுக்கு இதன் பயன் பூரிணமாக உண்டு என்று சொல்லப் பட்டிருப்பதையும் வரவேற்கிறேன். ஆனாலும் ஒரு விஷயத்தை மட்டும் அரசாங்கத்தின் கவனத்திற்குக் கொண்டுவரப் பிரியப்படுகிறேன்.

“சர்க்கார் கொடுத்துக் கொண்டிருக்கும் தக்காவிக் கடன் வசதி விவசாயிகளுக்கு எல்லாம் நன்கு கிடைக்கும்படியாகச் செய்யவேண்டும். அப்படிச் செய்தால்தான் ஏழை விவசாயிகளுக்கு கூடுமானவரையில் அனுசூலம் ஏற்படும். இன்றையதினம் இந்தத் தக்காவிக் கடன் கிடைக்காததின் காரணமாக மாணவாரிப் பிரதேசத்தில், காடாரம்பப் பிரதேசத்திலுள்ள விவசாயிகள் பெரிதும் கஷ்டப்படுகிறார்கள். அவர்களுக்கு எல்லாம் பொருளாதார வசதி அளித்தால்தான் நன்கு விவசாயம் செய்ய முடியும். நீண்ட கால தவணையில் கடனையும் திருப்பித்தர முடியும்.

24th February 1955] [Sri A. Subramanyam]

“அதோடு விவசாயிகளுக்குக் கடன் கொடுக்கும்போது நிலத்தின் மதிப்பை முன்பு ஏதோ ஒரு காலத்தில் இருந்த மதிப்பை வைத்துக்கொண்டு மிகக் குறைந்த பணமே கடன் கொடுக்கிறார்கள். ஒரு ஏக்கராவுக்கு மதிப்பு 50 ரூபாய் என்று போட்டு பத்து ஏக்கர் நிலம் ஒருவருக்கு இருந்தால் குறிப்பிட்ட மதிப்பிற்கு பாதி 250 ரூபாய்தான் கொடுக்கிறார்கள். அந்த 250 ரூபாய்க்கு ஒரு ஜதை மாடுகள் தான் வாங்கலாம். தண்ணீர் இறைக்க கவலையோ அல்லது எருவு சம்பந்தமானவைகளோ வாங்க முடியாது.

“என் அனுபவத்தைப் பொறுத்தவரையில் ஒரு விஷயத்தைச் சொல்ல விரும்புகிறேன். எனக்கு காரங்கிரஸ் தியாகி என்ற பெயராலே 5 ஏக்கரா நிலம்தான் கொடுத்தார்கள். நான் அப்பொழுதே காரங்கிரஸ் தியாகி களுக்குப் பத்து ஏக்கரா நிலம் கொடுக்கலாமென்று சொல்லப்பட்டிருக்கிறதே. எனக்குப் பத்து ஏக்கரா கொடுக்கக்கூடாதா என்றேன். ஆனால் அதற்குப் பதில் ‘உன் ஒவ்வொரு ஏக்கராவும் ஆயிரம் ரூபாய் மதிப்புப் பெறும்’, எனார்கள். ஆனால் இந்த ஐந்து ஏக்கராவில் விவசாயம் செய்யவேண்டுமென்பதற்காக நான் தக்காவிக் கடனுக்கு மனுச்செய்து கொண்டேன். அப்பொழுது எல்லாவுடைய ஒவ்வொரு ஏக்கராவின் மதிப்பும் 50 ரூபாய் என்று போட்டு கடன் ரூ. 250 தான் கொடுக்கப்படும் என்று சொன்னார்கள். இப்படி கடன் கொடுக்கும்போது ஒரு மதிப்பு, நிலம் கொடுக்கும்போது ஒரு மதிப்பு, வரி விதிக்கும்போது ஒரு மதிப்பு, தக்காவிக் கடன் கொடுக்கும்போது ஒரு மதிப்பு என்று போடுவது அவ்வளவு சரியல்ல. ஆகவே ஏழை விவசாயிகளுக்கு இன்றைக்கு இருக்கக்கூடிய நில மதிப்பை வைத்துக்கொண்டு அதிகமாகத் தக்காவிக் கடன் உதவி செய்யவேண்டுமென்பதை வற்புறுத்திக் கேட்டுக்கொண்டு நான் எனது வார்த்தையை முடித்துக்கொள்கிறேன்.”

*SRI V. V. RAMASWAMI:—“கனம் உதவி தலைவர் அவர்களே, இந்தக் கடன் வாய்தா மசோதாவில் பல குறைபாடுகள் சொல்லப்பட்டன. இந்த மசோதா வருவதற்கு முக்கியமான காரணம் சென்ற ஆண்டில் கடன் ஒத்திவைப்புச் சட்டம் நிறைவேற்றப்பட்டதுதான்.

“ஆனால் அந்தச் சட்டம் கொண்டுவரப்பட்டதற்குக் காரணம் என்ன? அது அந்தச் சூழ்நிலையில் கொண்டுவரப்பட்டது என்பதெல்லாம் சரியாக விளக்கப்படவில்லை. எதிர்க் கட்சிக்காரர்களோ அல்லது அரசாங்கக் கட்சியைச் சார்ந்தவர்களோ, அந்தச் சட்டம் வேண்டுமென்று திளர்ச்சி செய்ததாகத் தெரியவில்லை. ஒரு வேளை எதிர்க் கட்சிக்காரர்கள் மக்களது கவனத்தைக் கவர்ந்து வருகிறார்களே, நாடும் ஏதாவது செய்வோம் என்கின்ற எண்ணத்தில் இந்தச் சட்டத்தைக் கொண்டுவந்திருக்கக்கூடும்.

“அது எப்படியிருந்தபோதிலும் அந்தச் சட்டத்தைச் சர்க்கார் கொண்டு வந்ததின் காரணமாக கடன் வாங்கியவர்களிடையே ‘ஒரு வருடம் கழித்துப் பார்த்துக்கொள்வோம்’ என்கின்ற மனப்பான்மை ஏற்பட்டுவிட்டது. அதோடு கடன் ஒத்திவைப்பு மசோதாவைக் கொண்டுவந்தது நம் சர்க்கார்தானே. அவர்கள் ஒரு ஆண்டுக்குப்பின் கடன் நிவாரணச் சட்டம் கொண்டு வரமாட்டார்களா என்ற எண்ணமும் வளர்ந்து விட்டது.

“அதனால் விவசாயிகளுக்குக் கடன் கொடுப்பவர்கள் பயப்படவேண்டிய நிலை ஏற்பட்டது. விவசாயிகளுக்குச் கடன் கிடைக்கும் வழிகளும் சுருங்கி விட்டன. இந்த நிலையில் அந்த மாரடோரியம் சட்டம் ஒரு ஆண்டோடு முடிவடைந்துவிடுவதால், கடன் கொடுத்தவர்கள் கோர்ட்டில் அவர்கள் பேரில் தாவாபோட்டு அவர்கள் நெறிக்காமல் இருக்க சர்க்காருக்கு இந்தச் சட்டத்தைக் கொண்டு வருவதைத்தவிர வேறு வழியில்லை. ஆதலால் சர்க்கார் வாங்கிய கடனைத் தவணைகளில் கொடுக்கவேண்டுமென்பதற்காக இந்தச் சட்டத்தைக்கொண்டு வந்திருக்கிறார்கள். ஆகவே இது எல்லோராலும் வரவேற்கவேண்டியதாகும். ஆனால் கனம் ராஜாஜி சொல்லிப்படி இம்மசோதாவை நிறைவேற்றிவிட்டு கவர்னர் அல்லது பிரசிடெண்ட்

[Sri V. V. Ramaswami] [24th February 1955]

அங்கீகாரம் வாங்காமல் நிறுத்திவிட்டிருக்கானால் கெடுதி ஏற்படும். அமைச்சர் அவையின் நற்பெயரும் கெட்டுவிடும். ஆகவே கனம் ராஜாஜி சொல்லியபடி செய்யாதீர்கள்.

“நிற்க கிராமங்களிலுள்ள விவசாயிகளின் நிலைமையைப் பார்த்தால் ரொம்பவும் கஷ்டமாக இருக்கிறது. கிராம மக்கள் அரசாங்கத்திடம் என்ன எதிர் பார்த்திருந்தார்கள் நிலஉரிமைச் சட்டம், அதாவது தானே உழுது விவசாயம் செய்வதற்குத் தேவையான நிலம் கிடைக்கும்படி செய்தல்; கடன் பளுவைக் குறைக்க ஏற்பாடு ஆகிய இரண்டு சீர் திருத்தங்கள் தான். ஆகவே அரசாங்கத்தார் இந்த மசோதாவைக் கொண்டுவருவதோடு நின்று விடாமல் கூடியசீக்கிரத்தில் அவர்களுடைய கடன் பளுவையும் குறைப்பதற்கு ஒரு ஏற்பாடு செய்யவேண்டும். இவ்வளவு நிலம்தான் ஒருவர் வைத்துக் கொள்ளலாம், தேவையான கடன் சர்க்காரே அவர்களுக்கு உதவி செய்யும் என்பது போன்ற விரிவான சட்ட திட்டங்களை ஏற்படுத்தவேண்டும்.

“இன்றைய தினம் கிராமங்களிலுள்ள விவசாயிகளுக்கு கடன் உதவியார் செய்கிறார்கள் என்று பார்க்கவேண்டும். அவர்களுடைய சுற்றத்தார்கள், பெரிய விவசாயிகள், வியாபாரிகள் ஆகியவர்தான் உதவி செய்கிறார்கள். சில பேர்கள் கூட்டுறவு சங்கங்கள் மூலம் குறைந்த வட்டிக்கு கடன் வாங்கியிருக்கிறார்கள்.

“கூட்டுறவு சங்கங்கள் எல்லோருக்கும் தாராளமாக கடன் கொடுக்க சட்ட திட்டங்கள் இடங்கொடுக்கவில்லை. அதுவும் வேண்டிய காலத்தில் கிடைப்பதில்லை. ஆகவே விவசாயிகளுக்குத் தேவைப்படும் பணம், வேண்டிய காலத்தில் உடனுக்குடன், குறைந்த வட்டியில், அவ்வூரிலேயே கிடைக்கும் வழி செய்யவேண்டும்.

“ஆகவே இந்தச் சட்டத்தை நாம் நிறைவேற்றி விட்டாலும்கூட விவசாயிகளுக்கு வேண்டிய காலத்தில் உடனுக்குடன் கடன் கிடைக்க சர்க்கார் தக்க ஏற்பாட்டைச் செய்வதும் ரொம்ப அவசியம் என்று இச்சந்தர்ப்பத்தில் சொல்லிக்கொண்டு இந்த மசோதாவுக்கு என் ஆதரவைத் தருகிறேன்.”

5-20 P.M. * THE HON. SRI M. A. MANICKAVELU NAICKER:—
“Mr. Deputy Chairman, Sir, I wish to state at the outset that the Government are as much aware as hon. Members who spoke earlier are that the normal course of law and the regular operation of contractual relations should be allowed to go on without interference. But we must go a little into the background of this Moratorium legislation, that is, the conditions which necessitated the passing of this Act. It is admitted on all hands that any Moratorium Act is an emergency measure which ought not to be resorted to lightheartedly. We know it should be thought of only in very exceptional circumstances. And now, we must examine whether there was such an emergency when this measure was first undertaken last year. I submit, there was such an emergency last year. Hon. Members are aware that we had had a very bad time for six or seven years on account of continuous failure of monsoons. In fact, during living memory, we have never had such a bad period. So much so, the Government had to spend a large sum of money—several crores of rupees—on relieving famine and the sad plight in which the ryots found themselves on account of failure of rains. Not only this. Thousands of gruel centres were opened, which cost the Government one or two crores of rupees, to feed the people. So, it was a very abnormal situation which we never had for thirty or forty years. In these circumstances,

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kind-hearted Chief Minister at that time—a person who has great sympathy for agriculturists—thought that a measure like the Moratorium Act should be passed and this House passed the measure. In getting the Act passed, the Government said that the operation of the Act would be for only one year and that it would not be extended beyond that period. Even the author of that Act has come here and said that it is wrong to extend the life of the Act. I am glad that we are now able to read the mind of the author of that Act unlike as in the case of Shakespeare's works, where one cannot say what Shakespeare had in his mind when he wrote his works and where one sees different interpretations and so many books have been written on how the mind of the author should have worked. Now there is no difficulty and the author is here. He has plainly told us what he has in his mind.”

* DR. V. K. JOHN:—“You did not know it before?”

THE HON. SRI M. A. MANICKAVELU NAICKER:—“We knew it also. Kindly wait for some time. You will know about it. The Government also knew what he had in his mind. That is the reason why, I submit, we have not extended the Moratorium Act. It was suggested that there was a breach of the promise. I claim, there was no breach at all. If, however, it is asserted that there was a breach, I concede there was a breach only in so far as the Act was extended to be in operation for a few weeks more than the stipulated period so that, meanwhile, we could pass this Act. So, the Moratorium Act is dead, dead as a door nail. Then, why have we undertaken this piece of legislation? Having passed the Moratorium Act and created a situation in the countryside which has rudely disturbed the condition of credit system, are we justified in simply keeping quiet? We are not justified in sitting quiet. This is a sort of a consequential measure. Rajaji got the Moratorium Act passed. We are bringing in a consequential amendment to it, so to say. I am only carrying out an amendment. If I do not do it, there will be a hopeless state of affairs created in the country. The whole process is something like applying the vacuum brake. The brake was applied last year. Now it should be released. If we suddenly release it, the car will be damaged. We are now enabling the debtors to pay their dues in instalments. Otherwise, what will happen is this. The creditors like crows will have their prey. They have been shut out on account of the rains, if I may figuratively put it. As soon as the rains stop, they will prey with redoubled vigour. For one year, they were made to keep quiet. Now, they will rush to the courts and the situation will become worse. Then, the ryots will curse the Chief Minister who introduced this Act. They will say: ‘Why did this person introduce this measure? If things had been allowed their normal course, it would have been better.’ They will feel very unhappy about the moratorium granted to them. In order to avoid the spectacle of creditors rushing to the courts at one time,

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we are introducing this measure. Further creditors are afraid that some new Act may come like the 1938 Act and scale down the debts. So, they would like to collect their dues at the earliest moment possible. Therefore this bill is the most logical thing that one can think of in the circumstances."

* DR. V. K. JOHN :—" You do not call this moratorium? "

* THE HON. SRI M. A. MANICKAVELU NAICKER :—" No, Sir. I do not call it moratorium. Dr. John asks: 'Why do you regulate payment of dues in instalments?' Government would have kept quiet. But we also know something about courts. Now, of course, there is a liberal tendency on the part of courts to grant 'instalments'. But about twenty years ago, things were so hard that judges used to be nicknamed 'instalment judge' when they allowed 'instalments' and 'Draconian judge' when they never gave 'instalments'. That was the state of affairs then. Even now, we cannot entirely depend on courts. There are judges and judges. Some judges may say that they will not give time for repayment and some may give. So, let there be no criticism levelled against us that . . . "

* DR. V. K. JOHN :—" Have the Government lost faith in courts? "

5-30 p.m. * THE HON. SRI M. A. MANICKAVELU NAICKER :—" It is not a question of losing faith in courts. Courts like advocates like Dr. John differ from one another. It was also suggested that we had succumbed to political propaganda and political pressure. Especially the Communists come in for everything. It is not a question of yielding to pressure. Of course there was representation from the ryots and others. But we have brought this measure of our own accord—*suo motu*. You may say it is right or wrong. Having done something earlier, I mean having worked the Moratorium Act for one year, the necessary corollary was to bring forward this Bill."

DR. V. K. JOHN :—" May I ask whether this Bill is a corollary to the Moratorium Act? "

THE HON. SRI M. A. MANICKAVELU NAICKER :—" In a sense so. It is too soon to forecast anything. We shall wait and see. Let not the hon. Member be very anxious. We thought how best to extricate ourselves from the situation that has been created by the passing of the Moratorium Act. We thought that this was the best way to deal with the debtor, the creditor and the credit system of the country.

"The discussion has been carried on here from two angles, one taking into consideration the difficulties of the debtors and the other, that of the creditors. One was that the debtor should be given more facilities, that the exemption should not be limited to persons paying a land revenue of less than Rs. 150 but that the exemption limit should be Rs. 200 or Rs. 300. The other was

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that the creditor advanced money in an emergency, that the creditor has also got to live and that therefore his credit should not be blocked and all that. Something could be said for both sides. But the Government thought over the whole problem and they wanted to steer clear of both these two extremes. I think we have done the right thing in having brought forward this Bill.

"An hon. Member said there were certain complications in this Bill, I mean legal complications. Complications are always there. If there are no complications in law making, there is no room for lawyers in the country. The whole tribe as such will go. (Laughter.) However much we may try, there will be some difficulty. Lawyers must remove them. They will flourish only then. We shall as far as possible try to remove the complications when we make rules under the Act."

DR. V. K. JOHN :—" Are the Government providing for lawyers? "

* THE HON. SRI M. A. MANICKAVELU NAICKER :—" There are of course State lawyers. I think the hon. Member has also had something to do with this though a State lawyer. He is still at loggerheads with Government. It is not yet settled.

"Sir, the question of notice of the amendments have been raised by my lawyer friends. I think hon. Members would realise our difficulty. We have got only two or three days left before the Moratorium Act expires. Before that we have to pass this measure, get the assent of the Governor and the President. All these have got to be done before the end of this month. The hon. Member Sri K. Balasubramania Ayyar said that the object of his moving his amendments was only to let Government take due notice of them. I can assure him that Government will take due notice and judicial notice of what all he said and bear it in mind and would try to see how far the provisions could be perfected in the rules which we would be making under this Act. That is why I am not accepting any amendment for the very good reasons I have stated already. Therefore I would request hon. Members to withdraw the amendments they have given notice of and see to it that this Bill is passed as early as possible."

DEPUTY CHAIRMAN :—" The question is—

'That the Madras Indebted Agriculturists (Repayment of Debts) Bill, 1955 (L.A. Bill No. 2 of 1955), as passed by the Assembly be taken into consideration.' "

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

Clause 2.

* SRI K. BHASHYAM :—" Sir, I move—

'In sub-clause (a) (i) for the words "one hundred and fifty rupees" substitute the words "one hundred and one rupees".'

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"I am moving this amendment not merely with a view to fixing Rs. 101 as the limit instead of Rs. 150 as stipulated in the Bill. In all these cases there should be some sort of classification, which the Government have got to prove before the courts. That contingency might arise sometimes when a case is taken to a court. I have put the figure at Rs. 101 because during the time Rajaji was the Chief Minister, he once ordered that only to those paying Rs. 101 and less, remission of land revenue could be granted. I had the honour of arguing in the Court in a case that that order of Rajaji stating that only those paying a land revenue of Rs. 100 and less would be granted remission of land revenue, was against the Constitution. The Judges who heard the case decided that the classification of Rs. 100 fixed was a correct classification and was justifiable. They thus upheld Rajaji's classification. That is why I say in the matter of classification, we could safely take that limit of Rs. 100 which has been upheld by the Court as a safe classification. That is why I have moved my amendment so that instead of saying in sub-clause (a) (1) 'one hundred and fifty rupees' we could say 'one hundred rupees'."

For want of a seconder, the amendment of Mr. Bhashyam fell through.

* SRI K. BALASUBRAMANYA AYYAR:—"Sir, I move—

'In sub-clause (b) (iii) after the words "breach of trust" add the following:—

"or any obligation in the nature of trust as defined in Chapter (9) of the Indian Trust Act of 1882"

Merely saying 'breach of trust' is not enough. There are certain obligations in the nature of trust and all those things have been defined in the Indian Trust Act of 1882. I shall give one illustration. A, a partner employed on behalf of himself and his co-partners is negotiating the terms of a lease and clandestinely stipulates with the lessor payment to himself of a lakh of rupees. A holds the lakh for the benefit of the partnership. Merely saying 'breach of trust' will not cover the points covered in the illustration I have given. There may be a trust orally. Breach of that oral promise may also constitute breach of trust. The other obligations connected with the nature of a trust are all clearly defined in Chapter IX of the Indian Trust Act. I think it would be better if those obligations as defined in the Trust Act are also included rather than simply restricting the definition to merely saying 'breach of trust' and leaving it to the Court to decide. I think it would be better to be clear in our definitions so that the Courts may decide the issue whether there has been a breach of trust or any obligation in the nature of trust as defined in the Indian Trust Act, 1882. That is why I request that my amendment may be accepted."

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* THE HON. SRI M. A. MANICKAVELU NAICKER:—"I have no objection so far as the merits of the present amendment go. But considering the situation in which we are placed now, we have to draw the line somewhere. Therefore I am sorry I cannot accept the amendment."

DEPUTY CHAIRMAN:—"The hon. Member is not withdrawing his amendment?"

SRI K. BALASUBRAMANYA AYYAR:—"I am not withdrawing my amendment, Sir." 5-40 p.m.

DEPUTY CHAIRMAN:—"The question is—

'In sub-clause (b) (iii) after the words "breach of trust" add the following:—

"or any obligation in the nature of trust as defined in Chapter (9) of the Indian Trust Act of 1882"

The amendment was lost.

* SRI K. BALASUBRAMANYA AYYAR:—"Sir, I move the amendment standing in my name, namely,—

'In sub-clause (b) (vi) after the words "Chit Fund Scheme" add the words "or any nidhis or mutual benefit societies".'

Sir, the Joint Select Committee has accepted the principle that any liability arising from any Chit Fund should be exempted. Here in the definition they have put in a clause saying '(vi) any liability incurred or arising under any Chit Fund Scheme'. At the Joint Select Committee stage some of us said that there were benefit societies in which people took shares and paid money. A number of people join together and the loan is paid only to the shareholders. The whole society is run by the shareholders. If there is any default by any shareholder, he will have to pay some penal interest. Time is of the essence in the whole transaction, and that is why Chit Fund is exempted here. In the same way, I want the benefit societies also should be exempted. Sri Purushothama Mudaliar will bear me out when I say that the Hon. the Revenue Minister said that he would look into this matter then. We must exempt these benefit societies also. Therefore it is I make bold to bring in this amendment that benefit societies, which are run on the same lines as the Chit Funds, should be exempted."

The amendment was duly seconded.

DEPUTY CHAIRMAN:—"Amendment moved—

'In sub-clause (b) (vi) after the words "Chit Fund Scheme" add the words "or any nidhis or mutual benefit societies".'

* SRI T. PURUSHOTHAM:—"Sir, we have put in the Bill the words 'any liability incurred or arising under any Chit Fund

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Scheme'. Nidhis or mutual benefit societies will get the exemption as they come under Chit Fund Scheme. So, there is no need for a formal amendment of this kind. They would naturally get the exemption if they are similarly placed as chit funds and I believe there is no need for the amendment."

SRI T. M. NARAYANASWAMI PILLAI :—" Sir, mutual benefit societies can be included. There is no harm in including them."

THE HON. SRI M. A. MANICKAVELU NAICKER :—" Sir, it is true that this was raised at the Joint Select Committee stage, and it is for that reason, as my hon. Friend pointed out, that the words 'Chit Fund Scheme' are put in so that any nidhi working on the basis of a Chit Fund Scheme by monthly contribution may also come under it. Such nidhis as work on the Chit Fund model will also have the benefit."

SRI K. BALASUBRAMANYA AYYAR :—" Sir, I hope and trust that this assurance will be carried out in the rules to be framed."

SRI T. PURUSHOTHAM :—" Sir, in view of the assurance given, the hon. Member may withdraw his amendment."

* SRI K. BALASUBRAMANYA AYYAR :—" Sir, I have a little doubt. I think, Sir, if the principle holds good, they must accept the principle and not the details. I have to point out that benefit societies and nidhis would not be exactly like Chit Funds. They may be different. But if the principle is accepted and you are satisfied, I have no objection."

The amendment was by leave of the House withdrawn.

Clause 2 was put and carried.

Clause 3 was put and carried.

Clause 4.

DEPUTY 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,—

'Add the following as new sub-clause (8) :—

"Where the debtor fails to make any one of the payments specified in sub-section (1) on the due date or on the extended date under section 5, sub-section (4), the whole amount of the balance of the debt or decree shall become due irrespective of the instalments fixed in the decree."

Sir, the general principle is that where an instalment decree is given, and if the debtor does not fulfil his obligation to pay money at the particular time, even though the decree-holder is not allowed

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to execute the decree for the whole amount, still the whole amount becomes due. That is the principle that has to be accepted. In clause 5, sub-clause (4), power is given to him to apply for extension of the instalment. Even after granting extension of time, the debtor does not pay. What is to be done? (Interruption.) Therefore it is, Sir, I have moved my amendment."

Dr. V. K. John seconded the amendment.

* SRI T. M. NARAYANASWAMI PILLAI :—" Sir, I oppose this amendment for this reason. Generally it is a well-known principle that where payment by instalments is provided for, the provision that the whole amount should become payable in default of payment of one instalment is in the nature of a penalty. Let us be true to our aims. We are trying to provide relief to small debtors. What is the use of saying that if a debtor commits default, the whole amount should become due from him? The principle behind this amendment is ununderstandable. Rightly or wrongly, he would be liable to pay only that instalment. I strongly oppose this amendment by which an attempt is made to make the whole amount become payable even if there is default in payment of only one instalment."

* DR. V. K. JOHN :—" Sir, I feel there is some misunderstanding. When there is a provision that a debtor must pay only in instalments, necessarily there must be a provision for default that the whole amount will become due. Otherwise what is the meaning in making provision for payment by instalments? This can be provided for in the rules. Otherwise nobody will pay the instalments. The creditor will again have to go to the Court and ask for the recovery of the instalment. The rules must say that if the debtor does not pay one instalment on the appointed date, the whole amount will become due. This has got to be provided for in payment of only one instalment."

* SRI K. BHASHYAM :—" Sir, I think that if this amendment is accepted it will frustrate the whole Bill. In all contracts, it is said that if a person does not pay an instalment due, the whole amount shall become due and be payable. That is the usual thing put in. That is the debtor is to keep to the promise of the bargain. The principle of the Bill is to pay the debt in instalments. If a person does not pay his instalment, we proceed on the presumption that he is not able to pay in time, and that he wants further time. We presume that he is not able to pay and not that he is not willing to pay. If we proceed on the basis that a person will not pay, the amendment may be all right. But we do not proceed on that basis. We proceed on the assumption that when a debtor is not able to pay, he deserves some consideration in the matter of repayment. That is why I oppose the amendment, Sir."

5-50
P.M.

* THE HON. SRI M. A. MANICKAVELU NAICKER :—" Sir, I oppose the amendment, as it goes against the scheme

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of our arrangement. Even if one instalment is not paid, the next instalment will become due in due course. If we accept the amendment, it will go against our objective."

* SRI K. BALASUBRAMANYA AYYAR :—" Sir, instalments are provided for by the Legislature so that it may be easy for the debtor to repay the debt. That is the object of giving the instalments. If a debtor wants to frustrate this object, he could easily do it. The Legislature should not allow a loophole which will help him in the matter. I know some of them deliberately default in paying their instalments. I also know that when a particular instalment is not paid, an instalment decree can be obtained. Even here some people will default. Then the whole thing will be set at naught. I am not saying that we are legislating for such bad people. Anyway, we have to guard against such people. It is only for that purpose, I have moved my amendment, Sir."

The amendment was put and lost.

Clause 4 was put and carried.

... Clauses 5 and 6 were put and carried.

Clause 7.

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

'Add the following as new clause 7-A :—

"Where in execution of a decree against an agriculturist debtor, his property has been sold, every other creditor of his shall on application within thirty days of the sale be entitled to rateable distribution of the amount realized by such sale less the cost of execution and expenses of the sale in respect of the amount of debt remaining due to him, whether it has matured into a decree or otherwise notwithstanding any other law to the contrary."

Sir, this new clause is necessary to obviate certain difficulties which may arise in actual practice. The Act does not apply in the case of debts after 1953. According to the present provisions in the Bill, when in execution of a decree against an agriculturist debtor, his property is sold, all the creditors will not get the dues due to them from the agriculturist debtor concerned. Only those creditors coming under the Act will have a remedy when the property is sold. The other creditors will have no remedy at all. That is why I have said in my amendment that every other creditor of the agriculturist debtor shall on application within thirty days of the sale be entitled to rateable distribution of the amount realized by the sale of the property. This is the general principle which I want to be incorporated in this legislation. We should not allow one creditor to walk away with the money leaving the other credi-

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tors without any remedy whatsoever. It is only to enable the other creditors also to have some remedy in the matter I have moved my amendment and I request that it may be accepted."

DR. V. K. JOHN :—" I second the amendment, Sir."

* SRI K. BHASHIAM :—" Sir, this is one of the defects in the Bill which has to be taken note of, and rectified by the Government as early as possible. I do not want to stand in the way of this Bill being passed now. I only want the Government to carefully look into the matter. When a property of an agriculturist debtor is sold, we must allow for rateable distribution. It is a valuable right which a person has got and it is not proper to deprive him of it. I only request the Government to take note of this fact and if necessary, to bring an amending Bill at an early date, as it is only a matter between creditor and creditor."

* THE HON. SRI M. A. MANICKAVELU NAICKER :—" Sir, this point was taken note of by us and we thought that it was not possible to accept the suggestion. When the whole property is brought to sale, there is already a remedy under the Insolvency Act and that could be taken advantage of for rateable distribution."

* SRI K. BALASUBRAMANYA AYYAR :—" Sir, I am also aware of the provision in the Insolvency Act. But, there is a difficulty in applying it to the present case. Under the Insolvency Act, somebody should put in an application. That is the worst remedy to be thought of. When the whole property is sold, I know the matter will come under the Provincial Insolvency Act. But, unfortunately advantage cannot be taken of that Act. Because, when a particular creditor walks away with all the money, what can the other creditors do? That is why I say that it is a clumsy remedy. Let the Hon. Minister kindly consult the Legal Advisers to the Government. As this is a matter between creditor and creditor and has nothing to do with the agriculturist debtor, I hope that something will be done in the matter."

DEPUTY CHAIRMAN :—" The question is—

'Add the following as new clause 7-A :—

"Where in execution of a decree against an agriculturist debtor, his property has been sold, every other creditor of his shall on application within thirty days of the sale be entitled to rateable distribution of the amount realized by such sale less the cost of execution and expenses of the sale in respect of the amount of debt remaining due to him, whether it has matured into a decree or otherwise notwithstanding any other law to the contrary."

The amendment was lost.

Clause 7 was put and carried.

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Clause 8.

SRI K. BALASUBRAMANYA AYYAR :—" Sir, I move—

' Add the following as sub-clause (b) and renumber the existing clause as sub-clause (a) :—

" (b) In respect of any debt or decree to which this Act will not be applicable and which would have become barred but for the application of Act V of 1954, to such debt or decree, the time during which such suit or application was barred by Act V of 1954 and the period of one month after the 1st March 1955 shall be excluded from the period of limitation applicable to such suit or application."

Sir, under the Bill all claims which are barred by the Moratorium Act and also the Extension Act are sought to be barred on 1st March 1955 also. As things stand at present, two things are likely to happen. The creditor must file a suit on 1st March 1955. One difficulty is it is difficult on the part of the creditor to file a suit immediately because he does not know—or will not know until 28th February 1955—whether the Bill that we are discussing will become law on 1st March 1955 or not."

THE HON. SRI M. BHAKTAVATSALAM :—" He does not know either that the Moratorium Act is to be extended. Normally, the existing Act expires at the end of the month and, therefore, he should be prepared for filing the suit."

* SRI K. BALASUBRAMANYA AYYAR :—" I am only pointing out the difficulties of the creditor. If the creditor has not yet known it is to be extended and has to file a suit on 1st March 1955, there will be some difficulty. He must get legal advice and do ever so many other things. Then, there is another difficulty. Suppose the creditor does not want to get the money at once but is prepared to take it in instalments. Have you given him any time to think about it? Very probably, as there are instalment decrees proposed under the present Act, every creditor might have some idea of getting the money in instalments and would like to stipulate the number of such instalments. You do not give him facilities to do so. Court-fee has to be paid here. If both the parties agree, of course, it is a different matter. Sir, even in the case of compromise decrees, I know of cases wherein money intended to be paid on the spot by the debtor to the creditor was not so paid. I know of a particular case at Chidambaram where, when the Moratorium Act was about to be passed into law, a man who had in his pocket a sum of Rs. 3,000 for payment to his creditor quietly evaded paying it and went away. This is no exaggeration. Such things do happen. So, I would request the Government to accept my amendment so that an opportunity may be given to the generous creditors to help the debtors by not filing the suit and making the debtors liable to court-fee."

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DR. V. K. JOHN :—" I second the amendment, although the Government have already given deep consideration to this question."

* SRI K. BHASHYAM :—" Sir, this is another matter on which the Government must bestow their attention. 'Debt' as mentioned in the present Bill is circumscribed in its definition unlike in the Moratorium Act. Persons will be prevented from filing suits on 1st March 1955 and this provision will be in operation for four months in respect of debts covered by the Bill. But you do not fix any such time-limit in respect of debts which are outside the scope of the Bill. In such cases it will be a great hardship on creditors. There will be cases involving thousands of rupees which may not be of the type mentioned in the Bill. In all these cases, the question of limitation will arise. Some provision must be made in respect of these cases and I hope that the Government will bring in an amending Bill soon to set right matters."

DR. V. K. JOHN :—" They will not do it."

THE HON. SRI M. A. MANICKAVELU NAICKER :—" Sir, I am glad that the Deputy Leader of the Opposition is answering for the Government. I beg to submit, Sir, that people were and are quite aware of the provisions of the Act. They have had ample time for doing what is necessary. They must be wary. It is just like this. When holidays interfere with limitation of appeals, lawyers will be very particular to see that the appeals are not time-barred and will file appeals on the re-opening day. That is why there is a heavy rush of suits in courts after the holidays. The man who has got money must be careful and it is only the moneyed man who is always careful."

DEPUTY CHAIRMAN :—" The question is—

' Add the following as sub-clause (b) and renumber the existing clause as sub-clause (a) :—

" (b) in respect of any debt or decree to which this Act will not be applicable and which would have become barred but for the application of Act V of 1954, to such debt or decree the time during which such suit or application was barred by Act V of 1954 and the period of one month after the 1st March 1955 shall be excluded from the period of limitation applicable to such suit or application."

The amendment was lost.

Clause 8 was put and carried.

Clauses 9 and 10 were put and carried.

Clause 1 was put and carried.

The Preamble was put and carried.

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THE HON. SRI M. A. MANICKAVELU NAICKER :—“ Sir, I move—

‘ That the Madras Indebted Agriculturists (Repayment of Debts) Bill, 1955 (L.A. Bill No. 2 of 1955), as passed by the Assembly be passed.’

In doing so, I thank the hon. Members for their great co-operation and the very useful suggestions that they have made. These will be duly considered and everything practicable will be done.”

* DR. V. K. JOHN :—“ May I express my sincere hope that the Government will before long introduce a comprehensive Bill for the liquidation of agricultural indebtedness and that this Bill when passed into law will not dislocate the economy of the country-side to any serious extent? ”

DEPUTY CHAIRMAN :—“ The question is—

‘ That the Madras Indebted Agriculturists (Repayment of Debts) Bill, 1955 (L.A. Bill No. 2 of 1955), as passed by the Assembly be passed.’ ”

The motion was put and carried.

DEPUTY CHAIRMAN :—“ I adjourn the House to meet at 3 p.m. tomorrow.”

The House then adjourned.

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APPENDIX I.

[Vide answer to starred question No. 192 asked by Sri T. Purushotham at the meeting of the Legislative Council held on 24th February 1955, page 117 supra.]

Rules governing the conditions of service of the ministries in the Electrical Engineer (General) Division of the Public Works Department.

Rule 1—Short title, extent and commencement.—(a) These rules may be called the Madras Electrical Engineer (General) Division provincialized Electrical Installation Works (Non-Statutory) Rules.

(b) These rules shall come into force from the 1st April 1949.

(c) These rules shall apply to all the work-charged posts provincialized in G.O. Ms. No. 1954, P.W., dated 28th May 1949, as subsequently amended.

Rule 2—Appointment.—(a) Appointment to any of the posts to which these rules apply shall be either by direct recruitment or by promotion from any other post, the scale of pay of which is lower than the scale applicable to the post to which the appointment is made.

(b) All promotions will be made on grounds of efficiency, merit and ability, seniority being considered only when merit and ability are approximately equal.

(c) The seniority of an employee in any category or grade of posts included in the schedule shall unless he has been reduced to a lower rank as punishment be determined by the date of commencement of his service which counts towards probation.

Rule 3—Appointing authority, postings and transfers.—(a) The appointing authority for all the categories and grade of posts mentioned in the schedule shall be the Electrical Engineer (General).

(b) All postings and transfers shall be made by the appointing authority provided that the powers conferred on the appointing authority may be exercised also by any authority to whom the appointing authority is administratively subordinate.

Rule 4—Qualifications.—(a) No person shall be eligible for appointment by direct recruitment to any post included in the schedule if he has completed 25 years of age :

Provided that this age-limit may be relaxed in individual cases by the Chief Engineer, Public Works Department (General), for special reasons to be recorded in writing.

(b) No person shall be eligible for appointment in any post unless he satisfies the appointing authority that he possesses an adequate knowledge of the language of the area concerned and that besides he also possesses the technical knowledge and experience required for the discharge of his duties in that post.

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Rule 5—Probation.—Every person appointed to a category or grade otherwise than on promotion not involving the assumption of duties and responsibilities of greater importance shall from the date on which he joins duty in such category or grade be on probation for a total period of two years on duty within a continuous period of three years.

The authority to decide whether a particular promotion involves the assumption of duties and responsibilities of greater importance shall be the appointing authority himself (i.e.), Electrical Engineer (General).

Rule 6—Suspension or termination of probation.—At any time before the expiry of the prescribed period of probation the appointing authority may—

(i) discharge probationer from service or revert him to his permanent post or category for want of a vacancy.

(ii) at its discretion by order terminate the probation of probationer after giving him a reasonable opportunity of showing cause against the action proposed to be taken in regard to him.

Rule 7—Completion of probation and extension of probation.—At the end of the prescribed period of probation, the appointing authority shall consider the probationer's suitability for full membership in the category or post in which he is a probationer. If it is not able to come to a decision it shall by order extend the probation of the probationer by a period not exceeding six months so as to afford it a further opportunity to decide whether the probationer will be suitable for full membership. When the probation of a probationer is extended, his increment shall remain stopped until he completes his probation satisfactorily. Such stoppage shall not have the effect of postponing his future increments after satisfactory completion of probation.

Rule 8—Appeal against discharge.—A probationer who is discharged under rule 6 (ii) above shall be entitled to appeal against the order to the Chief Engineer, Public Works Department (General), who may on his own motion or otherwise revise any order discharging a probationer within one year of the date of such order. When an order discharging a probationer is set aside on appeal and the probationer is restored to service, the period on and after the date of discharge to the date of such restoration shall not count towards probation. The period of probation undergone by the probationer at the time of discharge shall however count towards the prescribed period of probation.

Rule 9—Appointment of full members.—All substantive appointments to any category or grade of posts in the schedule shall be made from approved probationers in that category or grade strictly in accordance with seniority.

Rule 10—Discipline—Penalties.—The Madras Civil Services (Classification, Control and Appeal) Rules shall not apply to these workmen—

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(a) The following penalties may, for good and sufficient reason, be imposed by the appointing authority on a member holding any post in the schedule :—

(i) Censure.

(ii) Fine.

(iii) Withholding of increments or promotion.

(iv) Reduction to a lower rank in the seniority list or to a lower post or time-scale or to a lower stage in the time-scale.

(v) Recovery from pay of the whole or part of any pecuniary loss caused to Government by negligence or breach of orders.

(vi) Compulsory retirement.

(vii) Removal.

(viii) Dismissal.

In every case where it is proposed to impose on a member any of the penalties mentioned above, specific charges shall be framed against him and the case carefully investigated and he shall be given a reasonable opportunity of showing cause against the action proposed to be taken in regard to him.

(b) The appointing authority may place an employee under suspension from service, pending enquiry into grave charges against him, when such suspension is considered necessary in the public interest. In regard to the grant of subsistence allowance during the period of suspension, the provisions of Fundamental Rule 53 shall apply in the case of this establishment also.

(c) Every order of punishment shall state the grounds on which it is based and shall be communicated in writing to the person against whom it is passed.

Rule 11—Appeal.—(a) A member preferring an appeal against the orders of the appointing authority imposing any of the penalties specified in Rule 10 shall do so separately and in his own name.

(b) Every appeal shall be addressed to the Chief Engineer, Public Works Department (General), within three months from the date on which the appellant is informed of the order appealed against.

(c) After considering the facts of the case and the grounds of appeal, the appellate authority shall pass such orders as it considers fit.

Rule 12—Consequences of resignation.—(a) A member shall if he resigns his appointment, forfeit not only the service rendered by him in the particular post held by him at the time of resignation but all his previous service rendered under the Government.

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(b) The re-appointment of such a person shall be treated in the same way as a first appointment by direct recruitment and all rules governing such appointment shall apply, and on such re-appointment, he shall not be entitled to count any portion of his previous service for any benefit or concession admissible under any rules or orders.

Rule 13—Retirement.—The date of superannuation and compulsory retirement on account of superannuation of a member shall be the date on which he attains the age of 55 years.

Rule 14—Savings.—Nothing in these rules shall adversely affect any person who was a regular member of the work-charged establishment of the Electrical Engineer's Division on the date of coming into force of these rules.

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Serial number and designation of post.	Scale of pay.	Schedule.											
		Madras City.			Coimbatore.			Visakhapatnam.			Ootacamund.		
(1)	(2)	Superior establishment.			Number of posts sanctioned.			Number of posts sanctioned.			Number of posts sanctioned.		
		(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	Total.	
1 General Foreman	120-5-180	1	..	..	..	..	..	..	..	1	..	1	..
2 Testing Assistant, I Grade	80-5-110	1	..	..	..	..	..	..	..	1	..	1	..
3 Testing Assistant, II Grade	70-3-110	1	..	..	..	..	..	..	..	1	..	1	..
4 Junior Testing Assistant	45-2-65	5	..	..	..	..	..	..	..	5	..	5	..
5 Head Wireman	70-3-100	11	..	..	..	..	..	..	..	11	..	11	..
6 Wiremen	80-5-110	7	..	..	..	..	..	..	..	7	..	7	..
7 Head Driver	45-2-65	..	..	..	..	..	..	..	..	..	..	..	..
8 Assistant Driver	30-1-45	7	..	..	..	..	..	..	..	7	..	7	..
9 Assistant Wireman	30-1-45	13	..	..	..	..	..	..	..	13	..	13	..
10 Cleaner, I Grade	45-2-65	29	..	..	..	..	..	..	..	29	..	29	..
11 Wireman	45-2-65	2	..	..	..	..	..	..	..	2	..	2	..
12 Crane Drivers	30-1-45	2	..	..	..	..	..	..	..	2	..	2	..
13 Carpenters	45-2-65	1	..	..	..	..	..	..	..	1	..	1	..
14 Fitters	31-1-45	4	..	..	..	..	..	..	..	4	..	4	..
15 Painters	40-1-50	..	..	..	..	..	..	..	..	..	..	..	..
16 Blacksmith	35-1-45	..	..	..	..	..	..	..	..	..	..	..	..
17 Lift Attendant	..	..	..	..	..	..	..	..	..	..	..	..	..
18 Cleaner, II Grade	16-4(A)-25	21	8	4	1	7	2	5	1	37	12	33	150
	Total	105	28	10	2	16	3	19	2	150	33	33	150

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APPENDIX II.

[Vide answer to starred question No. 193 asked by Sri T. Parushotham at the meeting of the Legislative Council held on 24th February 1955, page 118 supra.]

(a) The employees of the Government Press are asked to work overtime whenever urgent work is received at short notice. The number of employees working overtime may vary according to the nature of work and its urgency.

(b) The details are furnished below:—

Month.		Salary paid to technical staff.	Overtime allowance paid to technical staff.
(1)		(2)	(3)
		RS. A. P.	RS. A. P.
1954—			
April	.. ..	1,26,589 15 0	95,270 7 0
May	.. ..	1,26,841 6 0	30,528 4 0
June	.. ..	1,27,195 0 0	82,380 5 0
July	.. ..	1,26,740 15 0	51,396 3 0
August	.. ..	1,23,639 14 0	13,877 2 0
September	.. ..	1,25,311 2 0	44,106 5 0
October	.. ..	1,25,655 12 0	56,641 15 0

APPENDIX III.

[Vide item V on page 123 supra.]

L.A. BILL No. 2 OF 1955.

(As passed by the Assembly.)

A Bill to give relief to indebted agriculturists in the State of Madras.

WHEREAS it is expedient to enable the indebted agriculturists to repay their debts in easy instalments;
BE it enacted in the Sixth Year of the Republic of India as follows:—

1. *Short title, extent and commencement.*—(1) This Act may be called the Madras Indebted Agriculturists (Repayment of Debts) Act, 1955.

(2) It extends to the whole of the State of Madras.

(3) It shall be deemed to have come into force on the 1st March 1955.

2. *Definitions.*—In this Act, unless the context otherwise requires,—

(a) 'agriculturist' means a person who has an interest other than interest as a simple mortgagee in any agricultural or horticultural land not being a land appurtenant to a residential building, but shall not include—

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(i) any person liable to pay land revenue (which shall be deemed to include peshkush and quit rent) exceeding one hundred and fifty rupees per annum in any year after 1952-53;

(ii) any person assessed to profession tax on income derived from a profession other than agriculture under any law governing municipal or local bodies in India on a half-yearly income of more than nine hundred rupees in any half-year after 1952-53;

(iii) any person assessed in any half-year after 1952-53 to property or house tax on an annual rental value of rupees six hundred in respect of buildings (other than a building in which he lives) or lands other than agricultural lands under any law governing municipal or local bodies in India;

(iv) any person assessed to sales tax on a total turnover of not less than twenty thousand rupees in any year after 1952-53 under the Madras General Sales Tax Act, 1939 (Madras Act IX of 1939), or under the law of any other State relating to sales tax;

(v) any person assessed to income-tax under the Indian Income-tax Act, 1922 (Central Act XI of 1922), in any year after 1950-51;

(vi) a firm registered under the Indian Partnership Act, 1932 (Central Act IX of 1932), or a company as defined in the Indian Companies Act, 1913 (Central Act VII of 1913), or a corporation formed in pursuance of an Act of Parliament of the United Kingdom or of any special Indian law;

Explanation I.—Where a joint Hindu family or tarwad, tavazhi, kutumba or kavaru, is an agriculturist, every co-parcener or member of the tarwad, tavazhi, kutumba or kavaru, as the case may be, shall be deemed to be an agriculturist provided that he does not fall under any of the categories specified in sub-clauses (i) to (v).

Explanation II.—The provisions of this Act shall not apply to any person who though an agriculturist was not an agriculturist on the 1st October 1953;

(b) 'debt' means any liability in cash or kind, whether secured or unsecured, due from an agriculturist on the 1st October 1953 whether payable under a contract or decree or order of a Court, civil or revenue, or otherwise, but shall not include—

(i) any sum payable to the State or the Central Government or to any local authority;

(ii) any sum payable to any co-operative society including a land mortgage bank, registered or deemed to be registered under the Madras Co-operative Societies Act, 1932 (Madras Act VI of 1932), provided that the right of the society to recover the sum did not arise by reason of an assignment made subsequent to the 1st October 1953;

(iii) any liability arising out of a breach of trust;

(iv) any liability in respect of maintenance;

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- (v) any liability in respect of wages or remuneration due as salary or otherwise for services rendered; or
- (vi) any liability incurred or arising under any Chit Fund Scheme.

Explanation I.—Where a debt has been renewed or included in a fresh document executed after the 1st October 1953 whether by the same debtor or by his heirs, legal representatives or assigns or by any other person acting on his behalf or in his interest or as a result of a partition, in favour of the same creditor or his heirs, legal representatives or assigns or any other person acting on his behalf or in his interest or as a result of a partition, the amount outstanding on the 1st October 1953 and included in the document executed after the 1st October 1953 shall alone be treated as the debt for the purposes of this Act.

Explanation II.—Where a debt has been split up after the 1st October 1953 among the heirs, legal representatives or assigns of a debtor or a creditor or as a result of a partition and fresh documents have been executed in respect of different portions of the debt, each of the different portions shall be a debt for the purposes of this Act.

3. *Bar of suits and applications.*—(1) No suit for recovery of a debt shall be instituted, and no application for execution of a decree in respect of a debt shall be made, against any agriculturist in any civil or revenue Court before the expiry of four months from the commencement of this Act.

Explanation I.—Where a debt is payable by an agriculturist jointly or jointly and severally with a non-agriculturist, no suit or application of the nature mentioned in this sub-section shall be instituted or made either against the non-agriculturist or against the agriculturist before the expiry of the period mentioned in this sub-section.

Explanation II.—For the purposes of this Act, a suit in which a decree in respect of a debt is prayed for shall be deemed to be a suit for the recovery of a debt notwithstanding that other reliefs are prayed for in such suit and a decree shall be deemed to be a decree in respect of a debt notwithstanding that other reliefs are granted in such decree:

Provided that a suit for possession of land shall not be deemed to be a suit for recovery of a debt by reason merely of mesne profits being also prayed for in such suit:

Provided further that nothing contained in this section shall apply to any portion of a decree other than that relating to a debt.

(2) Where a creditor files a suit for recovery of a debt during the period specified in sub-section (1) or after the agriculturist has paid or deposited into Court the sums and instalments specified in sub-section (1) of section 4 and during the period when he is so

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entitled to pay, the Court shall in decreeing the suit direct the plaintiff to bear his own costs and pay the costs of the defendants who is an agriculturist:

Provided that nothing contained in this sub-section shall be a bar to the Court passing any order as to costs as between the plaintiff and other defendants who are not agriculturists.

4. *Payment of debt in instalments.*—(1) Notwithstanding any law, custom, contract, or decree of Court to the contrary, an agriculturist shall be entitled to pay within four months of the commencement of this Act the interest due on any debt due by him up to the commencement of this Act and one-eighth of the principal outstanding or one-fourth of the total amount outstanding, whichever is less and the balance of the debt in three equal annual instalments on or before the 1st July of each of the succeeding three years with the interest due on such instalment up to that date.

Explanation.—In the case of a decree, the amount decreed shall be deemed to be the principal.

(2) Where in respect of a decree for debt passed before the commencement of this Act, a debtor fails to make any one of the payments specified in sub-section (1) the decree-holder shall be entitled to execute the decree in respect of the instalment which is in default.

(3) In any suit filed after the commencement of this Act, the Court in decreeing the suit shall provide for the immediate payment of such instalment or instalments as would have become due under provisions of sub-section (1) and the balance in further instalments as specified therein.

(4) Where in any suit for the recovery of a debt pending at the commencement of this Act, the debtor claims to be an agriculturist the Court shall if the debtor is an agriculturist pass a decree for immediate payment of such instalment or instalments as would have become payable under the provisions of sub-section (1) and the balance in further instalments as specified therein.

(5) Nothing contained in this Act shall bar the Court from passing a decree or making an order in an application for execution of the decree under such terms and conditions as may be more favourable to the debtor than those provided for in this section either of its own motion upon a consideration of all the circumstances of the case or upon an agreement between the parties.

(6) Where in any suit to recover a debt or in any application for the execution of a decree therefor the debt is payable by an agriculturist jointly or jointly and severally with a non-agriculturist, the Court shall pass a decree or make an order for the payment of the debt found due from the agriculturist as provided in this section as against the agriculturist and make such provision in the decree or order against the non-agriculturist as the circumstances of the case may warrant.

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(7) The provisions of sub-section (1) shall for purposes of execution be deemed to be a subsequent order of Court within the meaning of clause (b) of section 48 of the Code of Civil Procedure, 1908 (Central Act V of 1908).

5. Deposit of debt into Court.—(1) An agriculturist may deposit any of the instalments as provided in section 4 into the Court having jurisdiction to entertain a suit for recovery of the debt or into the Court which passed the decree, as the case may be, and apply to the Court to record part-satisfaction of the debt.

(2) Where any such application is made, the Court shall pass an order recording part-satisfaction of the debt if the amount deposited is the correct amount.

(3) The Court shall dismiss the application—

- (a) if the applicant is not an agriculturist, or
- (b) if the liability is not a debt, or
- (c) if the amount deposited is insufficient and the applicant on being required by the Court to deposit the deficit amount within a time fixed by the Court, fails to do so.

(4) Any agriculturist entitled to make such deposit may before the date on which any instalment is due apply to the Court having jurisdiction under sub-section (1) for an extension of time for making the deposit of the whole or any portion of such instalment and the Court may after notice to the creditor extend the time for payment of such instalment or part thereof for such period as it thinks fit.

(5) The procedure laid down in the Code of Civil Procedure, 1908 (Central Act V of 1908), for the trial of suits shall, as far as may be, apply to the applications under this section.

6. Appeals.—An appeal shall lie from an order passed by a Court under section 5, as if such an order relates to the execution, discharge or satisfaction of a decree within the meaning of section 47 of the Code of Civil Procedure, 1908 (Central Act V of 1908).

7. Presumption as to transfer of immovable property of the debtor.—(1) Every transfer of immovable property made by a debtor entitled to the benefits of this Act after the 1st October 1953 and before the complete discharge of his debt, shall, in any suit or other proceedings with respect to such transfer, be presumed, until the contrary is proved, to have been made with intent to defeat or delay the creditors of the transferor.

(2) Where a debtor entitled to the benefits of this Act has allowed, in collusion with another, his immovable property to be sold after the 1st October 1953 through Court with a view to defeat or delay his creditors, the sale shall be voidable at the option of any creditor so defeated or delayed.

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8. Exclusion of time for limitation.—In computing the period of limitation for a suit for recovery of a debt or an application for the execution of a decree in respect of a debt, the time during which the institution of the suit or the making of the application was barred under section 3 shall be excluded.

9. Effect of payment or deposit under section 4 or section 5.—Where a debt is payable by an agriculturist either by himself or jointly or jointly and severally with a non-agriculturist and where the agriculturist makes payment or deposits amount towards that debt as provided for in section 4 or section 5, a fresh period of limitation shall be computed from the time when the payment or deposit was made both against the agriculturist and non-agriculturist.

10. Power to make rules.—(1) The State Government may make rules for carrying out the purposes of this Act.

(2) The rules so made shall be placed on the table of each House of the Legislature as soon as they are published and shall be subject to such modification whether by way of repeal or amendment as the Legislature may make during the sessions in which they are so laid.

THE MADRAS LEGISLATIVE COUNCIL.

Friday, the 25th 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.

Admissions to the Medical Colleges in the State.

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

(a) the number of candidates selected for admission to the medical colleges in the State during the years 1952-53 and 1953-54;

(b) the number and percentage of seats reserved for backward classes and scheduled castes; and

(c) the number of candidates belonging to the Vannar and the Barber communities who applied for admission to the medical colleges in the State during the above period?

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

SRI M. ETHERAJULU :—“ May I know, Sir, if adequate number of applicants from the scheduled castes are not forthcoming, the reserved seats will be given to backward classes? ”

THE HON. SRI A. B. SHETTY :—“ No, Sir, backward classes get the number of seats reserved for them and also they are selected on merit.”

SRI T. PURUSHOTHAM :—“ With reference to the answer given to clause (b), may I know whether the Government would revise the percentage of admissions with reference to the actual population as they have done in the matter of recruitment to public services? ”

THE HON. SRI A. B. SHETTY :—“ Admission is now made on a district-war basis according to the ratio of population based on 1951 census.”

SRI T. PURUSHOTHAM :—“ The percentage of seats reserved for backward classes and scheduled castes has been increased recently with reference to population in the matter of recruitment to public services, and may I know whether the same concession would be extended in the matter of admission to professional colleges? ”

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THE HON. SRI A. B. SHETTY :—“ I do not think there is any necessity for it. Though the backward classes are entitled only to 73 seats on the basis of reservation, they actually got 128 seats.”

SRI A. SUBRAMANYAM :—“ இந்த மரகாண ஜனத்தொகை சற்றேறக்குறைய மூன்று கோடியாகும். அதில் இரண்டு கோடி மக்கள் பிற்பட்ட வகுப்பினர்கள் இருந்துவருவதாக ஜனத்தொகை விவரமாதிரி அவர்களுக்கு சலுகைகள் கொடுக்க முடியுமா என்று கேட்கிறேன்.”

THE HON. SRI A. B. SHETTY :—“ I do not think the hon. Member's information is correct.”

THE HON. SRI C. SUBRAMANIAM :—“ We are puzzled by the number of backward classes. I think they may number about one crore.”

SRI A. SUBRAMANYAM :—“ பிற்பட்ட ஜனத்தொகையின் ஜனத்தொகை கண்டிப்பாக இரண்டு கோடி என்பதில் சந்தேகமில்லை.”

THE HON. SRI C. SUBRAMANIAM :—“ It has been taken and the backward classes have been estimated at 32 per cent. They have to be content with that.”

SRI A. SUBRAMANYAM :—“ அரசாங்கம் மறுபடியும் ஜனக் கணக்குப் பார்ப்பார்களேயானால், உண்மை புலப்படும். பிற்பட்ட ஜனத்தொகையின் எண்ணிக்கை இரண்டு கோடிக்கு மேலாகத்தான் இருக்குமேயொழிய, அதற்குக் குறையாது.”

SRI MOHAMED RAZA KHAN :—“ May I know with all the facilities provided by the Government of Madras in the matter of appointment to public services and admission to professional colleges during the last five years, to what extent the backward classes have come forward? ”

THE HON. SRI C. SUBRAMANIAM :—“ They have overtaken the forward classes in many matters.”

SRI V. V. RAMASWAMI :—“ ஒரு இனத்தையே சேர்ந்த மக்களின் தொகையை கணக்கெடுக்கும்பொழுது, அந்த இனத்தவர் சொல்வதை ஆதாரமாக அரசாங்கம் எடுத்துக்கொள்கிறார்களா? அல்லது அதிகார பூர்வமாக ஜன சங்கியைக் கமிஷன் கொடுக்கும் எண்ணிக்கையை வைத்துக் கொண்டு அரசாங்கம் கணக் கெடுக்கிறார்களா என்று கேட்கிறேன்.”

THE HON. SRI C. SUBRAMANIAM :—“ The census operation is done by officers, and they are instructed to make enquiries and relative data is collected and it is only on that basis we are arriving at the figures with reference to backward classes and other categories in the population and I do not think we can question the correctness of the census figures at this stage.”

SRI V. CHAKKARAI CHETTY :—“ The Hon. Minister said that the backward classes had overtaken the forward classes. In what sense have they overtaken, Sir? Is it in numbers or in the number of appointments? ”

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THE HON. SRI C. SUBRAMANIAM :—“ In the successful way in which they have competed with the so-called forward classes and especially with regard to the admission to the professional colleges. If only the hon. Member looks into the figures, he will find out that the backward classes have obtained more seats than the so-called forward classes.”

SRI V. V. RAMASWAMI :—“ இந்த ஆண்டிலே மருத்துவக் கல்லூரியில் உயர்தரவகுப்பு தெரியாதவர்கள் பிற்பட்ட வகுப்பைச் சேர்ந்தவன் என்பது அசாத்தியத்திற்கு உதவியுமா? ”

THE HON. SRI C. SUBRAMANIAM :—“ Thanks for the information, Sir.”

SRI A. SUBRAMANYAM :—“ இரண்டு கோடி ஜனத்தொகை கொண்ட சமூகத்தினால், ஒரு சிலர் முதல் மூலக் வாங்கிவிட்டதில் பிற்பட்ட ஜனத்தொகை ஜனத்தொகை விவரங்கள் என்று சொல்ல முடியுமா என்று கேட்கிறேன்.”

THE HON. SRI C. SUBRAMANIAM :—“ The hon. Member is still persisting over the figure of 2 crores. The figure is wrong. Let him correct himself first before putting the question.”

SRI A. SUBRAMANYAM :—“ நயவு செய்து கனம் மந்திரி அவர்கள் பிற்பட்ட ஜனத்தொகையின் ஜனத்தொகையை கணக்கெடுப்பார்களா என்று மறுபடியும் கேட்கிறேன். பிற்பட்ட வகுப்பினர் படிப்பு விஷயத்திலோ உத்தியோக விஷயத்திலோ எந்த விதமான சலுகையையும், ஜனத் தொகை விவரமாதிரி, பெறவில்லை. அவர்களுக்கு சலுகைகள் கொடுக்கும் விஷயத்தில் கனம் செஷன்ஸ்வராக, சமீபத்தில் காங்கிரஸ் அக்காடமி மந்திரி கூறியிருக்கிறார். ஆகவே பிற்பட்ட ஜனத்தொகையின் நியாயமான குறைகளைப் போக்குவதற்கு அரசாங்கம் முன்வருமா? ”

THE HON. SRI C. SUBRAMANIAM :—“ The requirements of all backward classes will be attended to not on the basis of caste but on the basis of their economic backwardness.”

Supply of tents for the Avadi Congress Session.

* 200 Q.—SRI V. GURUNANDAN ROW : Will the Hon. the Minister for Agriculture be pleased to state—

(a) whether any tents belonging to the Forest Department of the Government were supplied for use in connexion with the All-India Session of the Indian National Congress at Avadi and, if so, how many;

(b) the total expenses incurred by the Government for transporting and putting up such tents; and

(c) whether the Indian National Congress contributed any amount to the Government towards such expenses and, if so, how much?

THE HON. SRI M. BHAKTAVATSALAM :—“ (a) No, Sir.
“ (b) & (c) Do not arise.”

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SRI V. GURUNANDAN ROW :—“ Has there not been any letter from any forest officer about the lending of tents to the Avadi Congress session? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ Yes, Sir, there may have been communications. But the question was whether any tents belonging to the Forest department of the Government were supplied to the Avadi Congress and I have answered ‘ No ’.”

SRI V. GURUNANDAN ROW :—“ Are the Government aware of any publication that the tents were supplied to the Avadi Congress session? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ I do not know what is the publication referred to by the hon. Member. I know definitely that no tents (belonging to Government) were used in the Avadi Congress session.”

SRI MOHAMED RAZA KHAN :—“ While admitting that no tents were supplied by Government for the Avadi Congress session, may I know what ‘ other things ’ were supplied by Government for the Avadi Congress session? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ I want to know what the hon. Member means by saying ‘ other things ’. I know that no delegate to the Avadi Congress used any tent belonging to the Forest Department.”

Selection of candidates to the Senior Basic grade in the Basic Training School, Parivillicottai.

* 201 Q.—SRI G. KRISHNAMOORTHY : Will the Hon. the Minister for Finance and Education be pleased to state—
(a) the number of candidates interviewed for selection to the Senior Basic grade in the Basic Training School, Parivillicottai, Tirunelveli district, this school year;

(b) the number of candidates selected;

(c) the number of candidates admitted;

(d) the number of candidates sent out after admission; and

(e) the reasons for clause (d)?

THE HON. SRI C. SUBRAMANIAM :—“ (a) 65.

“ (b) 52.

“ (c) 40.

“ (d) 5.

“ (e) They were not fully qualified as they had neither secured in S.S.L.C. Examination eligibility for admission into the University course of study nor the marks prescribed for eligibility to public service and they did not belong to backward classes so as to be considered for exemption from the above criteria.”

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SRI G. KRISHNAMOORTHY :—“ Is it not a fact Sir, that these five students were admitted by an order of the Basic Education Officer and after they had been in the class for about a week, the Headmaster had to send them out because of the order of the same Basic Education Officer? ”

THE HON. SRI C. SUBRAMANIAM :—“ The Selection Committee selected these candidates under the mistaken impression that they had obtained sufficient number of marks in the S.S.L.C. Examination. But after scrutiny it was found that there was a mistake and the mistake was found within the short time of one week and the mistake was rectified.”

SRI G. KRISHNAMOORTHY :—“ At least could they not have been admitted in the Junior basic class? ”

THE HON. SRI C. SUBRAMANIAM :—“ I do not think any such request was made. The question was whether they were fit for the senior basic course.”

SRI G. KRISHNAMOORTHY :—“ Will the Hon. the Minister see to it that such things do not recur in future as they cause annoyance to the parents? ”

THE HON. SRI C. SUBRAMANIAM :—“ Not only in this school but in some other schools such a mistake has arisen. I have issued strict instructions to all concerned that such things should not recur in future.”

Grant of loan by the Union Government for Rural and Urban Electrification Schemes in this State.

* 202 Q.—SRI T. PURUSHOTHAM : Will the Hon. the Minister for Public Works be pleased to state—

(a) the amount of loan given by the Union Government for (1) rural and (2) urban electrification schemes in this State;

(b) the conditions governing the grant of the loan;

(c) the details of the electrification schemes sanctioned for execution out of the loan; and

(d) the programme of dates for the execution of those schemes?

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI :—“ (a) to (d) Attention is invited to the paper^a placed on the table of the House.”

SRI T. PURUSHOTHAM :—“ Sir, with reference to the last paragraph of the statement placed on the table of the House, may I presume that the Government will take all possible steps to push up the pending rural electrification schemes and see that the full amount allotted by the Central Government is utilized? ”

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THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI :—“ Yes, Sir. Most certainly.”

SRI T. PURUSHOTHAM :—“ Sir, may I know whether the capacity of our generating stations would be adequate to meet the large requirement of the number of rural electrification schemes for which we have budgeted? ”

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI :—“ At present it may not be. But after the coming into force of the Periyar Hydro Electric Scheme and possibly the Kundha Scheme, it will be sufficient.”

3-10 p.m. SRI T. PURUSHOTHAM :—“ Sir, may I know what steps the Government have taken to push up the work connected with the Periyar Hydro Electric Scheme, and may I have an indication as to when the work on that scheme would be taken up? ”

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI :—“ Sir, the inauguration of the scheme has taken place only very recently. Our Chief Minister has inaugurated it. The scheme is expected to take about three and a half to four years.”

Number of liquor permit-holders.

* 203 Q.—SRI T. PURUSHOTHAM : Will the Hon. the Minister for Religious Endowments and Transport be pleased to lay on the table of the House a comparative statement showing district-wise the number of liquor permit-holders as on 2nd October 1953 and 2nd October 1954?

THE HON. SRI B. PARAMESWARAN :—“ A statement * furnishing the information is placed on the table of the House.”

SRI T. PURUSHOTHAM :—“ Sir, have the Government investigated why there is such a large number of permit-holders in some of the districts when compared with other districts? ”

THE HON. SRI B. PARAMESWARAN :—“ I do not think it is necessary for the Government to investigate it.”

SRI A. M. ALLAPICHAJ :—“ Sir, is it not the policy of the Government to reduce the number of permits and is it not also their policy to completely discourage and see that in course of time no permit is issued? ”

THE HON. SRI B. PARAMESWARAN :—“ That is what the Government are trying to do.”

SRI T. PURUSHOTHAM :—“ Sir, do not the Government hope to wipe off the permit-holders by the gradual reduction of the quantity allowed to them, and is not that the policy of the Government? ”

* Printed as Appendix III on page 207 infra.

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AN HON. MEMBER :—“ Why not wipe out permit-holders! ”

SRI M. ETHERAJULU :—“ May I know Sir, whether any permit has been given to any Government servant? ”

THE HON. SRI B. PARAMESWARAN :—“ Yes, Sir, to a few Government servants.”

SRI MOHAMED RAZA KHAN :—“ May I know the reasons for the great disparity in the number of permits between Coimbatore district and other districts, for example, North Arcot? ”

SRI K. BALASUBRAMANYA AYYAR :—“ May I know, Sir, why this question is put to the Hon. the Minister for Religious Endowments? ”

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

II.—GOVERNMENT BILL.

THE MADRAS PLANTATIONS AGRICULTURAL INCOME-TAX BILL, 1954
(L.A. BILL NO. 30 OF 1954)—cont.

MR. CHAIRMAN :—“ We will now take up the clause by clause consideration of the Plantations Bill. The hon. Member Dr. V. K. John will move his amendment to Clause 2.”

Clause 2.

* DR. V. K. JOHN :—“ Sir, I move the amendment standing in my name, namely,—

“ For sub-clause (a) substitute the following :—

“ ‘ agricultural income ’ means agricultural income as defined for the purposes of the enactments relating to Indian Income-tax.” ”

Sir, agricultural income as defined in the Bill is wrong. It should have been defined in this manner, that is, “ agricultural income ” means agricultural income as defined for the purposes of the enactments relating to Indian Income-tax. Sir, you will find that the Constitution of India enables a State only to impose taxes on agricultural income. This is provided for in item 46 of the State List in the Seventh Schedule to the Constitution of India. The definition given to agricultural income in Article 366 of the Constitution of India is—

“ ‘ Agricultural income ’ means agricultural income as defined for the purposes of the enactments relating to Indian Income-tax.”

Why not simply incorporate this definition in the Bill? The Government of India may change or they may not change the enactment relating to Indian Income-tax. The definition in the Indian Income-tax Act for assessment of agricultural income may be one thing to-day and it may be amended later. We need not amend our Act because the definition of agricultural income is given in Article 366 of the Constitution of India. I do not know whether the Government are aware of the definition of agricultural

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income given in the Constitution. Sir, I move my amendment so that the Government may follow the definition given in the Constitution for 'agricultural income'. The Government need not go in for some other definition. The definition given in the Travancore-Cochin Act for 'agricultural income' is simply copied here. As the Government copied the Travancore-Cochin Act, they copied the printing mistakes also in the Travancore-Cochin Act. I pointed out this in my memorandum and then the printing mistakes were corrected. If the Indian Income-tax Act should define 'agricultural income' in some other way later, then we will have to change our definition also. But if we simply copy the definition given in the Constitution of India for 'agricultural income', we would not find ourselves in trouble. We need not change or alter our definition at any time. The definition given in the Constitution is a short one. The Government are bound to adopt that definition. Instead of this, we need not have gone in for a long definition covering nearly half a page as the Travancore-Cochin Act covers."

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

MR. CHAIRMAN :—" Amendment moved—

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

" 'agricultural income' means agricultural income as defined for the purposes of the enactments relating to Indian Income-tax " "

* SRI K. BHASHYAM :—" Sir, it is true that the Constitution gives the definition for 'agricultural income'. This is also liable to variation as often as the Central Government change their definition regarding agricultural income in the various enactments that they may pass. Perhaps it will save other people the trouble of finding out whether the definition we give is within the scope of the definition given in the Constitution. Our definition need not change with the definition of the Indian Income-tax Acts that may be passed. We need not depend upon them. If we want merely to follow the wording in the Constitution and depend upon the statutes that are going to be passed by the Central Government in regard to Indian Income-tax, we will lapse into uncertainty. It is much better to define on what we are going to tax at all. If we define 'agricultural income', we will be on safer ground on certain matters. But if we merely leave it vague, and adopt the definition given in the Indian Income-tax Act from time to time, it will be difficult for us for achieving our object in imposing this tax. We will not know what will be the definition of 'agricultural income' next year. It is therefore much better that we have our own definition taking care, however, to see that only income from agricultural land is taxed. Agricultural income must of course come within the definition that it is realised from agricultural land. If the definition is fairly accurate and is not controversial, it is quite all right. I say that it is unnecessary to follow the definition given in the

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Constitution. It is better that we have our own definition taking care, however, to see that it does not transgress the definition given in the Indian Income-tax Act."

* THE HON. SRI M. A. MANICKAVELU NAICKER :—" No 3-20
doubt we have followed the definition given in the Indian Income-
tax Act. But the definition has been further restricted here. We
cannot have a general provision. The Bill does not cover all
agricultural income. It covers only income from plantations. It
has thus been restricted. As for the contention that we may
follow the definition given in the Constitution, I have only to
observe that it is better to have our own definition to suit our
purpose. So, there is no difficulty in it, Sir."

* DR. V. K. JOHN :—" Sir, I find that this definition has been copied from the Travancore-Cochin Act which again has been copied from the Indian Income-tax Act. What I say is that the restriction of the income from tea as 40 per cent or 60 per cent should be by another paragraph. You are giving the definition of 'agricultural income' and not any other thing. The Government are not saying here what is meant by agricultural income from plantations. That they have said in some other place. They are only imposing a tax on plantations. Here, we are defining what is meant by agricultural income. We can never change the definition given in the Constitution which enables us to levy a tax on agricultural income. Agricultural income is defined under article 366 (1). We cannot have our own definition. We must adopt that definition. If we have a definition which is different from the one given in the Constitution, we will be transgressing the Constitution. Agricultural income has been defined there for the purpose of enactments relating to the Indian Income-tax Act. We cannot change the definition given by the Central Legislature either so far as it relates to the Indian Income-tax Act. We can never have our own definition. I request the Government to consider this aspect also. I am not hoping that the Government will accept the amendment. I only want to draw the attention of the Government to this aspect. If they think that I am right, they may come forward with an amendment. If they think I am wrong, they may keep to their own view."

* THE HON. SRI C. SUBRAMANIAM :—" Sir, the point for consideration is this. No doubt we have adopted the definition in the Indian Income-tax Act, and we cannot go contra to it. Should we not make the position clear in our enactment here? That is we not make the position clear in our enactment here? That is an Act passed by the Central Legislature. When it is amended, are we not to take notice of it? Are we simply to say, 'Let everybody refer to the Central Act and the amendment thereto'? I think that is not correct. When it is amended there or whenever we see that a particular provision is in conflict with the other enactment, it is necessary that we must bring about a change in our enactment also. It is not proper for us to ask the people to look to

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the Indian Income-tax Act to find out what we mean by 'agricultural income.' I think it is better for us to refer to it here in our enactment itself instead of asking people to refer to the other enactment, Sir."

MR. CHAIRMAN :—" The question is—

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

" ' agricultural income ' means agricultural income as defined for the purposes of the enactments relating to Indian Income-tax." "

The amendment was lost.

SRI K. BHASHYAM :—" Sir, I move the amendment standing in my name, viz.—

' In sub-clause (u) (ii), for the words " upon whom the Agricultural Income-tax Officer has served a notice of his intention of treating him as principal officer thereof " substitute the following :—

" who in the opinion of the Agricultural Income-tax Officer, sufficiently represents the company or association provided that no such person shall be recognized as principal officer, unless a notice has been served on him and his representation has been considered." "

" Sir,"

MR. CHAIRMAN :—" Let somebody formally second the hon. Member's amendment. Then, the hon. Member may speak."

* SRI K. BHASHYAM :—" Sir, I would first like to explain the reason why I have moved the amendment so that someone may be persuaded to second it. As I am speaking from the Government benches, I would like to explain my position."

* DR. V. K. JOHN :—" If the hon. Member could explain the amendment to the satisfaction of the House, I think the Hon. the Leader of the House himself may second his amendment."

* SRI K. BHASHYAM :—" Sir, in sub-clause (u) (ii), a ' principal officer ' has been defined as ' any person connected with the company or association upon whom the Agricultural Income-tax Officer has served a notice of his intention of treating him as principal officer thereof '. Before recognising a person as principal officer for the purpose of this Act, should we not ask that person whether he was willing to be recognised as the principal officer? Before deciding that a person will be the principal officer, I think it is much better to get his representation as to whether he was willing to be treated as a principal officer under the Act. His view should be heard before any decision is taken. Otherwise, when nobody else—either the Manager, Secretary or any other—was available, the Income-tax Officer may put a clerk or even a duffadar as the principal officer. Sir, I feel that my amendment,

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if accepted, will serve the purpose of the Government much better and the Government will also be doing justice to the person whom they select as the principal officer under the Act. When we are going to make a person responsible to submit returns and things like that under the Act and when we have also provided for penalties in case he fails to comply with the provisions of the Act, it is but just and proper that the person concerned must be heard in the matter and his consent obtained before the Government take a decision recognising him as the principal officer under the Act. It is for this reason I have moved my amendment, Sir."

DR. V. K. JOHN :—" As I am satisfied that the amendment is good, I second it, Sir."

SRI K. BALASUBRAMANYA AYYAR :—" Sub-clause (u) (ii) says, ' any person connected with the company or association upon whom the agricultural Income-tax Officer has served a notice of his intention of treating him as principal officer thereof '. Suppose the person concerned says, ' I am not connected with the company. I am not interested in the matter '. What will the Agricultural Income-tax Officer do? It will become a very difficult question. So, it is better to ask him whether he is really connected with the Company. After hearing his representation the Agricultural Income-tax Officer may decide whether to serve notice on him or not."

SRI T. PURUSHOTHAM :—" The Government are going to make rules under the Act. I think they will provide in the rules the method of service of notice and other matters. So, the point raised by the hon. Member Sri Bhashyam could be made clear in the rules. I believe on this understanding, the hon. Member will be prepared to withdraw his amendment."

* THE HON. SRI M. A. MANICKAVELU NAICKER :—" Sir, the Agricultural Income-tax Officer will no doubt find out who was the responsible person to serve notices on. If there was still any difficulty, we can make the necessary provisions in the rules to meet any contingency."

* SRI K. BHASHYAM :—" In view of the assurance given by the Hon. Minister, I am withdrawing my amendment, Sir."

The amendment was, by leave of the House, withdrawn.
Clause 2 was put and carried.

Clause 3.

SRI K. BALASUBRAMANYA AYYAR :—" Sir, I move the amendment standing in my name, namely,—

' In sub-clause (1), for the words " specified in Part I of the Schedule to this Act " substitute the following words :—
" as may be fixed by the Act of the Legislature passed for that purpose every year." "

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My point in moving this amendment is, instead of having a permanent rate of tax, it would be better to follow the principle of the Indian Income-tax Act. The Indian Income-tax Act says that an Act of the Legislature might from time to time fix the rates of tax that will be levied in the corresponding year. That is what is said in section 3 of that Act. Here the case is a little more *prima facie*, because so far as the plantation crops are concerned, everybody knows that they are liable to great fluctuation in the matter of prices. Prices are subject to fluctuation on account of control of rates in foreign markets. The yield also is a fluctuating yield. If there is much profit in any one year, as there was one in 1951 and 1952, the rates may be lowered. I think that would be on the whole fair and beneficial both to the trade and to the Government. Instead of having this Re. 0-5-6, the Government could realise more tax if there is very good crop in any year and the plantations earn large profits in foreign markets. But in case there is difficulty or a crisis in any year, the rates must be lowered. So far as the Indian Income-tax Act is concerned, the rates are fixed every year. That principle can very well be adopted in this case. Therefore it is that I make hold to move my amendment. The language of the relevant section of the Indian Income-tax Act is slightly different. I need not unnecessarily move a similar amendment. It is enough if I say 'as may be fixed by the Act of the Legislature passed for that purpose every year.'

DR. V. K. JOHN :—"I second the amendment"

MR. CHAIRMAN :—"Amendment moved—

'In sub-clause (1), for the words "specified in Part I of the Schedule to this Act", substitute the following words :—

"as may be fixed by the Act of the Legislature passed for that purpose every year."'

* THE HON. SRI C. SUBRAMANIAM :—"Sir, the point is this. In the Central Legislature, the practice has always been that along with the Budget, a Finance Bill is also presented to the House. The Finance Bill relates to the levy of customs duty, export duty, income-tax, excise duty, etc. But that is not the custom here. With reference to financial proposals mentioned in the Budget, we bring in separate Bills with regard to each proposal and pass it. We do it after the Budget is approved. I do not think it will be convenient to follow the procedure adopted by the Government of India. We are not accustomed to it also.

"Another point which Mr. Balasubramanya Ayyar mentioned was that the rates should be changed from year to year. After all we are going to levy tax on the income earned during the previous year and the rate of tax should have some certainty about it. The trade must know what they would have to pay in respect of their income and provide for it. If they are not certain about the rate

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and if we go on changing from year to year, then it means putting them to difficulty. As far as this Government are concerned, we would rather adopt a permanent rate. Of course, if the Legislature and the Government want that the rates mentioned in the schedule should be changed, we can always bring in an amending Bill; if the circumstances also warrant it, we shall certainly do it. As far as we are concerned, we want to make it clear that the rates mentioned in the schedule will apply until they are changed by another regular Act. It is better we leave a certain amount of certainty in these matters. And then, Sir, the Central Government have got to balance the various levies that they have—excise, customs, income-tax, etc.—and so they have a provision in the Indian Income-tax Act that the rates are subject to review every year. Here, we are going to have only this tax and nothing else. We are not going to collect excise duty. We do not levy any other tax and so, taking all these factors into consideration, I feel that we need not follow the procedure followed by the Central Government here."

SRI K. BALASUBRAMANYA AYYAR :—"Sir, I agree with the Hon. the Minister for Finance that we do not have any other levy than this. But I may tell him that even the income-tax levied by the Central Government is with reference to the income earned during the previous year. That is a principle which is followed everywhere and, therefore, that need not be a sufficient ground for refusing changing rates every year. So far as the other reason adduced by him is concerned, here also we have got what is called the cess on coffee, tea, etc. For example, on coffee they have imposed cess. On tea also, the Government of India have imposed a cess of forty per cent. Suppose they change the rates with regard to these cesses. The same difficulty will arise here also. All these are still controlled by the Government of India."

* THE HON. SRI C. SUBRAMANIAM :—"Sir, that is the very reason why I want these permanent rates because the Central Government should not think that they can increase the cess and force the State Government to decrease its tax. Let them know where they are and what they are levying. They should adjust their cess with reference to our tax and not that we should adjust our tax to suit them. If we are to change the rates every year, they will say: 'Well, we have increased our excise duty, etc. You had better decrease your tax'. We should not allow ourselves to be influenced by the Government of India's policy in this matter."

MR. CHAIRMAN :—"The question is—

'In sub-clause (1), for the words "specified in Part I of the Schedule to this Act", substitute the following words :—

"as may be fixed by the Act of the Legislature passed for that purpose every year."'

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The amendment was lost.

Clause 3 was put and carried.

Clause 4.

* SRI K. BHASHYAM :—“ Sir, I move the amendments standing in my name, namely,—

‘ In lines 3 and 4, after the word “plantation” and before the word “situated”, insert the words “or plantations”

In sub-clause (a), for the word “a” substitute the word “any”.

In sub-clause (b), line 2, after the word “trust” and before the words “or other”, insert the word “for”.

Sir, these are all verbal amendments and there is no question of policy involved in them. In clause 4 it is said ‘agricultural income derived from a plantation’. It must be really ‘a plantation or plantations’. It cannot always be one plantation. A man may have more than one plantation. The second amendment also means the same thing. Instead of ‘a plantation situated without the State’, I want ‘any plantation situated without the State’. Then, with regard to the third amendment that is also verbal; I do not however understand the intention of the Government with reference to sub-clause (b) of the Bill. I would like to know whether the Government intend to exclude cases where there is a private trust and where a person is merely a trustee. It looks as though a private person is not excluded. The sub-clause reads—

‘ Any agricultural income derived from property held under trust or other legal obligation wholly for religious or charitable purposes . . . will not be included in the income.’

I want the Government to clarify the position.”

MR. CHAIRMAN :—“ Does anybody second the amendments? I think nobody does. The amendments fall through for want of a seconder.”

Clause 4 was put and carried.

Clause 5.

3-40 p.m. * DR. V. K. JOHN :—“ Sir, I move the amendment standing in my name, namely,—

‘ For sub-clause (a) substitute the following :—

“(a) any sums paid in the previous year on account of land revenue due to the Government, local rates and cesses and municipal taxes in respect of plantation and also cesses and duties charged by the Government of India.”

The Central Government levy a duty of Re. 0-4-0 for one lb. of tea for internal consumption. They levy a duty of 40 per cent on the manufacture of tea. Besides this another export duty of Re. 0-4-0 per one lb. is levied by the Government of India. All

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these years the tea industry is heavily taxed by the Government of India. Now in computing the agricultural income, you do not deduct all these things. I say it is not just and proper. Are the Government anxious that even these duties charged by the Government of India should be borne by the shareholder? What the Government ought to have done is to deduct all these things, I mean the export duty paid to the Government of India and the other duties levied by Central Government, from the tax itself. That you have not done. But still more, you do not deduct all those things even while computing the agricultural income. Is it fair not to deduct the duties paid to the Central Government when you compute the total agricultural income? Take the case of land revenue. What is land revenue? It is a tax paid to Government. While calculating the total income from the land, it should be deducted. What ought to have been done is that all taxes paid to the State Government, and the local bodies and the Central Government ought to have been deducted from the total agricultural income and the resultant income only ought to be taxed. That is what ought to have been done. This principle is recognised under the Indian Income-tax Act. But you say that you have followed the Indian income-tax in this Bill. But still you have not deducted the duties and cesses paid to the Central Government while computing the agricultural income. There are two parties who share the income. One is the shareholder and the other is the Government. Do the Government mean that they will take away by the left hand what the shareholder gets, while taking by the right hand their share by means of this income-tax? It amounts only to that. The shareholder's share of the tax to be paid is there. You do not deduct the duties paid to the Central Government. That means the company has got to pay it. That is indirectly taxing the shareholder again. Is it your intention that the shareholder should be made to starve? This will then lead to the ruination of the industry. Therefore it is but just proper that my amendment should be accepted.”

MR. CHAIRMAN :—“ Who is seconding, it? ”

SRI K. BALASUBRAMANYA AYYAR :—“ I am seconding it, Sir.”

MR. CHAIRMAN :—“ I should like to tell one thing. It is particularly necessary when an amendment is seconded that the hon. Member seconding that amendment should have some idea about it. Otherwise it will not solve the purpose if hon. Members simply for the sake of seconding amendments, second them. The purpose of the discussion would not be served by such seconding of amendments. I am not complaining against Mr. Balasubramanya Ayyar now. I have said only the general principle that should be followed.”

DR. V. K. JOHN :—“ Does the Chair want Mr. Balasubramanya Ayyar to make a speech? ”

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MR. CHAIRMAN :—" Not a speech. Let Mr. Balasubramanya Ayyar say what he has got to say."

SRI K. BALASUBRAMANYA AYYAR :—" Under the Indian Income-tax Act there are two ways in which relief is given to the assessee. One is by deducting whatever is paid by way of tax, etc., from the total income. Then only the income-tax is levied. For instance, when a person has insured himself for life, the whole insurance premium is deducted from his total income and the remainder only is taxed. The amendment moved by Dr. John says that the following may be substituted as sub-clause (a) for clause 5, viz. :—

'(a) any sums paid in the previous year on account of land revenue due to the Government, local rates and cesses and municipal taxes in respect of plantation and also cesses and duties charged by the Government of India.'

Of course under sub-clause (b) of clause 5 it is stated that the agricultural income shall be computed after deducting the rent paid in the previous year to the landlord or superior landlord, as the case may be, in respect of the plantation from which the agricultural income is derived. But that is a circumscribed thing. You have said under sub-clause (a) that land revenue paid to Government shall not be included. I think it would be better to add that cesses and duties paid to the Government of India also would be deducted from the total agricultural income. That is what Mr. John's amendment says. That is why I support his amendment."

MR. CHAIRMAN :—" Amendment moved—

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

"(a) any sums paid in the previous year on account of land revenue due to the Government, local rates and cesses and municipal taxes in respect of plantation and also cesses and duties charged by the Government of India." "

* THE HON. SRI C. SUBRAMANIAM :—" We are now concerned with the income derived at the agricultural stage only. Now we have got to see whether the Union Government could levy a tax on the agricultural produce as such. If you go through the Union list and I have gone through it carefully (in fact to refresh my memory I went through it now) it is clear that there is no power vested in the Union Government to levy a tax on the agricultural produce as such. At the agricultural stage, they do not come into the picture. Of course after processing and when the goods are sold, they come in and when it is fit for export they levy export duty and the export duty will be deducted from the sale price and the actual price realised will be taken into account while computing the total income. So also the Centre is entitled to levy any excise duty as such on the agricultural produce. But that is done only after the agricultural stage. For instance in the case of coffee, they levy a cess for the

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purpose of managing the Coffee Board which controls the coffee market. Therefore we are concerned only with the agricultural stage. Only when it ceases to be an agricultural product, when it is processed and enters the market, the Centre comes in. In fact, the planters who were interviewed by the Select Committee did not at all raise any objection to this sub-clause (a). I do not think the planters will be hard hit by our not deducting the cesses and duties paid to the Government of India by them from the total agricultural income. In fact the planters did not express any difficulty regarding this sub-clause (a). Therefore I do not think the amendment of Mr. John is necessary."

SRI K. BALASUBRAMANYA AYYAR :—" Agricultural 3-5
income is realized on account of the profit earned after the produce is marketed."

* THE HON. SRI C. SUBRAMANIAM :—" That is why there are always two stages. Take, for example, tea. The leaf stage is the first stage. After this comes the processing stage and sale. As a matter of fact this is taken as non-agricultural income for the purpose of Union taxation. That is why forty per cent in the income is deducted. In the case of coffee also they are now contemplating to fix a percentage. Automatically we have to reduce ten per cent or fifteen per cent in all cases where they can come to impose a duty. They are now going to specify the percentage of non-agricultural income for the purpose of the Union income-tax. They will leave the rest for our taxation. There may not be conflict with reference to the agricultural income as such. Take the case of the Indian income-tax. The Government of India have fixed forty per cent as the non-agricultural income. It is not open to us to say that it should be anything less than forty per cent or seventy per cent. To avoid that conflict alone, the definition of agricultural income is given in Article 366 of the Constitution. It is not for the purpose of avoiding the definition in our Constitution that we have defined agricultural income in the Bill. The Government of India can step in only when the produce ceases to be an agricultural produce. They can come in at the stage of processing. Therefore, Sir, there would not be any difficulty, and as far as plantations are concerned, this difficulty will not arise at all at any stage."

* DR. V. K. JOHN :—" Sir, this is a specious argument. Suppose four annas excise duty is not imposed on tea, the ultimate benefit will go to the grower. That is a tax. The grower ultimately loses that money and when the grower loses that money, whatever be the stage at which this tax is levied, the grower of the tea is affected by the four annas excise duty or export duty imposed by the Government of India. Who is to bear that four annas duty? Is it the shareholder or the Government? Besides what is the tax that the Government are deducting? The Government are deducting only one or two lakhs of rupees paid as land revenue. Is this just and equitable? The Government must deduct everything that the Government of India, the Madras

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Government, and local bodies collect from the plantation. These charges are a burden on the grower. If they are deducted, there will be margin for the grower."

* THE HON. SRI C. SUBRAMANIAM :—" I am sorry, Sir, the hon. Member has still not got my point. If we accept Dr. John's amendment the Union Government will benefit at our costs. When they impose a tax on non-agricultural income, they will have to make allowance for the cesses and duties charged by them. It is not for us to give them exemption. Land revenue, local rates and cesses and municipal taxes are all levied on the agricultural income. That is why we are giving deductions for all these. The excise duty is not levied on tea leaf as such. It is only after it passes the stage of tea leaf and is processed, the duty is levied. Therefore the duty levied at that stage is to be borne by the Government of India in computing the non-agricultural income for the purpose of the Union income-tax. It is not for us to bear that tax. It is also advantageous to the planters to have these taxes deducted while computing the income for the purpose of the Union income-tax. We are only concerned with the income from agricultural produce, that is, the first stage. As soon as it goes to the next stage, namely, non-agricultural income, we cannot levy any tax on that. Therefore, Sir, it is not possible for us to accept the amendment of Dr. John. Perhaps this amendment will help the planter to get deductions both at the Centre and in the State. We have allocated our spheres of taxation on income. So, all taxes coming within the agricultural sector will be taken into consideration by us and not any other taxes."

MR. CHAIRMAN :—" The question is—

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

" (a) any sums paid in the previous year on account of land revenue due to the Government, local rates and cesses and municipal taxes in respect of plantation and also cesses and duties charged by the Government of India." "

The amendment was lost.

* DR. V. K. JOHN :—" Sir, I move the amendment standing in my name, namely :—

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

" (f) in respect of replacement of buildings, machinery, plants and furniture which are the property of the assessee and which are required for deriving the agricultural income, a portion as would be sufficient for such replacement." "

Sir, sub-clause (f) deals with depreciation of buildings, machinery, plant and furniture. My amendment says that it is not depreciation that should be taken into consideration but only replacement. This is an advanced theory. For the purpose of income-tax one

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should not merely deduct depreciation on the book value of machinery, buildings, plant, etc., but one must deduct the value of replacement. Now take the price of machinery. It has gone up three times or four times. Suppose the depreciation is made on the book value of the machinery. The book value may be one lakh of rupees. To-day on account of inflation or other causes, the machinery will cost Rs. 5 lakhs. The idea of depreciation is that if the planter wants to replace his machinery, he must have money to replace. Therefore depreciation is provided for. That was the old theory. To-day the theory is replacement value and not depreciation. So, the Government must make a larger allowance for replacement. Otherwise what will happen to the planter? The Government will allow depreciation only on one lakh of rupees. But his replacement cost will be Rs. 5 lakhs. Who is to find the balance of four lakhs of rupees? Shareholders? We are now dividing the income between the shareholder and the Government. The Government take away the tax and the shareholder gets his dividend. If the Government do not provide for replacement, the shareholder will hardly get anything. Mere depreciation on book value of buildings or machinery is no good at all. Therefore almost every company and every businessman to-day is keeping apart the replacement value. If the machinery is to be replaced in ten years, then the businessman must find funds which will enable him to replace his machinery. He must not think of making depreciation on the book value of his machinery. Depreciation was working all right at the time when prices were normal and did not shoot up. To-day the price of everything has gone up. No plantation machinery can be bought for anything less than five times its previous value. The Government are asking the shareholders to find the money for the replacement of the machinery by making allowance only for depreciation. I say that the Government must allow replacement value. This is much more than depreciation. This will result in a fair division of the income between the Government (revenue) and the shareholder (dividend)."

SRI K. BHASHYAM :—" Sir, I have got a doubt. In the Indian Income-tax Act, they do not give deductions for replacement value."

* DR. V. K. JOHN :—" Sir, the Indian Income-tax Act provides for depreciation. There has been a great deal of agitation that provision for depreciation will not encourage the industry. After all our object in imposing a tax is not to kill the industry. Plantation is a good industry. The Government will kill the industry if they allow only depreciation. In the present circumstances, they must allow replacement value. Many experts have written articles on this point, and they have said that this provision for depreciation should be altered. It is not altered yet. But when we are passing a Bill, why should we not provide for replacement value? After all it is equitable and simple. There is no complication in this at all. What is required is replacement and not depreciation."

The amendment was duly seconded.

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MR. CHAIRMAN :—“ Amendment moved—

‘ For sub-clause (f) substitute the following :—

“(f) in respect of replacement of buildings, machinery, plants and furniture which are the property of the assessee and which are required for deriving the agricultural income, a portion as would be sufficient for such replacement.” ”

SRI K. BHASHYAM :—“ There are two things, depreciation and replacement. Does the hon. Deputy Leader of the Opposition want both these? (Interruption.) Let the hon. Deputy Leader of the Opposition be a little patient. Let me say what I have got in my mind. After all we have plenty of time and he may give his views after hearing me. So far as replacement is concerned, it is capital expenditure and must come out of the capital. It is not a question of maintenance or carrying out some minor repair here and some other repair there. It is not a question of their incurring a monthly or annual expenditure on such maintenance. If it is capital expenditure, then it must be treated on a different footing. As a matter of fact, every company has got a Reserve Fund. What is the purpose of having a Reserve Fund? Even dividends are declared only after providing for the Reserve Fund which is kept separate. When money is put in the Reserve Fund every year, in a period of five or ten years, it will accumulate into a large sum from out of which the capital expenditure can be met. We cannot have it both ways. Especially when there is the Reserve Fund which has been created for a definite purpose, I do not think that ‘replacements’ can be accepted as an admissible item under this clause. Simply because some theory is adumbrated by some economist, we cannot go back. We will have to follow the practice or the rule that is found in the Indian Income-tax Act. I do not think even in England they have both these things. I am not an expert in income-tax law. But still, so far as I know, in no other enactment both depreciation and replacement are allowed as admissible items for purposes of deductions. It is a new idea. When this theory is not accepted even in English law and is not advocated by even English people, I do not know how my Friend is entitled to advocate it here.”

* THE HON. SRI M. A. MANICKAVELU NAICKER :—“ Sir, the allowances that we have made are on a rational basis. We have allowed a certain percentage on the written value. This is also done in the Indian Income-tax Act. The hon. Deputy Leader of the Opposition wants that some provision should be made for replacements. But his amendment is not a happy one. He says in his amendment, ‘ . . . a portion as would be sufficient for such replacement.’ Who is to decide that a portion will be sufficient and what will be the portion itself? Such difficulties will arise. Further, the idea is not to provide for replacements but to provide only for depreciation. This has been

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done. There is also another difficulty. The nature of replacements will vary from year to year and the cost will also be changing. All these difficulties are there. I think the hon. Deputy Leader of the Opposition must thank us for providing for depreciation. For these reasons, I oppose the amendment.”

* DR. V. K. JOHN :—“ Sir, the United Planters’ Association have strongly urged in their memorandum that on account of the deflated value of the machinery and on account of the necessity for replacing some of the machinery without delay, the Government should not levy this tax and take away the money without providing for replacements which will cost a larger sum than that provided under ‘depreciation . . .’

* THE HON. SRI C. SUBRAMANIAM :—“ No doubt the United Planters’ Association have put forward this view very strongly before the Select Committee also. But, I would like to ask the hon. Deputy Leader of the Opposition to kindly consider the fact that in the agricultural sector the machinery involved is very small. It is not as if the entire operation is carried on by machinery as in the case of industrial concerns which carry on their work with machinery only. In the case of industrial concerns, the replacement factor has a greater significance. But still, the Government of India have not agreed to that point of view in their case. That being so, how can we provide for replacements in this case of plantations which are purely in the agricultural sector where the cost of machinery involved is only a small fraction of the capital required by an industrial concern? I do not think we can accept this principle which in the larger sphere has not been accepted by the Government of India and which has also not been accepted in any other enactment.”

MR. CHAIRMAN :—“ The question is—

‘ For sub-clause (f) substitute the following :—

“(f) In respect of replacement of buildings, machinery, plants and furniture which are the property of the assessee and which are required for deriving the agricultural income, a portion as would be sufficient for such replacement.” ”

The amendment was lost.

* DR. V. K. JOHN :—“ Sir, I move the amendment standing in my name, viz.—

‘ For sub-clause (g) substitute the following :—

“(g) all expenses incurred as capital expenditure or otherwise in renovating the existing plantation and expanding the area of plantation.” ”

Sir, as it is, sub-clause (g) provides for the deduction of expenses other than capital expenditure incurred in the previous year of cultivating the crop from the agricultural income. I would like the House to note the words ‘expenses other than capital expenditure’. In the proviso to this sub-clause it is stated, ‘Provided

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that in any particular year the total replanting expenditure shall not exceed the amount necessary for replanting $2\frac{1}{2}$ per cent of the acreage if the crop is rubber or coffee, $1\frac{2}{3}$ per cent if the crop is tea and $8\frac{1}{3}$ per cent if the crop is cardamom and 10 per cent if the crop is cinchona.' In my amendment I say that all expenses incurred as capital expenditure or otherwise in renovating the existing plantation and expanding the area of plantation should be deducted from the income. Sir, any taxation measure must encourage the industry. If the Government accept my amendment, do you know what will happen? The people in the industry will spend a lot of money from their income in renovating, replanting and enriching the soil and by growing fresh plants in the place of the existing useless ones. If more and more money was spent for these purposes, it will be for the good of the country, for the good of the community at large and for the good of those engaged in the plantation industry including labour as more and more labourers will be employed. According to the widely accepted and well-known theory of the famous economist, Prof. Kayce, money spent on consumption and investment for production is really money well spent. If this is accepted, we will be able to find employment for a larger number of men and the economic strength of the country will also consequently increase.

"Sir, there are many big planters. Knowing the conditions obtaining in the country at present and finding that they are faced with a number of taxes, many of them have lost interest in the industry as such and have even begun to neglect it. They not even manure the land properly. There are thousands of acres of land which can be brought under fruitful cultivation. There are also thousands of acres of land which require renovation and replanting. These planters never take interest in all these matters. They do not grow fresh plants. They do not even care to renovate the existing plantations. The moment we say that the money that they spend in renovating the existing plantations and expanding the area of plantation will be deducted, I am sure many of them will willingly come forward to improve the plantation industry. Without making this allowance, if the Government go on increasing the tax burden, the planters will lose all interest in improving the industry as such. That is why I say that we must give them the incentive to invest money on improvements to the industry. Any taxation measure, if it is intended to improve the economic condition of the country, must provide for such incentives. Otherwise, the Government will simply be killing the industry. The other day, I was telling that the President of the United States of America in his address to the Congress emphasised the point of view that the object of the Government was to increase the purchasing power of the people. That is to say, more and more money should be invested on production and consumption. Now, the Government do not allow money to be invested for these purposes. Unless the Government give the necessary encouragement to the people to invest

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money on productive activities, there will be no improvement in the industry. The Government must bear in mind that any taxation measure must encourage the industry. If the Government are prepared to make a provision like the one that I want, surely the industry will expand."

THE HON. SRI C. SUBRAMANIAM :—"Has there been any expansion now?"

* DR. V. K. JOHN :—"There has been some expansion. In the past, the tea, rubber and coffee plantations have expanded to a small extent. What I wish to point out at the present moment is that after this Bill is passed, the industry will contract to a great extent and consequently it is the Government that will lose. We should not look at the Bill from a narrow point of view. It should be viewed from a national point of view. We must have a little foresight. The future of the industry as such in the next generation or two must be borne in mind.

"We must not squeeze everything out leaving nothing for expansion and giving no encouragement to the planters. This is a most important amendment that we move in this House. If this taxation should not cut at the root of the industry but improve the plantations, then we must deduct the amount spent on renovations from the tax. Does not the shareholder deduct it from his dividend? Why should the Government be in a better position than the shareholder who wants to encourage the industry? The shareholder gets some money after seven years of planting the tea crop and six years of planting rubber. The shareholder says: 'I shall not take the dividend; I shall invest it on the industry to expand it.' But the Government say: 'You take the money out of your share and let us have everything.' That should not be the attitude of the Government. Every taxation measure must be conducive to production. I submit that the Government must encourage the industry. They are not deducting the income of persons who are ploughing back their money into the industry. Only when these people are hard working and only when there is larger cultivation, the people will prosper. I am not sure that my amendment will be accepted. But let me tell the Government: 'If you take one rupee by way of tax, see that all cultivable lands are brought under cultivation. Let old trees be removed and new trees planted'. They may begin to yield after our life-time, may be after 25 years, and may benefit not us who live now. But, it does not matter. It is the economic strength of the community that brings more and more tax. Therefore, I ask you very seriously to consider this matter and see that deduction is allowed in respect of renovations and extensions. Then only will this measure be conducive to the prosperity of the country and the prosperity of this industry."

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

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MR. CHAIRMAN :—“ Amendment moved—

‘ For sub-clause (g) substitute the following :—

“(a) all expenses incurred as capital expenditure or otherwise in renovating the existing plantation and expanding the area of plantation.” ’

SRI K. BALASUBRAMANYA AYYAR :—“ I want to add just one word or two to what the Deputy Leader of the Opposition has said. The wording of sub-clause (g) is not quite correct. It says—

‘ . . . expenses other than capital expenditure incurred in the previous year . . . ’

The proviso to the sub-clause relates to the limit of replanting expenditure that can be incurred. So, what is capital expenditure is not fully borne out in this sub-clause. As it is, if the cost of replanting is called capital expenditure, then it will not be allowed to be deducted from the total income.”

THE HON. SRI C. SUBRAMANIAM :—“ But still, renovation costs are excluded.”

SRI K. BALASUBRAMANYA AYYAR :—“ Capital expenditure means anything spent on extension, etc. The term ‘ expenses other than capital expenditure ’ in the sub-clause is wrong because the cost of replanting may also be capital expenditure. So, the sub-clause and the proviso are a little contradictory to each other. The Government have not unfortunately defined what capital expenditure is. If they had defined it, I could understand such a provision. As it is, the clause is a little defective.

“ With these words I second the amendment.”

* THE HON. SRI M. A. MANICKAVELU NAICKER :—“ Sir, provision has been made for allowing expenses on renovation and replanting. If you read the proviso, you will find, Sir, that we have gone into the matter in very great detail and provided even the ratio in which replanting should be done in respect of various crops like coffee, tea, etc., since the life of each crop varies; the life of tea is sixty or seventy years; in the case of coffee it is not so. There is provision for replanting expenses being deducted from the income. The only thing that it will not cover is capital expenditure. So, there is no need for the amendment.”

MR. CHAIRMAN :—“ The question is—

‘ For sub-clause (g) substitute the following :—

“(g) all expenses incurred as capital expenditure or otherwise in renovating the existing plantation and expanding the area of plantation.” ’

The amendment was lost.

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* DR. V. K. JOHN :—“ Sir, I move the amendment standing in my name, namely,—

‘ Omit the two provisos to sub-clause (k) ’.

Sir, sub-clause (k) makes allowance for any interest paid in the previous year on any amount borrowed and actually spent on the plantation from which the agricultural income is derived. Then, there are two provisos which say—

‘ Provided that the need for borrowing was genuine having due regard to the assets of the assessee at the time ;

Provided further that the interest allowed under this clause shall be limited to six per cent on an amount equivalent to twenty-five per cent of the agricultural income from the plantation in that year.’

This sub-clause (k) was not in the original Bill. I then submitted a memorandum and pointed out that there was no reason why this sub-clause should not be included in the Bill when it was found in the Indian Income-tax Act and the Travancore-Cochin Act. The Government were pleased to show an accommodating spirit and introduced this provision. But look at the two provisos? The borrowing should be genuine having due regard to the assets of the assessee. Who is to decide this? This provision is not in the Income-tax Act. You have copied the provision of sub-clause (k) from the two Acts I have mentioned but these provisos are not there. Sir, this is making tax gathering a profession. The Government assume people will commit fraud.

“ Then, Sir, you limit the interest to six per cent. To-day, one has to pay nine per cent on borrowings by way of interest. The shareholders will suffer in consequence. I am sorry I have to come to that point again and again. If you throw such heavy burdens on the shareholder, who will invest money in plantations hereafter? Then take the limit set to the interest that can be deducted from the income. Suppose a company makes a lakh of rupees from which very large deductions have to be made—say to the extent of Rs. 50,000. The Government say : ‘ We can deduct only Rs. 25,000 and you must pay tax on Rs. 75,000. But the shareholders get dividend only on Rs. 50,000, the other Rs. 50,000 being paid as interest on borrowings. No man will put his money in the industry and it will be a case of diminishing returns. You are trying to get more and more money this year and the next year. You are not worried about what will happen in the year after the next and after five or ten years. ‘ Just collect whatever is possible this year ’, seems to be the policy of the Government. Such a provision is not found either in the Indian Income-tax Act or the Travancore-Cochin or the Bengal or the Assam or the Coorg Acts.

“ It is a very wrong to do and I oppose it tooth and nail.”

SRI K. BALASUBRAMANYA AYYAR :—“ I second it.”

MR. CHAIRMAN :—“ Amendment moved—

‘ Omit the two provisos to sub-clause (k). ’ ”

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SRI K. BHASHYAM :—“ So far as the first proviso is concerned, I feel that there should be some control so that there would be only genuine transactions.”

DR. V. K. JOHN :—“ What about the Indian Income-tax Act? Do they follow this principle? ”

* SRI K. BHASHYAM :—“ Under the Indian Income-tax Act the Commissioners of Income-tax take pretty care to see that that section is worked properly. Of course when a man has property worth a lakh and he borrows some money from some for his agricultural operations, such a transaction is certainly not genuine. You cannot call it a genuine transaction. You must therefore certainly object to non-genuine transaction. That is why it is correct that only genuine transactions are recognised.

“ I want only a clarification with regard to the second proviso. If I know what the Government's mind is, I may not move my amendment. The second proviso states—

‘ Provided further that the interest allowed under this clause shall be limited to 6 per cent on an amount equivalent to 25 per cent of the agricultural income from the plantation in that year. ’

Suppose the income, I mean the agricultural income, for one year is say Rs. 100, 25 per cent of it is Rs. 25, and 6 per cent on that comes to Rs. 1-8-0. That is how the calculation goes. That virtually amounts to the interest being $1\frac{1}{2}$ per cent. Is this the figure allowed by Government.”

THE HON. SRI C. SUBRAMANIAM :—“ Yes, $1\frac{1}{2}$ per cent of the total agricultural income.”

* SRI K. BHASHYAM :—“ Then all right. If that is the idea, it is quite all right. I think the persons in charge of this Bill have calculated correctly. I had only a doubt and that has been clarified.”

* THE HON. SRI M. A. MANICKAVELU NAICKER :—“ I have no objection to giving the credit to the hon. Member (Dr. John) for the inclusion of sub-clause (k). That proviso has been put only to avoid spurious transactions. Otherwise there will be a swelling up of non-genuine transactions. It is only to limit it the proviso has been put. Therefore I am sorry I cannot accept the amendment of Dr. John.”

* DR. V. K. JOHN :—“ For the purpose of business, often businessmen have to borrow. Suppose he borrows and agrees to pay interest at 9 per cent, how could you say that that transaction is ‘ bogus ’? Who will give him money at the rate of 6 per cent readily? When he borrows at 9 per cent interest, why do you say that only transactions wherein 6 per cent is charged would be recognized? Why do you depart from the Indian Income-tax Act? Do you want that the shareholder should not get anything at all? Do you want him to die? For the sake of business, at

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times when they are in need of capital, businessmen have got to take loans. If they pay 9 per cent interest, why say that you will recognize only transactions wherein 6 per cent interest is charged? Does it mean then that that transaction wherein 9 per cent interest is offered, the full brunt of it, should be borne by the shareholder? That is why I submit that the provisions of the Indian Income-tax Act should be applied here also. We should not depart from the Indian Income-tax Act. The Indian Income-tax Act does not say that it will not recognize transactions wherein 9 per cent interest is charged. That is why I say the two provisos to sub-clause (k) should be deleted.”

* THE HON. SRI C. SUBRAMANIAM :—“ May I inform the Deputy Leader of the Opposition that as a matter of fact the proviso as it is will benefit the shareholder in this way? This will be a check on the management not to go in for transactions wherein a higher rate of interest than 6 per cent is charged. Suppose there is no limitation on his borrowing. The person who manages the concern may borrow from a man whom he knows for a higher rate of interest. There may be a share between the management and the person who lends money. But ultimately the shareholder will lose by way of interest. That is why to give an inducement to the management not to resort to borrowing at a high rate and to plough back on his assets alone, we have provided for this proviso. In fact it should be the interest of the management to protect the interest of the shareholders. Therefore it is I say, Sir, that the provisos should be there as they are at present worded.”

* DR. V. K. JOHN :—“ I am sorry, Sir, the Hon. Finance Minister is not fairly acquainted with the business world. The whole business transaction lives on borrowing. Everybody's business is carried on by borrowing. Sometimes lakhs and lakhs are borrowed from banks and others for the sake of carrying on business. Therefore to say that only transactions wherein 6 per cent is charged will be recognized is wrong. It is opposed to the Indian Income-tax Act. Asking the management to plough back on their assets is not correct. Therefore I press my amendment.”

* THE HON. SRI C. SUBRAMANIAM :—“ We are not concerned with the state of affairs in the general business sector. We are concerned with the state of affairs with regard to businessmen in plantations. We think the conclusion to which we had come namely of recognizing only genuine transactions is a correct one.”

MR. CHAIRMAN :—“ The question is—

‘ Omit the two provisos to sub-clause (k). ’ ”

The amendment was lost.

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SRI K. BALASUBRAMANYA AYYAR :—“ Sir, I move the amendment standing in my name, namely,—

‘ Add the following new sub-clauses after sub-clause (i) :—

“(m) Any interest paid in the previous year in respect of a mortgage or charge, to which the land from which the agricultural income is derived, is subject.

(n) Any interest paid in the previous year on any debt whether secured or not for the purpose of acquiring the land from which the agricultural income is derived.

(o) Any interest paid on any amount borrowed and spent for the purpose of reclaiming and improving the property from which the agricultural income is derived.

(p) Any sum paid as cess or subscriptions to Planters' association and any sum paid as subscription to scientific research institutions in respect of the plantation industry.

(q) Any sums paid as remuneration and expenses to the managing partner of a firm or to the Directors of a company.

(r) Any sums paid as pension and gratuity and as workmen's compensation insurance premium to the employees of the assessee.”

I have listed several items wherein deductions have got to be made. When a landed property is mortgaged and interest is paid on the loan taken, the interest paid should be deducted, from the total agricultural income. Secondly if any amount was actually borrowed for acquiring a land, the interest paid should be deducted. Thirdly interest paid on any amount borrowed for the purpose of reclaiming (suppose there is a forest area adjoining; the cost for reclaiming it and making it fit for cultivation of plantations) and improving the property from which the agricultural income is derived, should be deducted. Fourthly sums paid to Planters' associations should be deducted. These associations are very necessary for the successful growth of the plantation industry. Sums paid as subscriptions to those associations should be deducted while computing the agricultural income. The importance of scientific research in the plantation industry cannot be underestimated. Scientific research goes a long way towards increasing the yield from plantations. Therefore sums paid as subscription to scientific research institutions in respect of plantation industry should be deducted.

“ It is absolutely necessary that insurance premia, gratuity, and pension, should be deducted. These are all an obligation on the industry to pay under the Act. The industry has to pay the premium on the insurance policies of its workers under the provisions of the Act.”

SRI K. BHASHYAM :—“ Sir, is it correct to say that all these deductions are really made under the Indian Income-tax Act? ”

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DR. V. K. JOHN :—“ I second the amendment of the hon. Member Sri Balasubramanya Ayyar.”

MR. CHAIRMAN :—“ Amendment moved—

‘ Add the following new sub-clause after sub-clause (b) :—

“(m) Any interest paid in the previous year in respect of a mortgage or charge, to which the land from which the agricultural income is derived, is subject.

(n) Any interest paid in the previous year on any debt whether secured or not for the purpose of acquiring the land from which the agricultural income is derived.

(o) Any interest paid on any amount borrowed and spent for the purpose of reclaiming and improving the property from which the agricultural income is derived.

(p) Any sum paid as cess or subscriptions to Planters' association and any sum paid as subscription to scientific research institutions in respect of the plantation industry.

(q) Any sums paid as remuneration and expenses to the managing partner of a firm or to the Directors of a company.

(r) Any sums paid as pension and gratuity and as workmen's compensation insurance premium to the employees of the assessee.”

SRI K. BALASUBRAMANYA AYYAR :—“ Sums paid as remuneration to the Directors are allowed to be deducted under the Indian Income-tax Act.”

* DR. V. K. JOHN :—“ Sir, I may point out that most of the deductions which the amendment of Sri K. Balasubramanya Ayyar covers have been covered by the Indian Income-tax Act, the Travancore-Cochin Act, the Coorg Act, the Assam Act, and the West Bengal Act? But the Government of Madras would not give the deductions which are given by other Governments. Why this Government have not allowed these exemptions is a thing for this Government to explain. Although the Government say that they are charging only five annas six pies in the rupee as tax, the actual charge comes to about 12 annas in the rupee, because the Government do not make allowance for all these expenses. After all, as I said already, there are two parties to share the income, namely, the investor (the shareholder) and the Government. The investor is asked to take all the burden of the legitimate deductions from the gross income. The Government say that they will not allow those deductions, but will charge at the rate of 5 annas 6 pies in the rupee. This actually comes to twelve annas in the rupee. I think, Sir, this is very inequitable, and the Government are inflicting a very great injury on the industry and on the future generation of investors. If we take out as much as possible from the industry, it will go to ruin very soon. It is a dollar earning industry. It is an industry engaging four lakhs of

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workers. When it is closed one after another, we will find some other Ministers coming later on and saying 'Well, they made a mistake', as was stated yesterday that Rajaji made the mistake of introducing the Moratorium Act and therefore the Government had to introduce some other Bill. It is all some excuse for some Minister. We must look at every proposition from the national point of view—from the point of view of production, employment, future employment, etc. We should not try to contract business for the purpose of getting some money for the time being. That is a very narrow-minded outlook and no civilized Government should look at any proposition in that manner."

* SRI K. BHASHYAM :—" Sir, if there is already provision in the Indian Income-tax Act that even in the case of agricultural income, these deductions are to be allowed, I do not know whether the Government have examined the matter or not. If the Constitution provides a certain definition for agricultural income, i.e., that 'agricultural income' means agricultural income as defined for the purposes of the enactments relating to Indian Income-tax, and if the Indian Income-tax Act provides for these deductions, it is a question for consideration why these deductions are not provided for in this Bill. It is purely a legal question. Whether the Government have examined this question or not, I do not know. I myself did not think of it before. Therefore it is I am doubtful whether the Government can enforce a tax in the manner suggested in the Bill. I should like to ask Government that if the definition of 'agricultural income' in the Constitution is the same as that defined for the purpose of the Indian Income-tax Act, and this Bill differs from that Income-tax Act in any material particular, can the tax be enforced at all? That is the position. I feel some doubt in the matter. I hope the Government will take care to see that the matter is examined by the department."

* DR. V. K. JOHN :—" Sir, it has been provided in the Indian Income-tax Act, section 9, that any interest paid in the previous year in respect of mortgage to which the agricultural income is subject, shall be deducted. We find the same provision, word for word, in the Travancore-Cochin Act, section 5. I have mentioned this in my memorandum that any interest paid in the previous year in respect of a mortgage should be deducted. In the Travancore-Cochin Act, in section 5 (g) the same is provided. Sri Bhashyam put a query in the matter, and therefore I wanted to say all this. He has not made a study of the subject. But I have studied it and given a memorandum. The Government have accepted some of my points and rejected others."

* THE HON. SRI M. A. MANICKAVELU NAICKER :—" Sir, this question was discussed elaborately at the Joint Select Committee stage, and the reason why I cannot accept this amendment is that the Joint Select Committee thought that they had made quite a liberal provision for deductions, and this further

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deduction was not necessary. We also did not allow this deduction for the reason that if we allowed this deduction, the planter, who developed his plantation with his own resources, would be under a handicap. To avoid unnecessary borrowing and not to encourage borrowing so that the planters could husband their resources properly, we thought it was not necessary to allow this deduction. That is the reason why we did not want to include this deduction even though it was pointed out that there was a provision in the Indian Income-tax Act for this purpose. It is for a good reason we did not allow this deduction."

MR. CHAIRMAN :—" The question is—

'Add the following new sub-clauses after sub-clause (b) :—

" (m) Any interest paid in the previous year in respect of a mortgage or charge, to which the land from which the agricultural income is derived, is subject.

" (n) Any interest paid in the previous year on any debt whether secured or not for the purpose of acquiring the land from which the agricultural income is derived.

" (o) Any interest paid on any amount borrowed and spent for the purpose of reclaiming and improving the property from which the agricultural income is derived.

" (p) Any sum paid as cess or subscriptions to Planters' Association and any sum paid as subscription to scientific research institutions in respect of the plantation industry.

" (q) Any sums paid as remuneration and expenses to the managing partner of a firm or to the Directors of a company.

" (r) Any sums paid as pension and gratuity and as workmen's compensation insurance premium to the employees of the assessee." "

The amendment was lost.

* DR. V. K. JOHN :—" Sir, I move the amendment standing in my name, namely,—

'Add the following new sub-clause after sub-clause (l) :—

" (m) Any expenditure (not being in the nature of capital expenditure) laid out or expended on scientific research related to the agriculture."

Sir, this has been copied word for word from section 10 (12) of the Indian Income-tax Act. In dealing with business, research is very important, and particularly research in a plantation industry is very much more necessary than any other business. We try to find out which kind of plant will give more income. An acre of rubber in Madras produces 300 pounds, whereas in African plantations, in Ceylon, in Singapore, in Burma, in Java and other places, one acre produces 1,200 to 1,500 pounds. This is due to the research made and the application of the results of that

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p.m. research to plantations. Instead of asking every planter to undertake research so that our production may increase, the Government say 'Let the shareholder pay out of his share for conducting research.' The Indian Income-tax Act provides for making researches, because the Government of India want to see that business improves and increases. The Government's idea is to take away as much money as possible. It does not matter to them whether research was carried out or not. (Interruption by Sri A. M. Allapichai.) I deliberately make this statement. Because, any Government which is really interested in the improvement of the industry ought to have incorporated a provision, which is found in the Indian Income-tax Act, in this Bill, by which money spent on research should be allowed as an item of deduction. The Government have failed to do this. Such a provision is found in the Travancore Act, it is found in the Coorg Act, the Assam Act, the Bengal Act. It is also found in the Indian Income-tax Act. The Hon. Minister while replying to the previous amendment moved by my hon. Friend Sri Balasubramanya Ayyar said that the Government had allowed deductions. Have the Government allowed any deductions over and above the ones allowed in the Indian Income-tax Act? None whatsoever. That is why I have to say and say deliberately, in spite of Sri Allapichai's interrupting me, that the Government are only interested in taking away as much money as possible from the planters, without providing for reasonable and justifiable deductions. Even when they are taxing people, they should not have a narrow outlook. If they follow their present policy, I am afraid it will be to the detriment of the industry as such."

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

* THE HON. SRI M. A. MANICKAVELU NAICKER:—"Sir, as we proceed with the discussion, the hon. Deputy Leader of the Opposition is getting more and more heated. This matter was also considered by the Joint Select Committee and was negatived. The reason is that there is not much of research to be carried on in the agricultural sector. I admit there is some scope for research in the agricultural sector whereas in the case of the industrial sector there is wider and greater scope for research. We thought that it was not necessary to make a special provision for research in this case. So we have not included it as an item of deduction. For these reasons, I oppose the amendment, Sir."

MR. CHAIRMAN:—"The question is—

'Add the following new sub-clause after sub-clause (l):—

"(m) Any expenditure (not being in the nature of capital expenditure) laid out or expended on scientific research related to the agriculture." "

The amendment was lost.

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DR. V. K. JOHN:—"May I move the other two amendments, Sir?"

SRI K. BALASUBRAMANYA AYYAR:—"Sir, I wish to make a suggestion so that the business may be finished quicker. I have given notice of an amendment to clause 10 which covers insurance premia and contribution to Provident Fund. If Dr. John does not move his two amendments relating to insurance and Provident Fund now and if the House does not take a decision on them, my amendment to clause 10 may be taken up when we consider clause 10. I think that will be a much better procedure."

* DR. V. K. JOHN:—"In that case, I am not moving my amendments, Sir."

* SRI K. BHASHYAM:—"Sir, may I point out that there is a difference between the amendments of Dr. John and the amendment of Sri K. Balasubramanya Ayyar? Dr. John's amendments are to clause 5 which deals with deductions whereas Sri Balasubramanya Ayyar's amendment is to clause 10 which deals with exemptions. So they deal with different branches."

* DR. V. K. JOHN:—"In that case, I move my amendments, Sir, viz.—

'Add the following new sub-clauses after sub-clause (m):—

"(n) Any sums paid by an assessee to effect an insurance on the life of the assessee or on the life of a wife or husband of the assessee or in respect of a contract for a deferred annuity on the life of the assessee or on the life of the wife or husband of the assessee or as a contribution to any Provident Fund to which the Provident Funds Act applies.

"(o) Contributions for Provident Fund and superannuation fund."

"Sir, my first amendment deals with premium paid on insurance policies. Such a provision is found in the Indian Income-tax Act. Why cannot we make a similar provision here and allow the planters to deduct the money paid towards insurance premia, and thus encourage insurance also? It is not proper to say that they will have to meet this expenditure from their own share and no deduction can be made for this purpose. The actual truth is they are not interested in the improvement of the industry. The ceiling rate of 5½ annas fixed by the Government is only an eye wash. As they have not provided for many of the reasonable deductions, it will in actual practice work out to 12 annas in the rupee.

"As for my second amendment relating to contributions for Provident Fund and superannuation fund, I wish to point out that there is a similar provision in the Indian Income-tax Act. I cannot understand why this Government have not introduced a provision for allowing deductions in respect of contributions made

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to provident fund and superannuation fund. Have we ever heard of such a thing? Times are changing and everybody wants the creation of the provident fund and superannuation fund for the benefit of the employees and all sorts of encouragement are also given in this regard. But, here is a Government which says in 1955 that it will not allow deductions for contributions to provident fund and superannuation fund. Many years ago, such a provision was incorporated in the Indian Income-tax Act. The Hon. Minister will now get up and say, 'Oh! this matter has already been considered by the Select Committee and it has decided that it is not necessary to provide for this item of deduction.' Sir, does the fact that the Select Committee has taken a particular decision preclude us from pointing out that it was a wrong decision? Now, what is the idea of this Government in going 15 years behind the time? Even though this Bill may be passed I request the Government to consider this aspect very seriously and bring forward a suitable amending Bill which will be in conformity with the provisions found in the Indian Income-tax Act. The Government will do well to do it instead of taking a narrow view of things. It is no good taxing people in this manner, squeezing out of them as much as the Government can, without giving them the benefit of all the deductions provided in the Indian Income-tax Act."

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

MR. CHAIRMAN :—" Amendments moved—

' Add the following new sub-clauses after sub-clause (m) :—

" (n) Any sums paid by an assessee to effect an insurance on the life of the assessee or on the life of a wife or husband of the assessee or in respect of a contract for a deferred annuity on the life of the assessee or on the life of the wife or husband of the assessee or as a contribution to any Provident Fund to which the Provident Funds Act applies.

(o) Contributions for Provident Fund and superannuation fund." "

* THE HON. SRI M. A. MANICKAVELU NAICKER :—" Sir, my reference to the Select Committee's decision was for a different purpose altogether. I only wished to point out that the Government were not taken aback by the views expressed by hon. Members on the floor of the House as those views were also expressed before the Select Committee which considered those views thoroughly and after considerable discussion has taken a particular decision. So, it was only with a view to pointing out that some of these points were not new to the Government and they had occasion to consider them even previously, I made a reference to the Select Committee's decision. It is not for any other purpose, Sir."

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" As for making allowance for insurance premium and for the suggestion of the hon. Deputy Leader of the Opposition that the Government must encourage insurance, I agree that we must encourage insurance. But it has to be done in some other connection and not in this Bill. I think that life in the hills does not necessarily require insurance. No doubt insurance is good. But it is not so necessary as to make a definite provision in this Bill.

" With regard to contribution for Provident Fund and superannuation fund, the matter can be argued both ways. But I submit that at this juncture it is not necessary to provide for it here. Let us watch how this measure works. Later on, if we find . . . "

* DR. V. K. JOHN :—" If the Hon. Minister can give me an assurance that he will consider my suggestion even at a later date, I am prepared to withdraw my amendments, Sir."

* THE HON. SRI M. A. MANICKAVELU NAICKER :—" That is what I have been telling even from the very beginning. This is a new Bill or a new measure, so to say, that we are passing. Let us watch how it is working and later on if in actual practice some absolutely necessary changes are called for, we shall examine them."

* DR. V. K. JOHN :—" We are here only to help the Government. We do not expect the amendments to be accepted by the Government and the Bill sent back to the Assembly for reconsideration. If the Hon. the Minister feels there is something good in our suggestion and that what we suggest is found in the Indian Income-tax Act, I shall be satisfied. If they say 'we will consider it', then we are satisfied. After all, the Government must consider all our suggestions because they are not our own. They are based on the provisions of the Indian Income-tax Act. If the Government are satisfied with this position, then I withdraw my amendments. That is all."

MR. CHAIRMAN :—" Does the hon. Member withdraw his amendments?"

DR. V. K. JOHN :—" No, Sir." (Laughter.)

MR. CHAIRMAN :—" The question is—

' Add the following new sub-clauses after sub-clause (m) :—

" (n) Any sums paid by an assessee to effect an insurance on the life of the assessee or on the life of a wife or husband of the assessee or in respect of a contract for a deferred annuity on the life of the assessee or on the life of a wife or husband of the assessee or as a contribution to any Provident Fund to which the Provident Funds Act applies.

(o) Contributions for Provident Fund and superannuation fund." "

The amendments were lost.

Clause 5 was put and carried.

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Clause 6.

SRI K. BALASUBRAMANYA AYYAR:—“ Sir, I move the amendment standing in my name, namely,—

‘ In sub-clause (ii), for the words “ on such portion as may be determined in the prescribed manner ” substitute the following words :—

“ On such portion of the income fixed according to the proportion between the cultivated acreage, in the part within the State and in the part without the State.” ’

“ Sub-clause (ii) says—

‘ where the portion of the income so attributable cannot be determined by the method specified in clause (i), on such portion as may be determined in the prescribed manner.’

Sir, this provision is vague. The manner to be prescribed should not be under the rule-making powers of the Government. It should be specified in the Act itself, so that it may be worked accurately. Under sub-clause (i) the income can be determined from the accounts maintained by the assessee. But when the portion of income relating to plantations situated within the State could not be determined under sub-clause (i), I thought, it would be much better to prescribe how it should be determined otherwise in the Act itself. Instead of a general assessment being made by the Income-tax Officer, it is much better to say that the proportion between the cultivated acreage, in the part within the State and in the part without the State will determine the income earned within the State. This figure cannot be arrived at by a reference to the accounts of the assessee, because no accounts are produced. After all, what are the rules going to say? They will prescribe some method. Why not we prescribe it in the Act itself? ”

DR. V. K. JOHN:—“ I second the amendment, Sir.”

MR. CHAIRMAN:—“ Amendment moved—

‘ In sub-clause (ii), for the words “ on such portion as may be determined in the prescribed manner ” substitute the following words :—

“ On such portion of the income fixed according to the proportion between the cultivated acreage, in the part within the State and in the part without the State.” ’ ”

* SRI K. BHASHYAM:—“ Sir, I feel the amendment is unnecessary. Suppose there is a case where a person has 100 acres of land under cardamom here and ten acres outside the State. Then I think his portion of income in respect of lands within the State should be taken as 100/110 of the income derived by him from all the estates owned by him. I hope I am correct in interpreting the amendment. I think it is unnecessary and also not safe to ascertain the probable income from what is earned outside the State. Anyway, since we have already a general provision in the sub-clause to this effect, let us leave it to be

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said in the rules as to how the income within the State should be ascertained. After all, the proposal of the hon. Member that it should be on the basis of acreage may not be correct at all. Sometimes, it may be pepper here and cardamom there. It will be coffee here and tea there. So, it must be left to the Government to prescribe it with reference to the various circumstances in which each plantation may find itself at the time the tax is levied.”

SRI K. BALASUBRAMANYA AYYAR:—“ Sir, it is only in cases where the officer is not enabled by the accounts kept by the assessee to ascertain the income that sub-clause (ii) operates. The rough and ready method must be there. After all what is a rule? It has the effect of law and we must know what the procedure to be adopted is.”

* SRI K. BHASHYAM:—“ My point has been misunderstood by the hon. Member. If this kind of calculation is suggested only in cases where we are not able otherwise to find out from the accounts submitted by the assessee his income, then I say, Sir, even in the other portions of the Bill, you will find that when an assessee does not submit his returns or accounts, it is left to the Income-tax Officer to make the assessment on some reasonable basis. If the accounts are submitted and if the officer is satisfied, he makes the assessment on the basis of the accounts submitted. Otherwise, it should be ‘ in the prescribed manner ’.”

* THE HON. SRI M. A. MANICKAVELU NAICKER:—“ The object of the amendment seems to be to calculate the income on the basis of acreage. But that will not be quite correct because soil conditions vary and there are other factors which contribute to increase or decrease in income in different places. But the Government are not going to depend entirely upon the officers. They will, if necessary, make proper rules for that. I hope this assurance will satisfy the hon. Member.”

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

‘ In sub-clause (ii), for the words “ on such portion as may be determined in the prescribed manner ” substitute the following words :—

“ On such portion of the income fixed according to the proportion between the cultivated acreage, in the part within the State and in the part without the State.” ’ ”

The amendment was lost.

Clause 6 was put and carried.

MR. CHAIRMAN:—“ I now adjourn the House to meet again at 3 p.m. tomorrow.”

The House then adjourned.

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

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

The Madras Indebted Agriculturists (Repayment of Debts) Bill, 1955 (L.A. Bill No. 2 of 1955).

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APPENDIX I.

[Vide answer to starred question No. 199 asked by Sri M. Ethirajulu at the meeting of the Legislative Council held on 25th February 1955, page 167 supra.]

(a) The number of candidates selected for admission to the Medical Colleges in the State during the years 1952-53 and 1953-54 was as follows:—

Year.	Number of candidates.
1952-53	318
1953-54	342

(b) The number and percentage of seats reserved for the Scheduled Castes and Tribes and for the socially and educationally Backward Classes in the above years were as follows:—

	1952-53.		1953-54.	
	Number.	Percentage.	Number.	Percentage.
(1)	(2)	(3)	(4)	(5)
Scheduled Castes ..	38	15	41	15
Backward Classes ..	64	25	68	25

(c) In view of the constitutional changes and judicial decisions, no column has been provided for in the application forms issued from 1952-53 onwards for the specification of the sub-community to which the candidates belong. Candidates are required to state whether they belong to the Backward or Scheduled Classes or not. Hence information regarding the number of candidates belonging to the Vannar and the Barber communities who had applied for admission to the medical colleges in the above years is not readily available.

APPENDIX II.

[Vide answer to starred question No. 202 asked by Sri T. Purushotham at the meeting of the Legislative Council held on 25th February 1955, page 171 supra.]

The Community Projects Administration of the Government of India has sanctioned a loan of Rs. 30 lakhs for financing the execution of electricity extension schemes in the Community Project areas in the Madras State. The loan carries an interest of 4 per cent per annum and is repayable in twelve equated annual instalments.

Apart from this, the Government of India have promised to give a loan of Rs. 150 lakhs as the first instalment to enable this Government to take up an additional commitment to the extent

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of about Rs. 3 crores on the execution of rural electrification schemes during 1954-55 and 1955-56 over and above the provision made for this purpose in the First Five-Year Plan. Of this loan, the Government of India have since allotted a sum of Rs. 100 lakhs for expenditure by this Government during 1954-55. This loan will bear interest at 4 per cent per annum and is repayable in seven annual equated instalments of both principal and interest commencing from 1958-59 up to which period interest only will be payable.

Besides the two loans mentioned above, the Government of India have also promised a further loan assistance to the extent of Rs. 397.50 lakhs in respect of the following transmission lines and distribution schemes under the Planning Commission's Scheme for increasing employment opportunities by expanding power facilities in the State :—

Name of the scheme.	Amount approved. RUPEES IN LAKHS.
1 Erode-Tiruchirappalli third circuit change over to 110 K.V.	18.26
2 Singarappet-Villupuram 110 K. V. and Singarappet-Vellore 66 K. V. extensions.	98.43
3 Coimbatore-Madukkarai-Palghat 66 K. V. extensions.	39.65
4 Chingleput-Madurantakam 33 K. V. extensions.	8.44
5 Distribution of power	94.00
6 Extensions in Community Projects	8.65

Additional schemes in National Extension Areas.

Name of the scheme.	Amount approved. RUPEES IN LAKHS.
7 Electrification of towns and localities in the National Extension areas of Avanashi and Palladam taluks in Coimbatore district.	18.44
8 Electrification of towns and localities in the National Extension areas of South Arcot, North Arcot and Salem districts.	47.29
9 Electrification of towns and localities in the National Extension areas of Chingleput district.	24.06
10 Electrification of towns and localities in the National Extension areas of the Madurai, Tirunelveli and Ramanathapuram districts.	40.28
Total ..	397.50

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The loan will carry the usual rate of interest ruling at the time it is sanctioned and will be repayable over a period of 30 years. For the first five years interest only will be payable. Thereafter, principal and interest will be repayable in 25 equated annual instalments.

It is not possible to give an indication at present of the details or programme of execution of the electrification schemes to be taken up against these loans, as the matter is under examination by the Government with reference to the conditions and terms attaching to each of these loans. Also the schemes, big and small, will be hundreds in numbers.

APPENDIX III.

[Vide answer to starred question No. 203 asked by Sri T. Purushotham at the meeting of the Legislative Council held on 25th February 1955, page 172 supra.]

Statement showing the number of liquor permit holders in each district as on 2nd October 1953 and 2nd October 1954.

District.	Number of liquor permit-holders.	
	As on 2nd October 1953.	As on 2nd October 1954.
Madras City .. Annual permits ..	1,122	1,126
.. Temporary permits.	1,530	1,600
South Kanara .. Annual permits ..	29	27
Malabar Do. ..	174	166
Nilgiris Do. ..	398	349
Chingleput Do. ..	11	9
South Arcot Do. ..	17	15
Ramanathapuram. Do. ..	4	4
Tirunelveli Do. ..	25	26
Coimbatore Do. ..	184	172
Tiruchirappalli .. Do. ..	21	13
Tanjore Do. ..	5	8
Salem Do. ..	41	35
Madurai Do. ..	54	61
North Arcot Do. ..	1	2
Total ..	3,616	3,613

THE MADRAS LEGISLATIVE COUNCIL.

Saturday, the 26th 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.

Appeals against Disciplinary Proceedings from Government servants.

* 204 Q.—SRI G. KRISHNAMOORTHY: Will the Hon. the Chief Minister be pleased to lay on the table of the House a statement showing—

(i) the number of appeals received by the Government in 1953 against disciplinary proceedings from Government servants;

(ii) the details of the relief prayed for in each appeal; and

(iii) the details of the disposal given to them by the Government?

THE HON. SRI M. BHAKTAVATSALAM (on behalf of the Hon. the Chief Minister):—“(i), (ii) & (iii) A statement ^a is placed on the table of the House.”

SRI G. KRISHNAMOORTHY:—“Sir, have the Government in any case enhanced the punishment recommended by the Special Officer for departmental enquiries and the Public Service Commission?”

THE HON. SRI M. BHAKTAVATSALAM:—“Sir, the paper placed on the table of the House furnishes all the information that the Government have.”

SRI G. KRISHNAMOORTHY:—“May I ask as a supplementary information whether the Government do consider the long and unblemished service which these Government servants might have put in before dismissing them outright?”

THE HON. SRI M. BHAKTAVATSALAM:—“Government do go into all aspects of the question before they take a final decision about an officer.”

SRI G. KRISHNAMOORTHY:—“In view of the fact that pension accrues by long service and sincere service from the initial stages of their cases, may I request the Government not to dismiss Government servants who have put in more than 20 or 25 years of service without giving them any pension but only remove them from service with full compassionate pension?”

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THE HON. SRI M. BHAKTAVATSALAM :—" Government cannot give any such assurance. It may be a long unblemished service for 25 years. But even after the 25th year, if for one day the officer has been found to be definitely corrupt and if Government consider the dismissal of the officer would be a correct punishment, I think there should not be any objection to that."

SRI G. KRISHNAMOORTHY :—" As many of these persons feel that justice has not been rendered to them, will the Government kindly review their cases, even though they have reviewed them previously and see to it that the maximum punishment given to them is lessened in view of their long service? "

THE HON. SRI M. BHAKTAVATSALAM :—" Government do review the case especially when the aggrieved party makes a representation to Government."

SRI MOHAMED RAZA KHAN :—" Is the Hon. Leader of the House aware of the fact that in some cases, some Government servants have been dismissed purely for committing some irregularities and not for corruption? "

THE HON. SRI M. BHAKTAVATSALAM :—" If the hon. Member puts such a general question, I shall not be able to furnish the information."

SRI A. M. ALLAPICHAJ :—" Is it not a fact that the Tribunals for Disciplinary Proceedings do not follow any procedure? They are not governed by the Indian law of evidence. They are not governed by any ideas of law and I know in some cases even on suspicion they pass orders like that? "

THE HON. SRI M. BHAKTAVATSALAM :—" I do not agree with the hon. Member. But the Tribunal that goes into these matters have their own procedure and they do follow the law."

SRI A. M. ALLAPICHAJ :—" As a matter of fact I know that this Tribunal is not governed by any law of evidence. They may even sometimes admit irrelevant piece of evidence. They may reject the relevant piece of evidence? "

SRI K. BALASUBRAMANYA AYYAR :—" On a point of order, Sir. This is not a question. It is a speech."

MR. CHAIRMAN :—" He is the Deputy Chairman." (Laughter.)

THE HON. SRI M. BHAKTAVATSALAM :—" The Hon. the Deputy Chairman may argue like that before the Tribunal; but he cannot say here he knows definitely that the Tribunal does not follow any rules or the law of evidence."

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SRI K. BHASHYAM :—" Is it not a fact that so far as the Indian Evidence Act is concerned, some of the best lawyers think that that Act should be overhauled so that evidences which are not now admissible by the present measure may be admitted? "

THE HON. SRI M. BHAKTAVATSALAM :—" I do accept what an eminent lawyer, as the hon. Member is, says."

SRI K. BHASHYAM :—" When the Tribunal makes its recommendation, does it make the recommendation as to what punishment is to be given to the officer concerned? "

THE HON. SRI M. BHAKTAVATSALAM :—" Yes, Sir."

SRI K. BHASHYAM :—" Are all these recommendations also taken into account when the Government pass their final order? "

THE HON. SRI M. BHAKTAVATSALAM :—" They are all taken into consideration. But Government take their final decision after considering all those recommendations."

SRI MOHAMED RAZA KHAN :—" Is the Hon. Leader of the House aware of the fact that during enquiry by the Tribunal, many of the Government servants concerned are not able to produce their witnesses? Many of them complained like that."

THE HON. SRI M. BHAKTAVATSALAM :—" I do not think any such concession could be given like that. But if the hon. Member would like to refer to any particular case, he could bring it to the notice of Government."

SRI G. KRISHNAMOORTHY :—" How is it, Sir, the Government enhance the punishment awarded by the Tribunal in some cases? "

THE HON. SRI M. BHAKTAVATSALAM :—" There is nothing wrong in that. If the Government feel on perusing the judgment of the Tribunal that the punishment awarded should be enhanced, Government can do so."

SRI MOHAMED RAZA KHAN :—" Will the Hon. Leader of the House give at least an assurance that the Government would not merely confirm the decision of the Tribunal but that they would look carefully into the issues involved in each case, as it involves the very future of the persons concerned? "

THE HON. SRI M. BHAKTAVATSALAM :—" I may tell that Government do carefully scrutinize all the issues involved and the judgment of the Tribunal. That is why they take some time before arriving at any final decision. Therefore I do not think the assurance asked for by the hon. Member is necessary."

Radium allotted for the Mangalore hospital.

* 205 Q.—DR. A. SREENIVASAN: Will the Hon. the Minister for Health be pleased to state whether any and, if so, what quantity of radium has been allotted to the Mangalore hospital?

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THE HON. SRI A. B. SHETTY :—“ 250 mgms., Sir.”

DR. A. SREENIVASAN :—“ Did the Government send any order to the Director of the Barnard Institute of Radiology to send 100 mgms. of radium to the Mangalore hospital? ”

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

Government farms for salvage of dry cows.

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

(i) to lay on the table of the House a list of Government Farms at present for salvage of dry cows, showing the number of cows in each farm and the fee charged for admission to each farm; and

(ii) to state—

(a) whether the Government have considered the question of shifting the farms or opening fresh farms and if so, at what stage the matter now stands; and

(b) the details of Government aid given to private agencies to start such salvage farms?

THE HON. SRI M. BHAKTAVATSALAM :—“ (i) There is only one Government Farm at present for salvage of dry cows. It is at Kambakkam Kancha, Chingleput district. There are now 210 cows there. The fee charged for admission is Rs. 10 to Rs. 12 according to the income of the owner.

“ (ii) (a) The question of shifting the salvage farm from Kambakkam Kancha to Vandalur Reserve Forest in the same district is under consideration of Government.

(b) No Government aid has so far been given to private agencies to start such salvage farms.”

SRI T. PURUSHOTHAM :—“ Will the Government consider the desirability of having at least one such farm in each district? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ It is certainly good to have at least one such farm in each district. But I do like the private agencies to come forward, and the Central Council of the All-India Gosamvardan Sangh are prepared to give subsidy of 75 per cent recurring and non-recurring expenditure on such Gosamvardans.”

DR. A. LAKSHMANASWAMI MUDALIYAR :—“ Are the Government aware of the fact that they have appointed a committee to review the whole of the dairy business in the City of Madras, and may I know whether that committee has submitted its report and if so whether that report has at all been looked into or any action taken in this matter? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ Yes, Sir, the committee has submitted its report and the report is under the active consideration of Government.”

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SRI T. PURUSHOTHAM :—“ Will the Government issue instructions to the District Veterinary Officers to bring to the notice of the public the information revealed just now that the Government are prepared to give subsidy for such purposes so that private agencies may come forward to start such Gosamvardans? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ I have already referred to this especially in all meetings I happened to address. The question put by the hon. Member and the answer given may give sufficient publicity to this question and I would request the hon. Member to take some interest so that if one place starts such Gosamvardan, it may give fillip for others starting such Gosamvardans and that will give enough and adequate publicity that is required.”

DR. V. K. JOHN :—“ Sir, the Hon. Minister said that the report of the committee was under the active consideration of the Government. Is there anything called ‘quasi consideration’? May I also ask, Sir, how long will the Government consider? ”

-10 p.m.

THE HON. SRI M. BHAKTAVATSALAM :—“ Sir, even on a rough perusal of the report, the Government feel that there is much in the report which should be taken into account, and that the Government should accept the report and implement it. That is what we mean when we say that Government are actively considering certain proposals.”

Starting of an Arts College in Cuddalore.

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

(a) whether there are any proposals before the Government of Madras to start an Arts College either by the Government or through private agencies in Cuddalore;

(b) whether any private agency has submitted recently any proposal to the Government to start such a college; and

(c) if so, the place at which it is proposed to be started?

THE HON. SRI C. SUBRAMANIAM :—“ (a) & (b) No, Sir.

“ (c) The question does not arise.”

Merger of the Prohibition department with the Police department.

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

(a) whether the Government have come to any decision in regard to the merger of the Prohibition department with the Police department, and if so, what it is?

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(b) the nature and number of assaults made on the prohibition staff during the years 1952-53, 1953-54 and 1954-55 districtwar;

(c) whether it is a fact that the prohibition staff above the rank of petty officers are not supplied with uniforms at Government cost; and

(d) what is the basis; (i) for the grant of D.VIA, D.II and D.I.B. licences under the Madras Prohibition Act; (ii) for the grant of foreign liquor permits to consumers.

THE HON. SRI B. PARAMESWARAN :—“(a) The enforcement of Prohibition has been transferred to the Police department throughout the State with effect from 3rd January 1955.

“(b) A statement * furnishing the information is placed on the Table of the House.

“(c) The answer is in the affirmative.

“(d) (i) The following conditions will have to be satisfied :—

- (1) The applicant should not have been convicted of any offence under the Madras Prohibition Act or of any other cognizable and non-bailable offence;
- (2) the applicant should be a resident of the place where the licence is required;
- (3) the applicant's personal circumstances, his previous experience in the line and the local needs should justify the grant of the licence; and
- (4) the privilege is not likely to be misused.

(ii) Permits for the possession of foreign liquor for personal consumption are granted to Indians on production of medical certificates issued by paid Civil Surgeons. In the case of non-Indians, liquor permits are issued without requiring them to produce medical certificates.”

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

II.—BUSINESS OF THE HOUSE.

* DR. A. LAKSHMANASWAMI MUDALIYAR :—“Sir, some of us sitting on this side of the House had arranged that we should, immediately after the presentation of the budget, adjourn with a view to consider all the aspects of the budget and to see how a fruitful discussion could be conducted in this House. I have just spoken to the Leader of the House on this, and I am very thankful for the assurance he has given that the House may adjourn at the conclusion of the presentation of the budget and that we may have an opportunity to discuss the items left over on a future occasion. I shall be glad if that can be implemented.”

* Printed as Appendix II on pages 226-227 infra.

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* THE HON. SRI M. BHAKTAVATSALAM :—“Sir, I agree to the suggestion of the hon. the Leader of the Opposition. The Plantations Agricultural Income-tax Bill may be taken up after the general discussion on the budget is over, that is, on the 5th March. On the 4th March we complete the discussion on the budget. We shall sit on the 5th March for considering this Plantations Agricultural Income-tax Bill.”

III.—MESSAGE FROM THE ASSEMBLY.

MR. CHAIRMAN :—“I have to announce to the House that I have received the following message, dated the 25th 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 Madras General Sales Tax (Amendment) Bill, 1955 (L.A. Bill No. 4 of 1955), as passed by the Assembly on the 25th February 1955 and signed by me for the concurrence of the Council.”

IV.—BUDGET FOR THE YEAR 1955-56.

SRI A. GAJAPATHY NAYAGAR :—“மன்றத் தலைவர் அவர்களே, ஒரே ஒரு விஷயம். இந்த ஆண்டு வரவு செலவு திட்டத்தை தமிழில் படிக்கும்படி சபைத் தலைவரை வேண்டிக் கொள்கிறேன். கனம் நிதி அமைச்சர் கீழ் சபையில் பட்ஜெட் பிரசங்கத்தை ஆங்கிலத்தில் மந்திரி அவர்கள் கீழ் சபையில் பட்ஜெட் பிரசங்கம் தமிழில் படித்தார்கள். பட்ஜெட் பிரசங்கம் தமிழில் அச்சடிக்கப்பட்டிருந்தும், அதைத் தமிழில் படிக்கவில்லையென்றால், அது ஒரு குறையாகவும், குற்றமாகவும் கூடும். ஆகவே, இந்த சபையில் பிரசங்கத்தைத் தமிழில் படிக்கும்படி நான் கேட்டுக்கொள்கிறேன்.”

* THE HON. SRI M. BHAKTAVATSALAM :—“கனம் தலைவர் அவர்களே, கனம் அங்கத்தினர் ஸ்ரீ கஜபதி நாயகர் அவர்கள் விடாமல் எப்பொழுதும் தமிழிலேயே பேசுவதாயிருந்தால் நானும் அவருடைய கோரிக்கையைச் சம்மதித்திருப்பேன். அவரை இந்த ஒரு வழி காட்டவில்லை. அவருக்குத் தோன்றிய சமயங்களிலெல்லாம் ஆங்கிலத்தில் சிறந்த நண்பியில் பேசுகிறார். அதற்குக் கண்டனமாக அவருடைய கோரிக்கையை நான் ஒத்துக்கொள்ளவில்லை. பட்ஜெட் பிரசங்கம் தமிழில் மொழிபெயர்க்கப்பட்டு, எல்லா அங்கத்தினர்களுக்கும் விநியோகிக்கப் பட்டிருக்கிறது. அதை அவர் படித்துக்கொள்ளலாம். கனம் நிதி மந்திரி அவர்கள் கீழ் சபையில் நிகழ்த்திய பிரசங்கத்தை இங்கே திருப்பிச் சொல்வது சரியல்ல. ஆகவே, சுருக்கமாகச் சில வசர்த்தைகளைச் சொல்லி, இந்த ஆண்டு பட்ஜெட்டை சபை முன்பு சமர்ப்பிக்கலாமென்று நினைக்கிறேன்.”

* SRI A. SUBRAMANYAM :—“கனம் தலைவர் அவர்களே, ஒரு அங்கத்தினர் தவறு செய்திருந்தால், அதற்காக எல்லா அங்கத்தினர்களும் தவறு செய்திருக்கிறார்கள் என்று கனம் மந்திரி அவர்கள் கருதக்கூடாது. ஒரு அங்கத்தினர் ஒரு காரியத்தில் ஈடுபட்டு, அதைத் தொடர்ந்து நடத்தாமல் விட்டுவிட்டால், மற்ற அங்கத்தினர்களும் அம்மாதிரியே செய்வார்கள் என்று கனம் மந்திரி அவர்கள் நினைக்கக்கூடாது என்று கேட்டுக்கொண்டு, தமிழில் பட்ஜெட் பிரசங்கம் அச்சடிக்கப்பட்டிருப்பதால், தமிழிலேயே அதை வாசிக்கும்படி சபைத் தலைவரைக் கேட்டுக்கொள்கிறேன்.”

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* THE HON. SRI M. BHAKTAVATSALAM :—“ என் எதிர் உள்ள கனம் அங்கத்தினர்தான் தமிழில் பேசவேண்டுமென்று அடிக்கடி சொல்லுவதால் அவ்வாறு சொன்னேன். அந்த அங்கத்தினரும் தவறு செய்ததாக நான் சொல்லவில்லை; மற்றவர்கள் அதற்காக தண்டிக்கப்படுவார்களென்று நான் சொல்லவில்லை. கனம் நிதி மந்திரி அவர்கள் நிகழ்த்திய பிரசங்கம் தமிழில் அச்சடிக்கப்பட்டு, எல்லா அங்கத்தினர்களுக்கும் வழங்கப் பட்டிருக்கிறது. ஆகவே, அதையே திருப்பிப் படிக்காமல், ஒரு சில வார்த்தைகள் மட்டும் இப்பொழுது சொல்லுகிறேன்.

3-20 p.m. “ Mr. Chairman, Sir, in presenting the Budget for 1955-56 to this House, I shall not cover the whole ground, but only make a few general observations. Printed copies of the Budget Speech of the Finance Minister are now with all hon. Members and that document contains all the relevant facts and figures.

“ The estimated revenue for the budget year, is Rs. 17,92 lakhs, after taking credit for Rs. 165 lakhs from new taxes and is short of the anticipated expenditure of Rs. 49,58 lakhs by Rs. 166 lakhs. The deficit is large and should normally have caused us some concern, especially after an anticipated deficit of Rs. 249 lakhs for the current year. But, as matters stand at present, practically all State Governments are sure to run into substantial deficits, as could be seen from the budget figures of Bengal, Bihar, and Uttar Pradesh recently published. Under our Constitution it is the responsibility of the State Government to provide the people with their basic needs, such as elementary education, medical assistance, drinking water-supply, agricultural facilities, rural communications, etc. The needs of the people on these services are indeed many, and the publicity we have been giving to the National Plan in the country has made the people conscious of their disabilities and rights. The taxable resources of the State Government are practically the same as before the Constitution and many of them have been stretched out to the point of diminishing returns. There can therefore, be no escape from growing deficits in the budgets of future years. We can only try to keep them under control to preserve the credit of the State and in this we have had a fair measure of success.

“ A few comparative budget figures for post-war years will indicate the rate of expansion on some of the welfare services. In 1945-46 we spent Rs. 460 lakhs on Education for the Composite Madras State. The provision for Education in the present budget is Rs. 10.20 lakhs or about 2½ times the outlay for the Composite State 10 years ago. The corresponding figures for these two years on some other welfare departments are: Harijan Uplift Rs. 29 lakhs and Rs. 110 lakhs, Rural Water Supply Rs. 19 lakhs and Rs. 70 lakhs, Agriculture Rs. 74 lakhs and Rs. 167 lakhs, and new road works Rs. 41 lakhs and Rs. 172 lakhs. The expansion is three or four-fold in all the welfare departments and new ones have also been organised. The Community Development Projects and National Extension Services, were not in existence in 1945-46, but the budget has provided Rs. 256 lakhs on these new services. The

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Union Government is assisting us on some of these new developments, for which we are indeed grateful, but the State Government must make matching provisions to become eligible for Central grants.

“ It is true Sir that all this outlay has not gone far towards meeting the elementary needs of the people and ensuring them fair living conditions. Many more years of sustained effort will be called for, before we can claim to have laid the foundations of a Welfare State. But, that need not prevent us from reviewing the results already achieved, at least to reassure us that we are on the right track and to encourage us on our arduous onward journey. Taking Education, we may note, that with the outlays proposed in the current year and the budget year, we shall be having at least one school in every village with a population of 500 and above. No doubt, the schools are ill-equipped and understaffed and the education imparted requires radical reform, but the fact that practically every child in the State has now a school to go to, within two or three miles of his residence, is a distinct achievement. The budget further provides for making that education free for all poor children, without distinction of caste and creed, upto the middle school stage and thereby we have reached another stage in our long march towards free and compulsory education, as directed in the Constitution. Turning to Agriculture, Sir, we can see our efforts towards more intensive methods of cultivation gradually yielding results. The practice demonstrated by the Agriculture Department, of raising green manures on field bunds and on the fields during the off-season, has become popular and the whole of Tanjore Delta has been well-covered with Sesbania. The off-take of chemical manures has increased several-fold in recent years and the ryots are successfully adapting the Japanese method of cultivation to suit local conditions. Hon. Members might have seen for themselves in the districts or noted from accounts appearing in the Press, that the department was able to meet the heavy demands made on it during the last agricultural season, for assistance to fight the wave of insect pests which swept over many districts. Favourable seasonal conditions have indeed played a large part in enabling us to attain a measure of self-sufficiency in food, but while being thankful to Providence for this, we should not under-rate the significance of our own efforts in that direction. The newly constructed irrigation reservoirs, the renovated tanks in their hundreds, the irrigation wells sunk recently with State subsidy in their thousands, and the electric pump-sets which are now being installed on wells within the reach of our rapidly expanding power-grid, are all there to help us in making better use of nature's bounty. The National Extension Services and the Community Development Projects are now in operation over a fourth of the State and are gradually bringing about a new awakening amongst the rural masses, as could be seen from the fact that contributions in cash and kind from the people of the benefited areas, amount to about Rs. 25 lakhs in the current year. It is our intention Sir, to extend these services over the whole State within the next three or four years and 36 new blocks of 100 villages each, will be taken up during the budget year.

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We are also making appreciable progress on rural water-supply and may hope to cover practically every village in the State with at least one dependable source of supply early in the next Plan period.

" All these ameliorative measures must necessarily cost a good deal of money. Despite all our recent efforts, there are still large tracts of the country which have not yet derived any appreciable benefits from the Plan. People in these areas see what is being done for their more fortunate neighbours and demand satisfaction of some at least of their pressing needs. The schools, the dispensaries, the drinking water wells and the village communications they require, are petty works which do not earn a direct return on the outlay. We cannot meet the cost of these services with borrowed funds, because they do not leave behind material assets of a lasting nature. Under these circumstances, there can be no escape from further measures of taxation. In the pattern of rural reconstruction we visualise for the future, there must be very considerable decentralisation of the functions now exercised by the State Government. The needs of the villagers in the matter of education, health, agriculture or co-operative organizations, cannot be directed and supervised with an adequate sense of urgency, by a centralised executive body functioning from the headquarters of the State Government. The initiative for these welfare services must pass on to local bodies functioning in the districts, taluks or villages. But Sir, our local bodies are at present the weakest link of our administrative set-up and this is almost entirely due to the inelasticity of their financial resources. A complete reorganization of the existing local bodies seems to be called for, but as this may take time, we must strengthen the existing bodies by giving them adequate financial assistance. That is why we have proposed a new levy of two annas in the rupee on Land Revenue, to be placed in full at the disposal of local bodies. It is indeed true that agriculturists have their own difficulties, especially at a time of falling prices, but the new revenue will be utilised exclusively for the benefit of the rural areas. Local bodies will continue to receive all the grants which they have been receiving hitherto and the State Government will gain no relief out of the proceeds of the new tax. I hope hon. Members will appreciate the realities of the present situation and give the correct lead to the lower House by extending their support to this proposal without which, we cannot hope to restore some measure of initiative to our local bodies. The only other new tax proposed in the budget is ordinary sales tax on tobacco and its derivatives. It is only an accident that tobacco has escaped sales tax in recent years. We gave up this tax in 1944 in lieu of compensation from the Centre, which is levying heavy excise duties on this commodity. That compensation has since been withdrawn and so, we may proceed to levy ordinary sales tax, as on any other consumer goods. No doubt tobacco is the poor man's luxury, but it is certainly not as essential to him as his food or cloth, on both of which he pays sales tax. The incidence of sales tax may not be much compared with the excise duty already levied by the Centre. Most of the retail tobacco dealers, catering to the needs of the working classes,

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may escape this tax, because their turnover will be less than the prescribed minimum under the Act. The budget provides for relief from sales tax on a further batch of perishable articles and also for certain Co-operative Societies dealing in small cottage industries and handicrafts, the particulars of which are given in the budget speech.

" The capital side of the budget presents a more hopeful picture. Our Irrigation and Electricity programmes are making rapid progress and with the provision of about Rs. 19 crores for these works in the budget, we will be materially exceeding the targets originally set in the Plan. Hon. Members may recollect that soon after Independence, we drew up a fairly exhaustive list of major and medium-sized irrigation projects for the fuller utilisation of our water resources. We were at that time starting practically from scratch, without the necessary equipment, organization and trained personnel and therefore, the target which we then set, did look ambitious. We may note with satisfaction that most of the works covered by that list are now under various stages of execution and will be completed in the next two or three years. The Kattalai and Pullambadi schemes of Tiruchirappalli and one or two others on the West Coast, are the few in that programme, which have yet to be taken up and we may hope to launch them early in the next Plan period. Our enthusiasm is now being damped by the thought that we do not have further dependable sources of water for major schemes. A good deal more can, however, be done on small works and on the renovation of the existing tanks and other irrigation systems and it is towards that direction that we are turning our energies. There is a provision of Rs. 125 lakhs in the budget for these small works and it may be possible to supplement it, if found necessary during the course of the year. Side by side, we are also exploring the possibility of tapping sub-soil water through a programme of filter point tube wells, wherever conditions are favourable. This form of development is possible along the sides of our main river courses, provided the water table is not very low and the soil is sandy. The Agricultural Department is working out a programme costing about Rs. 50 lakhs in the budget year and let us hope that ryots will take advantage of this scheme in increasing numbers. Our rural electrification programme has made rapid strides. With the outlay of about Rs. 760 lakhs proposed in the budget for this purpose, we may hope to cover about 600 villages in the year. We are not very far from our new target of 1,000 villages per year and we may hope to cover a fair portion of the State with our power-grid in the next Plan period. Meanwhile, work has commenced on the Periyar Project and we may start the Kundali Project to harness the waters of the upper reaches of the Bhavani river. The lignite deposits of Neiveli seem to give us fair hopes of a large thermal plant in the second Plan period to provide the much needed support to our hydro-electric grid in adverse seasons.

" The large outlay on capital works in recent years has increased the public debt of the State which may amount roughly to about Rs. 75 crores by the end of this year. The provision in the

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budget for debt charges, i.e., the amount to be set apart from revenues for the servicing of the public debt, amounts to about Rs. 268 lakhs. Considering that debt charges for the Composite State in 1945-46 were only Rs. 121 lakhs, we are not surprised at the growing deficits in our present day budget. But, we should not be alarmed by this trend in our budget. We have put all the money we have borrowed to good use for improving the living conditions of the people. As against the public debt of about Rs. 75 crores, we have built up assets worth about Rs. 100 crores. The investment on electricity schemes, amounting to about Rs. 45 crores, do give us a fair return on the capital and with the betterment levy now under legislation, we may hope to make the irrigation projects costing about Rs. 35 crores, also pay their way to a large extent. Even with the heavy commitments on debt charges, we are still able to keep the revenue deficits well under control. The discerning observer may not fail to note that we are still meeting a good deal of the expenditure on roads, buildings and water-supply schemes from the revenue side of the budget, even though the outlay does leave behind substantial capital assets for the use of coming generations. No doubt we have budgetary difficulties, as the growing needs of the people on the country-side compel us to raise fresh taxes from people who are not very affluent, but nobody, Sir, need cast doubts on our inherent financial stability, because we have made our investments wisely.

"With these observations, Sir, I present the Budget Estimates of 1955-56 for the consideration of this House."

3-30 p.m. SRI MOHAMED RAZA KHAN:—"Sir, I request that hon. Members of the House may be supplied with copies of the speech just now delivered by the Hon. the Leader of the House."

MR. CHAIRMAN:—"I now adjourn the House to meet again at 3 p.m. on Monday, the 28th February 1955."

The House then adjourned.

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APPENDIX I.

[Vide statement referred to in the answer to starred question No. 204 asked by Sri G. Krishnamoorthi at the meeting of the Legislative Council held on 26th February 1955, page 209 supra.]

Statement of appeals filed by Government servants against orders in disciplinary cases in 1953 and the details of relief prayed for, etc.

Serial number and designation of the appellant.	Penalty appealed against.	Relief prayed for.	Disposal.
(1)	(2)	(3)	(4)
1 Deputy Tahsildar.	Stoppage of increment for sixth months.	To set aside the order.	Rejected.
2 Do.	Stoppage of increment for three months.	Do.	Do.
3 Revenue Inspector.	Dismissal	Do.	Do.
4 Assistant Inspector of Labour.	Reversion to the lower post.	Do.	Pending.
5 Dairy Officer ..	Stoppage of increment for three months.	Do.	Rejected.
6 Biometric Assistant, Industries Department.	Removal	To set aside the order and to reinstate.	Do.
7 Mechanic, Industries Department.	Reduction by three stages, debarring the officer from being placed in charge of a subdivision for at least three years or until further orders and recovery of over-claimed wages of workmen and night watchmen.	To set aside the order.	Rejected. Period of suspension ordered to be treated as absence from duty.
8 Deputy Panchayat Officer.	Dismissal	Reinstatement service.	in Pending.
9 Gallery Peon of the Museum.	Removal	To set aside the order.	Declined to interfere.
10 Junior Deputy Inspector.	Dismissal	Do.	Rejected.
11 Headmaster.	Removal	Do.	Do.
12 Typist, Education Department.	Do.	Do.	Do.
13 Assistant Surgeon..	Do.	To treat his removal from service as one of resignation.	Do.
14 Ambulance Attendant.	Dismissal	Reinstatement of service.	De novo enquiry was ordered and the officer was kept under suspension from the date of dismissal and paid subsistence allowance.
15 Head Clerk, Medical Department.	Reduction in pay to a lower stage in the time scale.	To revise the order.	Modified that the orders passed against him would hold good for one year.

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Serial number and designation of the appellant.	Penalty appealed against.	Relief prayed for.	Disposal.
(1)	(2)	(3)	(4)
16 Stationary Sub-Magistrate.	Reversion as Upper Division Clerk.	Restoration to the Deputy Tahsildars cadre.	Rejected.
17 Taluk Supply Officer.	Stoppage of increment for six months.	Cancellation of punishment.	Do.
18 Do.	Dismissal	Restoration to service.	Pending.
19 Upper Division Clerk, Revenue Department.	Stoppage of increment and reversion to Lower Division Clerk grade.	To set aside the order.	Upheld the punishment of stoppage of increment but revoked the order of reversion to the Lower Division Clerk grade.
20 Lower Division Clerk, Revenue Department.	Compulsory retirement.	Reinstatement in service.	Rejected.
21 Do.	Dismissal	Restoration to service.	Pending.
22 Sub-Magistrate.	Suspension	Cancellation of suspension.	Rejected.
23 Deputy Tahsildar.	Dismissal	Restoration to service.	Do.
24 Tahsildar ..	Do.	Restoration to duty.	Do.
25 Deputy Tahsildar.	Recovery of Rs. 700 being the loss to Government.	Waiver of recovery.	Modified. Recovery of Rs. 200 waived.
26 Upper Division Clerk, Revenue Department.	Compulsory retirement from service.	Restoration to duty.	Rejected.
27 Upper Division Accountant, Revenue Department.	Censure.	Cancellation.	Do.
28 Upper Division Clerk, Revenue Department.	Recovery of Rs. 500 and debarring promotion for one year.	Do.	Pending.
29 Tahsildar.	Stoppage of increment for six months without cumulative effect.	Do.	Rejected.
30 Clerk, Excise Department.	Stoppage of increment.	To set aside the order.	Do.
31 Prohibition Guard.	Dismissal	Do.	Do.
32 Do.	Removal	Do.	Do.
33 Petty Officer, Excise Department.	Dismissal	Do.	Do.
34 Assistant Prosecutor, II Grade.	Stoppage of increment.	Do.	Orders cancelled.
35 Tahsildar.	Dismissal	Restoration to duty.	Rejected.
36 Assistant Commercial Tax Officer.	Reversion to the post of Upper Division Clerk.	To lessen punishment.	Pending.

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Serial number and designation of the appellant.	Penalty appealed against.	Relief prayed for.	Disposal.
(1)	(2)	(3)	(4)
37 Upper Division Clerk, Hindu Religious and Charitable Endowments Department.	Reversion as Lower Division Clerk.	To set aside the order.	Pending with the Andhra Government as the Officer was allotted to that State.
38 Do.	Compulsory retirement.	Do.	Modified. Pay reduced by Rs. 5 temporarily for one year.
39 Lower Division Clerk, Hindu Religious and Charitable Endowments Department.	Declaration as unfit for promotion.	Do.	Restored to the post of Upper Division Clerk.
40 Upper Division Clerk, Hindu Religious and Charitable Endowments Department.	Reduction of pay by Rs. 5 temporarily for one year.	Do.	Rejected.
41 Lower Division Clerk, Hindu Religious and Charitable Endowments Department.	Dismissal from Service.	Do.	Do.
42 Principal Judge, City Civil Court.	Censure	Do.	Do.
43 Superintendent, Chief Secretariat.	Suspension	Treating period of suspension as on duty on full pay.	Do.
44 Do.	Dismissal	Reinstatement in service.	Request negatived.
45 Do.	Censure	To cancel punishment.	Negatived.
46 Attendor, Public Department.	Dismissal	Reinstatement in service.	Do.
47 Auto-Cycle Messenger, Government Secretariat.	Suspension	For treatment of period of suspension as on duty on full pay.	Request negatived
48 Firka Officer.	Supply Dismissal	To set aside the order.	Rejected.
49 Head Clerk, Civil Supplies Department.	Do.	Do.	Do.
50 Upper Division Clerk, Civil Supplies Department.	Stoppage of increment for six months.	Do.	Set aside.
51 District Officer.	Supply Do.	To cancel the order.	Rejected.
52 Peon, Civil Supplies Department.	Dismissal	Do.	Do.

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Serial number and designation of the appellant. (1)	Penalty appealed against. (2)	Relief prayed for. (3)	Disposal. (4)
53 Lower Division Clerk, Civil Supplies Department.	Discharge	To cancel the order.	Rejected.
54 Reception Deputy Tahsildar.	Stoppage of increment for six months.	To set aside the order.	Do.
55 Assistant Superintendent, Civil Supplies Department.	Reversion from the post of Assistant Superintendent.	To cancel the order.	Do.
56 Special Deputy Tahsildar.	Stoppage of increment for six months.	Do.	Do.
57 Firka Supply Officer.	Dismissal	Do.	Do.
58 Assistant Taluk Supply Officer.	Do.	Do.	Do.
59 Assistant Rationing Officer.	Do.	Do.	Pending.
60 Rationing Officer.	Discharge	Do.	Rejected.
61 Two Drivers, Civil Supplies Department.	Recovery of loss to Government.	Do.	The amount recovered was ordered to be refunded.
62 Watchman, City Civil Supplies Transport Unit, Madras.	Discharge	Reinstatement in service or grant of compassionate gratuity.	Rejected.
63 Upper Division Clerk, Statistics Department.	Do.	To reinstate in service.	Pending.
64 Fieldman, Agriculture Department.	Dismissal	To cancel the order.	Rejected.
65 Do.	Discharge	For reinstatement in service.	Do.
66 Depot Clerk, Agriculture Department.	Suspension	For payment of pay and allowances for the period of suspension.	Do.
67 Do.	Discharge	Reinstatement in service.	Do.
68 Agricultural Demonstrator.	Compulsory retirement.	To set aside the order.	Do.
69 Additional Agricultural Demonstrator.	Termination of service	Do.	Do.
70 Agricultural Demonstrator.	Reduction of pay by one stage and treatment of period of suspension as leave.	Do.	Pending.
71 Tractor Cleaner.	Recovery of Rs. 72	Do.	Rejected.
72 Overseer, Agriculture Department.	Dismissal	Do.	Pending.

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Serial number and designation of the appellant. (1)	Penalty appealed against. (2)	Relief prayed for. (3)	Disposal. (4)
73 Assistant Superintendent, Cinchona Department.	Withholding of seven annual increments permanently with cumulative effect.	To set aside the order or modification of punishment to postponement of increments temporarily without cumulative effect.	Rejected.
74 Acting Upper Division Clerk, Forest Department.	Reversion to lower post.	For allowing increments and arrears of pay for the period of reversion.	Do.
75 Ranger	Dismissal	For reinstatement in service.	Orders set aside and the period was ordered to be treated as suspension.
76 Acting Ranger	Reversion as Forester.	To set aside the order.	Pending.
77 Senior Superintendent, Fisheries Department.	Reversion as Junior Superintendent.	Do.	Rejected.
78 Upper Division Clerk, Fisheries Department.	Reversion as Lower Division Clerk.	Do.	Do.
79 Upper Division Clerk, Fisheries Department.	Recovery of Rupees 202-3-6.	Do.	Do.
80 Radio Supervisor.	Removal from service.	For reinstatement in service.	Appeal was allowed and he was reinstated in service.
81 Lower Division Clerk, Highways Department.	Do.	Do.	Rejected.
82 Peon, Port Department.	Do.	Do.	Do.
83 Pilot, II Grade, Port Department.	Do.	Do.	Do.
84 Foreman, Transport Department.	Termination of service.	Do.	Modified the penalty to that of reduction to a lower post (as maiatry).
85 Cash-keeper, Transport Department.	Do.	Do.	Appeal allowed and he was reinstated in service.
86 Senior Superintendent, Transport Department.	Reversion to the post of Upper Division Clerk.	Restoration to the post of Superintendent.	Appointed afresh as Superintendent.
87 Senior Foreman, Stationery and Printing Department.	Reversion to the post of Junior Foreman.	For restoration of his seniority in the category of Senior Foreman and for redressal.	Pending.
88 Binding Foreman.	Compulsory retirement.	To set aside the order.	Rejected.
89 Compositor	Dismissal	For reinstatement in service.	Pending.
90 Do.	Service dispensed with	To set aside the order.	Ordered to be reinstated as a fresh entrant.

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APPENDIX II.

[Vide answer to clause (b) of starred question No. 208 asked by Sri M. Ethirajulu at the meeting of the Legislative Council held on 26th February 1955, page 214 supra.]

Statement showing the nature and number of assaults made on the Prohibition staff.

District.	1952-53 (1st April 1952 to 31st March 1953). Number of assaults.
1 Madras City	3
2 Chingleput	1
3 South Kanara	1
4 Ramanathapuram	2
5 Malabar	1
6 Visakhapatnam	2
7 Bellary	3
8 Srikakulam	6
9 Anantapur	2
10 Krishna	2
11 West Godavari	1
12 Cuddapah	2
13 Kurnool	1
Total	27

NOTE.—In five out of the 27 cases, the Prohibition staff opened fire when the mob assaulted the Prohibition party by pelting of stones and with deadly weapons, etc. These instances occurred in (1) Kathivakkam in Madras City limits, (2) Kummarakunta in Cuddapah district, (3) Kiladari village in Ramanathapuram district, (4) Vembalur in Chingleput district and (5) Koracharabathi and Uddagathithonda forests in Bellary district. In one case the Sub-Inspector, Thiruppuvanam, had to open fire in self defence, while chasing one accused Subramaniaswami, who threatened to do away with the Sub-Inspector with a dagger and the shot grazed the right forearm of the accused. Except these instances the other assaults were of a minor nature.

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District.	1953-54 (1st April 1953 to 31st March 1954). Number of assaults.
1 Madras City	2
2 Chingleput	1
3 South Arcot	1
4 Ramanathapuram	1
5 Tirunelveli	1
6 Anantapur	3
7 Bellary	1
Total	10

NOTE.—In four out of the 10 cases, the Prohibition staff opened fire, when the mob assaulted the officers, during the discharge of their normal duties, in detecting cases and making raids. These instances occurred in (1) Velayuthapuram (Tirunelveli district), (2) Guntakkal Station limits (Anantapur district), (3) Devasamudhram village (Bellary district) and (4) Red Hills (Madras City limits). In the assault at Velayudhapuram, a hostile crowd pelted stones on the Police-cum-Prohibition Party, and the Police Sub-Inspector ordered the opening of fire.

District.	1954-55 (1st April 1954 to 17th December 1954). Number of assaults.
South Arcot	2

NOTE.—In one instance, the Prohibition Sub-Inspector, Panrutti, opened fire in self defence when a party of Prohibition offenders offered some resistance. The firing did not result in any injury. In the other instance the Sub-Inspector, Striking Force, Cuddalore N.T., had to open fire to disperse a hostile crowd which attempted to assault the staff, with a view to preventing them from arresting one accused.

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APPENDIX III.

[Vide item IV on page 216 supra.]

Speech of Sri C. Subramaniam, Finance Minister, presenting the Budget for 1955-56 to the Madras Legislature on the 26th February 1955.

Sir,

Five-Year Plan.

The Budget for 1955-56 which I am now presenting to the State Legislature, covers the final year of the current Five-Year Plan. When this Plan was formulated early in 1951, ours formed a composite State with Andhra. After the partition of the State in 1953, the Plan was broken up into its components and the portion for the present Madras State was shaped with some adjustments and additions, to form the new Madras Plan. It envisages an outlay of Rs. 86.43 crores on schemes financed by the State Government and Rs. 6.41 crores on schemes like Community Development projects, National Extension Services and Local Development works, financed largely by the Central Government, making a total outlay of Rs. 92.84 crores. During the first three years, that is up to the 31st March 1954, we had spent on schemes in the State sphere, Rs. 43.27 crores or about 50 per cent. The slow progress of the Plan in the early years, was due to the heavy strain on our resources, following adverse seasons necessitating large outlays on relief measures. The expenditure during the current year, i.e., the fourth year of the Plan, is expected to be Rs. 18.16 crores and this leaves a balance of Rs. 25.00 crores to be expended in the budget year. The actual outlay proposed in the budget is Rs. 25.83 crores, which means that we are implementing the Plan for the State in full. The Centrally sponsored schemes of Community Development projects, National Extension Services and Local Development works, were initiated only after we were half-way through the Plan. Of the sum of Rs. 6.41 crores proposed under these heads, only Rs. 56 lakhs were spent up to 31st March 1954. The proposed measures have since gained considerable momentum and an outlay of Rs. 282 lakhs is anticipated in the current year and Rs. 347 lakhs in the next year. If these anticipations come true, this part of the Plan will also be fully implemented. A broad break-up of the outlay according to the different departments is given in Appendix IV to the copy of this Speech. Even though the planned

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outlay is being expended in full, there are some unavoidable short-falls under certain heads. For example, there is a deficiency of Rs. 50 lakhs under Forests which is due to the fact that certain schemes of afforestation and soil conservation, included in the Plan at a late stage, are still under correspondence with the Government of India on the question of Central assistance. Deviations of this minor nature from the Plan must be expected when the outlay over a period of five years, had to be estimated in advance. They will be made good in the next Plan.

2. In order to appreciate the significance of the Plan, it is necessary to note the precise distinction between expenditure covered by the Plan and expenditure outside the Plan. A scheme is treated as part of the Plan only if it is intended to provide a new amenity to the people. The large appropriations on departments of Government such as Revenue, Courts, Prisons, Police, etc., are outside the Plan, even though these departments are all very essential for security and good administration. Even the expenditure incurred all these years on social services like Education, Public Health, Co-operation, Labour, etc., will not be reckoned within the Plan, because they do not confer new benefits on the people. But the cost of a new school, new road, new agricultural farm, extension to an old hospital or an irrigation system, will all form part of the Plan. The maintenance of the General Hospital or the Presidency College will come outside the Plan, because these institutions have been there when the Plan was framed, but the new Medical College at Madurai will form part of the Plan. All new irrigation and electricity works whether big or small and all permanent improvements to the existing irrigation works are within the Plan. The test to be applied is whether the outlay is on a new service and if so whether it confers a fresh benefit on the people. The amount provided for education in the Budget is Rs. 10.20 lakhs, but only Rs. 131 lakhs on schemes newly introduced form part of the Plan. Hon'ble Members may therefore note that the provision in the Budget of Rs. 29.30 crores for the Plan, represents the progress we are making in the year on Development and Welfare services.

What planned outlay means.

3. It is indeed true that all this outlay does not make an adequate impression on the economy of the State. The poverty of ages sticks hard and cannot be

Objectives of the plan.

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shed without further sustained effort over a period of years. The framers of the Plan had no illusions about the results that could be achieved in the first Plan period. Their broad objectives were to stem the tide of inflation which at the time seemed to overwhelm our credit structure, to cover the food deficit which was eating up foreign exchange at an alarming pace and to correct the deficiencies in our Industrial and Transport organizations so that a more ambitious Plan could be based on the economy so prepared. Inflation has not only been arrested but we are even thinking whether something should be done to arrest the present downward trend of agricultural prices. For the first time in recent years we have permitted the export of foodgrains. Industrial production has increased appreciably and the transport system has been geared up to meet all the present demands on it. The targets set in the Plan were perhaps modest but nobody can deny that we have had a fair measure of success on them. What is of even greater significance is the fact that people living in remote villages have understood in a general way, the necessity for planning. For a country modelled on the democratic pattern, this is a vital achievement, because planning in an under-developed economy involves immediate sacrifice and this is accepted best when people realise that it is for their own good in the long run. We should not therefore despair over the present slow pace of our development, but may take solace in the thought that we have prepared the ground for the faster development envisaged in the second Plan, to which I shall refer after covering the budget proposals.

Irrigation.

4. Our Irrigation programme is making rapid progress. The Bhavani project has been completed and practically the whole ayacut of 2 lakhs of acres will be irrigated during this year. The Malampuzha, the Manimuthar and Mettur canals projects will be almost completed in the course of the year. Work has commenced on all the four new projects, the Amaravathi, the Vaigai, the Sathanur and the Krishnagiri and they will be completed early in the next Plan period. Full provision is being made in the Budget for all these works according to the needs anticipated by Engineers. The allotments for minor irrigation works and the renovation of tanks are being stepped up from about Rs. 75 lakhs in the current year to about Rs. 125 lakhs in the Budget year. The benefit

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of these small works will be spread over all the districts. The total provision for irrigation including tank improvement schemes, is Rs. 746 lakhs and additional provision will be made during the course of the year to the extent found necessary. But it has to be kept in mind that our ground water resources are limited and it is therefore necessary to exploit the sub-soil water to the greatest extent possible. The Government therefore propose to take up an extensive programme of providing filter-point wells and tube-wells for irrigation purposes. We may spend about Rs. 100 lakhs in the Budget year on these schemes.

5. We are making equally good progress **Electricity** on electricity schemes, more particularly on rural electrification. About 2,200 villages have been electrified and 25,000 pump-sets connected up to the beginning of this year. Another 300 villages may expect to receive the benefit during the current year taking the total to about 2,500. The allotment for rural electrification in the budget is Rs. 764 lakhs which is double the provision in the current year and with this outlay we may hope to reach another 600 villages in the budget year. At the present rate of expansion, the target of 1,000 villages per year set for the second Plan, may be reached soon and we may hope to cover a fair portion of the country-side with our electric grid in the second Plan period. In the meanwhile, work has commenced on the Periyar Hydro-Electric Scheme and the extensions to the Madras Thermal Plant are being expedited. The total budget provision on electricity is Rs. 11,40 lakhs which sum is by far the largest for any year after the department was organized.

6. The investigation of the Lignite deposits of **Lignite**. Neiveli is now taking a very satisfactory turn. The pilot project launched at a cost of about Rs. 80 lakhs, is nearing completion and has furnished enough data to take the venture outside the regions of speculation. A British firm of experts has already prepared a scheme report for the commercial exploitation of the mineral. On studying this report, the Government of India have decided to come into the picture in a large way and have set up a High Power Committee with three representatives of this Government to direct further operations. They have relieved us of the financial responsibility on investigations after the 1st January

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of this year. The scheme report envisages the generation of large blocks of power, an ammonium sulphate factory with capacity adequate to the needs of South India and a plant for the conversion of lignite into briquettes for use in boilers and as domestic fuel. Several subsidiary industries, such as paints, varnishes, porcelain and even motor spirit are possible as the project progresses. The estimated cost of the project now under consideration, is about Rs. 60 crores, the whole of which will be found by the Centre. Our power grid will be fully protected against the vagaries of the monsoons and strengthened to meet the growing demands of rural electrification. Besides the indirect benefits of large scale industrial development, the State Government will also be getting a one-fourth share in the net profits of the enterprise in lieu of royalty for the mineral. We may hope that this large industrial venture would have been initiated before the end of the Budget year.

Rural
Water-
supply.

7. We have been able to make some headway on Rural Water-supply recently. The provision in the current year for this villagers' amenity is Rs. 40 lakhs from State funds and Rs. 30 lakhs from the Centre under the Local Development Programme. A contribution ranging from 25 per cent to 50 per cent is expected from the beneficiaries, which means that over rupees one crore worth of works can be done in the year. Composite schemes for groups of contiguous villages with overhead tank and pipe system are also being worked out. A special staff of Public Health Engineers has been organized to assist Collectors in the execution of this programme. The Board of Revenue is now aiming at an annual target of 3,500 wells and about 50 composite schemes to cover about 4,000 villages. With the experience gained during this year, greater progress can be expected in the Budget year and adequate provision is being made for this purpose. We are now having about 15,000 public-owned drinking water wells in the State and at the present pace, we may hope to cover all villages and major hamlets with at least one well each during the second Plan period. Another programme under preparation, is to provide the Delta villages which are most affected by cholera, with composite schemes of protected water-supply. A Central grant of about Rs. 60 lakhs has been promised and we have to find an equal sum as contribution by villagers or

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out of State funds. A good deal of work on this programme is expected to be done in the Budget year and about 500 villages along the Cauvery, the Vaigai and the Tambraparni may be benefited.

8. In the matter of Urban water-supply and drainage schemes, we have not been able to do much in the past for lack of resources. The Government of India have recently agreed to give us a loan of about Rs. 250 lakhs to be utilised before the end of the Budget year and the necessary Public Health organization is being built up. The Madras City Corporation will be given a loan of about Rs. 60 lakhs for setting up rapid mechanical filters and for improvements to the existing distribution system. The Corporation has commenced the works and hopes to spend the amount before the end of the Budget year. Comprehensive water-supply schemes are being taken up for the municipalities of Mangalore, Tiruppur, Tirunelveli, Melapalayam, Salem, Coimbatore, Madurai, Gobichettipalayam, Cuddalore, Dindigul and Kumbakonam. With the trained staff and equipment built up on the programme, we may hope to cover all our major municipalities during the second Plan, provided the necessary measure of co-operation is forthcoming from municipal authorities. These expensive works are exclusively for the benefit of urban dwellers and it is only fair that the rate-payers of these towns should shoulder a fair share of the burden, and should not expect much assistance from the general tax payer.

9. The Community Development Projects and the National Extension Services are making steady progress after the initial teething troubles. The more intensive form of Development envisaged under the Community Projects, is now in operation in 21 blocks, each block covering about 100 revenue villages. The National Extension Services have been extended over another 48 blocks, making in all 69 blocks. We have thus reached the target of covering one-fourth of the rural areas during the present Plan period. The budget provides for taking up 36 new blocks under National Extension Services and for converting 14 of the existing National Extension Services blocks into Community Development blocks. Arrangements for training the required field personnel are being accelerated, so that the entire State may have the benefit of these ameliorative measures early in the

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second Plan period. It is heartening to note that villagers' contribution in cash and kind, which was slow to come in at the initial stages, has now become substantial and amounts in terms of money to about Rs. 32 lakhs during this year. An outlay of Rs. 1.91 lakhs is provided for these services in the current year and Rs. 256 lakhs in the Budget year.

Local
Development
Works.

10. Local Development Works are becoming increasingly popular. Hon'ble Members are aware that these are small works undertaken by the villagers for their benefit with a half-grant from the Centre. The scheme is restricted to areas which do not have the benefit of intensive development under the National Extension Services or the Community Development programme. It was not possible to do much on these works last year, but the unspent provision of Rs. 20 lakhs of last year and the sum of Rs. 29 lakhs available for the current year are all expected to be utilised before the end of the year. Special engineering subdivisions have been sanctioned, one for each district, to assist villagers on these works. The Government have recently liberalised the rules for the sanction of these works. Villagers may now start works costing less than Rs. 3,000 each, without detailed estimate and prior scrutiny. This is a field where Hon'ble Members can render valuable assistance by popularising the scheme in the villages of their respective constituencies. With the funds available under this head, many more villages can take advantage of the scheme.

The Social Welfare Board, a Central organization for the uplift of women and children under the Chairmanship of Srimathi Durgabai Deshmukh, is starting various ameliorative measures in different centres in the country. Seventeen such 'centres' are being set up in this State and each centre will be given a grant of Rs. 25,000 by the Central Welfare Board. The State Government and the villagers have to find an equal sum and this Government have agreed to assist this scheme with grants to the extent of Rupees 12,500 per centre, on the certificate of the District Collector that the centres in his district are doing useful work. Provision has been made in the budget for this purpose. I hope this measure will be of real assistance to the women and children of these centres and also lend some colour to the dull routine of their existence.

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11. We have been able to accelerate our road works very considerably during the year. The Government of India have agreed to give us grants amounting to about Rs. 138 lakhs on a number of road works of inter-State importance and intended to open up backward tracts. Twenty works are being taken up under this programme and substantial progress may be expected during the Budget year. Works have commenced on the West Coast Road which is being upgraded with bridges, culverts and black-top to provide an all-weather Highway from Bombay to Cape Comorin, at a cost of about Rs. 282 lakhs for the stretches in this State. This Government had undertaken to meet half the cost of these works from the State's share of the Central Road Fund. The Government of India have since agreed to meet the full cost of these works from the 1st April 1955 and this would release for use elsewhere, our share of the Central Road Fund. The Government have now decided to use Rs. 30 lakhs out of the sum so released, for giving black-top to stretches of State Highways bearing heavy bus traffic. The total provision in the budget for capital improvements to our road system under National Highways, State Highways and Major district roads is about Rs. 172 lakhs and we may hope to improve on this outlay in the coming years.

12. We have not been able so far to take up in a large way, improvements to rural communications. Something is now being done under Local Development works and National Extension Services, but the effort is not adequate. The real problem is one of maintenance which falls heavily on District Boards and Panchayats, which are unable to meet the cost. Local Bodies are becoming so much dependent on grants from the Government as to sap local initiative. The need for augmenting their resources is pressing, but it may take time to find the ways and means of doing this on a long-term basis. Meanwhile, we must make a beginning somewhere. The Government have considered this matter carefully and have decided to augment the resources of Local Bodies by an additional levy on land which may bring in about Rs. 75 lakhs a year and to make an outright grant of this sum to Local Bodies. I shall deal with the details of this measure under the proposals for additional taxation. The amount of Rs. 75 lakhs will be distributed between the different districts other than

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Madras and about Rs. 25 lakhs will be earmarked exclusively for Panchayats. This grant will not be reserved for road works alone but the Government hope that with this improvement in their resources, Local Bodies will be able to do greater justice to rural communications. The normal provision of about Rs. 17 lakhs for grants to Local Bodies for new road works is being made separately. Hon'ble Members are already aware that a grant of Rs. 5 lakhs has been made to the Madras Corporation for roads in the current year and this is being continued in the Budget year.

Education.

13. The advance made on education this year has also been appreciable. Taking advantage of the assistance offered by the Government of India, we recently opened 2,800 new elementary schools in school-less centres and strengthened the existing schools with 200 additional teachers. The opening of a further batch of 1,500 schools and the strengthening of the existing schools by another 1,000 teachers are being authorised presently and with this addition, which may be spread over the current year and the next, we shall have covered all villages with a population of 500 and above with at least one school. Elementary education should now be within the reach of children of most areas in the State because there will be a school within two or three miles of practically every hamlet. It may be desirable to pause at this stage and consolidate the new schools with the necessary buildings and equipment before spreading further into the more remote hamlets. Meanwhile, a Committee under the Chairmanship of Dr. Alagappa Chettiar is examining the present system of elementary education in all its aspects and we may await with interest the recommendations of this Committee. The Secondary Education Commission's report is now under the careful consideration of the Government. Some of the points raised in this report have turned controversial and we must allow enough time for public opinion to express itself. Meanwhile we are accelerating the conversion of existing schools to multi-purpose ones, with improvements to libraries and facilities for craft training. We may hope to spend about Rs. 50 lakhs on these schemes in the Budget year, making use of the assistance offered by the Government of India. With a view to foster a better sense of discipline amongst the youth,

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we propose to expand the National Cadet Corps and provision is being made for training another 100 troops in schools in the Budget year, at a cost of about Rs. 5 lakhs.

Hon'ble Members are aware that Harijans are exempt from school fees and Backward communities are eligible for half-fee concessions. Even though our Constitution envisages free education to all children between the ages of 6 and 14, students of other communities have generally to pay full fees irrespective of the means of their parents. The Government have considered this matter carefully and have decided to exempt all poor children without any distinction of caste, creed or community, from the payment of school fees up to the middle school stage, i.e., up to Form III inclusive, with effect from the next school year. A student will be considered poor for the purpose of this exemption, if his parent or guardian derives an annual income of less than Rs. 1,200 per annum. The managements of schools will be compensated for the loss of fee income. Even though elementary education is generally free, the managements of some aided elementary schools are charging school fees. The managements of these schools will also be suitably compensated. These measures are expected to cost about Rs. 50 lakhs and provision has been made in the budget for this purpose.

14. Before I pass on to the Budget Estimates, Revised I shall briefly review the revised estimates for the Estimates. current year. When the Budget was presented last 1954-55. March, we anticipated a revenue of Rs. 45,00 lakhs, after taking credit for Rs. 40 lakhs as the proceeds of additional taxation and an expenditure of Rs. 45,18 lakhs, showing a small deficit of Rs. 18 lakhs. The revised estimates, as now fixed, show a revenue of Rs. 45,19 lakhs and an expenditure of Rs. 47,68 lakhs leaving a much larger revenue deficit of Rs. 249 lakhs. Of the new taxation proposals, the betterment levy, the agricultural income-tax on plantations and the revision of court-fees have yet to come into force. The enhanced sales tax of 1 anna 3 pies in the rupee at a single point on medium mill cloth has not yet received the assent of the President. The Government of India seem to feel that this levy on an essential article is not wholly justified. I hope the House will join with me in endorsing the point that in a State with a very large handloom output struggling to find a market,

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medium mill cloth is by no means so essential as to attract the over-riding powers of the Centre. This Legislature did consider all the aspects of the case before imposing this levy on the consumers of this State and let us hope that the Central Government will soon reconsider their stand in the light of the recommendations of the Taxation Enquiry Commission. The enhanced sales tax on fine and superfine mill cloth came into force late in the year and may yield about Rs. 20 lakhs during the rest of the year. Even with this addition, the proceeds from General Sales Tax amount only to Rs. 875 lakhs as against the Budget Estimate of Rs. 950 lakhs. The shrinkage in Sales Tax is made up to some extent under Land Revenue which is now expected to be Rs. 636 lakhs as against the original estimate of Rs. 595 lakhs. The favourable seasonal conditions and the new graduated surcharge on larger holdings account for this increase. Other favourable features on the Revenue side are receipts from Electricity, Rs. 257 lakhs against the original estimate of Rs. 207 lakhs and Forest, Rs. 145 lakhs against the original estimate of Rs. 110 lakhs. For the first time, we are taking a credit of Rs. 10 lakhs for this year and Rs. 25 lakhs for the next under estate duty levied on commercial and professional wealth. This may prove to be an increasing source of revenue in the future, especially after we extend the provisions of this legislation to landed property also.

The substantial increase on the expenditure side of the revised estimate should not cause any surprise. We have expanded the Development services during the course of the year. The Education budget alone has gone up by Rs. 61 lakhs from Rs. 854 lakhs to Rs. 915 lakhs. Civil Works have registered an increase of Rs. 94 lakhs mostly on roads and to some extent on water-supply and drainage schemes. We have also covered new areas with the National Extension Services, after the budget was framed.

The capital expenditure for the year is expected to be Rs. 13,51 lakhs as against the previous estimate of Rs. 12,62 lakhs. The increase has been substantial under rural electrification. There has been larger outlay under loans and advances also, mainly to Municipalities on Urban Water-supply Schemes. The loans expected from the Centre under different heads amount to Rs. 12,00 lakhs. The year is expected to close with a cash balance of Rs. 367 lakhs.

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15. The Budget Estimates for 1955-56 anticipate a revenue of Rs. 46,27 lakhs on existing taxation and an expenditure of Rs. 49,58 lakhs, leaving a deficit of Rs. 331 lakhs. Provision has been made for 261 new schemes as per the detailed list appended to the Budget Memorandum, including the school-fee concessions and the special grant to Local Bodies referred to earlier. The present estimates are on the assumption that seasonal conditions will be normal, that Land Revenue will come in without material default and that no large outlay will be called for on distress relief measures. Receipts under Sales Tax have been fixed at Rs. 920 lakhs, taking credit for Rs. 40 lakhs from the increased sales tax on fine and superfine cloth and Rs. 25 lakhs as additional receipts due to the improved seasonal factor. In view of the rapid expansion of our power grid, the net revenue from electricity schemes is expected to be Rs. 320 lakhs as against Rs. 257 lakhs in the current year. Under Motor Spirit Taxation, the receipts are falling, but this is largely due to the change over of transport vehicles from petrol to diesel. The other items of revenue do not call for any special comments.

On the expenditure side, there is all-round expansion in all the welfare departments, the broad lines of which I have referred to earlier. The provision for the welfare of Harijans and Backward Classes has been stepped up and is now expected to be about Rs. 110 lakhs. A provision of about Rs. 15 lakhs has been made for improvements to our hospitals and increase in bed-strength. A concession made to Government servants is the liberalisation of their leave rules. Government servants governed by the Madras Leave Rules will be allowed to accumulate leave up to 120 days as against 90 days and their leave salary will be reckoned on the average pay for the 12 months instead of for the past 36 months. Stenographers will be permitted to draw their special allowance during the leave period also. It is difficult to reckon the cost of these concessions but it may be substantial in the long run. There is an apparent increase under Police expenditure from Rs. 463 lakhs to Rs. 486 lakhs, but this is due to the transfer of the Prohibition staff from the Board of Revenue to the Police Department and involves no real increase. There is corresponding reduction under the Excise Department where the expenditure was shown before.

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The anticipated capital expenditure for the year is Rs. 20,60 lakhs, made up of Rs. 746 lakhs on Irrigation, Rs. 11,40 lakhs on Electricity and Rs. 174 lakhs on buildings, transport, industries and as compensation to Zamindars. There is a provision of Rs. 45 lakhs for the construction of quarters for policemen in the City and mufassal. This is part of a long-term programme costing about Rs. 4 crores on which we have sought Central assistance. If that is forthcoming, we may hope to accelerate the pace of this programme, so that the policemen all over the State can soon be housed in reasonable living conditions. Other building provision includes allotments of Rs. 12 lakhs for basic training schools and Rs. 2 lakhs for further extensions to the Todhunternagar Government Servants' colony. It has been decided to strengthen the City transport with another batch of 50 heavy diesel buses, for which a provision of Rs. 25 lakhs has been made. We have been negotiating with the Andhra Government on the division of the shares worth Rs. 102 lakhs in the Industrial Investment Corporation, which was serving the Composite State. The Andhra Government are likely to take over the investments of the Corporation amounting to Rs. 16 lakhs in that area towards their portion of the share capital worth about Rs. 36 lakhs and we may have to pay them the balance in cash. Pending a satisfactory settlement which is now in sight, a provision of Rs. 20 lakhs is being made in the budget.

Under Loans and Advances, the anticipated outlay is Rs. 612 lakhs. This sum includes a provision of Rs. 190 lakhs to Local Bodies for Urban Water-supply and Drainage Schemes referred to earlier. Recoveries during the year are expected to be Rs. 255 lakhs, leaving a net outlay of Rs. 357 lakhs.

16. With our enormous commitments on the capital side and our fast growing needs on Welfare Services, we cannot leave the large revenue deficit of Rs. 331 lakhs uncovered, especially after a run of deficit budgets. The new taxation measures, namely, the Agricultural Income-tax on Plantations, the Betterment levy and the Revision of Court Fees may bring in about Rs. 50 lakhs during the Budget year and this may reduce the deficit to Rs. 281 lakhs.

It is now proposed to levy a flat surcharge of 2 annas in the Rupee on Land Revenue on all lands, wet, dry and garden and on all water rates. The amount

New
taxation
proposals.

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of this surcharge will not be taken into consideration for reckoning the special levy on larger holdings under Act XIX of 1954. This measure will yield about Rs. 75 lakhs and will go towards the grant of Rs. 75 lakhs proposed earlier for augmenting the revenues of Local Bodies. In the present state of our finances, we could not have proposed this new grant without raising the necessary sum by additional taxation. In view of the improved seasonal conditions and the low incidence of Land Revenue compared with pre-war conditions, the Government feel that this new levy may not prove unduly burdensome.

Excepting superior cigarettes and cigars which are taxed separately under Act IV of 1953, tobacco and its derivatives are now exempt from the sales-tax. In a State where practically every commodity including foodstuffs and cloth are subject to sales-tax, there is no justification for exempting tobacco. We were taxing tobacco till about 1944, when it was given up in lieu of the compensation offered by the Centre. Now that the Central subvention has been stopped, the Government consider that tobacco and all its derivatives excepting superior manufactured tobacco which is being taxed at a higher rate under Act IV of 1953, should be subject to the general sales-tax as any other consumer goods. Cigarettes costing less than 3 pies each, will be taxed at 5 per cent of turnover at one single point and will thereafter be exempted from the General Sales-Tax now proposed. These measures may bring in about Rs. 50 lakhs in the Budget year.

In the last budget, we gave exemption from sales-tax to certain perishable commodities like meat, fish and vegetables. On the same principle, it is now proposed to grant exemption from sales-tax to onions, potatoes, betel leaves and plantain leaves. Co-operative societies producing palm gur will be exempted from sales-tax on their sales of palm gur. Sales by Cottage Industrial Co-operative Societies of such articles as carpets, pots, stoneware, brassware, toys, etc., produced by the members of these societies, will also be exempted from sales-tax. These concessions will cost about Rs. 10 lakhs but may bring in considerable relief to a large number of petty dealers and co-operative societies.

The net yield of these new taxation measures will be about Rs. 115 lakhs and will further reduce the deficit to Rs. 166 lakhs. It is proposed to leave this

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deficit uncovered, in the hope that some further measure of assistance is in store for us in the Central budget.

Ways and Means.

17. Our requirements on the Ways and Means side during the year will be about Rs. 30 crores made up of—

	RS. LAKHS.	
Capital Expenditure	20,60	
Net disbursement under Loans and Advances	3,57	
Repayment of Debts to the Government of India and the public ..	3,44	
Revenue Deficit	1,66	
Balance to be kept in the Reserve Bank and Treasuries	50	
Total ..	29,77	or Rs. 30 crores in round figures.

As against these requirements, we hope to have an opening cash balance of Rs. 367 lakhs and a net credit within the year of Rs. 212 lakhs under Deposit heads and State Trading Schemes, making a total of Rs. 579 lakhs. The budget assumes that we would be able to get loans from the Centre and the open market to cover our further requirements amounting to about Rs. 24 crores.

Agricultural prices.

18. I have now covered the budget proposals. It is true that I have made no suggestions to relieve the anxiety prevailing in the districts over the tendency of agricultural prices to fall. All through the post-war years we were faced with enormous food deficits and were struggling to find the resources to subsidise imported foodgrains to bring them within the reach of the poorer sections of the people. A problem of the present nature was not anticipated and there is no ready-made solution. There is now complete freedom of movement for foodgrains in the country and therefore, the question should be dealt with by the Centre in close co-operation with all the States. It is not clear yet that the problem is other than seasonal and that the prices may not look up again, as the stocks move out of the producing centres to the deficit areas. To the extent the fall in prices is due to better season and larger crop outturn, we should

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welcome the present trend. Some little fall in agricultural prices and the consequent reduction in the cost of living is good for the urban dweller and for our export trade. One means by which the Government can push up agricultural prices is by increased spending in the public sector and thereby placing new purchasing power in the hands of the people, and I am sure the Union Finance Minister is considering this question in all its aspects. I think on the whole we should not get unduly alarmed and hazard opinions on inadequate economic data, but watch the present trend for a little longer.

19. Hon'ble Members may like to know the intentions of the Government on the second Five-Year Plan which is now under consideration. The Planning Commission have yet to issue the broad directives for this Plan, but on present indications, it seems safe to assume that the second Plan can be double the size of the current one. The emphasis which we laid in the first Plan on large irrigation and electricity works was indeed very necessary for the rapid economic development of the country. But this meant that we did not have resources to cover larger tracts of the countryside with tangible benefits from the Plan. The second Plan should provide certain basic requirements of the people of all villages like primary education, drinking water-supply, rural communications, agricultural facilities, rural industries, medical assistance, etc. The success of any Plan will depend largely on the willing co-operation of the people. In order to ensure this, the wishes of the people and the extent to which they are willing to assist in the endeavour with money and labour, should be ascertained in a general way. The State is too large a unit for planning of this detailed magnitude and therefore, the new Plan should be prepared for each district under the direction of the District Collector in consultation with an advisory body. Large development works which cannot be planned at the district level, will be broken up into their component parts according to the outlay in each district and added on to the district Plans, to make up the total plan for each district. In areas served by Community Projects and National Extension Services, a machinery for ascertaining local opinion already exists, but this has to be built up in other areas. The Plan to be realistic, must be kept within financial bounds. Therefore, the work

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of the district planning bodies should be carefully supervised and co-ordinated with the work of the various nation-building departments. For this purpose, the Government have recently appointed a senior officer as Development Commissioner who will tour the districts, set up the necessary planning machinery at the district and village level and be in overall charge of the framing and implementation of the Plan. It is yet too early to give any indication of the size of the district plan, but it may not be unrealistic, if the outlay expected of the Government over the villagers' basic needs in each district, is of the order of Rs. 2 to 3 crores for the five-year period. To this sum will be added the villagers' contribution in cash and kind and the portion of the outlay on larger works planned at the State and Central level, and we may arrive at Total District Plans of the size of Rs. 10 to 15 crores. Let us hope that the outlay of this magnitude over a period of five years will make a visible impression on the economy of our countryside.

The targets for the new Plan under the various nation-building departments are getting ready. On electricity, our target is to accelerate rural electrification to cover at least 1,000 villages per year. Large blocks of additional power will be required for this purpose and therefore, the Periyar and the Kundah Hydro-electric projects should be completed soon. The large quantities of seasonal power which we could generate during the irrigation season should be firmed up by a big thermal plant based on Neiveli lignite. The plan for the electricity department may run up to about Rs. 80 crores. On the side of Irrigation, we are almost at the end of our resources in respect of dependable water sources. A few medium-sized works like the Kattalai and Pullambadi channel schemes in Tiruchirappalli, the Thoppiar scheme in Salem, the Kanhirapuzha scheme in Malabar and a few others are being considered. The main emphasis of our irrigation programme should be on a large number of small works wherever water is available, on the renovation of the existing tank system, and also on tapping the underground water resources, where conditions are favourable. We may hope to spend about Rs. 100 to 150 lakhs on these minor works in each year of the Plan period. A target of about Rs. 25 crores is all that we can hope to reach on irrigation during the period. In the field of agriculture and rural development, we may extend the

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National Extension Service over the whole State early in the Plan period. This ameliorative measure coupled with the villagers' programme already mentioned, should bring in a fair measure of prosperity and contentment to our rural masses. Regarding Industries, the Lignite project is well in sight as a Central enterprise. The possibility of using lignite for a steel Plant is still being examined. We are also pressing for the location of Heavy Electrical Industry in the South and let us hope something will come out of these speculations. For rapid industrial development and for providing employment opportunities to the rural masses, we must necessarily turn to small-scale and cottage industries, well dispersed in the countryside. Even with the recent stress on the socialization of the means of production, this is a field where private enterprise has to play a considerable part. The primary function of the State in this field can only be to create conditions under which local initiative can play its full part. Our rural electrification programme will certainly help, but we have to think in a large way, how the necessary climate can be produced in quick time. The Planning bodies which we propose to set up in the districts may give us useful suggestions as to the kind of small industries which could be started in their areas. The industries selected must be capable of absorbing the spare time of agriculturists in between the crop seasons. The State may assist with technicians, capital and marketing facilities. The Government are now considering how the rules governing State Aid to Industries may be liberalized even at some measure of risk. We may set up industrial Co-operatives under Government supervision to manufacture articles of common use such as agricultural implements and household utensils. We may also start Industrial workshops in every district with a view to train skilled craftsmen like blacksmiths, carpenters, masons, cobblers and other skilled workers to be absorbed in rural industries. Hon'ble Members are aware of the steps now being taken to stabilise the handloom industry. The Government's efforts have been mainly towards enrolling weavers into the co-operative fold, effecting improvements in their technique and ensuring them a reasonably protected internal market. The new plan should provide for a further intensification of these efforts, so that this major cottage industry could be placed on a stable

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basis. It is true that we have not been able to do much so far, in the field of small-scale and cottage industries and I shall welcome suggestions from Hon'ble Members as to how and where we should begin.

The broad outlines of the second Plan may be expected to take shape by October, and the House will have an opportunity of discussing them before the proposals are finalised and forwarded to the Planning Commission. Meanwhile, Hon'ble Members have a part to play by helping to mobilize opinion in the villages of their respective constituencies, and I hope all Members will join in this task with enthusiasm.

Conclusion.

20. Before I conclude, let me place on record our deep gratitude to the Union Finance Minister and the Members of the Planning Commission for the advice and consistent support they have extended to us during the year in all our financial difficulties. I should be failing in my duty if I do not mention the good work done by the Finance Secretary Sri T. A. Varghese and his assistants in the department. Let us offer our grateful thanks and appreciation to all of them.

With these observations, Sir, I present the Budget Estimates for 1955-56 for consideration and acceptance by the House.

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APPENDIX I.

[The figures for the years 1938-39 to 1952-53 relate to the Composite Madras State and the figures for the subsequent period relate to the Present Madras State. The actuals for 1953-54 (First six months) which are not given here will be found in the Budget Memorandum.]

REVENUE AND EXPENDITURE ON REVENUE ACCOUNT OF THE MADRAS STATE.

A. REVENUE.

Major heads	1938-9.	1946-7.	1947-8.	1948-9.	1949-50.	1950-1.	1951-2.	1952-3.	1953-4 (Second six months).	1954-5.			Rs. LAKHS.
										Budget Estimate.	Revised Estimate.	Budget Estimate, 1955-6.	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	
Union Excise Duties ..	Rs. LAKHS.	Rs. LAKHS.	Rs. LAKHS.	Rs. LAKHS.	Rs. LAKHS.	Rs. LAKHS.	Rs. LAKHS.	Rs. LAKHS.	Rs. LAKHS.	Rs. LAKHS.	Rs. LAKHS.	Rs. LAKHS.	
Taxes on Income other than Corporation tax.	22.50	4,48.05	6,35.32	8,42.22	8,23.32	8,29.15	9,15.43	2,88.75	80.50	1,79.40	1,66.49	1,83.59	
Retake Duty ..	..	..	..	..	..	..	..	9,42.44	3,06.76	5,58.11	5,67.38	5,50.00	
Land Revenue—	7,00.78	8,53.19	8,08.42	7,68.79	8,12.09	9,50.71	9,20.58	8,70.85	4,45.70	5,95.00	6,36.30	6,36.35	
Gross receipts including portion due to Irrigation.	..	..	..	..	..	..	..	..	..	..	9.51	24.72	
Excise ..	3,72.23	14,67.99	10,69.18	3,66.54	53.82	55.28	40.74	47.26	12.42	21.04	24.89	24.49	
Stamps ..	1,73.37	4,37.74	3,35.92	4,05.57	4,32.68	4,88.49	4,54.27	4,51.88	1,49.59	3,00.00	3,00.12	3,10.02	
Forest ..	45.63	1,61.39	1,82.81	1,59.57	1,65.70	1,88.66	2,08.92	1,58.17	57.19	1,10.40	1,44.93	1,34.91	
Registration ..	32.70	75.96	78.90	86.55	95.47	1,07.67	1,09.59	1,01.03	27.84	80.00	61.53	61.52	
Receipts under Motor Vehicles Act.	81.22	1,31.11	1,66.64	1,97.45	3,00.73	3,48.74	3,90.14	4,25.95	1,69.11	3,40.00	3,48.51	3,49.01	
Other taxes and duties—	..	..	..	..	..	..	..	..	..	..	..	..	
General Sales Tax ..	..	6,95.90	8,31.26	13,08.01	15,24.35	15,86.87	15,59.10	13,23.18	4,12.46	9,50.00	8,75.00	9,20.00	
Other items ..	3.19	1,49.33	1,98.52	2,29.92	2,85.54	3,08.61	3,62.50	3,78.67	1,22.08	2,04.60	2,46.79	2,46.55	
Total ..	3.19	8,45.28	10,29.78	15,32.33	18,09.89	18,95.48	19,21.60	17,01.85	6,34.54	12,14.60	11,21.79	11,65.55	
Irrigation—	..	..	..	..	..	..	..	..	..	..	..	..	
Direct receipts ..	6.31	12.82	11.88	12.06	13.78	14.29	10.11	15.52	3.05	4.73	5.94	5.71	
Deduct—Working expenses.	— 38.99	— 79.88	— 91.08	— 1,03.44	— 1,17.86	— 1,14.94	— 1,20.89	— 1,65.55	— 2.90	— 38.37	— 51.16	— 51.91	
Net receipts ..	— 32.68	— 66.56	— 79.20	— 91.38	— 1,04.08	— 1,00.65	— 1,10.78	— 1,60.03	— 0.15	— 33.64	— 45.22	— 46.20	

* Excludes land revenue.

APPENDIX

A. REVENUE—*cont.*

Major heads.		1954-5.										1953-4 (Second six months).		1952-3.		1951-2.		1950-1.		1949-50.		1948-9.		1947-8.		1946-7.		1945-6.		1944-5.		1943-4.		1942-3.		1941-2.		1940-1.		1939-40.		1938-9.		1937-8.		1936-7.		1935-6.		1934-5.		1933-4.		1932-3.		1931-2.		1930-1.		1929-30.		1928-9.		1927-8.		1926-7.		1925-6.		1924-5.		1923-4.		1922-3.		1921-2.		1920-1.		1919-20.		1918-19.		1917-18.		1916-17.		1915-16.		1914-15.		1913-14.		1912-13.		1911-12.		1910-11.		1909-10.		1908-9.		1907-8.		1906-7.		1905-6.		1904-5.		1903-4.		1902-3.		1901-2.		1900-1.		1899-0.		1898-9.		1897-8.		1896-7.		1895-6.		1894-5.		1893-4.		1892-3.		1891-2.		1890-1.		1889-90.		1888-89.		1887-8.		1886-7.		1885-6.		1884-5.		1883-4.		1882-3.		1881-2.		1880-1.		1879-80.		1878-79.		1877-78.		1876-77.		1875-76.		1874-75.		1873-74.		1872-73.		1871-72.		1870-71.		1869-70.		1868-69.		1867-68.		1866-67.		1865-66.		1864-65.		1863-64.		1862-63.		1861-62.		1860-61.		1859-60.		1858-59.		1857-58.		1856-57.		1855-56.		1854-55.		1853-54.		1852-53.		1851-52.		1850-51.		1849-50.		1848-49.		1847-48.		1846-47.		1845-46.		1844-45.		1843-44.		1842-43.		1841-42.		1840-41.		1839-40.		1838-39.		1837-38.		1836-37.		1835-36.		1834-35.		1833-34.		1832-33.		1831-32.		1830-31.		1829-30.		1828-29.		1827-28.		1826-27.		1825-26.		1824-25.		1823-24.		1822-23.		1821-22.		1820-21.		1819-20.		1818-19.		1817-18.		1816-17.		1815-16.		1814-15.		1813-14.		1812-13.		1811-12.		1810-11.		1809-10.		1808-09.		1807-08.		1806-07.		1805-06.		1804-05.		1803-04.		1802-03.		1801-02.		1800-01.		1799-00.		1798-99.		1797-98.		1796-97.		1795-96.		1794-95.		1793-94.		1792-93.		1791-92.		1790-91.		1789-90.		1788-89.		1787-88.		1786-87.		1785-86.		1784-85.		1783-84.		1782-83.		1781-82.		1780-81.		1779-80.		1778-79.		1777-78.		1776-77.		1775-76.		1774-75.		1773-74.		1772-73.		1771-72.		1770-71.		1769-70.		1768-69.		1767-68.		1766-67.		1765-66.		1764-65.		1763-64.		1762-63.		1761-62.		1760-61.		1759-60.		1758-59.		1757-58.		1756-57.		1755-56.		1754-55.		1753-54.		1752-53.		1751-52.		1750-51.		1749-50.		1748-49.		1747-48.		1746-47.		1745-46.		1744-45.		1743-44.		1742-43.		1741-42.		1740-41.		1739-40.		1738-39.		1737-38.		1736-37.		1735-36.		1734-35.		1733-34.		1732-33.		1731-32.		1730-31.		1729-30.		1728-29.		1727-28.		1726-27.		1725-26.		1724-25.		1723-24.		1722-23.		1721-22.		1720-21.		1719-20.		1718-19.		1717-18.		1716-17.		1715-16.		1714-15.		1713-14.		1712-13.		1711-12.		1710-11.		1709-10.		1708-09.		1707-08.		1706-07.		1705-06.		1704-05.		1703-04.		1702-03.		1701-02.		1700-01.		1699-00.		1698-99.		1697-98.		1696-97.		1695-96.		1694-95.		1693-94.		1692-93.		1691-92.		1690-91.		1689-90.		1688-89.		1687-88.		1686-87.		1685-86.		1684-85.		1683-84.		1682-83.		1681-82.		1680-81.		1679-80.		1678-79.		1677-78.		1676-77.		1675-76.		1674-75.		1673-74.		1672-73.		1671-72.		1670-71.		1669-70.		1668-69.		1667-68.		1666-67.		1665-66.		1664-65.		1663-64.		1662-63.		1661-62.		1660-61.		1659-60.		1658-59.		1657-58.		1656-57.		1655-56.		1654-55.		1653-54.		1652-53.		1651-52.		1650-51.		1649-50.		1648-49.		1647-48.		1646-47.		1645-46.		1644-45.		1643-44.		1642-43.		1641-42.		1640-41.		1639-40.		1638-39.		1637-38.		1636-37.		1635-36.		1634-35.		1633-34.		1632-33.		1631-32.		1630-31.		1629-30.		1628-29.		1627-28.		1626-27.		1625-26.		1624-25.		1623-24.		1622-23.		1621-22.		1620-21.		1619-20.		1618-19.		1617-18.		1616-17.		1615-16.		1614-15.		1613-14.		1612-13.		1611-12.		1610-11.		1609-10.		1608-09.		1607-08.		1606-07.		1605-06.		1604-05.		1603-04.		1602-03.		1601-02.		1600-01.		1599-00.		1598-99.		1597-98.		1596-97.		1595-96.		1594-95.		1593-94.		1592-93.		1591-92.		1590-91.		1589-90.		1588-89.		1587-88.		1586-87.		1585-86.		1584-85.		1583-84.		1582-83.		1581-82.		1580-81.		1579-80.		1578-79.		1577-78.		1576-77.		1575-76.		1574-75.		1573-74.		1572-73.		1571-72.		1570-71.		1569-70.		1568-69.		1567-68.		1566-67.		1565-66.		1564-65.		1563-64.		1562-63.		1561-62.		1560-61.		1559-60.		1558-59.		1557-58.		1556-57.		1555-56.		1554-55.		1553-54.		1552-53.		1551-52.		1550-51.		1549-50.		1548-49.		1547-48.		1546-47.		1545-46.		1544-45.		1543-44.		1542-43.		1541-42.		1540-41.		1539-40.		1538-39.		1537-38.		1536-37.		1535-36.		1534-35.		1533-34.		1532-33.		1531-32.		1530-31.		1529-30.		1528-29.		1527-28.		1526-27.		1525-26.		1524-25.		1523-24.		1522-23.		1521-22.		1520-21.		1519-20.		1518-19.		1517-18.		1516-17.		1515-16.		1514-15.		1513-14.		1512-13.		1511-12.		1510-11.		1509-10.		1508-09.		1507-08.		1506-07.		1505-06.		1504-05.		1503-04.		1502-03.		1501-02.		1500-01.		1499-00.		1498-99.		1497-98.		1496-97.		1495-96.		1494-95.		1493-94.		1492-93.		1491-92.		1490-91.		1489-90.		1488-89.		1487-88.		1486-87.		1485-86.		1484-85.		1483-84.		1482-83.		1481-82.		1480-81.		1479-80.		1478-79.		1477-78.		1476-77.		1475-76.		1474-75.		1473-74.		1472-73.		1471-72.		1470-71.		1469-70.		1468-69.		1467-68.		1466-67.		1465-66.		1464-65.		1463-64.		1462-63.		1461-62.		1460-61.		1459-60.		1458-59.		1457-58.		1456-57.		1455-56.		1454-55.		1453-54.		1452-53.		1451-52.		1450-51.		1449-50.		1448-49.		1447-48.		1446-47.		1445-46.		1444-45.		1443-44.		1442-43.		1441-42.		1440-41.		1439-40.		1438-39.		1437-38.		1436-37.		1435-36.		1434-35.		1433-34.		1432-33.		1431-32.		1430-31.		1429-30.		1428-29.		1427-28.		1426-27.		1425-26.		1424-25.		1423-24.		1422-23.		1421-22.		1420-21.		1419-20.		1418-19.		1417-18.		1416-17.		1415-16.		1414-15.		1413-14.		1412-13.		1411-12.		1410-11.		1409-10.		1408-09.		1407-08.		1406-07.		1405-06.		1404-05.		1403-04.		1402-03.		1401-02.		1400-01.		1399-00.		1398-99.		1397-98.		1396-97.		1395-96.		1394-95.		1393-94.		1392-93.		1391-92.		1390-91.		1389-90.		1388-89.		1387-88.		1386-87.		1385-86.		1384-85.		1383-84.		1382-83.		1381-82.		1380-81.		1379-80.		1378-79.		1377-78.		1376-77.		1375-76.		1374-75.		1373-74.		1372-73.		1371-72.		1370-71.		1369-70.		1368-69.		1367-68.		1366-67.		1365-66.		1364-65.		1363-64.		1362-63.		1361-62.		1360-61.		1359-60.		1358-59.		1357-58.		1356-57.		1355-56.		1354-55.		1353-54.		1352-53.		1351-52.		1350-51.		1349-50.		1348-49.		1347-48.		1346-47.		1345-46.		1344-45.		1343-44.		1342-43.		1341-42.		1340-41.		1339-40.		1338-39.		1337-38.		1336-37.		1335-36.		1334-35.		1333-34.		1332-33.		1331-32.		1330-31.		1329-30.		1328-29.		1327-28.		1326-27.		1325-26.		1324-25.		1323-24.		1322-23.		1321-22.		1320-21.		1319-20.		1318-19.		1317-18.		1316-17.		1315-16.		1314-15.		1313-14.		1312-13.		1311-12.		1310-11.		1309-10.		1308-09.		1307-08.		1306-07.		1305-06.		1304-05.		1303-04.		1302-03.		1301-02.		1300-01.		1299-00.		1298-99.		1297-98.		1296-97.		1295-96.		1294-95.		1293-94.		1292-93.		1291-92.		1290-91.		1289-90.		1288-89.		1287-88.		1286-87.		1285-86.		1284-85.		1283-84.		1282-83.		1281-82.		1280-81.		1279-80.		1278-79.		1277-78.		1276-77.		1275-76.		1274-75.		1273-74.		1272-73.		1271-72.		1270-71.		1269-70.		1268-69.		1267-68.		1266-67.		1265-66.		1264-65.		1263-64.		1262-63.		1261-62.		1260-61.		1259-60.		1258-59.		1257-58.		1256-57.		1255-56.		1254-55.		1253-54.		1252-53.		1251-52.		1250-51.		1249-50.		1248-49.		1247-48.		1246-47.		1245-46.		1244-45.		1243-44.		1242-43.		1241-42.		1240-41.		1239-40.		1238-39.		1237-38.		1236-37.		1235-36.		1234-35.		1233-34.		1232-33.		1231-32.		1230-31.		1229-30.		1228-29.		1227-28.		1226-27.		1225-26.		1224-25.		1223-24.		1222-23.		1221-22.		1220-21.		1219-20.		1218-19.		1217-18.		1216-17.		1215-16.		1214-15.		1213-14.		1212-13.		1211-12.		1210-11.		1209-10.		1208-09.		1207-08.		1206-07.		1205-06.		1204-05.		1203-04.		1202-03.		1201-02.		1200-01.		1199-00.		1198-99.		1197-98.		1196-97.		1195-96.		1194-95.		1193-94.		1192-93.		1191-92.		1190-91.		1189-90.		1188-89.		1187-88.		1186-87.		1185-86.		1184-85.		1183-84.		1182-83.		1181-82.		1180-81.		1179-80.		1178-79.		1177-78.		1176-77.		1175-76.		1174-75.		1173-74.		1172-73.		1171-72.		1170-71.		1169-70.		1168-69.		1167-68.		1166-67.		1165-66.		1164-65.		1163-64.		1162-63.		1161-62.		1160-61.		1159-60.		1158-59.		1157-58.		1156-57.		1155-56.		1154-55.		1153-54.		1152-53.		1151-52.		1150-51.		1149-50.		1148-49.		1147-48.		1146-47.		1145-46.		1144-45.		1143-44.		1142-43.		1141-42.		1140-41.		1139-40.		1138-39.		1137-38.		1136-37.		1135-36.		1134-35.		1133-34.		1132-33.		1131-32.		1130-31.		1129-30.		1128-29.		1127-28.</	
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APPENDIX

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26th February 1955]												
Miscellaneous—												
Gross Receipts from Bus Service (b).	..	23.35	95.88	..	..	..	..	..	..	..	..	..
Other Items	14.53	87.53	93.54	1.39.22	1.65.52	1.04.42	92.14	(e) 1,02.92	1,80.37	84.73	67.08	..
Total ..	14.53	87.53	1,16.89	1,39.22	1,65.52	1,04.42	92.14	1,03.92	1,80.37	84.73	67.08	..
Receipts from Road Transport Schemes—Gross Receipts (c).	..	..	..	1,04.06	1,16.68	1,13.87	1,24.95	67.34	1,43.14	1,41.17	1,43.79	..
Working expenses (c)	..	..	..	— 91.87	— 1,00.84	— 1,10.20	— 1,20.37	— 59.50	— 1,25.95	— 1,18.30	— 1,22.93	..
Net receipts ..	..	..	..	12.19	15.84	3.67	4.58	7.84	17.19	22.87	20.86	..
Grants-in-aid from the Central Government.	..	..	..	..	..	4.00	8.61	.95	0.40	3.00	8.00	..
Miscellaneous adjustments between Union and State Governments.	0.27	0.14	0.10	0.22	0.20	0.25	0.38	.81	0.13	.14	.13	..
Extraordinary Receipts.	..	2,36.47	2,98.05	3,26.22	2.69	1,13.62	74.05	29.80	1,01.66	69.19	11.55	..
Transfer from Revenue Reserve Fund.	..	5,06.00	..	..	..	..	..	..	..	..	..	..
Receipts from Community Development Projects, National Extension Service and Local Development Works (d).	..	..	..	..	..	..	..	..	..	77.52	1,37.63	..
Civil Defence ..	..	7.22	15.45	0.40	0.41	4.59	— 1.02	..	..	..	..	..
Estimated receipts from new taxation measures.	..	..	..	..	..	..	..	..	40.00	..	1.66.00	..
Grand total ..	16,18.45	57,05.02	50,70.15	55,89.49	58,16.34	59,38.50	53,42.92	23,01.97	44,99.83	45,13.72	47,92.07	..

* Excludes land revenue.

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

(a) Includes ordinary receipts which were shown under "Receipts from Road Transport Schemes" from 1949-50. The receipts are shown under "Receipts from Road Transport Schemes" in Division 5000.

(b) The receipts are shown under "Receipts from Road Transport Schemes from 1948-50. The receipts were included under the revenue head "Miscellaneous" and the Working Expenses were shown under the expenditure head "Miscellaneous".

(c) Prior to 1949-50, the receipts were grouped under unit and revenue account and miscellaneous receipts. The receipts were shown under other heads—"Miscellaneous" and "Extraordinary Receipts" up to the end of 1953-4 and in the Budget Estimate, 1954-5.

(c) Includes Rs. 69.58 lakhs transferred from the Contingency Fund in accordance with Act II of 1954.

[26th February 1955]

B. EXPENDITURE ON REVENUE ACCOUNT.

Major heads.	(1)	1938-9.		1946-7.		1947-8.		1948-9.		1949-50.		1950-1.		1951-2.		1952-3.		1953-4 (Second six months).		1954-5.		
		RS.	LAKHS.	RS.	LAKHS.	RS.	LAKHS.	RS.	LAKHS.	RS.	LAKHS.	RS.	LAKHS.	RS.	LAKHS.	RS.	LAKHS.	RS.	LAKHS.	Budget Estimate. (11)	Revised Estimate. (12)	Budget Estimate, 1955-6. (13)
Land Revenue ..	..	25-36	27-12	27-12	28-98	28-98	28-98	37-44	37-44	40-42	40-42	40-10	40-10	84-52	84-52	84-33	84-33	37-69	37-69	76-42	83-24	82-44
Excise ..	..	32-18	53-09	59-44	59-44	59-44	59-44	69-04	69-04	77-24	77-24	79-79	79-79	84-96	84-96	80-47	80-47	19-23	19-23	41-09	37-52	6-10
Stamps ..	..	4-72	18-23	21-04	21-04	21-04	21-04	21-16	21-16	23-05	23-05	25-25	25-25	24-10	24-10	25-13	25-13	7-60	7-60	13-84	12-95	12-95
Forest ..	..	40-17	80-15	86-29	86-29	86-29	86-29	79-10	79-10	79-26	79-26	74-81	74-81	80-35	80-35	90-34	90-34	29-76	29-76	63-72	65-95	67-63
Registration ..	..	29-13	43-75	43-62	43-62	43-62	43-62	51-86	51-86	50-83	50-83	52-19	52-19	53-57	53-57	54-01	54-01	16-28	16-28	39-44	39-06	40-14
Charges on account of Motor Vehicles Acts— Payment to local bodies.	..	72-77	75-39	90-81	90-81	90-81	90-81	95-58	95-58	90-27	90-27	90-34	90-34	90-89	90-89	92-89	92-89	34-32	34-32	65-69	67-91	67-05
Other departmental expenditure.	..	2-29	4-78	5-66	5-66	5-66	5-66	6-11	6-11	6-59	6-59	8-50	8-50	9-89	9-89	11-13	11-13	4-10	4-10	8-82	9-11	9-33
Other taxes and duties— Payment to local bodies.	..	..	43-51	57-80	57-80	57-80	57-80	83-79	83-79	97-72	97-72	1-01-94	1-01-94	1-12-48	1-12-48	1-06-22	1-06-22	29-63	29-63	63-73	61-61	60-69
Other departmental expenditure.	..	64	25-21	29-23	29-23	29-23	29-23	35-63	35-63	43-03	43-03	45-45	45-45	48-83	48-83	52-91	52-91	18-44	18-44	40-22	43-29	43-63
Irrigation—Interest on works for which capital accounts are kept.	..	87-55	91-23	95-71	95-71	95-71	95-71	1-04-15	1-04-15	1-19-15	1-19-15	1-42-21	1-42-21	1-75-31	1-75-31	2-17-97	2-17-97	62-65	62-65	1-54-37	1-43-78	1-71-64
Irrigation—Other rev- enue expenditure financed from ordi- nary revenues.	..	39-09	93-94	1-23-06	1-23-06	1-23-06	1-23-06	1-43-57	1-43-57	1-49-42	1-49-42	1-43-25	1-43-25	1-45-83	1-45-83	1-63-29	1-63-29	54-37	54-37	86-37	97-95	93-81
Construction of Irrigation, etc., works.	..	1-25	0-63	2-60	2-60	2-60	2-60	4-07	4-07	5-80	5-80	3-29	3-29	0-61	0-61	2-4	2-4	..	..	..	..	..
Interest on debt and other obligations.	..	53-54	73-52	81-96	81-96	81-96	81-96	1-00-04	1-00-04	1-09-39	1-09-39	1-23-66	1-23-66	1-45-56	1-45-56	2-04-39	2-04-39	98-80	98-80	1-95-00	1-98-21	2-23-33
Deduct—Interest trans- ferred to Commercial Departments.	..	— 1-07-54	— 1-31-53	— 1-47-82	— 1-47-82	— 1-47-82	— 1-47-82	— 1-73-53	— 1-73-53	— 2-13-13	— 2-13-13	— 2-65-54	— 2-65-54	— 3-33-49	— 3-33-49	— 4-19-45	— 4-19-45	— 1-44-78	— 1-44-78	— 3-49-31	— 3-41-77	— 4-14-77
Net amount met out of ordinary revenues.	..	— 49-00	— 53-01	— 65-86	— 65-86	— 65-86	— 65-86	— 73-54	— 73-54	— 1-03-79	— 1-03-79	— 1-41-83	— 1-41-83	— 1-37-83	— 1-37-83	— 2-15-06	— 2-15-06	— 45-93	— 45-93	— 1-54-31	— 1-43-56	— 1-91-39

[26th February 1955]

Major heads.	(1)	1938-9.		1946-7.		1947-8.		1948-9.		1949-50.		1950-1.		1951-2.		1952-3.		1953-4 (Second six months).		1954-5.		
		RS.	LAKHS.	RS.	LAKHS.	RS.	LAKHS.	RS.	LAKHS.	RS.	LAKHS.	RS.	LAKHS.	RS.	LAKHS.	RS.	LAKHS.	RS.	LAKHS.	Budget Estimate. (11)	Revised Estimate. (12)	Budget Estimate, 1955-6. (13)
Appropriation for reduction or avoid- ance of debt.	..	5-13	57-00	1-42-78	1-42-78	1-42-78	1-42-78	69-68	69-68	75-47	75-47	75-63	75-63	1-02-30	1-02-30	1-08-01	1-08-01	23-23	23-23	62-00	49-23	45-05
General administration.	..	2-76-76	6-13-86	5-60-49	5-60-49	5-60-49	5-60-49	5-82-05	5-82-05	6-26-32	6-26-32	6-54-90	6-54-90	7-41-34	7-41-34	7-24-47	7-24-47	2-05-36	2-05-36	4-86-87	4-66-10	3-92-59
Administration of Justice.	..	90-63	1-42-42	1-45-64	1-45-64	1-45-64	1-45-64	1-50-03	1-50-03	1-58-34	1-58-34	1-65-56	1-65-56	1-76-09	1-76-09	1-84-47	1-84-47	54-86	54-86	1-23-23	1-19-29	1-27-66
Jails and convict settlements.	..	23-22	65-73	79-63	79-63	79-63	79-63	1-10-22	1-10-22	1-18-52	1-18-52	1-20-37	1-20-37	1-33-85	1-33-85	1-42-68	1-42-68	52-07	52-07	1-01-83	98-97	99-47
Police ..	..	1-60-96	4-05-71	4-64-81	4-64-81	4-64-81	4-64-81	6-51-97	6-51-97	6-39-89	6-39-89	6-38-89	6-38-89	7-37-42	7-37-42	7-16-88	7-16-88	2-03-41	2-03-41	4-50-42	4-63-40	4-86-85
Ports and Pilotage ..	..	..	4-56	..	..	..	..	0-01	0-01	..	..	..	..	..	..	..	..	..	..	..	..	..
Scientific Departments.	..	0-96	1-21	1-37	1-37	1-37	1-37	1-52	1-52	1-58	1-58	1-64	1-64	2-45	2-45	2-31	2-31	99	99	2-32	2-35	2-31
Education ..	..	2-61-98	5-90-27	7-03-70	7-03-70	7-03-70	7-03-70	8-35-84	8-35-84	9-58-41	9-58-41	10-42-65	10-42-65	11-01-10	11-01-10	11-06-02	11-06-02	5-23-20	5-23-20	8-54-28	9-14-96	10-19-62
Medical ..	..	98-14	2-15-93	2-38-60	2-38-60	2-38-60	2-38-60	2-76-54	2-76-54	2-96-18	2-96-18	3-14-87	3-14-87	3-53-12	3-53-12	3-80-34	3-80-34	1-39-56	1-39-56	2-98-66	2-98-76	3-13-89
Public Health ..	..	26-57	87-32	1-90-56	1-90-56	1-90-56	1-90-56	90-54	90-54	1-14-42	1-14-42	1-04-06	1-04-06	1-66-11	1-66-11	2-05-71	2-05-71	43-87	43-87	91-18	88-88	1-27-28
Agriculture ..	..	20-62	1-05-74	1-16-93	1-16-93	1-16-93	1-16-93	1-26-74	1-26-74	1-82-74	1-82-74	2-76-35	2-76-35	3-16-49	3-16-49	2-60-07	2-60-07	75-59	75-59	(c) 2-22-36	(c) 2-02-34	(c) 1-67-24
Veterinary ..	..	12-85	26-95	31-81	31-81	31-81	31-81	40-53	40-53	49-67	49-67	56-69	56-69	62-98	62-98	60-63	60-63	17-37	17-37	35-66	41-67	44-06
Co-operation ..	..	13-82	44-83	42-69	42-69	42-69	42-69	53-41	53-41	73-04	73-04	76-48	76-48	78-89	78-89	77-81	77-81	23-29	23-29	62-49	95-18	56-74
Industries ..	..	27-54	96-60	1-12-71	1-12-71	1-12-71	1-12-71	1-20-30	1-20-30	1-29-00	1-29-00	1-57-46	1-57-46	2-01-67	2-01-67	1-87-93	1-87-93	79-32	79-32	1-75-44	1-64-92	1-49-07
Capital outlay on Industrial Develop- ment.	..	..	..	0-02	0-02	0-02	0-02	0-06	0-06	0-32	0-32	0-25	0-25	0-39	0-39	0-30	0-30	59	59	..	04	42
Aviation ..	..	..	..	..	..	..	..	..	..	0-59	0-59	75	75	43	43	35	35	24	24	40	46	30
Miscellaneous depart- ments (d).	..	21-11	87-50	1-19-82	1-19-82	1-19-82	1-19-82	1-16-55	1-16-55	1-31-99	1-31-99	1-49-34	1-49-34	1-67-29	1-67-29	1-72-77	1-72-77	94-30	94-30	1-66-30	1-86-86	1-91-11
Civil Works ..	..	1-19-70	3-97-72	4-66-93	4-66-93	4-66-93	4-66-93	5-88-34	5-88-34	7-30-05	7-30-05	8-27-83	8-27-83	7-62-56	7-62-56	9-34-46	9-34-46	2-34-48	2-34-48	3-76-34	4-69-71	5-21-73
Interest on capital outlay on Electricity Schemes.	..	18-92	39-45	49-92	49-92	49-92	49-92	66-92	66-92	87-41	87-41	1-14-36	1-14-36	1-48-81	1-48-81	1-89-00	1-89-00	77-15	77-15	1-84-88	1-88-06	2-31-81
Other revenue expen- diture connected with Electricity Schemes.	..	..	2-32	2-92	2-92	2-92	2-92	0-11	0-11	— 0-34	— 0-34	8-47	8-47	3-22	3-22	5-37	5-37	75	75	3-27	— 08	— 1-27

APPENDIX

B. EXPENDITURE ON REVENUE ACCOUNT—cont.

Major heads.	1938-9.	1946-7.	1947-8.	1948-9.	1949-50.	1950-1.	1951-2.	1952-3.	1953-4 (Second six months), (10)	1954-5.			Budget Estimate, 1955-6. (13)
										Budget Estimate. (11)	Revised Estimate. (12)	Budget Estimate. (13)	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	RS.	RS.	RS.	RS.	
	LAKHS.	LAKHS.	LAKHS.	LAKHS.	LAKHS.	LAKHS.	LAKHS.	LAKHS.	LAKHS.	LAKHS.	LAKHS.	LAKHS.	
Famine	16'04	20'38	3'80	4'75	25'03	8'00	13'86	51'56	16'24	6'00	8'63	6'50	
Privy purses and allowances of Indian Rulers.	..	..	..	..	..	1'94	2'04	12'48	48	1'01	1'51	1'01	
Superannuation allow- ances and Pensions.	97'12	1,43'30	1,57'53	1,56'36	1,65'44	1,85'24	1,96'75	2,09'25	73'14	1,33'63	1,46'76	1,49'05	
Commutation pensions.	..	2'68	1'83	4'37	8'13	9'59	17'13	17'47	5'33	11'71	12'98	12'35	
Stationery and Printing.	27'07	51'66	49'42	71'98	94'51	87'10	1,05'10	1,02'14	55'01	54'18	78'93	65'73	
(a) Includes Rs. 100 lakhs representing contribution to the Rural Water-Supply Fund.													
(b) Includes Rs. 10 lakhs representing contribution to the Rural Water-Supply Fund.													
(c) Includes the expenditure of the Fisheries department, previously shown under "Industries".													
(d) Includes expenditure on Harijan Uplift, Labour and other items. The details of expenditure under Harijan Uplift are shown below :—													
Gross expenditure on Harijan Welfare in- cluding concessions to Backward classes.	..	35'29	41'38	63'75	82'44	1,00'46	1,23'47	1,33'95	62'40	90'40	1,04'38	1,09'31	
Amount met from the Fund for Village Reconstruction and Harijan Uplift.	..	..	—	1'81	—	18'44	—	52'70	—	61'36	..	..	

• As the amount in the Village Reconstruction and Harijan Uplift Fund had been practically exhausted, the entire expenditure on Harijan Uplift is being met from the general revenues from 1953-4.

Miscellaneous—

[illegible]

(e) Shown under Capital Account. The figures are: —4,49-11

(f) Includes Rs. 75·00 lakhs transferred to the Contingency Fund.

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APPENDIX

APPENDIX II.

[The figures for the years 1946-47 to 1953-54 (first six months) relate to the Composite Madras State and the figures for the subsequent period relate to the present Madras State.]

DETAILS OF CAPITAL EXPENDITURE.

Description of the scheme.	Approximate estimated cost.	1953-4.											
		1946-7 to 1948-9.		1949-50.		1950-1.		1951-2.		1952-3.		(First six months.)	
		RS. LAKHS.	(3)	RS. LAKHS.	(4)	RS. LAKHS.	(5)	RS. LAKHS.	(6)	RS. LAKHS.	(7)	RS. LAKHS.	(8)
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)
A. IRRIGATION, NAVIGATION, ETC., SCHEMES.													
Lower Bhavani Project	9.98.00	31.23	1.62.05	2.55.99	2.70.20	2.35.76	61.00	4.04	10.10.27	8.61	11.09	6.05	
Mettur Canal Scheme.	2.87.00	..	5.07	13.39	28.68	27.38	10.00	18.77	1.03.29	81.90	48.30	29.57	
Malampuzha Project ..	3.42.00	..	18.40	60.93	87.82	95.35	31.61	42.15	3.36.26	77.05	68.73	24.22	
Manimuthar Project ..	3.98.00	..	..	..	21.13	51.44	38.60	70.02	1.87.29	1.68.34	1.12.07	1.25.35	
Araniar Project ..	1.04.00	..	..	..	0.93	7.19	4.22	4.17	16.51	31.36	14.77	49.54	
Walayar Project ..	1.00.00	..	..	..	0.20	0.24	4.12	20.56	25.12	51.99	48.25	39.46	
Mangalam Project ..	2.85.00	..	..	..	0.37	1.25	1.10	7.65	10.37	21.78	21.51	35.35	
Amaravathi Project ..	3.00.00	..	..	..	..	..	..	4.14	46.35	43.00	35.92	68.83	
..	..	..	..	..	..	..	..	..	..	..	..	..	
Sathanur Project ..	2.89.00	..	..	..	..	..	..	..	..	..	..	..	
Krishnagiri Project ..	1.84.00	..	..	..	..	..	..	..	..	..	..	..	
Works under the special minor irrigation programme including tank improvement Scheme.	..	..	..	1.05.53	55.63	98.35	13.46	14.63	3.17.65	51.52	75.16	1.25.00	
Other Irrigation Schemes (Productive and Unproductive).	(a)	32.00	19.91	62.72	83.60	68.43	12.92	—	4.13	2.75.40	12.37	1.90	2.25
Irrigation Projects transferred to Andhra and Mysore States.	3.95.63	2.71.30	2.57.34	3.70.34	4.27.86	1.51.20	(b)	18.73.97	(c)	(b)	(b)	(b)	(b)
Pro-rata charges on Establishments and Tools and Plant.	8.26	1.75	7.07	5.40	3.25	3.12	1.86	30.71	0.29	54	54	54	54
Transfer from the Deposit Account of Procurement Bonus given by the Government of India.	..	..	..	1.06.57	..	..	..	..	1.06.57	..	..	..	..
Total ..	..	4.67.12	4.78.43	6.62.49	9.54.80	10.16.30	3.21.35	1.84.45	40.44.99	6.08.46	4.95.41	7.45.92	..

(a) Consists of several works some of which have been completed, while others are in progress. Hence no estimated cost is given.

(b) Does not relate to the present Madras State.

(c) Does not relate to the present Madras State.

B. CAPITAL OUTLAY ON ELECTRICITY SCHEMES.

Description of the scheme.	Approximate estimated cost.	26th February 1955]											
		1946-7 to 1948-9.	1949-50.	1950-1.	1951-2.	1952-3.	(First six months.)	(Second six months.)	Total, 1946-7 to 1953-4.	Budget Estimate, 1954-5.	Revised Estimate, 1954-5.	Budget Estimate, 1955-6.	(14)
Moyar Hydro-Electric Scheme.	1,29.31	64.68	74.72	67.51	8.76	10.92	0.29	3.58.19	3.13	19.53	12.39	12.39	
Pykara Hydro-Electric Scheme.	1,33.19	82.01	1,18.98	91.49	1,35.21	1,03.34	96.88	7,61.10	2,04.86	2,27.38	1,87.39	1,87.39	
Mettur Hydro-Electric Scheme.	1,48.92	65.49	1,01.82	1,00.18	74.76	46.27	85.23	5,72.67	1,00.80	1,66.94	3,43.37	3,43.37	
Papanasam Hydro-Electric Scheme.	1,07.72	68.09	58.97	68.07	99.22	32.96	42.43	4,75.46	85.42	1,35.06	1,58.71	1,58.71	
Pedyar Hydro-Electric Scheme.	..	..	..	..	..	..	..	..	30.00	17.09	1,06.17	1,06.17	
Madras-Thermal Electric System.	2,14.83	84.40	1,76.78	1,07.31	1,25.35	73.34	64.22	8,46.23	68.73	1,44.43	2,71.40	2,71.40	
Other Minor Schemes.	6.12	6.67	31.83	..	17.61	..	..	62.08	..	..	..	..	
Schemes transferred to Andhra and Mysore States.	2,10.07	1,04.51	1,74.50	3,71.43	3,10.75	3,07.82	(a)	15,69.08	(a)	(a)	(a)	(a)	
Lump-sum provision for payment of compensation for acquisition of electrical undertakings of local authorities and private companies.	..	..	..	..	..	..	..	..	..	..	..	..	
Total ..	9,50.16	5,63.85	7,37.45	8,00.35	7,89.26	5,74.03	1,85.64	46,07.87	4,95.58	7,13.22	11,40.05	11,40.05	

(a) Does not relate to the present Madras State.

C. INDUSTRIAL DEVELOPMENT SCHEMES.

Description of the scheme.	Approximate estimated cost.	26th February 1955]											
		1946-7 to 1948-9.	1949-50.	1950-1.	1951-2.	1952-3.	(First six months.)	(Second six months.)	Total, 1946-7 to 1953-4.	Budget Estimate, 1954-5.	Revised Estimate, 1954-5.	Budget Estimate, 1955-6.	(14)
Chinnai Plantations.	44.98	21.52	12.44	8.53	8.04	0.23	2.89	98.40	3.08	7.00	3.00	3.00	
Kenda Soap Institute.	..	..	..	0.04	0.26	..	..	1.85	..	..	..	..	
Madras Industrial Engineering Workshop.	..	..	..	..	..	..	..	0.02	..	..	..	..	
Fish Liver Oil Industry.	..	..	..	0.20	0.06	..	..	0.26	0.28	0.06	0.58	0.58	
Madras Vegetable Ghee Factory.	2.95	4.25	3.18	1.80	5.22	0.37	..	17.63	0.28	0.38	0.05	0.05	
Government Silk Filatures.	..	1.36	0.14	2.04	0.78	0.08	..	4.45	0.50	0.59	..	..	

26th February 1955]

APPENDIX III

STATEMENT SHOWING THE DEBT POSITION.

A. Loans raised by the Composite State of Madras, i.e., before the 1st October 1953.

I. OPEN MARKET LOANS.

When issued.	Description of loan.			Total amount issued.	Amount out-standing on 30th September 1953.	Amount out-standing on 31st March 1954.
(1)	(2)			(3)	(4)	(5)
				RS. LAKHS.	RS. LAKHS.	RS. LAKHS.
September 1937 and September 1940.	Septem-	3% Loan, 1952, I and II issues.		2,33.54	0.80	0.59
September 1938		3% Loan, 1953	..	1,51.29	15.20	1.42
June 1939		3% Loan, 1959	..	1,50.00	1,23.96	1,23.96
September 1942		3% Loan, 1955	..	1,25.00	1,23.25	1,23.25
September 1943		3% Loan, 1956	..	1,25.10	1,25.10	1,25.10
August 1944		3% Loan, 1958	..	1,10.00	1,07.95	1,07.95
September 1945		3% Loan, 1960	..	3,00.00	2,78.44	2,78.44
September 1946		2½% Loan, 1961	..	4,09.30	3,81.77	3,81.77
July 1950		3% Development Bonds, 1960.	..	4,39.78	4,38.25	4,38.25
September 1951		3½% Loan, 1962	..	3,01.49	3,01.49	3,01.49
August 1952		4% Loan, 1964	..	5,24.81	5,24.81	5,24.81
July 1953		4% Loan, 1963	..	10,33.04	10,33.04	10,33.04
Total, I ..				39,03.32	34,54.06	34,40.07

NOTE.—The figures relating to the 4 per cent Loan, 1963 are not final, as some treasuries have not yet reconciled their figures with those of the Public Debt Office of the Reserve Bank.

DETAILS OF CAPITAL EXPENDITURE—cont.

[26th February 1955]

Description of the scheme.	Approximate estimated cost.	1953-4.										1954-5.		Total, 1946-7 to 1953-4.
		1946-7 to 1948-9.	1949-50.	1950-1.	1951-2.	1952-3.	(First six months.)		(Second six months.)			Budget Estimate.	Revised Estimate.	
(1)	(2)	RS. LAKHS.	(4)	(5)	(6)	(7)	(8)	(9)	(10)	RS. LAKHS.	(11)	(12)	RS. LAKHS.	(13)
C. INDUSTRIAL DEVELOPMENT SCHEMES—cont.														
Polytechnics (Buildings and Tools and Plant).	..	9.53	2.47	22.25	15.99	3.95	6.97	61.21	5.70	7.69	3.66			
Artesian Wells ..	..	..	9.80	4.55	2.59	0.34	0.11	17.39	..	..	..			
Shares in Fertilisers and Chemicals, Limited, Travancore.	20.00	..	1.00	..	..	..	..	21.00	..	..	..			
Purchase of additional machinery for the Government Press, Madras.	..	..	..	..	..	..	..	..	..	..	5.03			
Shares in Madras Industrial Investment Corporation, Madras.	51.00	..	51.00	..	..	..	..	1,02.00	..	..	20.00			
Other Shares ..	..	..	2.40	..	..	..	..	1.50	..	..	..			
Ceramic Industry ..	..	0.16	..	0.01	1.87	0.90	..	2.96	..	..	..			
Andhra Paper Mills ..	25.35	..	0.43	..	0.04	0.15	..	26.11	..	..	..			
Total ..	1,44.30	36.94	82.89	33.16	34.85	6.02	11.22	3,54.38	9.82	16.01	32.32			
D. CAPITAL OUTLAY ON ROAD TRANSPORT SCHEMES.														
Madras City Bus Ser-vice.	60.09	12.95	8.33	—	4.32	10.37	9.92	48	98.32	29.38	15.01			
E. CAPITAL OUTLAY ON CIVIL WORKS.														
Buildings ..	53.97	61.09	84.51	1,14.42	1,04.75	37.16	28.99	4,84.89	83.54	61.91	1,04.30			
F. COMPENSATION TO ZAMINDARS.														
Advance Compensation and Interim Pay-ments.	..	1,32.16	1,17.87	2,03.09	85.18	37.55	10.30	5,86.15	35.00	30.50	22.00			

* Does not relate to the present Madras State.

[26th February 1955]

When obtained and description of loan.	Total amount.	Amount outstanding on 30th September 1953.	Amount outstanding on 31st March 1954.	Remarks.
(1)	(2)	(3)	(4)	(5)
	RS.	RS.	RS.	
	LAKHS.	LAKHS.	LAKHS.	
II. LOANS FROM THE CENTRAL GOVERNMENT.				
(1) Pre-autonomy consolidated debt (1st April 1937).	7,56.71	3,11.89	3,09.14	The Madras Government's debt to the Government of India after certain adjustments amounted to Rs. 7,56.71 lakhs on 1st April 1937. This debt was consolidated into a 4½ per cent loan and made repayable by 1981-82 by half-yearly equated instalments.
(2) Post-autonomy debt—				
1947-48	..	6,00.00	6,00.00	These are loans given by the Government of India for capital expenditure on Irrigation and Electricity Schemes when the Madras Government did not raise any market loan. Interest is payable half-yearly at 2-7/8 per cent per annum. The principal is repayable after 15 years in each case.
1948-49	..	3,00.00	3,00.00	
1950-51—				
Fisheries Programme—				
For giving a loan to the South Madras Fishermen Co-operative Society.	1.33	..	..	As there was no likelihood of the loan being utilized for the purpose, it was repaid to the Government of India in full with interest at 3½ per cent per annum in October 1951.
Tractor Reclamation.	30.00	30.00	30.00	Loans given by the Government of India in connexion with the Intensive Cultivation Schemes. Interest at 3½ per cent per annum is payable half-yearly. Principal is repayable after 15 years.
Oil Engines, Electric Motors, etc., Hire purchase.	20.00	20.00	20.00	
Oil Engines, Electric Motors, etc., Hire purchase.	40.00	40.00	40.00	Loans given in connexion with the Intensive Cultivation Schemes. Interest at 3-3/8 per cent per annum is payable half-yearly. Principal is repayable after 15 years.
P.W.D. Irrigation and Tank Improvement Schemes.	45.00	45.00	45.00	
Purchase of cotton seeds from Madhya Pradesh for expansion of cotton cultivation.	10.00	..	..	The loan was free of interest and the principal was repaid on the 31st March 1952.
1951-52—				
Purchase and distribution of manure to the ryots.	1.00.00	..	..	This was a short-term loan repaid on the 31st March 1952.

26th February 1955]

When obtained and description of loan.	Total amount.	Amount outstanding on 30th September 1953.	Amount outstanding on 31st March 1954.	Remarks.
(1)	(2)	(3)	(4)	(5)
	RS.	RS.	RS.	
	LAKHS.	LAKHS.	LAKHS.	
II. LOANS FROM THE CENTRAL GOVERNMENT—cont.				
(2) Post-autonomy debt—cont.				
1951-52—cont.				
To finance capital expenditure on Tungabhadra and Lower Bhavani Projects.	6,00.00	6,00.00	6,00.00	Loan from the Special Development Fund. Repayable by annual equated instalments commencing from 1955 and ending in 1961. For the first three years, i.e., 1952-53, 1953-54 and 1954-55, interest alone at 3½ per cent per annum is to be paid.
P.W. D. Irrigation Schemes.	23.00	21.83	20.62	Repayable in fifteen annual equated instalments with interest at 3½ per cent per annum.
River Pumping Schemes.	9.00	8.23	7.44	Repayable in ten annual equated instalments with interest at 3½ per cent per annum.
Tractor Cultivation Schemes.	13.00	11.89	10.74	
Purchase and distribution of oil engines and electric motor pump sets.	12.00	9.75	7.43	Repayable in five annual equated instalments with interest at 3½ per cent per annum.
Industrial Housing Schemes.	9.00	..	..	This loan was free of interest and repayable after 25 years. As, however, the industrial concerns which applied for the loans dropped out of the scheme, preferring another scheme sponsored by the Government of India, the loan was repaid in 1952-53.
1952-53—				
Purchase and distribution of manure to the ryots.	1,00.00	..	..	This was a short-term loan repaid with interest at 3 per cent on 31st March 1953.
Purchase of cotton seeds from Madhya Pradesh for expansion of cotton cultivation.	10.00	..	..	This loan was free of interest and was repaid on 31st March 1953.
To finance capital expenditure on Tungabhadra, Lower Bhavani and Malampuzha Irrigation Projects.	7,34.00	7,34.00	7,34.00	Loan from the Special Development Fund. Repayable in annual equated instalments commencing from 1955 and ending in 1961. For the first two years 1953-54 and 1954-55, interest alone at 4 per cent per annum is to be paid.

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When obtained and description of loan.	Total amount.	Amount outstanding on 30th September 1953.	Amount outstanding on 31st March 1954.	Remarks.
(1)	(2)	(3)	(4)	(5)
RS.	RS.	RS.	RS.	
LAKHS.	LAKHS.	LAKHS.	LAKHS.	
II. LOANS FROM THE CENTRAL GOVERNMENT—cont.				
(2) Post-autonomy debt—cont.				
1952-53—cont.				
To finance famine relief expenditure.	2,00.00	2,00.00	1,83.34	Repayable in 20 annual equated instalments with interest at 4 per cent per annum.
For being re-lent to the Madurai Municipality for extension of the Madurai Municipal sewage farm.	2.26	2.01	2.01	Repayable in eight equated annual instalments with interest at 3-7/8 per cent per annum. (Payment due in July every year.)
P.W.D. Irrigation Schemes.	21.00	21.00	19.96	Repayable in fifteen annual equated instalments with interest at 4-1/8 per cent per annum.
River pumping schemes.	9.00	0.50	0.46	Repayable in ten annual equated instalments with interest at 4 per cent per annum.
Tractor Reclamation.	17.58	11.00	10.08	
Supply of oil engines and electric motors.	36.75	25.59	23.46	
Lift irrigation schemes.	4.50	0.96	0.88	Repayable with interest at 3-1/8 per cent per annum in two equated annual instalments commencing from December 1953.
Construction of tube-wells with filter points.	2.60	2.60	1.32	
Construction of tube-wells with filter points.	15.26	15.26	13.99	Repayable in ten annual equated instalments with interest at 4 per cent per annum.
Special Minor Irrigation Schemes.	25.00	25.00	25.00	Do. (Annuity commences in March 1955.)
Scheme for urban compost.	3.52	..	..	Repaid in June 1953, as it was not utilized for the purpose for which it was sanctioned.
Loan for Community Projects — Thulyabhaga Electricity Extension Scheme, Ramachandrapuram taluk.	1.00	1.00	0.81	Repayable with interest at 3-5/8 per cent in five annual equated instalments.
Loan for being re-lent to the Agriculturists in the Periyar Community Project Area for deepening or digging of Irrigation Wells.	2.97	2.97	2.72	Repayable with interest at 4 per cent per annum in ten annual equated instalments.

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When obtained and description of loan.	Total amount.	Amount outstanding on 30th September 1953.	Amount outstanding on 31st March 1954.	Remarks.
(1)	(2)	(3)	(4)	(5)
RS.	RS.	RS.	RS.	
LAKHS.	LAKHS.	LAKHS.	LAKHS.	
II. LOANS FROM THE CENTRAL GOVERNMENT—cont.				
(2) Post-autonomy debt—cont.				
1952-53—cont.				
Loan for Rehabilitation Schemes—For financing the educational expenditure of displaced students from Pakistan.	0.06	0.06	0.06	Repayable with interest at 3-5/8 per cent per annum in five annual equated instalments. (Repayment commences in March 1955.)
Ways and Means Advances.	17,00.00	17,00.00	17,00.00	Terms of repayment have not yet been settled.
1953-54 (first six months)—				
For financing the expenditure on Tungabhadra, Lower Bhavani and Malampuzha Projects.	1,75.00	1,75.00	1,75.00	Loan from the Special Development Fund. Repayable in seven equated annual instalments with interest at 4 per cent per annum from 1957-58. Interest alone at 4 per cent per annum is payable for the first three years 1954-55, 1955-56 and 1956-57.
Loan for famine relief measures.	60.29	60.29	60.29	Repayable in twenty annual equated instalments with interest at 4 per cent per annum.
Loans for Community Projects.	13.62	13.62	13.62	Repayable in 12 years with interest at 4 per cent per annum. Annuity commences only in September 1956.
Cotton Extension Schemes.	5.00	5.00	..	Repaid with interest at 1 1/2 per cent per annum on 31st March 1954.
Loan for improvements to the Capital of the Andhra State. (Based on actual expenditure to end of September 1953.)	13.48	13.48	13.48	This is the liability of the Andhra State only.
Ways and Means Advances.	9,41.53	9,41.53	9,41.53	The terms of repayment have not yet been settled.
Total, II ..		59,49.46	59,12.38	

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III. SPECIAL IRREDEEMABLE LOANS.

	Amount. RS.
1) Four bonds bearing interest at 8 per cent per annum issued between the years 1796 and 1807.	1,33,000
(2) Two bonds bearing interest at 6 per cent per annum issued in the years 1795 and 1817.	10,500
(3) A deposit bearing interest at 6 per cent per annum received in 1817 ..	41,770
(4) A deposit bearing interest at 4 per cent per annum (now treated as an Endowment for the Stanley Hospital, Madras).	66,878
Total, III ..	2,52,148 or 2.52 lakhs.

Summary.

(1)	Total outstanding on 30th September 1953. RS. LAKHS.	Total outstanding on 31st March 1954.* RS. LAKHS.
I. Open Market Loans	34,54.06	34,40.07
II. Loans from the Central Govern- ment.	59,49.46	59,12.38
III. Special Irredeemable Loans ..	2.52	2.52
Total ..	94,06.04	93,54.87

* Takes into account payments made by the three Governments of Madras, Andhra and Mysore.

26th February 1955]

B. Loans raised by the present Madras Government on or after 1st October 1953.

When obtained and description of loan.	Total amount. RS. LAKHS.	Amount expected to be outstanding on 31st March 1955. RS. LAKHS.	Remarks.
(1)	(2)	(3)	(4)
1953-54 (second six months) ..			
For financing the expendi- ture on Lower Bhavani, Malampuzha, Manimuthar Araniar, Walayar and Mangalam Irrigation Projects.	92.00	92.00	Loan from the Special Development Fund. Repayable in seven equated annual instalments with interest at 4 per cent per annum commencing from 1957-58. Interest alone at 4 per cent per annum is payable during 1954-55, 1955-56 and 1956-57.
For financing Vaigai, Amara- vathi and Mettur Canals Irrigation Schemes.	23.00	23.00	Special assistance for permanent improvements to scarcity areas. Repayable in 25 annual equated instalments with interest at 4½ per cent per annum commencing from 1959-60. Interest-free for the first five years (1954-55 to 1958-59).
For the development of Handloom Industry— Loan for advancing the share capital of the weavers admitted to the Co-operative Societies.	6.62	3.31	Interest-free. Repayable in two annual equal instalments.
Loan for improving designs and technique.	0.58	..	Interest-free. Repaid in November 1954.
Loan towards working Capital of Co-operative Societies.	27.34	21.19	Interest-free. Repayable in five annual equal instalments. (A sum of Rs. 0.86 lakh representing the share of the Mysore Government was refunded to the Government of India in 1954-55 in addition to the first instalment of Rs. 5.29 lakhs).
Loan for re-lending to the Madras Handloom Weavers' Co-operative Society for setting up a Co-operative Spinning Mill in Tirunelveli.	10.00	8.14	Repayable in five equated annual instal- ments with interest at 3.5/8 per cent per annum.
Special Minor Irrigation Schemes.	20.00	19.02	Repayable in fifteen annual equated instalments with interest at 4½ per cent per annum commencing from February 1954.
Construction of tube-wells with filter points.	11.44	10.49	Repayable in ten equated annual instalments with interest at 4 per cent per annum commencing from February 1954.
Public Works Irrigation Schemes.	2.73	2.60	Repayable in fifteen annual equated instalments with interest at 4½ per cent per annum.

[26th February 1955]

B. Loans raised by the present Madras Government on or after
1st October 1953—cont.

When obtained and description of loan.	Total amount.	Amount expected to be outstanding on 31st March 1955.	Remarks.
(1)	(2)	(3)	(4)
RS. LAKHS.	RS. LAKHS.	RS. LAKHS.	
1953-54 (second six months)—cont.			
Lift Irrigation Schemes	13.19	12.09	Repayable in ten annual equated instalments with interest at 4 per cent per annum.
Tractor Reclamation Schemes (Hire-purchase System).	4.60	4.41	Repayable in fifteen annual equated instalments with interest at $4\frac{1}{2}$ per cent per annum.
Scheme for the utilization of urban compost.	1.67	1.36	Repayable in five annual equated instalments with interest at $3\frac{5}{8}$ per cent per annum.
For re-lending to the Madras Industries Association, Madras, for setting up an emporium.	1.00	0.68	Repayable in three annual equated instalments with interest at $3\frac{5}{8}$ per cent per annum.
For re-lending to the National Educational Society for the construction of the Kamala Nehru Hostel.	0.20	0.20	Interest-free. Repayable in sixteen years commencing from 1955-56.
For development of Minor Ports.	0.91	0.91	Repayable with interest at $4\frac{1}{2}$ per cent per annum in eighteen equated annual instalments. Interest-free for the first twelve years.
Loan for Minor Irrigation Schemes in the National Extension Service Blocks.	4.48	4.11	Repayable in twelve annual equated instalments with interest at $4\frac{1}{8}$ per cent per annum.
Loan for Community Development Projects.	2.87	2.87	Repayable in twelve years with interest at 4 per cent per annum. Annuity commences in September 1956.
Value of the stock of food-grains, fertilizers, etc., held in the present Madras State on 1st October 1953 (treated as a short-term loan).	3,69.41	..	Repayable with interest at 3 per cent per annum. This is to be adjusted against the value of the surplus stocks of rice sold to the Government of India consequent on decontrol.
1954-55—			
For financing Manimuthar, Araniar, Walayar, Mangalam, Sathanur and Krishnagiri Projects.	2,00.00	2,00.00	Loan from the Special Development Fund. Repayable in seven equated annual instalments with interest at 4 per cent per annum commencing from 1958-59. Interest alone payable during the first three years (1955-56, 1956-57 and 1957-58).
For Rural Electrification Schemes.	1,00.00	1,00.00	Do.

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B. Loans raised by the present Madras Government on or after
1st October 1953—cont.

When obtained and description of loan.	Total amount.	Amount expected to be outstanding on 31st March 1955.	Remarks.
(1)	(2)	(3)	(4)
RS. LAKHS.	RS. LAKHS.	RS. LAKHS.	
1954-55—cont.			
For financing the Vaigai, Amaravathi and Mettur Canals Irrigation Schemes.	1,30.00	1,30.00	Special assistance for permanent improvements to scarcity areas. Loan expected to be drawn before 31st March 1955.
Share in National Plan Loan.	5,00.00	5,00.00	Repayable in October 1965. Interest alone payable half-yearly at $3\frac{7}{8}$ per cent per annum.
Special Minor Irrigation Schemes.	30.00	30.00	Repayable in fifteen annual equated instalments with interest at $4\frac{1}{2}$ per cent per annum.
Tractor Reclamation Schemes (Hire Purchase System).	4.60	4.60	Do.
For re-lending to the Corporation of Madras for their City Sewage Utilization Schemes.	16.00	16.00	Repayable in ten equated annual instalments with interest at 4 per cent per annum.
For re-lending to the Madras State Handloom Weavers' Co-operative Society.	33.00	33.00	Interest-free. Repayable in five annual equal instalments.
Loan for Cotton Extension Scheme.	3.00	..	Short-term loan. Repayable on or before 31st March 1955.
For re-lending to Small Scale Industries.	3.50	3.50	Repayable with interest at $3\frac{1}{2}$ per cent per annum in nine equated annual instalments commencing from 1955-56.
For re-lending to the National Educational Society for the construction of the Kamala Nehru Hostel.	0.20	0.20	Interest-free. Repayable in sixteen years commencing from 1955-56.
Loan for the purchase and distribution of fertilizers.	1,16.80	1,16.80	Repayable with interest at 3 per cent per annum on or before 30th June 1955.
Other items (Loans for Community Development Blocks N.E.S. areas, etc.).	62.90	62.90	Loans expected to be drawn before 31st March 1955 as per Revised Estimate for 1954-55.
Total ..	17,92.04	14,03.38	

[26th February 1955]

APPENDIX IV.

STATEMENT SHOWING THE DETAILS OF EXPENDITURE ON THE SCHEMES INCLUDED IN THE FIVE-YEAR PLAN.

Madras State Five-Year Plan.

Main Heads of Development.					
(1)	(2)	(3)	(4)	(5)	(6)
	RS. LAKHS.	RS. LAKHS.	RS. LAKHS.	RS. LAKHS.	RS. LAKHS.
I. Agriculture and Rural Development—					
A. Agriculture	9,02	5,68	2,23	1,28	9,19
B. Animal Husbandry	56	22	10	15	47
C. Dairying and milk supply ..	13	9	1	3	13
D. Forests	75	12	6	7	25
E. Co-operation	17	6	4	3	13
F. Fisheries	49	26	6	5	37
G. Rural Development	30	31	7	6	44
Total I	11,42	6,74	2,57	1,67	10,98
II. Major Irrigation and Power projects—					
A. Irrigation projects	20,19	11,17	4,17	6,19	21,53
B. Power projects	30,86	13,37	7,14	11,40	31,91
Total II	51,05	24,54	11,31	17,59	53,44
III. Industry—					
A. Cottage industry	44	36	7	9	52
B. Other industries	1,28	78	19	21	1,18
Total III	1,72	1,14	26	30	1,70

26th February 1955]

STATEMENT SHOWING THE DETAILS OF EXPENDITURE ON THE SCHEMES INCLUDED IN THE FIVE-YEAR PLAN—cont.

Madras State Five-Year Plan—cont.

Main Heads of Development.					
(1)	(2)	(3)	(4)	(5)	(6)
	RS. LAKHS.	RS. LAKHS.	RS. LAKHS.	RS. LAKHS.	RS. LAKHS.
IV. Transport (Roads)—					
Highways	3,58	2,15	42	56	3,13
V. Social Services—					
A. Education	4,94	1,54	99	1,43	3,96
B. Medical	2,48	1,72	34	35	2,41
C. Public Health	5,18	2,00	96	2,58	5,54
D. Housing	1,90	1,06	28	27	1,61
E. Amelioration of Backward Classes ..	4,16	2,38	1,03	1,08	4,49
Total V	18,66	8,70	3,60	5,71	18,01
Total State Plan—					
I to V	86,43	43,27	18,16	25,83	87,26

NOTE.—The figures for Community Development Projects, etc., which are excluded from the above statements, are as shown below :—

Community Development Projects, National Extension Services and Local Development Works including contributions from the public.	6,41	56	2,82	3,47	6,85
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[26th February 1955]

1955-56-ம் வருஷத்திய வரவு செலவுத் திட்டம்.
1955-ம் ஆண்டு பிப்ரவரி 26-ந் தேதி சென்னை சட்ட
சபையில் நிதி அமைச்சர் திரு. சி. சுப்ரமணியம்
அவர்களின் உரை.

சபாநாயகர் அவர்களே,

ஐந்தாண்டுத்
திட்டம்.

நான் இச்சபை முன் 1955-56-ம் ஆண்டின் வரவு செலவுத் திட்டத்தை சமர்ப்பிக்கின்றேன். இவ்வாண்டு (1955-56), முதல் ஐந்தாண்டுத் திட்டத்தின் கடைசி வருஷமாக அமைந்துள்ளது. இந்த ஐந்தாண்டுத் திட்டம் 1951-ம் ஆண்டின் ஆரம்பத்தில் வகுக்கப்பட்டபோது, நம் ராஜ்யம் ஆந்திரத்துடன் சேர்ந்து ஒரே ராஜ்யமாகியிருந்தது. 1953-ல் ராஜ்யப் பிரிவினைக்குப்பின், ஐந்தாண்டுத் திட்டமும் இரு ராஜ்யங்களுக்குரியவாறு தனித்தனித் திட்டங்களாகப் பிரிக்கப் பட்டது.

சென்னை ராஜ்யத்துக்குரிய பகுதியில் சில மாறுதல்கள், கூடுதல்களுடன் புதுத் திட்டம் உருவாக்கப்பட்டது. இத் திட்டத்தின்படி, ராஜ்ய அரசாங்க நிதியைக்கொண்டு நிறைவேற்றவேண்டிய திட்டங்களுக்காக 86 கோடியே 43 லட்ச ரூபாய் வரை செலவு செய்யவேண்டுமென கண்க்கிடப்பட்டது. தவிர, சமுதாய அபிவிருத்தித் திட்டங்கள் (Community Development Projects), தேசிய வளர்ச்சித் திட்டங்கள் (National Extension Service), ஸ்தல அபிவிருத்தித் திட்டங்கள் (Local Development Works) போன்ற, பெரும்பாலும் மத்திய அரசாங்க நிதியைக்கொண்டு நடத்தவேண்டிய திட்டங்களுக்கு 6 கோடியே 41 லட்ச ரூபாய் செலவாகுமென மதிப்பிடப் பட்டிருந்தது. ஆக மொத்தம், திட்டத்தின் மதிப்பு 92 கோடியே 84 லட்ச ரூபாய். முதல் மூன்று ஆண்டுகளில், அதாவது 1954-ஐஸ் மார்ச்சு 31-ந் தேதி முடிய, ராஜ்ய நிதியைக்கொண்டு நடத்தவேண்டிய திட்டங்களுக்காக 43 கோடியே 27 லட்ச ரூபாய் செலவு செய்யப்பட்டது. இது மொத்தத் தொகையில் பாதி. ஆரம்ப ஆண்டுகளில் மழையின்மையினால் நிவாரணத் திட்டங்களுக்காகப் பெருவாரியான செலவு செய்யும் அவசியம் ஏற்பட்டு, அதனால் நம் நிதி நிலைமை பெரிதும் பாதிக்கப் பட்டதன் காரணமாக திட்டத்தின் முன்னேற்றம் மிகவும் தடைபட்டது. நடப்பு ஆண்டில், அதாவது திட்டத்தின் நான்காவது ஆண்டில், 18 கோடியே 16 லட்சம் ரூபாய் செலவிடப்படும் என மதிப்பிடப்பட்டுள்ளது. ஆகவே 1955-56-ல் திட்டப்படி செலவு செய்ய எஞ்சி நிற்கும் தொகை 25 கோடி ரூபாய். இந்த வரவுசெலவுத் திட்டத்தில் இதற்காக ஒதுக்கப்

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பட்டுள்ள தொகையோ 25 கோடியே 83 லட்ச ரூபாய். ஆகவே, நம் ராஜ்யத் திட்டத்தை பூரணமாக நிறைவேற்றும் நிலையில் இருக்கிறோம். ஐந்தாண்டுத் திட்டத்தில் பாதி காலங்கடந்த பின்தான், மத்திய அரசாங்க நிதியைக்கொண்டு நிறைவேற்ற வேண்டிய திட்டங்களாகிய சமுதாய அபிவிருத்தித் திட்டம், தேசிய வளர்ச்சித் திட்டம், ஸ்தல அபிவிருத்தித் திட்டம் ஆகியவை தொடங்கப்பட்டன. ஆகையால் அந்த இனங்களுக்காக மொத்தம் செலவு செய்யத் திட்டமிட்டிருந்த 6 கோடியே 41 லட்ச ரூபாயில் 56 லட்ச ரூபாய் மட்டுமே 1954-ம் ஆண்டு மார்ச்சு மாதக் கடைசிவரை செலவு ஆயிற்று. அந்தத் திட்டங்கள் இப்பொழுது துரிதமாக முன்னேறிவருவதால், நடப்பு ஆண்டில் 282 லட்ச ரூபாயும், அடுத்த ஆண்டில் 347 லட்ச ரூபாயும் செலவு ஆகும் என்று எதிர்பார்க்கப் படுகிறது. நாம் எதிர்பார்க்கும்படியே காரியத்தில் உருவானால், இத்துறையிலும் ஐந்தாண்டுத் திட்டம் முற்றிலும் நிறைவேற்றப்படும். வரவு செலவுத்திட்ட உரையின் ஆங்கிலப் பதிப்புடன் இணைக்கப்பட்டுள்ள நான்காவது அனுபந்தத்தில், திட்டச் செலவை முக்கியமான இலாகாவாரியாகப் பாகுபடுத்திக் காட்டியிருக்கிறது. திட்டமிட்டபடி மொத்தத் தொகையும் செலவு செய்யப்படுகிற போதிலும், தவிர்க்க முடியாத சில காரணங்களால், ஒரு சில இனங்களில் திட்டமிட்டதைவிடக் குறைவாகச் செலவு செய்யப்படுகிறது. உதாரணமாக, “வனங்கள்” என்ற இனத்தில் செலவு செய்யத் திட்டமிட்டிருந்த தொகையைவிட 50 லட்ச ரூபாய் குறைவாகச் செலவு செய்யப்படும். இதற்குக் காரணம் என்னவெனில் : வனங்களை வளர்க்கவும் நிலவளப் பாதுகாப்புக்கும், சில புது வேலைகள் சமீபத்தில்தான் ஐந்தாண்டுத் திட்டத்தில் சேர்க்கப் பட்டன. மத்திய அரசாங்கம் இவைகளுக்கு எவ்வளவு நிதி உதவி செய்யலாம் என்பது சம்பந்தமாக இன்னும் கடிதப் போக்குவரத்து நடந்துவருகிறது. ஐந்தாண்டுகளில் செலவு செய்யவேண்டிய தொகையை முன்கூட்டியே மதிப்பிட வேண்டியிருக்கும்போது, இத்தகைய சிறிய வேறுபாடுகள் எழுவது இயல்பே. அடுத்த திட்டத்தில் இவை ஈடு செய்யப்படும்.

2. திட்டத்தின் முக்யத்துவத்தை நன்கு உணர்வதற்கு, திட்டச் செலவுத் திட்டத்தில் சேர்ந்த செலவுக்கும், திட்டத்துக்குப் புறம்பான செலவுக்கும் இடையே உள்ள வேறுபாடுகளைச் சரியாக அறிந்து கொள்ளவேண்டியது அவசியம். ஒரு திட்டத்தின் கோக்கம், மக்களுக்கு புதிய வசதியை உண்டாக்கித் தருவது என்றிருந்தால் தான், அத்திட்டம் ஐந்தாண்டுத் திட்டத்தின் அம்சமாகக் கருதப்படும். ரெவின்யூ, நீதி மன்றங்கள், சிறைச்சாலைகள், போலீசு

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ஆகிய அரசாங்க இலாக்காக்கள் அமைதியைக் காக்கவும், சீரான நிர்வாகத்துக்கும் இன்றியமையாதவைதான். ஆனால் இந்த இலாக்காக்களுக்காக செலவு செய்யப்படும் பெருந்தொகைகள் ஐந்தாண்டுத் திட்டத்துக்குப் புறம்பானவை. இத்தனை ஆண்டுகளாக கல்வி, பொது சுகாதாரம், கூட்டுறவு, தொழிலாளர் நலன் ஆகிய சமுதாய நலப்பணிகளுக்காக செலவு செய்த தொகையெல்லாம் கூட, ஐந்தாண்டுத் திட்டத்தின் கீழ்சேராது; ஏனென்றால் அப்பணிகளால், மக்களுக்குப் புதிய வசதிகள் பிறக்கவில்லை. ஆனால் புது பள்ளிக்கூடம் கட்டுவது, புது சாலை அமைப்பது, புது விவசாயப் பண்ணை அமைப்பது, பழைய சிகிச்சை சாலை அல்லது நீர்ப்பாசன வசதியை விரிவாக்குவது போன்றவற்றால் ஏற்படும் செலவு, ஐந்தாண்டுத் திட்டத்தின் கீழ் வரும். சென்னையில் உள்ள ஜெனரல் ஆஸ்பத்திரி அல்லது மாகாணக் கல்லூரி ஆகியவற்றின் பராமரிப்புக்கான செலவுகள், ஐந்தாண்டுத் திட்டத்தில் சேரா. ஏனென்றால் திட்டம் வகுக்கப்பட்டபோதே இவையெல்லாம் இருந்தன. ஆனால் மதுரையில் புதிதாகத் துவக்கியுள்ள மருத்துவக் கல்லூரி, ஐந்தாண்டுத் திட்டத்தில் சேரும். நீர்ப்பாசன, மின்சாரத் துறைகளில் புதிய திட்டங்கள் எல்லாம், சிறியனவாயினும் சரி, பெரியனவாயினும் சரி, திட்டத்தில் சேரும்; பழைய திட்டங்களுக்குப் புதிதாகச் செய்யப்படும் நிரந்தர அபிவிருத்திகளும் திட்டத்தில் சேரும். திட்டம்புதியதா, அதனால் மக்களுக்குப் புதிய வசதி பிறக்குமா என்பதைக்கொண்டே இது தீர்மானிக்கப் படவேண்டும். வரவு செலவுத் திட்டத்தில், கல்விக்காக ஒதுக்கப் பட்டுள்ள தொகை 10 கோடியே 20 லட்ச ரூபாய். ஆனால் இதில், புதிதாகக் கொண்டுவரப்பட்டுள்ள திட்டங்களுக்காகச் செலவு செய்யப்படும் ரூபாய் 131 லட்சம் மட்டுமே, ஐந்தாண்டுத் திட்டத்தில் சேரும். ஆகவே, ஐந்தாண்டுத் திட்டத்துக்காக இந்த வரவு செலவுத் திட்டத்தில் ஒதுக்கப்பட்டுள்ள 29 கோடியே 30 லட்ச ரூபாய், அபிவிருத்தி, சமூக நலப்பணிகளில் இந்த ஆண்டில் நாம் அடையும் முன்னேற்றத்தைக் குறிக்கிறது என்பதைக் கனம் அங்கத்தினர்கள் கவனிக்கவேண்டும்.

திட்டத்தின் குறிக்கோள்கள்.

3. இத்துணை கோடிக்கணக்கில் செலவு செய்தும், ராஜ்யத்தின் பொருளாதாரத்தில் குறிப்பிடத்தக்க அளவு மாற்றம் ஏற்படவில்லை என்பது உண்மையே. பல நூற்றாண்டுகளாக நம்மைப் பீடித்துள்ள வறுமையை எளிதில் களைமுடியாது; மேலும் பல ஆண்டுகள் உறுதியுடன் முயற்சி செய்தால் ஒழிய அதைப் போக்க இயலாது. ஐந்தாண்டுத் திட்டத்தை வகுத்தவர்கள், முதல் திட்ட காலத்துக்குள் நாம் பெறக்கூடிய பலன்கள் பற்றி வீண் கனவில் மூழ்கிவிடவில்லை. திட்டம் வகுக்கப்பட்ட

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காலத்தில், நாட்டின் வருவாய் அமைப்பே சிதறிவிடுமோ என்று அஞ்சும் அளவுக்குப் பரவியிருந்த பண வீக்கத்தைக் கட்டுப்படுத்துவது; அயல் நாட்டு நாணயப் பரிவர்த்தனையை அபாயகரமான அளவு வேகமாகப் பாதித்து வந்த உணவுப் பற்றாக்குறையைச் சமாளிப்பது; நம்முடைய இயந்திரத் தொழில், போக்குவரத்து அமைப்புகளில் இருந்த குறைபாடுகளைத் திருத்தி, அதன் மூலம் தீவிர முன்னேற்றத்துக்கான புதிய திட்டத்தை வகுப்பதற்கு வழிசெய்வது ஆகிய பொதுவான குறிக்கோள்களுடனே முதல் ஐந்தாண்டுத் திட்டம் வகுக்கப் பட்டது. இப்பொழுதோ, பண வீக்கம் கட்டுப்படுத்தப் பட்டுள்ளது என்பது மட்டுமல்ல; உணவுப் பொருள் விலை வாசிகள் சரிந்துவரும் போக்கைத் தடுக்க நடவடிக்கை எடுக்க ஆலோசனை செய்யவேண்டிய நிலைக்கு வந்துள்ளோம். சமீப ஆண்டுகளில் முதல் தடவையாக, உணவுப் பொருள்களின் ஏற்றுமதியை நாம் அனுமதித்துள்ளோம். இயந்திரத் தொழில்களில் உற்பத்தி குறிப்பிடத்தக்க அளவு அதிகரித்துள்ளது. தற்போதைய தேவைகளைப் பூர்த்தி செய்யும் அளவுக்குப் போக்குவரத்து முறை முன்னேறியுள்ளது. திட்டத்தில் நாம் நிர்ணயித்துக்கொண்ட இலக்குகள் பிரமாதமாக இல்லாமல் சாமானியமாகவே இருக்கலாம். ஆனால் அவற்றை அடைவதில் நாம் குறிப்பிடத்தக்க அளவு வெற்றி கண்டுள்ளோம் என்பதை யாரும் மறுக்கமுடியாது. அதைவிட அரிய முக்கியத்துவம் வாய்ந்தது எதுவெனில், கிராமங்களில் வசிப்பவர்கள் கூட, திட்டம் வகுக்க வேண்டியதன் அவசியத்தையும் அடிப்படையையும் பொதுப்படையாக உணர்ந்துள்ளனர் என்பது. குடியாட்சிக் கொள்கைப்படி ஆளப்படும் ஒரு நாட்டுக்கு இது மிக முக்கிய அடிப்படையான சாதனையாகும். பின்தங்கிய நிலையில் உள்ள பொருளாதார அமைப்பில், திட்டம் வகுத்துச் செயலாற்றுவதென்றால், உடனடியாக ஏற்படும் சில கஷ்டங்களைப் பொறுத்துக்கொள்ளவும் தியாகங்கள் செய்யவும் மக்கள் சித்தமாய் இருக்கவேண்டும். நாளடைவில் தங்கள் சொந்த நலனை முன்னிட்டு இவை அவசியம் என்பதை மக்கள் உணர்ந்து அக்கஷ்டங்களை ஏற்றுக்கொள்ள முன்வருவார்கள். ஆகவே நாம் தற்போது நம் முன்னேற்றம் சற்று நிதானமாக இருப்பதைக் கண்டு மனம் தளர வேண்டியதில்லை. இரண்டாவது ஐந்தாண்டுத் திட்டத்தின் மூலம் இன்னும் வேகமாக முன்னேறுவதற்கு இப்பொழுது அடிகோலியுள்ளோம் என்பதில் நாம் ஆறுதல் காணலாம். இந்த வரவுசெலவுத் திட்டத்தின் அம்சங்களை விளக்கிய பின்பு இரண்டாவது ஐந்தாண்டுத் திட்டம் பற்றி இவ்வுரையில் நான் குறிப்பிட விரும்புகிறேன்.

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நீர்ப்பாசனம்.

4. நமது நீர்ப்பாசனத் திட்டங்கள் வேகமாக முன்னேறி வருகின்றன. கீழ் பவானித் திட்டம் பூர்த்தியாகிவிட்டது. அத்திட்டத்தின் கீழ் திட்டமிட்டபடி 2 லட்ச ஏக்கரங்களுக்கு அநேகமாய் இந்த ஆண்டில் நீர்ப்பாசன வசதி ஏற்படும். மலம்புழை, மணிமுத்தாறு, மேட்டூர் கால்வாய் திட்டங்கள் இந்த ஆண்டுக்குள் அநேகமாய் பூர்த்தி அடையும். அமராவதி, வைகை, சாத்தனூர், கிருஷ்ணகிரி ஆகிய புதிய திட்டங்கள் அனைத்திலும் வேலை தொடங்கிவிட்டது. அடுத்த ஐந்தாண்டுத் திட்ட ஆரம்ப ஆண்டுகளிலேயே அவை பூர்த்தி அடையும். எஞ்சிய யர்கள் கோரிய அளவு இத்திட்டங்கள் அனைத்துக்கும், வேண்டிய தொகை முழுவதும் வரவு செலவுத் திட்டத்தில் ஒதுக்கப்பட்டுள்ளது. நிறிய நீர்ப்பாசன திட்ட வேலைகளுக்கும், குளங்களைப் புதுப்பிப்பதற்கும் நடப்பு ஆண்டில் ஒதுக்கப்பட்ட தொகை 75 லட்ச ரூபாய். இது வரவு செலவுத்திட்ட ஆண்டில் 125 லட்ச ரூபாயாக உயர்த்தப்பட்டுள்ளது. இச்சிறிய திட்டங்களினால் கிடைக்கும் நன்மைகள் எல்லா மாவட்டங்களுக்கும் கிடைக்கும்படி ஏற்பாடு செய்யப்பட்டுள்ளது. குளங்கள் அபிவிருத்தி வேலைகள் உள்பட நீர்ப்பாசனத்துக்காக ஒதுக்கப் பட்டுள்ள மொத்த தொகை 746 லட்ச ரூபாய். இந்த ஆண்டில், அவசியம் ஏற்படும் அளவுக்கு இன்னும் அதிகத் தொகை ஒதுக்கித் தரமுடியும். ஆனால் நமது நிலமட்ட நீர்வளம் குறைந்த அளவில்தான் உள்ளது. ஆகவே நிலத்திற்கு அடியில் உள்ள நீர்வளத்தை எவ்வளவு அதிகம் உபயோகிக்க முடியுமோ அவ்வளவு உபயோகிப்பது அவசியமாகிறது. இதைக் கருதியே வடிமுனைக் கிணறுகளும் (filter point wells), குழாய்க் கிணறுகளும் (tube wells) விரிவாகத் தோண்டும் திட்டமொன்றை மேற்கொள்ள அரசாங்கம் உத்தேசித்துள்ளது. இத்திட்டங்களுக்காக இந்த வரவு செலவுத்திட்ட ஆண்டில் நாம் சுமார் 100 லட்ச ரூபாய் செலவு செய்யக்கூடும்.

மின்சாரம்.

5. நீர்ப்பாசனத் திட்டங்களைப்போலவே மின்சாரத் திட்டங்களிலும், குறிப்பாகக் கிராமங்களில் மின்சார வசதிகளைப் பெருக்குவதில், நாம் கணிசமான முன்னேற்றம் அடைந்து வருகிறோம். ஏறக்குறைய 2,200 கிராமங்கள் மின்சார சக்தி பெற்று இந்த ஆண்டின் ஆரம்பம் வரை 25,000 பம்பு செட்டுகள் மின்சார சக்தியால் இயங்க வசதி செய்யப்பட்டுள்ளது. இந்த ஆண்டில் இன்னும் 300 கிராமங்கள் மின்சார வசதி பெறும் என்றும், இவ்வசதி பெற்றுள்ள கிராமங்களின் எண்ணிக்கை 2,500 ஆக உயரும் என்றும் எதிர்பார்க்கலாம். கிராமங்களில் மின்சாரத்தைப் பெருக்குவதற்கு, வரவுசெலவுத் திட்டத்தில் ஒதுக்கப்பட்டுள்ள தொகை 784 லட்ச ரூபாய். நடப்பு ஆண்டில் ஒதுக்கப்பட்ட தொகையைப் போல் இது இரு

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மடங்கு ஆகும். இந்தத் தொகையைக்கொண்டு, வரவு செலவுத் திட்ட ஆண்டில் இன்னும் 600 கிராமங்களுக்கு மின்சார வசதியை விஸ்தரிக்கமுடியும் என்று நம்பலாம். இப்போது போகும் வேகத்தில், ஆண்டுக்கு ஆயிர கிராமங்களுக்கு மின்சாரத்தைப் பரப்பவேண்டும் என்று இரண்டாவது ஐந்தாண்டுத் திட்டத்தில் நிர்ணயிக்கப்பட்டுள்ள இலக்கை விரைவில் அடைய முடியும். இரண்டாவது ஐந்தாண்டுத் திட்டத்தில், கிராமப்புறங்களில் பெரும் பகுதியை நமது மின்சார இணைப்பின் (electric grid) கீழ் கொண்டுவர முடியும் என்று எதிர்பார்க்கலாம். இதற்கிடையே, பெரியாறு மின்சாரத் திட்டத்தில் (Hydro-electric Scheme) வேலை தொடங்கிவிட்டது. சென்னை நீராவி மின்சார நிலைய அமைப்பை (Thermal plant) விரிவாக்கும் வேலைகளும் துரிதப்படுத்தப்படுகின்றன. மின்சாரத்துக்காக, வரவு செலவுத் திட்டத்தில் ஒதுக்கப்பட்டுள்ள மொத்தத் தொகை 11 கோடியே 40 லட்ச ரூபாய். மின்சார இலாகா அமைக்கப்பட்ட பின்பு, எந்த ஆண்டிலும் இவ்வளவு பெரிய தொகை ஒதுக்கப்படவில்லை.

6. நெய்வேலியில் பழுப்பு நிலக்கரி சுரங்கங்களைப்பற்றி பழுப்பு நிலக்கரி நடைக்கும் சோதனைகளில் இப்பொழுது மிகத் திருப்திகரமான கட்டத்தை அடைந்திருக்கிறோம். ஏறக்குறைய 80 லட்ச ரூபாய் செலவில் தொடங்கப்பட்ட பூர்வாங்க சோதனைத் திட்டம், பூர்த்தியடையும் தருவாயில் உள்ளது. இத்திட்டத்தைப் பற்றியிருந்த சந்தேகங்கள் நீங்கி, வெற்றிகரமாக இத்திட்டத்தை நிறைவேற்ற முடியும் என்பதற்கான பல அம்சங்கள் ஊர்ஜிதமாயிருக்கின்றன. அக் கனிப்பொருளைப் பயன்படுத்தத் தொழில்முறைத் திட்ட அறிக்கை ஒன்று, பிரிட்டிஷ் ரிபுணர்களால் ஏற்கனவே தயாரிக்கப்பட்டுள்ளது. அந்த அறிக்கையை ஆராய்ந்த பின், இத்திட்டத்தில் முக்கிய பங்கு கொள்ள இந்திய அரசாங்கம் தீர்மானித்து, மேல் நடவடிக்கைகளைக் கண்காணிக்க இந்த ராஜ்ய அரசாங்கத்தின் பிரதிநிதிகள் மூவர் கொண்ட கமிட்டி (High Power Committee) ஒன்றை அமைத்துள்ளனர். இந்த ஆண்டு ஜனவரி முதல் தேதிக்குப் பின் ஏற்படும் செலவு பொறுப்பை அவர்களே ஏற்றுக்கொண்டுள்ளனர். பெரு அளவில் மின்சார சக்தி உற்பத்தி செய்வது, தென்னிந்தியாவின் தேவைகளைப் பூர்த்தி செய்யும் அளவு செயற்கை எரு உற்பத்தி செய்ய வசதிக்கொண்ட அம்மோனியம் சல்பேட் உற்பத்திசாலை ஒன்றை அமைப்பது, தொழிற்சாலைகளிலும் வீடுகளிலும் எரி பொருளாகப் பயன்படுவதற்குப் பழுப்பு நிலக்கரியை மாற்ற ஒரு இயந்திர அமைப்பை நிறுவுவது ஆகியவற்றிற்கு அந்தத் திட்ட அறிக்கை யோசனை கூறியுள்ளது. இத்திட்டம் முன்னேறினால், பெயிண்டு,

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வார்ட், பீங்கான் போன்ற பல உப தொழில்கள் ஏற்படவும், மோட்டார் 'ஸ்பிரிட்' உற்பத்தி செய்யவும் இடமுண்டு. இப்பொழுது ஆலோசனையில் உள்ள திட்டத்துக்குச் சுமார் 60 கோடி ரூபாய் செலவாகும் என்று மதிப்பிடப்பட்டுள்ளது. இத்தொகை முழுவதையும் மத்திய அரசாங்கமே தரும். பருவ மழை தவறினாலும் பாதிக்கப்படாத அளவுக்கு நமது மின்சார அமைப்பு இத்திட்டத்தின் மூலம் பலப்படுத்தப்படும்; கிராமங்களுக்கு மின்சாரத்தைப் பரப்பும் தேவைகளைப் பூர்த்தி செய்யும் அளவுக்கு மின்சார சக்தி உற்பத்தியும் விரிவுபடும். இதை ஒட்டி பெருவாரியாக இயந்திரத் தொழில் வளர்வதன் பாயுய்ப் பல் வேறு துறைகளிலும் எழும் நன்மைகள் நம் ராஜ்யத்தைச் சேரும் என்பது மட்டுமல்ல; இத்தொழில் திட்டத்தின் மிகுந்த லாபத்தில் கால் பங்கும் நம் ராஜ்ய அரசாங்கத்துக்குக் கிடைக்கும். இந்த வரவுசெலவு திட்ட ஆண்டு முடிவிற்குள் இந்த மகத்தான தொழில் முயற்சி தொடங்கப்படும் என்று நாம் நம்பலாம்.

கிராமங்களுக்குத் தண்ணீர் வசதி.

7. கிராமங்களுக்குக் குடி தண்ணீர் வசதி செய்து தருவதில் நாம் சமீபத்தில் ஓரளவு முன்னேற்றம் காண முடிந்துள்ளது. கிராமவாசிகளுக்கு இந்த வசதி செய்து தர, நடப்பு ஆண்டில், ராஜ்ய நிதியிலிருந்து 40 லட்ச ரூபாயும், ஸ்தல அபிவிருத்தித் திட்டத்தின் (Local Development Programme) கீழ், மத்திய அரசாங்கத்திலிருந்து 30 லட்ச ரூபாயும் செலவு செய்ய ஒதுக்கப்பட்டுள்ளது. இத்திட்டங்களால் நன்மை அடையவருக்கும் மக்கள், செலவில் கால் பங்கிலிருந்து அரைப் பங்கு வரை ஏற்றுக்கொள்ள முன்வருவார்கள் என்றும் எதிர்பார்க்கப்படுகிறது. ஆகவே இந்த ஆண்டில் ஒரு கோடி ரூபாய்க்கு மேல் மதிப்புள்ள வேலைகளைச் செய்ய முடியும். ஒரு சில கிராமங்களைச் சேர்த்து குழாய்கள் மூலம் தண்ணீர் வழங்கும் கூட்டுத் திட்டங்கள் சில வகுக்கப்பட்டு வருகின்றன. இத்திட்டத்தை நடத்த கலெக்டர்களுக்கு உதவி செய்ய சுகாதார எஞ்சினியர்கள் இதற்கென நியமிக்கப்பட்டுள்ளனர். ஆண்டுக்கு 3,500 கிணறுகள் வெட்டுவதன் மூலமும், 50 கூட்டுத் திட்டங்கள் வகுப்பதன் மூலமும் வருஷம் ஒன்றுக்கு 4,000 கிராமங்களுக்குக் குடி தண்ணீர் வசதி செய்துகொடுக்க ரெவின்யூ போர்டு திட்டமிட்டு முயற்சித்து வருகிறது. இந்த ஆண்டில் பெற்ற அனுபவத்தின் பயனாய், வரவுசெலவுத் திட்ட ஆண்டில் இன்னும் அதிக முன்னேற்றம் காணமுடியும் என்று நம்பலாம்; அதற்காகப் போதுமான தொகை ஒதுக்கி வைக்கப்பட்டுள்ளது. இப்பொழுது ராஜ்யத்தில் குடி தண்ணீருக்காக 15,000 பொதுக் கிணறுகள் உள்ளன. இதே வேகத்தில் சென்றால், இரண்டாவது ஐந்தாண்டுத் திட்ட காலத்துக்குள்

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கிராமங்கள் ஒவ்வொன்றிலும் கிணறு வசதி செய்து கொடுக்க முடியும் என்று எதிர்பார்க்கலாம். காலராவால் பெரிதும் பாதிக்கப்படும் டெல்டா கிராமங்களுக்குச் சுத்தமான குடி தண்ணீர் தரக் கூட்டுத் திட்டங்கள் வகுக்கவும் முயற்சி செய்யப்பட்டு வருகிறது. மத்திய அரசாங்கம் சுமார் 60 லட்ச ரூபாய் மானியம் தர இசைந்துள்ளனர். மேலும் 60 லட்ச ரூபாய் அக் கிராம மக்களிடமிருந்து பெறவேண்டும்; அல்லது ராஜ்ய நிதியிலிருந்து தரவேண்டும். இந்த வரவுசெலவு ஆண்டில் இவ் வேலைகள் பெரும் அளவு நடைபெறும் என்று எதிர்பார்க்கப்படுகிறது. காவேரி, வைகை, தாமிரபரணி ஆற்றுக் கரைகளிலுள்ள சுமார் 500 கிராமங்கள் இதன் பயனை அடையலாம்.

8. நகரங்களுக்குத் தண்ணீர் வசதி செய்வதிலும், கழிவு நீர்ப் நகரங்களில் தண்ணீர் போக்குத் திட்டங்களிலும் (drainage schemes) நாம் இதுவரை, வசதி. போதிய பணவசதி இல்லாத காரணத்தால், அதிக முன்னேற்றம் காண இயலவில்லை. இந்த வரவுசெலவுத் திட்ட ஆண்டுக்குள் பயன்படுத்த, சுமார் 250 லட்ச ரூபாய் நமக்குக் கடன் தர இந்திய அரசாங்கம் சமீபத்தில் சம்மதித்துள்ளது. இதற்குத் தேவையான நிர்வாக அமைப்பு நிறுவப்பட்டு வருகிறது. இயந்திர வடிகட்டிகள் அமைக்கவும் தற்போதைய தண்ணீர் விரியோக முறைக்கு அபிவிருத்திகள் செய்யவும் சென்னை நகர சபைக்குச் சுமார் 60 லட்ச ரூபாய் கடன் தரப்படும். இந்த வேலைகளை நகர சபை தொடங்கிவிட்டது. இந்த வரவு செலவுத் திட்ட ஆண்டு முடிவுக்குள் அத்தொகை முழுவதையும் செலவு செய்துவிட முடியுமென்று நகர சபை எதிர்பார்க்கிறது. மங்களூர், திருப்பூர், திருநெல்வேலி, மேலைப்பாளையம், சேலம், கோயமுத்தூர், மதுரை, கோபிசெட்டிப்பாளையம், கடலூர், திண்டுக்கல், கும்பகோணம் ஆகிய முனிசிபாலிட்டிகளுக்கு விரிவான தண்ணீர் விரியோகத் திட்டங்கள் தொடங்கப்பட்டுள்ளன. முனிசிபல் அதிகாரிகளிடமிருந்து தேவையான அளவு ஒத்துழைப்புக் கிடைத்தால், இத்திட்டத்திற்காக நாம் திரட்டியுள்ள, பயிற்சி பெற்ற அதிகாரிகளையும் சாதனங்களையும் துணை கொண்டு, இரண்டாவது ஐந்தாண்டுத் திட்ட காலத்துக்குள் ளாகவே, நமது பெரிய முனிசிபாலிட்டிகள் எல்லாவற்றிற்குமே குடி தண்ணீர்த் திட்டத்தைக் கொண்டுவரமுடியும் என்று எதிர்பார்க்கலாம். மிகுந்த செலவில் நடத்தப்படும் இத் திட்டங்களின் முழு நன்மையையும் நகரங்களில் வசிக்கும் மக்களே அடைவார்கள். ஆகவே பொதுவாக எல்லா மக்களிடமிருந்து வசூலிக்கப்படும் வரிப்பணத்திலிருந்து உதவியைப் பெரிதும் எதிர்பாராமல், இந்த நகரங்களில் உள்ள மக்களே அச் செலவின் உரிய பங்கை ஏற்றுக்கொள்வதுதான் நியாயம்.

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9. சமுதாய அபிவிருத்தித் திட்டங்களும் தேசிய வளர்ச்சித் திட்டங்களும், ஆரம்பத்தில் இயல்பாக ஏற்படும் இடையூறுகளைக் கடந்து, இப்பொழுது நல்ல முறையில் முன்னேறி வருகின்றன. சமுதாய அபிவிருத்தித் திட்டத்தின்கீழ் வகுக்கப்பட்டுள்ள வளர்ச்சித் திட்டம் இப்பொழுது 21 பகுதிகளில் (Blocks) நடந்து வருகிறது. ஒவ்வொரு பகுதியிலும் சுமார் 100 ரெவின்யூ கிராமங்கள் அடங்கியுள்ளன. இது தவிர தேசிய வளர்ச்சித் திட்டம் வேறு 48 பகுதிகளில் அமல் நடத்தப்படுகிறது. ஆகவே மொத்தம் 69 பகுதிகளில் வளர்ச்சித் திட்டம் நடைபெற்று வருகிறது. எனவே முதல் ஐந்தாண்டுத் திட்ட காலத்துக்குள், கிராமப் பகுதிகளில் கால் பங்கு பகுதியில் கிராம வளர்ச்சித் திட்டத்தைக் கொண்டுவரவேண்டுமென்று நாம் நிர்ணயித்திருக்கும் இலக்கை எய்திவிட்டோம். இன்னும் புதிதாக 36 பகுதிகளில் தேசிய வளர்ச்சித் திட்டத்தைக் கொண்டுவரவும், இப்போது இத்திட்டத்தின் கீழுள்ள பகுதிகளில் பதினான்கில், சமுதாய அபிவிருத்தித் திட்டமாகிய தீவிரத் திட்டத்தைக் கொண்டுவரவும், இந்தவரவு செலவுத் திட்டத்தில் வசதி செய்யப்பட்டுள்ளது. கிராமங்களில் பொறுப்பேற்க வேண்டிய ஊழியர்களுக்குப் பயிற்சி தரும் ஏற்பாடுகள் துரிதப்படுத்தப்படுகின்றன. இரண்டாவது திட்ட காலத்துக்குள் இந்த சமுதாய நலத் திட்டங்களின் நன்மைகள் ராஜ்யம் முழுவதற்கும் கிடைக்கும் படி செய்வதே நம் நோக்கம். ஆரம்பத்தில் பணமாகவோ, பண்டமாகவோ பொது மக்கள் இத் திட்டத்துக்கு உதவி செய்ய முன் வருவதில் அதிக ஆர்வம் காட்டவில்லை. இப்பொழுதோ, இந்த உதவி குறிப்பிடத்தக்க அளவு வளர்ந்துள்ளது என்பது மகிழ்ச்சிக்குரியது. கிராம மக்கள் இந்த ஆண்டில் தந்த உதவி, பணமாய் மதிப்பிடப்பட்டால் சுமார் 32 லட்ச ரூபாய் பெறும். இந்தத் திட்டங்களுக்காக நடப்பு ஆண்டில் 191 லட்ச ரூபாய் செலவு செய்ய ஒதுக்கப்பட்டுள்ளது. வரவு செலவுத் திட்ட ஆண்டில் இதற்காக 256 லட்ச ரூபாய் ஒதுக்கப்பட்டுள்ளது.

ஸ்தல அபிவிருத்தித் திட்டங்கள்.

10. ஸ்தல அபிவிருத்தித் திட்டங்களுக்கும் (Local Development Works) மக்களிடையே ஆதரவு மேலும் மேலும் பெருகி வருகிறது. ஸ்தல அபிவிருத்தித் திட்டங்கள் என்பது, மத்திய அரசாங்கத்திடமிருந்து செலவுத் தொகையில் பாதியை மான்யமாகப் பெற்று, கிராம மக்கள் தங்கள் நன்மைக்காக மேற்கொள்ளும் சிறிய திட்டங்களைக் குறிக்கும் என்பதைக் கனம் அங்கத்தினர்கள் அறிவார்கள். தேசிய வளர்ச்சித் திட்டம், அல்லது சமுதாய அபிவிருத்தித் திட்டத்தின்கீழ் தீவிர வளர்ச்சித் திட்டம் நடைபெறாத பகுதிகளுக்கு மட்டுமே இத் திட்டம் பொருந்தும். இத்திட்டத்தின்கீழ் சென்ற ஆண்டு

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அதிக வேலை செய்யமுடியவில்லை. ஆனால் சென்ற ஆண்டில் செலவு செய்யப்படாத 20 லட்ச ரூபாயும், நடப்பு ஆண்டில் செலவு செய்வதற்கு உள்ள 29 லட்ச ரூபாயும், இந்த ஆண்டு முடிவுக்குள் முழுவதும் பயன்படுத்தப்படும் என்று எதிர்பார்க்கப்படுகிறது. இவ்வேலைகளில் கிராம மக்களுக்கு உதவி செய்ய ஒவ்வொரு மாவட்டத்துக்கும் ஒரு விசேஷ எஞ்சினீயரிங் உட்பிரிவு நியமிக்கப்பட்டுள்ளது. இந்தத் திட்டத்தின்கீழ் வேலைகளை அங்கீகரிப்பதற்குள்ள நிபந்தனைகளை, சமீபத்தில் அரசாங்கம் தளர்த்தியுள்ளது. இப்பொழுது, மூவாயிர ரூபாயும் அதற்குக் குறைவாகவும் செலவாகும் வேலைத் திட்டங்களை, விவரமான மதிப்பீடுகள் தயார் செய்யாமலும் முன்னதாகக் கண்காணிப்பு இல்லாமலும் கிராம மக்கள் தொடங்கி நடத்தலாம். தங்கள் தொகுதிகளில் உள்ள கிராமங்களில் இத்திட்டத்தில் மக்களை ஈடுபடுத்துவதன் மூலம் இத் துறையில் கனம் அங்கத்தினர்கள் அரிய சேவை செய்ய முடியும். இந்த இனத்தில் செலவு செய்வதற்குக் கிடைக்கும் தொகையையெல்லாம் இன்னும் பல கிராமங்கள் இத் திட்டத்தைப் பயன்படுத்திக்கொள்ள முடியும்.

மாதர், குழந்தைகள் முன்னேற்றத்துக்காகத் திருமதி துர்காபாய் தேஷ்முக் தலைமையில் அமைக்கப்பட்டுள்ள மத்திய ஸ்தாபனமான சமூக நலக்குழு (Social Welfare Board) நாட்டில் பல்வேறு இடங்களில் பலவகையான சமூக முன்னேற்ற நடவடிக்கைகளை மேற்கொண்டுள்ளது. இத்தகைய சேவை நிலையங்கள் பதினேழு இந்த ராஜ்யத்தில் அமைக்கப்பட்டிருக்கின்றன. மத்திய சமூக நலக்குழு, ஒவ்வொரு நிலையத்துக்கும் 25,000 ரூபாய் மான்யம் தரும். தன் மாவட்டத்தில் உள்ள சேவைநிலையம் பயனுள்ள வேலை புரிந்துவருகிறது என்று மாவட்டக் கலெக்டர் அத்தாட்சி அளித்தால், ஒவ்வொரு நிலையத்துக்கும் 12,500 ரூபாய் வரை மான்யம் அளித்து இத் திட்டத்துக்கு உதவி செய்ய நம் ராஜ்ய அரசாங்கம் இசைந்துள்ளது. இதற்காக வரவுசெலவுத் திட்டத்திலும் பணம் ஒதுக்கப்பட்டுள்ளது. இந்தத் திட்டத்தினால் இந்த நிலையங்கள் உள்ள இடங்களில் பெண்களுக்கும் குழந்தைகளுக்கும் உருவான நன்மை ஏற்படும் என்று நம்புகின்றேன். அத்துடன் அன்றாட வாழ்க்கையில் எழும் அல்லல்களினால் சோர்வுற்றிருக்கும் அவர்களுக்கு இத்திட்டம் புது ஊக்கமும் உற்சாகமும் ஊட்டும் என்றும் நம்புகிறேன்.

11. போக்குவரத்து சாலை வேலைகளை நாம் நடப்பு ஆண்டில் சாலை அபிவிருத்திப் பெரிதும் துரிதப்படுத்த முடிந்தது. பின்தங்கிய நிலையில் உள்ள பகுதிகளுக்கு வசதியளிக்கக் கூடியவையும் மற்ற ராஜ்யங்களுடன்

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இணைக்கக்கூடியவையுமான சாலைத் திட்டங்கள் பலவற்றுக்காக 138 லட்ச ரூபாய்வரை மான்யங்கள் அளிக்க இந்திய அரசாங்கம் சம்மதித்துள்ளது. இத்திட்டத்தின்படி 20 வேலைகள் தொடங்கப்பட்டுள்ளன ; இந்த வரவுசெலவுத் திட்ட ஆண்டுக்குள் இவ்வேலைகளில் நல்ல முன்னேற்றம் ஏற்படுமென்று எதிர்பார்க்கப்படுகிறது. பம்பாயிலிருந்து குமரிமுனை வரை எல்லாப்பருவங்களிலும் பயன்படக்கூடிய பாதை அமைக்கும் பொருட்டுப் பாலங்களும் கல்வெட்டுகளும் அமைத்து, தார்த்தளம் போட்டு, மேற்குக் கடலோரச் சாலையை (West Coast Road) அபிவிருத்தி செய்யும் வேலைகள் தொடங்கி விட்டன. அச்சாலையில் இந்த ராஜ்யத்தில் உள்ள பகுதிகளுக்கு இத்திட்டத்தின்படி சுமார் 2 கோடியே 82 லட்ச ரூபாய் செலவாகும். மத்திய சாலை நிதியில் (Central Road Fund) இந்த ராஜ்யத்துக்கு உரிய பங்கிலிருந்து, இந்த அபிவிருத்தி வேலைகளின் செலவில் பாதையை ஏற்றுக்கொள்ள இந்த அரசாங்கம் சம்மதித்திருந்தது. ஆனால் 1955 ஏப்ரல் முதல் தேதியிலிருந்து இந்த வேலைகளுக்காகும் முழுச்செலவையும் ஏற்றுக்கொள்ள இந்திய அரசாங்கம் இப்பொழுது இணங்கியுள்ளது. இதனால் மத்திய சாலை நிதியில் நம் பங்கை, நாம் வேறு இடங்களில் பயன்படுத்திக்கொள்ள வசதி ஏற்பட்டிருக்கிறது. இவ்வாறு கிடைத்துள்ள தொகையில் 30 லட்ச ரூபாயை அதிக பஸ் போக்குவரத்துள்ள ராஜ்ய சாலைகளின் பகுதிகளுக்குத் தார் ரோடு போட (black-top) அரசாங்கம் தீர்மானித்துள்ளது. தேசிய சாலைகள், ராஜ்ய சாலைகள், முக்கிய மாவட்ட பாதைகள் என்ற பிரிவுகள் கொண்ட நமது போக்குவரத்து சாலைகளுக்குப் பெரும் அபிவிருத்திகள் செய்ய இந்த வரவு செலவுத் திட்டத்தில் மொத்தம் சுமார் 172 லட்ச ரூபாய் ஒதுக்கப்பட்டுள்ளது. அடுத்து வரும் ஆண்டுகளில் இன்னும் அதிகம் செலவு செய்ய இயலும் என்று எதிர்பார்க்கலாம்.

ஸ்தல ஸ்தாபனங்களுக்கு மான்யங்கள்.

12. கிராமப் போக்குவரத்து மார்க்கங்களில் முன்னேற்றம் காணும் திட்டங்களைப் பெரும் அளவில் எடுத்துக்கொள்ள இதுவரை இயலவில்லை. ஸ்தல அபிவிருத்தித் திட்டம், தேசிய வளர்ச்சித் திட்டம் ஆகியவற்றின்கீழ் இத்துறையில் சில வேலைகள் நடந்து வருகின்றன. ஆனால் இவை மட்டும் போதா. சாலைகளைப் பராமரிப்பதில்தான் சிக்கல் எழுகிறது. இப்பொறுப்பு மாவட்ட மன்றங்களுக்கும் (District Boards) பஞ்சாயத்துகளுக்கும் பெரும் பாரமாகிறது ; இதை அவற்றால் தாங்க முடியவில்லை. ஸ்தல சுயாட்சி ஸ்தாபனங்கள் அரசாங்க மான்யங்களையே மிகப்பெரிதும் நம்பி நிற்பதால், உள்ளூர் மக்கள் சொந்த முயற்சி செய்து செயலாற்றும் சக்தியை

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இழக்கும் நிலை ஏற்பட்டுவிட்டது. ஸ்தல ஸ்தாபனங்களின் வருவாயைப் பெருக்க வழிதேடுவது மிகவும் அவசரத் தேவையாக உள்ளது. ஆனால் அதை நீண்ட கால அடிப்படையில் செய்வதற்கு வழிகள் தேடி வசதிகள் செய்ய நாளாகும். அதற்கிடையே நாம் இப்பிரச்சினையை உடனடியாகத் தீர்ப்பதற்கு வழிகண்டாகவேண்டும். இது குறித்து அரசாங்கம் மிக ஆழ்ந்த ஆலோசனை செய்து, நிலத்தின் மீது புதுவரி விதிப்பதன் மூலம் ஸ்தல ஸ்தாபனங்கள் வருவாயைப் பெருக்கத் தீர்மானித்துள்ளனர். இந்த நடவடிக்கை மூலமாக ஆண்டுக்கு சுமார் 75 லட்ச ரூபாய் கிடைக்கக்கூடும். இத்தொகை ஸ்தல ஸ்தாபனங்களுக்கு நேரடியாக மான்யமாக வழங்கப்படும். புது வரிகளுக்கான யோசனைகளைப் பற்றிக் கூறுமிடத்து இதைப்பற்றிய விவரங்களைப் பின்னர் விளக்குவேன். இந்த 75 லட்ச ரூபாயும், சென்னை நகரம் நீங்கலாக மற்ற மாவட்டங்களுக்குப் பகிர்ந்து தரப்படும். இதில் சுமார் 25 லட்ச ரூபாய் பஞ்சாயத்துகளுக்கு வழங்குவதற்கென்று தனியாக ஒதுக்கப்படும். இந்த மான்யம், சாலை வேலைகளுக்காக மட்டுமே செலவு செய்யப்படவேண்டும் என்று ஒதுக்கப்படாது. ஆனால் இவ்வாறு தங்கள் வருவாய் பெருகியதன் பயனாய் கிராமப் போக்குவரத்துச் சாலைகளை அபிவிருத்தி செய்வதில், ஸ்தல ஸ்தாபனங்கள் அதிக அக்கறை காட்டிப் பொறுப்பேற்றுக் கொள்ள இயலும் என்று அரசாங்கம் நம்புகிறது. புதுப் பாதை வேலைகளுக்காக ஸ்தல ஸ்தாபனங்களுக்கு மான்யம் வழங்க வழக்கமாக ஒதுக்கப்படும் சுமார் 17 லட்ச ரூபாய் தனியாக வழங்கப்படும். பாதைகளுக்காகச் சென்னை நகரசபைக்கு நடப்பு ஆண்டில் 5 லட்ச ரூபாய் மான்யம் வழங்கப்பட்டுள்ளது என்பதைக் கனம் அங்கத்தினர்கள் முன்பே அறிவார்கள். இந்த வரவுசெலவுத் திட்ட ஆண்டிலும் இது தொடர்ந்து அளிக்கப்படும்.

13. இந்த ஆண்டில் கல்வித் துறையில் ஏற்பட்டுள்ள முன் கல்வி. நேற்றமும் குறிப்பிடத்தக்கது. இந்திய அரசாங்கம் அளிக்க முன் வந்த உதவியைப் பயன்படுத்திக்கொண்டு, பள்ளிக்கூடங்கள் இல்லாத ஊர்களில் 2,800 புது ஆரம்பப் பள்ளிகளை சமீபத்தில் திறந்ததோடு, முன்பேயுள்ள பள்ளிக்கூடங்களுக்கு மேலும் 200 ஆசிரியர்கள் நியமனம் செய்துள்ளோம். இன்னும் 1,500 பள்ளிகள் திறக்கவும், இப்போதுள்ள பள்ளிகளுக்கு மேலும் 1,000 ஆசிரியர்கள் நியமிக்கவும் தீர்மானித்துள்ளோம். நடப்பு ஆண்டிலும் அடுத்த ஆண்டிலுமாக, இது செய்து முடிக்கப்படும். இத்துடன் 500-க்கு மேற்பட்ட மக்கள் தொகைகொண்ட எல்லாக் கிராமங்களிலும் பள்ளிக்கூடங்கள் ஏற்பாடாகிவிடும்.

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ஏறக்குறைய ஒவ்வொரு குக்ராமத்துக்கும் இரண்டு அல்லது மூன்று மைல்கள் தூரத்திற்குள்ளாக ஒரு பள்ளிக்கூடம் இருக்கும் என்பதால், நம் ராஜ்யத்தில் பெரும்பாலான பகுதிகளில் வசிக்கும் குழந்தைகள் அனைவருக்கும் ஆரம்பக் கல்வி பெற வசதி ஏற்படும். இக்கட்டத்தில் இன்னும் சிறு சிறு கிராமங்களுக்கும் பள்ளிகளை நிறுவுமுன் சற்று பொறுத்து, புதிதாகத் திறந்துள்ள இப்பள்ளிகளுக்குத் தேவையான கட்டிட வசதிகள் சாதனங்கள் ஆகியவை கிடைக்கும்படி செய்து அவற்றை உறுதிப்படுத்துவது நலமாக இருக்கலாம். இதற்கிடையே டாக்டர் அழகப்ப செட்டியார் தலைமையில் நிறுவப்பட்ட ஒரு கமிட்டி, தற்போதைய ஆரம்பக் கல்வி முறையை ஆராய்ந்து வருகிறது. அக்கமிட்டியின் சிபார்சுகளை நாம் மிகுந்த ஆவலுடன் எதிர்பார்த்துக்கொண்டுள்ளோம். நடுத்தரக் கல்விக் கமிஷனின் அறிக்கையை, அரசாங்கம் இப்பொழுது கூர்ந்து பரிசீலனை செய்து வருகிறது. அந்த அறிக்கையில் குறிப்பிடப்பட்டுள்ள சில அம்சங்கள் குறித்து இப்பொழுது கருத்து வேறுபாடுகள் எழும்புள்ளன. இது குறித்துப் பொது மக்களின் கருத்து வெளிப்பட்டு ஒரு நிலைக்கு வர, நாம் போதிய அவகாசம் அளிக்கவேண்டும். இதற்கிடையே இப்பொழுதுள்ள பள்ளிக்கூடங்களைப் பல நோக்கப் பள்ளிக்கூடங்களாக மாற்றி, நூல் நிலையங்களை அபிவிருத்தி செய்யவும், தொழிற் பயிற்சிக்கு வசதி செய்யவும், நாம் தீவிரமாக நடவடிக்கைகள் எடுத்து வருகிறோம். இந்திய அரசாங்கம் அளிக்க முன்வந்துள்ள உதவியைப் பயன்படுத்திக்கொண்டு இத்திட்டங்களுக்காக இந்த வரவுசெலவுத் திட்ட ஆண்டில் சுமார் 50 லட்ச ரூபாய் செலவு செய்ய முடியும் என்று நாம் எதிர்பார்க்கலாம். இளைஞர்களிடையே இன்னும் சிறந்த ஒழுக்கத்தையும் கட்டுப்பாட்டு உணர்ச்சியையும் வளர்க்கும்பொருட்டுத் தேசிய மாணவர் ராணுவப் பயிற்சிப் படையை விரிவாக்க நாம் உத்தேசித்துள்ளோம். இந்த வரவுசெலவுத் திட்ட ஆண்டில் சுமார் 5 லட்ச ரூபாய் செலவில் இன்னும் ஒரு நூறு படைகளுக்கு (troops) பள்ளிக்கூடங்களில் பயிற்சி தர பணம் ஒதுக்கப்பட்டுள்ளது.

ஹரி ஜனங்கள், பள்ளிக்கூடச் சம்பளம் கட்டவேண்டிய தில்லை என்பதையும் பின்தங்கிய வகுப்பினருக்குப் பாதிச் சம்பள சலுகை உண்டு என்பதையும் கனம் அங்கத்தினர்கள் அறிவார்கள்; 6 வயது முதல் 14 வயது வரை உள்ள நம் சிறுவர்கள் அனைவருக்கும் இலவசக் கல்வி அளிப்பது நம் அரசியல் சட்டத்தில் உள்ள குறிக்கோள்களில் ஒன்று என்ற போதிலும், மற்ற வகுப்பைச் சேர்ந்த மாணவர்கள், தங்கள் பெற்றோரின் தரம் எதுவாயிருந்தபோதிலும், பொதுவாக முழுச் சம்பளமும் செலுத்தவேண்டியுள்ளது. அரசாங்கம்

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இதைத் தீர ஆலோசித்து, அடுத்த பள்ளிக்கூட ஆண்டு முதல் சாதி, சமய, இன வேறுபாடு இல்லாமல் ஏழைக் குழந்தைகள் அனைவருக்கும் நடுத்தர பள்ளிக்கூட நிலை வரை அதாவது மூன்றாவது படிவம் முடியும் வரை, பள்ளிச் சம்பளம் செலுத்துவதிலிருந்து விலக்கு அளிக்கத் தீர்மானித்துள்ளனர். மாணவனின் தந்தையோ, பொறுப்பாளரோ, ஆண்டுக்கு 1,200 ரூபாய்க்குக் குறைந்த வருவாய் பெறுபவராய் இருந்தால், அந்த மாணவன் ஏழை என்று கருதப்பட்டு, அவனுக்குச் சம்பள விலக்கு அளிக்கப்படும். பள்ளி நிர்வாகங்களுக்கு இதனால் வருவாயில் ஏற்படும் நஷ்டம் ஈடு செய்யப்படும். ஆரம்பக் கல்வி பொதுவாக இலவசமாய் உள்ள போதிலும், அரசாங்க உதவி பெறும் சில ஆரம்பப் பள்ளிகளில் கட்டணம் வசூலித்து வருகின்றனர். இந்தப் பள்ளிகளின் நிர்வாகங்களுக்கும் தகுந்த முறையில் நஷ்டத்துக்கு ஈடு செய்யப்படும். இதன் காரணமாக சுமார் 50 லட்ச ரூபாய் சர்க்காருக்குச் செலவு ஏற்படும் என்று எதிர்பார்க்கப்படுகிறது. இதற்காக வரவுசெலவுத் திட்டத்தில் பணம் ஒதுக்கப்பட்டுள்ளது.

14. வரவுசெலவுத் திட்ட மதிப்பீடுகளைப் பற்றிக் கூறு 1954-55 முன்பு, நடப்பு ஆண்டுக்கான திருத்தப்பட்ட மதிப்பீடுகள் ஆண்டு : திருத்தப்பட்ட மதிப்பீடுகள் பற்றிச் சுருக்கமாகக் குறிப்பிட விரும்புகிறேன். சென்ற மார்ச்சு மாதம் வரவுசெலவுத் திட்டத்தை உங்கள் முன் வைத்தபோது, புது வரிகளிலிருந்து கிடைக்கக்கூடிய 40 லட்ச ரூபாயைச் சேர்த்து மொத்த வருமானம் 45 கோடி ரூபாய் ஆகும் என்றும், செலவு 45 கோடியே 18 லட்ச ரூபாய் ஆகுமென்றும், ஆகவே, 18 லட்ச ரூபாய் துண்டு விழும் என்றும் மதிப்பீட்டிருந்தோம். இப்போது நிர்ணயமாகியுள்ள திருத்தப்பட்ட மதிப்பீடுகளின்படி, வருமானம் 45 கோடியே 18 லட்ச ரூபாய் ஆகிறது. செலவு 47 கோடியே 68 லட்ச ரூபாய் ஆகிறது. ஆகவே எதிர்பார்த்ததைவிட மிக அதிகமான துண்டு—249 லட்ச ரூபாய்—விழுகிறது. புது வரி விதிப்பு யோசனைகளில், அபிவிருத்தி வரி விதிப்பு, காப்பி, தேயிலை முதலிய தோட்டங்கள் மீது விவசாய வருமான வரி விதிப்பு, நீதிமன்றக் கட்டணத் தொகைத் திருத்தம் ஆகியவை இன்னும் அமுலில் வரவில்லை. நடுத்தர ஆலைத் துணி மீது, ஒரு முனையில், ரூபாய்க்கு ஒன்றே காலனாவாக விற்பனை வரியை உயர்த்தி விதிப்பதற்கு, ஜனாதிபதியின் அங்கீகாரம் இன்னும் கிடைக்கவில்லை. இன்றியமையாத ஒரு பொருளின்மீது விதிக்கப்படும் இந்த வரி முற்றிலும் நியாயமானதல்ல என்று இந்திய அரசாங்கம் கருதுவதாகத் தெரிகிறது. கைத்தறித் துணி அதிகம்

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உற்பத்தியாகி, விற்பனையாக மிகவும் சிரமப்பட்டுக்கொண்டிருக்கும் நம் ராஜ்யத்தில், ராஜ்ய அரசாங்கத்தின் முடிவை நிறுத்தி வைக்க மத்திய அரசாங்கத்துக்குள்ள அதிகாரத்தை உபயோகிக்க வேண்டிய அளவுக்கு, நடுத்தர ஆலைத் துணி அவ்வளவு இன்றியமையாத பொருள் அல்ல என்பதை இச்சபை என்னுடன் சேர்ந்து வலியுறுத்தும் என்று நான் நம்புகிறேன். நம் ராஜ்யத்தில் கொள்முதல் செய்வோர்மீது இந்த வரியை விதிப்பதற்கு முன்பு, ராஜ்ய சட்ட சபை, இப்பிரச்சனையை எல்லாக் கோணங்களிலிருந்தும் ஆராய்ந்த பின்னரே முடிவு செய்தது. வரி விதிப்பு விசாரணைக் கமிஷனின் சிபார்சுகளை முன்னிட்டு மத்திய அரசாங்கம் தங்கள் கருத்தை விரைவில் மாற்றிக்கொள்வார்கள் என்று நாம் எதிர்பார்ப்போமாக. மெல்லிய, மிக மெல்லிய, ஆலைத்துணி ரகங்கள்மீது விற்பனை வரி இந்த ஆண்டின் பின்பகுதியில்தான் அமுலில் வந்தது. அதன் மூலம் இந்த ஆண்டில் எஞ்சியுள்ள பகுதிக்குச் சுமார் 20 லட்ச ரூபாய் கிடைக்கக்கூடும். இது சேர்ந்தும் கூட, பொது விற்பனை வரியிலிருந்து, வரவுசெலவுத் திட்டத்தில் நாம் மதிப்பிட்டிருந்த 950 லட்ச ரூபாய்க்குப் பதிலாக, 875 லட்ச ரூபாய் வருவாய்தான் கிடைக்கலாம். விற்பனை வரியிலிருந்து வருவாய்க் குறைவை நிலவரியிலிருந்து கிடைத்த வருவாய் ஓரளவு ஈடுசெய்தது. இந்த இனத்தில் முதலில் நாம் மதிப்பிட்டிருந்த 595 லட்ச ரூபாய்க்கு எதிராக, 636 லட்ச ரூபாய் கிடைக்குமென இப்பொழுது எதிர்பார்க்கப்படுகிறது. பருவ நிலைகள் சாதகமாயிருந்ததும், பெரிய நிலவுடைமைகள்மீது படிப்படியாக உயர்ந்த உபரி வரி விதித்துமே இந்த இனத்தில் வருவாய் அதிகரித்ததற்குக் காரணங்கள். வருமானத்தின் கீழ் மற்ற சாதகமான அம்சங்கள், மின்சார வருவாயிலிருந்து முன்பு மதிப்பிட்ட 207 லட்ச ரூபாய்க்குப் பதிலாக 257 லட்ச ரூபாய் கிடைத்துள்ளதும், “வனங்கள்” இனத்தில் முன்பு மதிப்பிடப்பட்ட 110 லட்ச ரூபாய்க்குப் பதிலாக 145 லட்ச ரூபாய் கிடைத்ததும் ஆகும். எஸ்டேட் வரியின் மூலம் முதன் முறையாக நடப்பு ஆண்டில் 10 லட்ச ரூபாயும் அடுத்த ஆண்டில் 25 லட்ச ரூபாயும் பெறுவோம். இந்தச் சட்டத்தின் பிரிவுகளை விவசாய சொத்துக் களுக்கும் பொருந்தும்படி நம் ராஜ்யத்தில் விரிவாக்கியபின், இந்த வரி, நாளடைவில் அதிகரிக்கும் வருவாய் இனமாக இருக்கும்.

திருத்தப்பட்ட மதிப்பீட்டில் செலவை மிகவும் அதிக மாய்க் காட்டியிருப்பதைக் கண்டு ஆச்சரியப் படுவதற்கில்லை. இந்த ஆண்டில் நாம் முன்னேற்றத் திட்டங்களைப்

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பெரிதும் விரிவாக்கியுள்ளோம். கல்விக்கான செலவு மட்டும் 854 லட்ச ரூபாயிலிருந்து 915 லட்ச ரூபாயாக, அதாவது 61 லட்ச ரூபாய் அதிகமாக உயர்ந்துள்ளது. ‘சிவில் வேலைகள்’ என்ற இனத்தில், பெரும்பாலும் சாலைகளுக்காகவும் ஓரளவு தண்ணீர் விநியோகத் திட்டங்கள், கழிவு நீர்ப்போக்குத் திட்டங்களுக்காகவும் 94 லட்ச ரூபாய் அதிகம் செலவாகியுள்ளது. வரவுசெலவுத் திட்டம் வகுக்கப்பட்ட பின்பு, தேசிய வளர்ச்சித் திட்டத்தைச் சில புதிய இடங்களிலும் கொண்டுவந்துள்ளோம்.

இந்த ஆண்டு மூலதனச் செலவு, முன்பு மதிப்பிடப்பட்ட 12 கோடியே 62 லட்ச ரூபாய்க்கு மாறாக 13 கோடியே 51 லட்ச ரூபாயாக இருக்கும் என்று எதிர்பார்க்கப்படுகிறது. கிராமங்களுக்கு மின்சார வசதியைப் பெருக்குவதில், குறிப்பாக அதிகம் செலவாகியுள்ளது. முக்கியமாக நகர குடிதண்ணீர் வசதித் திட்டங்களுக்காக முனிசிபாலிட்டிகளுக்கு கடன்களாகவும் அதிகப் பணம் வழங்கப்பட்டுள்ளது. பல்வேறு இனங்களில் மத்திய அரசாங்கத்திலிருந்து பெறக்கூடிய கடன்கள் மொத்தம் 12 கோடி ரூபாய் ஆகும். நடப்பு ஆண்டு, 367 லட்ச ரூபாய் ரொக்கக் கையிருப்புடன் முடிவடையும் என்று எதிர்பார்க்கப்படுகிறது.

15. 1955-56-ம் ஆண்டு வரவுசெலவுத் திட்ட மதிப்பீடு 1955-56 :
களின்படி, இப்போதுள்ள வரி விதிப்புகளை மட்டுங்கொண்டு வரவு செலவுத் திட்ட மதிப்பீடுகள்.
46 கோடியே 27 லட்ச ரூபாய் வருவாய் கிடைக்கும்; 49 கோடியே 58 லட்ச ரூபாய் செலவு ஆகும். ஆகவே 331 லட்ச ரூபாய் துண்டு விழும். நான் முன்பு குறிப்பிட்டபடி பள்ளிச் சம்பளச் சலுகை, ஸ்தல ஸ்தாபனங்களுக்கு விசேஷ மான்யங்கள் ஆகியவை உள்பட 261 புதிய திட்டங்களுக்குப் பண வசதி செய்யப்பட்டுள்ளது. இத்திட்டங்களை வரவுசெலவுத் திட்டக் குறிப்புரையுடன் (Budget Memorandum) இணைக்கப்பட்டுள்ள விரிவான பட்டியலில் காணலாம். பருவ நிலைமை சாதாரணமாக இருக்கும் என்றும், குறிப்பிடத்தக்க தடைகள் எதுவும் இல்லாமல் நிலவரி வருவாய் கிடைக்கும் என்றும் பஞ்ச நிவாரண வேலைகள்மீது பெருவாரியான பணம் செலவு செய்ய அவசியம் இருக்காது என்ற அடிப்படையில் இந்த மதிப்பீடுகள் நிர்ணயிக்கப்பட்டுள்ளன. மெல்லிய, மிகமெல்லிய ரகத் துணி மீது விதித்துள்ள அதிகப்படியான விற்பனை வரி மூலம் 40 லட்ச ரூபாய் கிடைக்கும் என்றும் பருவ நிலைமை சாதகமாய் இருப்பதால் பொது விற்பனை வரியின் மூலம் 25 லட்ச ரூபாய் அதிக வருவாய் கிடைக்கும் என்றும் மதிப்பிட்டு, அவை அடங்கலாக, 920 லட்ச ரூபாய் வருவாய்

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விற்பனை வரியிலிருந்து கிடைக்கும் என்று நிர்ணயிக்கப் பட்டுள்ளது. நமது மின்சார இணைப்பு மிகவேகமாக விரிவடைவதை முன்னிட்டு, மின்சாரத் திட்டங்களிலிருந்து நிகர வருவாய் நடப்பு ஆண்டில் 257 லட்ச ரூபாயாக இருப்பதற்கு மாறாக, அடுத்த ஆண்டில் 320 லட்ச ரூபாயாக உயரும் என்று எதிர்பார்க்கப்படுகிறது. மோட்டார் ஸ்பிரிட் வரியின்கீழ் வருவாய் குறைந்து வருகிறது. ஆனால் இதற்குப் பெருன்பாலும் காரணம் பஸ், லாரி வண்டிகள் பெட்ரோலுக்குப் பதிலாக டீசல் எண்ணையை உபயோகிப்பதுதான். வருவாயின் மற்ற அம்சங்களைப்பற்றி விசேஷமாகக் குறிப்பிடுவதற்கு எதுவும் இல்லை.

செலவினத்தைப் பொருத்தவரை, நான் முன்பு பொதுப் படையாகக் குறிப்பிட்டுள்ளபடி, எல்லா சமூக நல இலாகாக்களின் வேலைகளும் எல்லாத் துறைகளிலும் விரிவடைந்துள்ளன. ஹரிஜனங்கள், பின்தங்கிய வகுப்பினர் ஆகியோர் நலவுரிமைகளுக்காகச் செலவிடப்படும் தொகை உயர்த்தப்பட்டு, 1 கோடியே 10 லட்ச ரூபாயாக இருக்கும் என்று எதிர்பார்க்கப்படுகிறது. நமது ஆஸ்பத்திரிகளில் வசதிகளைப் பெருக்கவும், நோயாளிகளின் படுக்கை எண்ணிக்கையை அதிகரிக்கவும் சுமார் 15 லட்ச ரூபாய் ஒதுக்கப்பட்டுள்ளது. அரசாங்க ஊழியர்கள் எடுத்துக்கொள்ளக் கூடிய விடுமுறை விதிகள் சற்று தளர்த்தப்படும். சென்னை விடுமுறை விதிகளுக்குட்பட்ட அரசாங்க ஊழியர்கள் தங்கள் விடுமுறைக் காலத்தை 90 நாட்கள் வரை மட்டுமே சேர்த்து வைத்துப் பயன்படுத்த இதுவரை அனுமதிக்கப்பட்டு வந்தனர். இனி 120 நாட்கள் வரை சேர்த்து வைக்க அனுமதிக்கப்படுவார்கள். கடந்த 36 மாதங்கள் அவர்கள் வாங்கி வந்த சம்பளத்தின் சராசரியைக் கணக்கிட்டு விடுமுறைச் சம்பளமாக இதுவரை தரப்பட்டது. இனி மேல் 12 மாதங்களின் சம்பளத்தின் சராசரியைக் கொண்டு விடுமுறைச் சம்பளம் கணக்கிடப்படும். சுருக்கமுத்தாளருக்கு வழங்கப்படும் விசேஷப்படி, விடுமுறை காலத்திலும் அவர்களுக்குத் தரப்படும். இந்தச் சலுகைகளால் ஏற்படும் செலவைக் கணக்கிடுதல் கடினம். ஆனால் நாளடைவில் அச் செலவு பெரிதாகும்.

போலீஸ் இனத்தில் செலவு 463 லட்ச ரூபாயிலிருந்து 486 லட்ச ரூபாயாக உயர்ந்துள்ளதாகக் காணப்படுகிறது. மது விலக்கு அதிகாரிகளை ரெவின்யூ போர்டிலிருந்து போலீஸ் இலாகாவுக்கு மாற்றியுள்ளதுதான் இதற்குக் காரணமே ஓழிய உண்மையில் செலவு அதிகரிக்கவில்லை. இச்செலவுத்

[26th February 1955]

தொகை முன்பு 'எக்சைஸ்' இனத்தின்கீழ் காட்டப்பட்டு வந்தது. இப்பொழுது, இதற்கேற்றாற் போல், அந்த இனத்தின்கீழ் செலவுத் தொகை குறைக்கப்பட்டுள்ளது.

இந்த ஆண்டில் மூலதனச் செலவு 20 கோடியே 60 லட்ச ரூபாய் என மதிப்பிடப்பட்டுள்ளது. இதில் 7 கோடியே 46 லட்ச ரூபாய் நீர்ப்பாசனத்துக்கும், 11 கோடியே 40 லட்ச ரூபாய் மின்சாரத் திட்டங்களுக்கும், கட்டிடங்கள், போக்குவரத்து சாதனங்கள், தொழில்கள் ஆகியவற்றிற்காகவும் ஐயின்தார்களுக்கு நஷ்ட ஈடாகவுமாக 174 லட்ச ரூபாய் செலவாகும். சென்னை நகரத்திலும் வெளியூர்களிலும் போலீஸ் ஊழியர்களுக்கு வீடுகள் கட்ட 45 லட்ச ரூபாய் ஒதுக்கப்பட்டுள்ளது. இது நீண்ட காலத் திட்டத்தில் ஒரு பகுதியே ஆகும். அந்த நீண்ட காலத் திட்டத்தை நிறைவேற்ற நான்கு கோடி ரூபாய் வேண்டியிருக்கும். அதை நடத்த மத்திய அரசாங்கத்தின் உதவியை நாம் கோரியுள்ளோம். அந்த உதவி கிடைத்தால், இத்திட்டத்தைத் துரிதப்படுத்த முடியும். இதன்படி, ராஜ்ய மெங்கும் போலீஸ் ஊழியர்களுக்குத் தகுந்த வீட்டு வசதி விரைவில் செய்து தரமுடியும். கட்டிடம் கட்ட மற்ற திட்டங்களில், ஆதாரப் பயிற்சிப் பள்ளிகள் கட்டப் பன்னிரண்டு லட்ச ரூபாய் செலவு செய்ய ஒரு திட்டமும், டாட்ஹன்டர் நகரில் அரசாங்க ஊழியர் குடியிருப்புக் காலனியை மேலும் விரிவாக்க 2 லட்ச ரூபாய் செலவு செய்ய ஒரு திட்டமும் உள்ளன. இன்னும் ஐம்பது பெரிய டீசல் பஸ்கள் வாங்கி, சென்னை நகர பஸ் அமைப்பைப் பலப்படுத்தத் தீர்மானிக்கப்பட்டுள்ளது. இதற்காக 25 லட்ச ரூபாய் ஒதுக்கியுள்ளோம். ஆந்திர ராஜ்யம் பிரியமுன் கூட்டு ராஜ்யத்தில் பணியாற்றி வந்த இயந்திரத் தொழில் முதலீடு கார்ப்பொரேஷனுக்குள்ள 102 லட்ச ரூபாய் மதிப்புள்ள பங்குகளின் பிரிவினையைப்பற்றி ஆந்திர அரசாங்கத்துடன் பேச்சு வார்த்தை நடத்தி வருகிறோம். பங்கு மூலதனத்தில் அவர்களுக்குரிய பங்கு சுமார் 36 லட்சம். அதில் அந்தப் பிரதேசத்தில் கார்ப்பொரேஷன் செய்துள்ள முதலீடுகளை ஆந்திர அரசாங்கம் எடுத்துக்கொள்ளக் கூடும். அந்த முதலீடுகளின் மதிப்பு சுமார் 16 லட்ச ரூபாய். மீதியை நாம் அவர்களுக்கு ரொக்கமாகத் தரவேண்டியிருக்கும். இதற்குத் திருப்திகரமான முடிவு காணமுடியும் என்ற நம்பிக்கை இப்பொழுது எழுந்துள்ளது. வரவுசெலவுத் திட்டத்தில் இதற்காக 20 லட்ச ரூபாய் ஒதுக்கிவைக்கப்பட்டுள்ளது.

அரசாங்கம் கொடுத்துதவும் கடன்கள், முன்பணம் ஆகிய இனங்களில் 612 லட்ச ரூபாய் வேண்டியிருக்கும் என மதிப்பிடப்பட்டுள்ளது. முன்பு குறிப்பிட்டபடி, நகரங்களில்

[26th February 1955]

தண்ணீர் வசதித் திட்டங்களுக்காகவும் கழிவு நீர்ப்போக்குத் திட்டங்களுக்காகவும் ஸ்தல ஸ்தாபனங்களுக்குத் தர 190 லட்ச ரூபாயும் இதில் அடங்கியுள்ளது. முன்பு தந்த கடன் தொகை களைத் திரும்பப் பெறுவதன் மூலம் இந்த ஆண்டு 255 லட்ச ரூபாய் கிடைக்கலாம். ஆகவே இந்த இனத்தில் நிகர செலவு 357 லட்ச ரூபாய் ஆகும்.

புது வரி
விதிப்பு
யோசனைகள்.

16. மூலதன்ச் செலவினத்தில் நாம் செய்யவேண்டிய செலவு களோ மிகப் பெருவாரியானவை. சமூக நல இலாக்காக்களின் பொறுப்புகளும் வரவரப் பெருகி வருகின்றன. இந்நிலையில் துண்டு விழும் தொகையான 331 லட்ச ரூபாயைச் சரிக் கட்டாமல் விடுவது சரியல்ல. அதிலும் குறிப்பாகச் சில ஆண்டுகளாகவே தொடர்ந்து வரவுசெலவுத் திட்டத்தில் துண்டு விழுந்துகொண்டே வருகிறது. மலைத் தோட்டங்கள் மீது விவசாய வருமானவரி விதிப்பு, அபிவிருத்தி வரி விதிப்பு, நீதிமன்றக் கட்டண திருத்தம் ஆகிய புதிய வரி விதிப்புகள் விருந்து வரவுசெலவுத் திட்ட ஆண்டில் சுமார் 50 லட்ச ரூபாய் கிடைக்கக்கூடும். ஆகவே துண்டு விழும் தொகை அந்த அளவு குறைந்து 281 லட்ச ரூபாய் ஆகக்கூடும்.

நஞ்சை, புஞ்சை, தோட்டம் ஆகிய எல்லா நிலங்கள் மீதும், நிலவரியிலும், எல்லா தண்ணீர்த் தீர்வைகளிலும் ரூபாய்க்கு இரண்டாறு வீதம் அதிகப்படி கட்டணம் (சர்சார்ஜ்) விதிக்க இப்பொழுது தீர்மானிக்கப்பட்டுள்ளது. 1954-ம் ஆண்டு பத்தொன்பதாவது சட்டத்தின் கீழ் பெரிய நிலவுடைமைகளுக்கு விசேஷ வரி கணக்கிடுவதில் இந்த அதிகப்படிக் கட்டணத் தொகை சேர்த்துக்கொள்ளப் பட்டது. இதன் மூலம் சுமார் 75 லட்ச ரூபாய் கிடைக்கக் கூடும். முன்பு குறிப்பிட்டபடி, ஸ்தல ஸ்தாபனங்களின் வருவாயை அதிகரிக்க வழங்கவிருக்கும் மான்யமான 75 லட்ச ரூபாயை இது ஈடு செய்யும். இப்போதைய நிதி நிலைமையில் இப்புதிய வரி விதிப்பு மூலம் தேவையான தொகையைத் திரட்டாமல் இந்தப் புதிய மான்யம் வழங்க நாம் முன்வர முடியாது. பருவ நிலை சாதகமாக இருக்கிறது. யுத்தத்துக்கு முன்பிருந்த நிலையுடன் ஒப்பிட்டால், நிலவரியின் சுமை குறைவாகவே உள்ளது. ஆகவே இப்புது வரி, அதிக சுமையாக இருக்காது என்று அரசாங்கம் நம்புகிறது.

1953-ம் ஆண்டு நான்காவது சட்டத்தின் கீழ், உயர்ந்த சிகரெட்டுகளுக்கும், சுருட்டுகளுக்கும் தனிவரி விதிக்கப்பட்டிருக்கிறது. ஆனால் புகையிலையும் அதன் வழி வந்த மற்ற பொருட் களும், இப்பொழுது விற்பனை வரியிலிருந்து விலக்கப் பட்டுள்ளன. உணவுப் பொருட்களும் உடையும் உட்பட ஏறக்

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குறைய ஒவ்வொரு பொருள் மீதும் விற்பனை வரி விதிக்கப்படும் ராஜ்யத்தில் புகையிலைக்கு மட்டும் விலக்கு அளிக்க நியாய மில்லை. சுமார் 1944-ம் ஆண்டு வரை, நாம் புகையிலை மீதும் வரி விதித்து வந்தோம். அதன் பின், மத்திய அரசாங்கம் அளித்த நஷ்ட ஈடுத் தொகையை பெற்றுக்கொண்டு, அந்த வரியை நிறுத்தினோம். இப்பொழுதோ மத்திய அரசாங்கம் அளித்து வந்த தொகை நின்று விட்டது. ஆகவே 1953-ம் ஆண்டு நான்காவது சட்டத்தின் கீழ் இன்னும் அதிக வரி விதிக்கப்படும் உயர்தரப் புகையிலை உற்பத்திப் பொருட்களைத் தவிர, புகையிலையும் அதன் வழி வந்த பொருட்களும் மற்ற கொள் முதல் பொருட்கள் போலவே, பொது விற்பனை வரிக்கு உட்பட வேண்டும் என்று அரசாங்கம் கருதுகிறது. காலணு வுக்குக் குறைவாய் விலை மதிப்புள்ள சிகரெட்டுகள் மீது, மொத்த விற்பனையில் 5 சத வீகிதம் வரி விதிக்கப்படும். அதற்குப் பிறகு, இப்பொழுது கொண்டுவரப்படும் பொது விற்பனை வரியிலிருந்து அவற்றிற்கு விலக்களிக்கப்படும். இதன் மூலம் வரவுசெலவுத் திட்ட ஆண்டில் சுமார் 50 லட்ச ரூபாய் கிடைக்கக் கூடும்.

சென்ற வரவுசெலவுத் திட்டத்தில், இறைச்சி, மீன், காய்கறிபோன்ற பொருட்களுக்கு விற்பனை வரியிலிருந்து விலக்கு அளித்தோம். அதே கொள்கைக் கிணங்க, இப்பொழுது வெங்காயம், உருளைக்கிழங்கு, வெற்றிலை, வாழை இலை ஆகிய வற்றிற்கு விற்பனை வரியிலிருந்து விலக்கு அளிப்பதென்று தீர்மானிக்கப்பட்டுள்ளது. பனைவெல்லம் உற்பத்தி செய்யும் கூட்டுறவு சங்கங்கள் விற்பனை செய்யும் பனைவெல்லத்துக்கு விற்பனை வரி விதிக்கப்படாது. சமக்காளம், பானைகள், கற் பாண்டங்கள், பித்தளை சாமான்கள், விளையாட்டு சாமான்கள் போன்று, குடிசைக் கைத்தொழில் கூட்டுறவு சங்க மூலம் உற்பத்தி செய்யப்பட்டு, அச்சங்கங்களால் விற்பனை செய்யப் படும் பொருள்களுக்கும் விற்பனை வரி விலக்கு அளிக்கப்படும். இச்சலுகைகளுக்கு சுமார் 10 லட்ச ரூபாய் ஆகக்கூடும். ஆனால் எண்ணற்ற சிறிய வியாபாரிகளுக்கும் கூட்டுறவு சங்கங்களுக் கும் இது பெரிய நன்மை பயக்கும்.

இப்புது வரி விதிப்பு யோசனைகளால் நிகர வருவாய் சுமார் 115 லட்ச ரூபாய் கிடைக்கக்கூடும். துண்டு விழும் தொகை இதனால் மேலும் குறைந்து 166 லட்ச ரூபாய் ஆகும். மத்திய அரசாங்கத்தின் வரவுசெலவுத் திட்டத்தில் நமக்கு இன்னும் அதிக உதவி கிடைக்கக்கூடும் என்று எதிர்பார்த்து, இந்தத் துண்டைச் சரிக்கட்டாமல் விட உத்தேசித்துள்ளோம்.

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ரொக்க வசதித்
தேவைகள்.

17. இந்த ஆண்டு நமக்கு ரொக்க வசதித் தேவைகள் சுமார் 30 கோடி ரூபாய் ஆக இருக்கும். இதன் விவரம் பின்வருமாறு:—

	ரூபாய் (லட்சத்தில்).
மூலதனச் செலவு	20,60
கடன்களாகவும் முன்பணமாகவும் வழங்க நிகர தொகை	3,57
பொதுமக்களிடமிருந்தும், இந்திய அரசாங்கத்திடமிருந்தும் வரங்கிய கடன்களைத் திருப்பித் தர	3,41
ரெவினூ; பற்றாக்குறை	1,66
நிசர்வ பங்களிவும் கஜானாகளிலும் வைத்திருக்க வேண்டிய தொகை	50
மொத்தம்	29,77
அல்லது சுமார் 30 கோடி ரூபாய்.	

தேவைகள் இவ்வாறு இருக்க, நம்மிடம் ஆரம்பத்தில் ரொக்கக் கையிருப்பு 367 லட்சம் ரூபாய் இருக்குமென்றும், முன்பண இனத்திலும், (Deposits, etc.) அரசாங்க வர்த்தகத் திட்டங்கள் மூலமும் 212 லட்ச ரூபாய் கிடைக்குமென்றும், ஆக மொத்தம் 579 லட்ச ரூபாய் கிடைக்குமென்றும் எதிர்பார்க்கிறோம். மேலும் நமக்குத் தேவையான சுமார் 24 கோடி ரூபாயை ஈடுசெய்ய மத்திய அரசாங்கத்திடமிருந்தும் பொதுமக்களிடமிருந்தும் நாம் கடன்கள் பெறமுடியும் என்ற எண்ணத்தில் வரவு செலவுத் திட்டம் வகுக்கப்பட்டுள்ளது.

உணவுப்
பொருள் விலை
வாசிகள்.

18. வரவுசெலவுத் திட்ட அம்சங்களை விளக்கியுள்ளேன். உணவுப் பொருள்கள் விலைகள் சரிந்து வரும் போக்கைக் கண்டு, மக்களிடையே எழுந்துள்ள கவலையைப் போக்க நான் யோசனை எதுவும் கூறவில்லை என்பது உண்மைதான். உலக யுத்தத் துக்குப் பிந்திய ஆண்டுகள் அனைத்திலும் உணவுப் பற்றாக்குறை மிகவும் பெருகி இருந்தது. இறக்குமதி செய்த உணவு தானியங்களை ஏழை மக்களும் வாங்கும்படி நயமான விலைக்கு விற்பதற்காக பொருள்களின் விலையைக் குறைத்து அந்த நஷ்டத்தை அரசாங்கம் ஈடுசெய்ய வேண்டியிருந்தது. இப்போது எழுந்துள்ளது போன்ற நிலைமை இவ்வளவு சீக்கிரம் எழும் என்று நாம் எதிர்பார்க்கவில்லை. ஆகவே இச்சிக்கலைத் தீர்க்க உடனடியான வழிமுறை காணக்கூடிய நிலையில் நாம் இல்லை. நாட்டில் உணவுப் பொருட்கள் போக்குவரத்துக்கு இப்பொழுது தடை எதுவுமில்லை. ஆகவே இப்பிரச்சனையை, மத்திய அரசாங்கம், எல்லா ராஜ்யங்களின் நெருங்கிய ஒத்துழைப்புடனும் தீர்க்க முயலவேண்டும். இப்பொழுது ஏற்பட்டுள்ள நிலைமை

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குறிப்பிட்ட பருவத்தில் தற்காலிகமாக ஏற்பட்டுள்ளதாக இருக்கக்கூடும். உற்பத்தி செய்யும் இடங்களிலிருந்து பற்றாக்குறை இடங்களுக்குத் தானியங்கள் செல்லச் செல்ல, விலை வாசிகள் உயரவும் கூடும். இவ்வாறு நடக்காது என்று நாம் இப்பொழுது நிச்சயம் சொல்வதற்கில்லை. பருவ நிலைமையின் சாதகத்தினாலும், அதிக விளைச்சலினாலும் விலைவாசிகள் குறைந்துள்ள தென்றால், அந்த அளவுக்கு அது வரவேற்க வேண்டியதே. உணவுப் பொருள்களின் விலைகள் சற்றே குறைந்து, அதன் பயனாய் வாழ்க்கைச் செலவு குறைந்தால், அது முக்கியமாக நகர மக்களுக்கு நல்லது; நமது ஏற்றுமதி வியாபாரத்துக்கும் அனுகூலமானது. பொதுத் துறையில் (public sector) அரசாங்கம் செலவை அதிகரித்தால், பொது மக்களின் வாங்கும் சக்தி (purchasing power) வளரும். உணவுப் பொருள்களின் விலையை உயர்த்த அரசாங்கம் இந்த வழியில் உதவக்கூடும். மத்திய அரசாங்க நிதி மந்திரி இப் பிரச்சினையை தீர ஆராய்ந்துகொண்டிருப்பார் என நம்புகிறேன். மொத்தத்தில் நாம் அதிகமாக கவலைப்பட இடமில்லை. தெளிவற்ற புள்ளி விவரங்களைக் கொண்டு ஊகங்கள் செய்யாமலும், பொறுத்திருந்து விலைவாசிகள் போக்கை இன்னும் சிறிது காலத்துக்குக் கவனித்து வரவேண்டும் என்பதே என்கருத்து.

19. இப்பொழுது ஆலோசனையில் உள்ள இரண்டாவது இரண்டாவது ஐந்தாண்டுத் திட்டத்தைப் பற்றி அரசாங்கத்தின் கருத்துத் திட்டம். இதை அறிய, கனம் அங்கத்தினர்கள் விரும்புவார்கள். இத் திட்டத்துக்குப் பொது அடிப்படைக் கோட்பாடுகளை, திட்டக் கமிஷன் இன்னும் வகுத்துத் தரவில்லை. ஆனால் இப்போது தெரிந்திருக்கும் விவரங்களைக் கொண்டு மதிப்பிட்டால், இரண்டாவது திட்டம் முதல் திட்டத்தைப்போல், இருமடங்கு பெரிதாக இருக்கும் என்று நிச்சயமாகக் கொள்ளலாம். முதல் ஐந்தாண்டுத் திட்டத்தில் நாம் பெரிய நீர்ப்பாசன, மின்சாரத் திட்டங்களுக்கு முக்கியத்துவம் தந்தோம்; நாடு பொருளாதாரத் துறையில் வேகமாக முன்னேறுவதற்கு அவை இன்றியமையாதவை. ஆனால் அதனால், முதல் திட்டத்தின் உருவான நன்மைகள் கிராமப் பகுதிகளில் பெருவாரியான மக்களுக்கு கிடைக்கும்படி செய்ய நமக்கு வசதிகள் இல்லாது போயிற்று. ஆரம்பக் கல்வி, குடிதண்ணீர் வசதி, கிராமப் போக்குவரத்து சாலைகள், விவசாய வழிமுறை வசதிகள், கிராமக் கைத் தொழில்கள், மருத்துவ சிகிச்சை—இவைபோல் எல்லாக் கிராம மக்களுக்கும் உள்ள அடிப்படைத் தேவைகள் சிலவற்றை இரண்டாவது ஐந்தாண்டுத் திட்டம் பூர்த்தி செய்யவேண்டும். மக்கள் முழுமனதுடன் ஒத்துழைத்தால்தான் எந்தத் திட்டமும் வெற்றி பெற முடியும். இதற்காக, மக்களின் கருத்தையும்.

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அவர்கள் எந்த அளவுக்குப் பணமும் உழைப்பும் நஷ்ட திட்டத்துக்கு உதவுவார்கள் என்பதையும் பொதுவாக நாம் அறிந்து கொள்வது அவசியம். இவ்வளவு விவரமாகத் திட்டம் வகுப்பதென்றால், இப்பெரிய ராஜ்யம் முழுவதையும் வகுத்துக் கொண்டு ஒரு திட்டம் வகுக்க முடியாது. ஆகவே ஒவ்வொரு மாவட்டத்துக்கும் திட்டம் வகுக்கப்படவேண்டும். ஒரு ஆலோசனைக் குழுவின் உதவியுடன் மாவட்டக் கலெக்டர் தலைமையில் திட்டம் வகுக்க ஏற்பாடு செய்யப்படும். ராஜ்ய ரீதியில் வகுக்கும் மிகப்பெரிய முன்னேற்றத் திட்டங்களைப் பொருத்த வரை, அந்தத் திட்டத்துக்காக அந்தந்த மாவட்டத்தில் செலவாகும் தொகையை நிர்ணயித்து அப்பகுதி மாவட்டத் திட்டத்துடன் சேர்க்கப்படும். மக்கள் கருத்தை அறிய, கிராம சமுதாயத் திட்டம், தேசிய வளர்ச்சித் திட்டம் ஆகியவை நடந்துவரும் பகுதிகளில் வசதி இப்பொழுதே இருக்கிறது. மற்ற இடங்களில் மக்கள் கருத்தை அறிய ஒரு அமைப்பை நாம் உருவாக்கவேண்டும். ஆனால், நிதி வரம்புக்குட்பட்ட திட்டமாய் இருந்தால்தான், செயலாற்ற முடியும். ஆகவே மாவட்டத் திட்டக் குழுக்களின் வேலை, கவனமான மேற்பார்வையில் நடக்க வேண்டும். பல்வேறு சமூக நல இலாக்காக்களின் வேலைகளும் அத்துடன் இணைக்கப்படவேண்டும். இதற்காக அதிகாரி ஒருவரை அபிவிருத்தி கமிஷனர் (Development Commissioner) ஆக அரசாங்கம் சமீபத்தில் நியமித்துள்ளனர். இவர் மாவட்டங்களில் சுற்றுப்பிரயாணம் செய்து, மாவட்ட, கிராம நிலைகளில் திட்டம் வகுக்கத் தேவையான அமைப்பை உருவாக்குவார். திட்டம் வகுப்பது, நிறைவேற்றுவது ஆகிய வேலைகளைக் கவனிப்பது அவர் பொறுப்பாக இருக்கும். மாவட்டத்திட்டத்தின் அளவை நாம் இப்பொழுதே கூறுவதற்கில்லை. ஆனால் கிராம மக்களின் அடிப்படைத் தேவைகளைப் பூர்த்தி செய்ய, ஐந்து ஆண்டுகளில் ஒவ்வொரு மாவட்டத்திலும் அரசாங்கம் இரண்டு முதல் மூன்று கோடி ரூபாய் வரை செலவு செய்ய வேண்டியிருக்கும் என்று கொள்ளலாம். ரொக்கமாகவும் உழைப்பாகவும் கிராம மக்கள் அளிக்கும் உதவியையும் இதோடு சேர்க்கவேண்டும். ராஜ்ய, மத்திய அரசாங்க நிலையில் வகுக்கப்படும் மிகப் பெரிய திட்டங்களில், அந்தந்த மாவட்டத்துக்குரிய பகுதியையும் இதோடு சேர்க்கவேண்டும். ஆகவே மொத்தமாக ஒவ்வொரு மாவட்டத்திலும் திட்டத்தின் கீழ் 10 அல்லது 15 கோடி ரூபாய் செலவாகக்கூடும். ஐந்து ஆண்டு காலத்தில் இவ்வளவு அதிகச் செலவு செய்வதன் பயனாக, நமது கிராமப் பொருளாதாரத்தில் கணிசமான முன்னேற்றம் காண முடியும் என்று நம்ப இடமிருக்கிறது.

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புதுத் திட்டத்தின் கீழ், பல்வேறு சமூக நல இலாக்காக் களுக்கும் இலக்குகள் தயாராகி வருகின்றன. மின்சாரத் துறையில், ஆண்டுக்கு ஆயிரம் கிராமங்களுக்காவது மின்சார வசதியைப் பரப்புவது நம் குறிக்கோள். இதற்காக மின்சார உற்பத்தி அளவை பெரிதும் அதிகரிக்கவேண்டும். ஆகவே பெரியாறு, குந்தா மின்சாரத் திட்டங்கள் விரைவில் நிறைவேற்றப்படவேண்டும். நீர்ப்பாசன பருவத்தில், சாத்தியமான தற்காலிக மின்சார உற்பத்தியை ஸ்திரப்படுத்த, நெய்வேலி பழுப்பு நிலக்கரியைத் துணைக்கொண்டு பெரிய நீராவி மின்சார நிலையம் (thermal plant) ஒன்றும் அமைக்கவேண்டும். மின்சார இலாகாவின் திட்டத்துக்கு சுமார் 80 கோடி ரூபாய் பிடிக்கும் என மதிப்பிடலாம். நீர்ப்பாசனத்தைப் பொருத்தவரை, பெரும் அளவில் உள்ள நீர்வளம் அனைத்தையும் நாம் பயன்படுத்தி ஆகிவிட்டது. திருச்சிராப்பள்ளியில் கட்டளை, புள்ளம்பாடி கால்வாய் திட்டங்கள், சேலத்தில் தொப்பையாறு திட்டம், மலபாரில் காஞ்சீர்புழை திட்டம்போல் இன்னும் சில நடுத்தர வேலைத்திட்டங்கள் ஆலோசனையில் உள்ளன. எங்கெங்கு தண்ணீர் வசதி உள்ளதோ, அங்கெல்லாம் சிறு திட்டங்கள் பல தொடங்கி நடத்துவது, இப்போதுள்ள குளங்களைப் புதுப்பிப்பது, பூமிக்கடியிலுள்ள தண்ணீரைப் பயன்படுத்துவது ஆகியவற்றிற்கு இனி நாம் நமது நீர்ப்பாசனத் திட்டத்தில் முக்கியத்துவம் அளிக்கவேண்டும். ஐந்தாண்டுத் திட்ட காலத்தில் ஒவ்வொரு ஆண்டிலும் இந்தச் சிறிய திட்டங்களுக்காகச் சுமார் ஒரு கோடி முதல் ஒன்றரைக் கோடி ரூபாய் வரை செலவு செய்ய முடியும் என்று எதிர்பார்க்கிறோம். இந்தக் கால எல்லைக்குள், நீர்ப்பாசனத்துக்காகச் சுமார் 25 கோடி ரூபாய் வரைதான் செலவு செய்யக்கூடும் என்று நம்புகிறோம். விவசாயம், கிராம அபிவிருத்தி ஆகிய துறைகளில் இரண்டாவது ஐந்தாண்டுத் திட்டத்தின் ஆரம்ப பருவத் திலேயே தேசிய வளர்ச்சித் திட்டத்தை ராஜ்யம் முழுவதும் நாம் கொண்டுவரக்கூடும். நாம் முன்பு குறிப்பிட்ட கிராம மக்கள் திட்டத்துடன் இத்தேசிய வளர்ச்சித் திட்டமும் புகுத்தப்பட்டால், நமது கிராம மக்கள் ஓரளவு செழிப்புற்று திருப்தியும் அடைவார்கள் என்று நம்புகிறோம். தொழில் துறையைப் பொருத்த வரை, நெய்வேலித் திட்டம் மத்திய அரசாங்கத்தாரால் ஏற்று நடத்தப்பட்டு, வேலை விரைவில் முன்னேறும் என்று நம்பலாம். பழுப்பு நிலக்கரியை, ஒரு எல்கு தொழிற்சாலைக்காகப் பயன்படுத்த முடியுமா என்பது குறித்து இன்னும் பரிசீலனை நடந்துவருகிறது. கன மின்சார இயந்திரத் தொழிலை, தென்னிந்தியாவில் சிறுவவேண்டும் என்று நாம் இப்பொழுது வற்புறுத்தி வருகிறோம். இவற்றில்

THE MADRAS LEGISLATIVE COUNCIL.

Monday, the 28th 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.

SHORT NOTICE STARRED QUESTION.

New railway line from Virudhunagar to Manamadurai.

* 208-A Q.—SRI V. V. RAMASWAMI: Will the Hon. the Minister for Agriculture be pleased to state—

(a) whether the scheme for opening a new railway line from Virudhunagar to Manamadurai via Aruppukottai has been included in the Second Five-Year Plan;

(b) whether the scheme has been referred to the Madras Government for their suggestions; and

(c) if so, what their suggestions are?

THE HON. SRI M. BHAKTAVATSALAM :—“(a) The scheme for opening a railway line from Virudhunagar to Manamadurai via Aruppukottai was not recommended to the Government of India for inclusion in the Second Five-Year Plan. The Government of India's communication regarding the list of railway projects included in the Second Five-Year Plan has not been received.

“(b) No, Sir.

“(c) Does not arise.”

SRI V. V. RAMASWAMI :—“மானாமதுரையிலிருந்து வேறு ஏதாவது ஊருக்கு ரயில் தொடர்பை ஏற்படுத்துவதற்கு சர்க்கார் திட்டம் போட்டிருக்கிறார்களா? அப்படியிருந்தால் அருப்புக்கோட்டை வழியாக விருதுநகருக்கும், மானாமதுரைக்கும் ரயில் தொடர்பு ஏற்படுத்தும் திட்டம் தவிர வேறு எந்த திட்டமாவது மத்திய சர்க்காருக்கு இந்த சர்க்காரால் சிபாரிசு செய்யப்பட்டிருக்கிறதா?”

THE HON. SRI M. BHAKTAVATSALAM :—“மானாமதுரையிலிருந்து தூத்துக்குடிக்கு ஒரு ரயில் பாதை போடச் சிபாரிசு செய்யப்பட்டிருக்கிறது. மொத்தம் 13 ரயில் பாதைகள் போடும்படி மத்திய சர்க்காருக்கு சிபாரிசு செய்யப்பட்டிருக்கின்றன. அவற்றைப் படிக்கிறேன் :—

- 1 தேனி-சுடலூர் ஜங்ஷன்.
- 2 நெய்வேலி-விருத்தாச்சலம் ஜங்ஷன்—பிராட் கேஜ்.
- 3 சேலம்-பங்களுர் ஸ்டேஷன்.
- 4 சின்ன சேலம்-செங்கல்பட்டு.
- 5 மங்களுர்-ஹஸ்ஸான் ஸ்டேஷன்.

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- 6 திருநெல்வேலி-குமரி முனை.
- 7 சேலம்-திருச்சிராப்பள்ளி லயன்.
- 8 மானாமதுரை-தூத்துக்குடி லயன்.
- 9 தஞ்சாவூர்-பட்டுக்கோட்டை லயன்.
- 10 காஞ்சிவரம்-வேலூர் லயன்.
- 11 சத்யமங்கலம்-சாமராஜ் நகர்.
- 12 தெல்லிச்சேரி-மைசூர் லயன்.
- 13 கொல்லங்கோடு-திருச்சூர்.

SRI A. SUBRAMANYAM :—“ மொரப்பூரிலிருந்து திருநெல்வேலி மாரக்கம் ஹோசூருக்குப் போடும்படியான லைன் திட்டத்தை இந்த ஐந்து வருஷத் திட்டத்திலே சேர்த்துக்கொள்ள மத்திய சர்க்காருக்கு நம் சர்க்கார் சிபார்சு செய்திருக்கிறதா ? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ நான் இந்தச் சர்க்கார் மத்திய சர்க்காருக்கு எந்தெந்த ரயில் பாதைகளைப் போடவேண்டுமென்று சிபார்சு செய்திருக்கிறார்கள் என்று சொன்னேன். அவற்றில் மூன்றாவது வருஷ திட்டமாக சேலம்-பங்களுர் லைன் சிபார்சு செய்யப் பட்டிருக்கிறது. அதிலே கலாம் அங்கத்தினர் சொல்லக்கூடிய கோரிக்கையும் இணக்கப்பட்டுக்கிறதென்று நான் நினைக்கிறேன்.”

SRI M. ETHIRAJULU :—“ ஐந்து வருஷத் திட்டத்தில் கடலூருக்கும் பாண்டிச்சேரிக்கும் ரயில் பாதை போடப்படும் உத்தேசம் இருக்கிறதா ? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ அம்மாதிரி உத்தேசம் எதுவும் இல்லை.”

STARRED QUESTIONS.

Collections under the National Plan Loan from the South Arcot district.

* 209 Q.—**SRI M. ETHIRAJULU** : Will the Hon. the Minister for Finance and Education be pleased to state the total amount collected under the National Plan Loan from South Arcot district during the years 1952-53 and 1953-54?

THE HON. SRI C. SUBRAMANIAM :—“ The term ‘ National Plan Loan ’ applies to the loan raised by the Government of India during the current year. Apparently the hon. Member has in mind the loans raised by the State Government during the years 1952-53 and 1953-54. If so, the figures are—

	Total subscriptions in the South Arcot district. RS. (IN LAKHS.)
4 per cent Madras Government Loan, 1964, issued in 1952-53	2.77
4 per cent Madras Government Loan, 1963, issued in 1953-54	5.73 ”

SRI V. V. RAMASWAMI :—“ இந்தச் சர்க்காருக்கு அடுத்த ஆண்டில் கடன் எழுப்புவதற்கு யோசனை உண்டா ? ”

THE HON. SRI C. SUBRAMANIAM :—“ தனித் தனியாக கடன் எழுப்புவதா அல்லது இந்த வருஷம் ஜூலை மத்திய அரசாங்கத் தின் மூலமே கடன் எழுப்புவதா என்கிற யோசனை இன்னும் முடிவு செய்யப்படவில்லை.”

[28th February 1955]

B.T. scales of pay to Hindi pandits.

* 210 Q.—**SRI G. KRISHNAMOORTHY** : Will the Hon. the Minister for Finance and Education be pleased to state the qualifications prescribed for Hindi pandits in order to make them eligible for B.T. scales of pay?

THE HON. SRI C. SUBRAMANIAM :—“ Hindi teachers will be eligible for B.T. scales of pay under the following circumstances :—

- (1) They should possess the minimum general educational qualification; S.S.L.C. completed.
- (2) They should hold an oriental title in Hindi;
- (3) they should have received the Pracharak training; and
- (4) they should be in charge of Forms IV to VI of High schools and should have worked for not less than 17 hours a week.”

SRI G. KRISHNAMOORTHY :—“ In view of the fact that the Pracharak Diploma has been recognized to be equivalent to the Visharad Diploma of the Dakshina Bharata Hindi Prachar Sabha, will the Government kindly see that those who have obtained the Visharad Diploma and who possess a general qualification of S.S.L.C. and who have had some teacher training (though not like the Pracharak training) are given the B.T. scale of pay? ”

THE HON. SRI C. SUBRAMANIAM :—“ These are the prescribed qualifications now. If there are any other alternative suggestions which the hon. Member wishes to make, he may put them in writing and send them to me for scrutiny and examination.”

SRI G. KRISHNAMOORTHY :—“ May I submit that this matter of qualification and pay of Hindi pandits has been discussed again and again on the floor of the House, and may I request the Government to go into the whole question and see that this Pracharak Diploma course which is not a mere training course, but a combined general and training course is not insisted on and separate schools are started for training Hindi pandits just as is done in the case of Tamil and Sanskrit pandits to render justice to these Hindi teachers? ”

THE HON. SRI C. SUBRAMANIAM :—“ I may confess that I am not conversant with this diploma course and what is contained in it. But as the hon. Member himself said, this matter has been examined by Government repeatedly and I do not think there is need for further examination.”

Number of basic elementary schools in Tanjore district.

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

(a) the number of basic elementary schools in the Tanjore district;

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- (b) the number of such schools in municipal areas;
- (c) the number of supervisors appointed by the municipalities to supervise such schools; and
- (d) the number of such supervisors who have had basic training?

THE HON. SRI C. SUBRAMANIAM :—“(a) 130.

“(b) 12.

“(c) One. That supervisor supervises both Basic and non-Basic schools.

“(d) Nil.”

SRI G. KRISHNAMOORTHY :—“May I request the Hon. Minister to just give the figure for Tanjore Municipality alone?”

THE HON. SRI C. SUBRAMANIAM :—“I am sorry I do not have separate figures.”

SRI G. KRISHNAMOORTHY :—“Is it not a fact, Sir, that for the Tanjore Municipality to supervise all these basic schools a supervisor, who is non-basic, has been appointed in order to observe seniority among all the secondary-grade teachers in the municipality?”

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

SRI G. KRISHNAMOORTHY :—“May I request the Government to issue instructions to the municipalities where there are basic schools to have a separate cadre for basic-trained teachers and to appoint supervisors from that cadre without looking into the seniority of the whole of secondary-grade teachers in the municipality?”

THE HON. SRI C. SUBRAMANIAM :—“When the number of basic schools is comparatively small, I do not think we could have a separate officer for supervising these basic schools only. The hon. Member will be pleased to know that of all the schools in the Tanjore district, the number of basic schools is only twelve. Therefore, in each municipality the number of basic schools is only a handful and I do not think therefore that any useful purpose will be served by appointing separate officers to supervise the basic schools?”

SRI G. KRISHNAMOORTHY :—“May I request the Government, Sir, to encourage basic-trained secondary-grade teachers as and when the number of basic schools expands?”

THE HON. SRI C. SUBRAMANIAM :—“Yes, Sir, as and when we expand basic education, this will be borne in mind.”

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SRI V. V. RAMASWAMI :—“ஒரு முனிசிபாலிட்டியில் டிரெயினிங் இல்லாத சூப்பர்வைசர் நியமிக்கப்பட்டதென்று சொல்லப்பட்டதே அது எந்த முனிசிபாலிட்டி? அந்த முனிசிபாலிட்டியில் எத்தனை ஆதார பள்ளிகள் இருக்கின்றன?”

THE HON. SRI C. SUBRAMANIAM :—“அது தஞ்சை ஜில்லாவில் இருக்கக்கூடிய முனிசிபாலிட்டிகள். அந்த முனிசிபாலிட்டிகளில் மொத்தம் 12 ஆதார பள்ளிகள் இருக்கின்றன.”

Educational concessions to Vanniakula Kshatriyas.

* 212 Q.—SRI T. M. DAIVASIKHAMANI ACHARIAR : Will the Hon. the Minister for Finance and Education be pleased to state— 3-10 p.m.

(a) whether the Backward Classes Commission has made any urgent recommendations to the Government in respect of Vanniakula Kshatriyas of North Arcot, South Arcot, Tanjore and other districts alone for the grant of full fee educational concessions; and

(b) if not, the necessity for the preferential treatment shown to that particular community alone in respect of educational concessions?

THE HON. SRI C. SUBRAMANIAM :—“(a) No, Sir.

“(b) No preferential treatment has been made to this community.”

SRI T. M. DAIVASIKHAMANI ACHARIAR :—“Sir, if it is not preferential treatment, may I know what kind of treatment it is? Why is it that that community alone has been taken into consideration?”

THE HON. SRI C. SUBRAMANIAM :—“Sir, it is not the entire community that has been taken into consideration. It is only a particular section which belongs to the criminal tribes that has been taken into consideration.”

SRI T. M. DAIVASIKHAMANI ACHARIAR :—“How many backward classes are there in the Government list, Sir?”

THE HON. SRI C. SUBRAMANIAM :—“I would request the hon. Member to refer to the list, Sir.”

SRI T. M. DAIVASIKHAMANI ACHARIAR :—“Suppose I say that there are 153 classes in the list, will the Hon. Minister be pleased to accept that statement?”

THE HON. SRI C. SUBRAMANIAM :—“I do not want to be cross-examined like this. The hon. Member may refer to the list and find out the number.”

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SRI T. M. DAIVASIKHAMANI ACHARIAR :—“ I have found it, Sir. Will the Government be pleased to consider the claims of so many poorer classes, such as, Ahmadiars, Kallars, Maravars, Vannars, Vaniyars, Senaithalaivars and Kaikolars? ”

SRI T. PURUSHOTHAM :—“ Is not the Backward Classes Commission going into this question, Sir? ”

THE HON. SRI C. SUBRAMANIAM :—“ Sir, the point is this. There has been a certain amount of misunderstanding with regard to this Government Order which, as a matter of fact, clarified the position in regard to Vanniakula Kshatriya community. Amongst the Padayachis, who are also called Vanniakula Kshatriyas, there is a section belonging to the Criminal Tribes, who are entitled to full fee concession as Scheduled tribes. Now these Padayachis are also called Vanniyakula Kshatriyas. Simply because they called themselves Vanniyakula Kshatriyas, even though they belonged to the Criminal Tribes, they were refused this full fee concession. What the Government Order lays down is that where a person calls himself a Vanniyakula Kshatriya or Padayachi, and if, as a matter of fact, he belongs to the Criminal Tribes, this full fee concession should be given. This is the effect of the Government Order. I know the wording is not quite happy and so that is being clarified.”

SRI T. M. DAIVASIKHAMANI ACHARIAR :—“ Will this concession be given in high schools, colleges and professional colleges? ”

THE HON. SRI C. SUBRAMANIAM :—“ Sir, the Madras Educational Rules apply to this matter. Under Rule 92, whatever concession is applicable to Scheduled tribes and Scheduled classes will be applicable to them.”

SRI MOHAMED RAZA KHAN :—“ Sir, the other day the Finance Minister gave us the good news that backward classes had made a good deal of advance and even in open competition they fared much better. May I ask, Sir, whether the time has not come to declare the forward classes as backward classes and *vice versa*? ”

THE HON. SRI C. SUBRAMANIAM :—“ Sir, I think that matter will be considered by the Backward Classes Commission.”

SRI V. V. RAMASWAMI :—“ பிற்பட்ட வகுப்பு கமிஷனடைய வேலை அந்த வகுப்பாருக்கு எப்படி கல்வி சலுகை அளிப்பது என்பதை ஆராய்வதா? அல்லது மற்ற செளகர்யங்களையும் எப்படி அளிப்பது என ஆராய்வதா? ”

THE HON. SRI C. SUBRAMANIAM :—“ எந்தெந்த விதங்களில் எல்லாம் சலுகை கொடுக்கலாம் என்பதை ஆராய்ந்து சர்க்காருக்குச் சிபார்சு செய்வதேயாகும்.”

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DR. V. K. JOHN :—“ Sir, will the Government consider the question of making no distinction whatever between the communities, but give fee concession to all poor and deserving students, whatever may be the community they may belong to? ”

THE HON. SRI C. SUBRAMANIAM :—“ I hope the hon. Member would appreciate the beginning that we have made in that direction. I referred to this in my budget speech yesterday.”

SRI A. SUBRAMANYAM :—“ வன்னிய குல கூடித்திரிய பிள்ளைகளுக்கு இலவசமாக கல்வி கொடுக்கப்படுமென்று சொல்லப்பட்டிருக்கிறது. அதே போல தென்னாற்காடு, வடாற்காடு, மதுரை, தஞ்சாவூர், திருநெல்வேலி போன்ற எல்லா இடங்களிலும் உள்ள வன்னியகுல கூடித்திரியப் பிள்ளைகளுக்கு எல்லாம் சலுகை உடனடியாகக் கொடுக்கப்படுமா? ”

THE HON. SRI C. SUBRAMANIAM :—“ இதைப்பற்றித்தான் நான் விரிவாக ஆங்கிலத்தில் சொன்னேன். அதை கனம் அங்கத்தினர் கவனித்திருப்பார்கள் என்று நம்புகிறேன். இந்த வகுப்பாரிலும் குற்ற பரம்பரையைச் சேர்ந்தவர்களுக்குத்தான் இந்த முழுச் சலுகை அளிக்கப்படுகிறது. வேறு சில ஜில்லாக்களில் உள்ளவர்கள் குற்றப் பரம்பரையைச் சேர்ந்தவர்களாக இருந்தும் தங்களை வன்னியர்கள் என்று கூறிக்கொண்டதால் இவர்களுக்குப் பூர்ண கல்விச் சலுகை கொடுக்கவில்லை. சில குறிப்பிட்ட ஜில்லாக்களில் மட்டும்தான் இந்த குற்ற பரம்பரையைச் சேர்ந்தவர்கள் இருக்கிறார்கள். ஆகவேதான் அந்த ஜில்லாக்களில் உள்ளவர்களுக்குப் பூர்ண கல்விச் சலுகை அளிக் கப்படுமென்று அறிக்கை விடப்பட்டது. அதனால்தான் தப்பு அபிப்பி ராயம் ஏற்பட்டுள்ளது என்று நினைக்கிறேன். பிற்பட்ட வகுப்புக் கமிஷன் தனது யாதாஸ்து சமர்ப்பித்தவுடன் அவர்கள் என்னென்ன சிபார்சுகளைச் செய்திருக்கிறார்களோ அவற்றையெல்லாம் சர்க்கார் பரிசீலனை செய்து தக்க நடவடிக்கை எடுக்கும். அப்போது இவ் விஷயமும் கவனிக்கப்படும்.”

Violation of the Prohibition Act in the South Arcot district.

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

(a) the number of persons convicted for violation of the Prohibition Act in the South Arcot district from the years 1951 to 1954;

(b) the amount of fines collected during the years 1951 to 1954;

(c) the number of prosecutions launched by the Police and Excise Departments during the above period; and

(d) how many of the persons involved in the above cases are men, women and juveniles?

THE HON. SRI B. PARAMESWARAN :—“ (a), (b), (c) & (d) A statement* is laid on the table of the House.”

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DR. A. SREENIVASAN :—“ Does the Hon. Minister think that Prohibition is a success even after placing this sheet of paper on the table of the House for our information? According to statistics, Prohibition does not seem to be a success.”

THE HON. SRI B. PARAMESWARAN :—“ Sir, this question refers to South Arcot district. We cannot from the statistics of one particular district say that Prohibition is a failure.”

DR. A. SREENIVASAN :—“ Sir, I quite appreciate that. If the same conclusion is to apply to almost every district, I think the effect will be quite clear?”

THE HON. SRI B. PARAMESWARAN :—“ Sir, the Government are receiving good reports from the districts; after this work has been entrusted to the Police department, we hope to get good reports, and we hope to see that Prohibition is a success in this State.”

SRI K. BHASHYAM :—“ Sir, in view of the number of convicts decreasing from 1952, is it not an encouraging sign that Prohibition is working well in the district?”

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

DR. V. K. JOHN :—“ How is that conclusion possible on the figures furnished in the statement?”

THE HON. SRI B. PARAMESWARAN :—“ The hon. Member has got to look into the figures correctly. I do not think that Members need worry about the success or failure of Prohibition. All that we want is the unstinted co-operation of hon. Members like Dr. John.”

DR. V. K. JOHN :—“ Sir, if in one district the Government are prosecuting five thousand people, in all the districts they must be prosecuting 50,000 people.”

THE HON. SRI B. PARAMESWARAN :—“ We have got to do so in order that Prohibition may be a success.”

SRI K. BHASHYAM :—“ Throughout the whole State are not more than five lakhs of people convicted for various offences under the Indian Penal Code?”

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

SRI V. CHAKKARAI CHETTY :—“ May I ask, Sir, if Prohibition has failed, according to the figures given in the statement, whether it will not be taken as an indication logically? What does our Hon. Minister mean by saying that Members have to co-operate with the Government? Does he mean that we should also not drink? Of course we are not drinking and we are

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co-operating with the Government. I think Dr. John also comes under the same category. We are all sailing in the same boat. Therefore, we are perfectly co-operating with the Hon. Minister, and he cannot blame us for non-co-operation.”

MR. CHAIRMAN :—“ The hon. Member is making a speech.”

THE HON. SRI B. PARAMESWARAN :—“ This question relates to South Arcot district. All that I said was that from the figures it was quite clear that Prohibition in South Arcot was a success. We are really getting encouraging reports from the district.”

DR. V. K. JOHN :—“ In one district the Government collect about a lakh of rupees as fine. May I take it that they have collected more than ten lakhs of rupees as fine from the poor people throughout the State?”

THE HON. SRI B. PARAMESWARAN :—“ Sir, it is not mere arithmetic. We have to go into the statistics and then only come to a conclusion. I cannot now give an answer off-hand.”

SRI A. M. ALLAPICHAJ :—“ Sir, under the offences enumerated in the Indian Penal Code, which is in existence for long, many people are convicted and punished. On that basis is it possible for us to say that the law is not effective?”

THE HON. SRI B. PARAMESWARAN :—“ No, Sir.”

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

II.—GENERAL DISCUSSION ON THE BUDGET FOR THE YEAR 1955-56.

* DR. A. LAKSHMANASWAMI MUDALIYAR :—“ Mr. Chairman, Sir, before the general discussion on the Budget commences, I should like to make a submission to you. I find from the proceedings of the Council of the 3rd March 1951, I raised a similar issue. If I may be permitted to quote, I may say what I said then. I said, Sir,—

“ I venture to appeal to you and to suggest that the procedure that was being followed in the Monford Reforms days, when the legislature was a unicameral one, was that the last day of the Budget discussion or a good portion of the last day was set apart for the Hon. the Ministers to reply in respect of their departments. I venture to submit that in this House, where there is no opportunity of specific Budget grants being moved by the various departmental heads it would be very much to the advantage of hon. Members who are not familiar with the details of the Budget, if Hon. Ministers will respond to any suggestions or criticism of their respective departments.”

[Dr. A. Lakshmanaswami Mudaliyar] [28th February 1955]

3-20 Sir, in response to this the then Leader of the House Sri
p.m. K. Madhava Menon said: 'Last year the same suggestion was made, and five of us replied. It may not be necessary for all of us to reply. But we shall certainly take note of important matters. The Hon. Minister concerned who has more knowledge of the subject will certainly reply'.

"Sir, this healthy convention was unfortunately not followed in the last two years. I venture to submit that it is time that we started this convention again. I would like to know what the Hon. the Leader of the House has got to say in the matter."

THE HON. SRI M. BHAKTAVATSALAM:—"I wish to repeat what the then Leader of the House has been quoted to have said. We shall see that as many Ministers as are necessary take part in the discussion at the end of the debate."

SRI MOHAMED RAZA KHAN:—"Mr. Chairman, at the very outset I wish to express a word of sympathy for the Hon. the Minister for Finance as he should have the necessary patience—which of course he possesses—to follow the Budget debates simultaneously both in the Assembly and in the Council. It is the desire of the hon. Members on this side of the House to make necessary and constructive suggestions with the full sense of responsibility in the hope that the Government will bear them in mind. That has been our tradition all along."

"Last year, I referred to a particular matter to which a reply was not given. Sir, I refer to the fact that even after partition, there has been no attempt on the part of the Government to effect some economy so far as administrative charges are concerned. I think, subject to correction, that more than Rs. 16 crores is being spent under this head. The number of officers required and the salary that they should draw after partition are questions which the Government should carefully consider. I won't be so harsh or uncharitable to suggest that the present incumbents should not draw the salary which they were previously drawing. I only want the Government to consider these matters for the future. I think the time has come for the Government and the Finance Minister to take stock of the situation in the State which has considerably dwindled in size and income and see whether the same number of high-paid officials is necessary even after partition. If the Government feel that there is need for the same number of these officials, I have no objection. Frequent references have been made both from this side of the House and the other side that while the Government have been spending quite a lot of money, they do not take the necessary care and attention to see that strict economy is observed. Sir, there is a feeling both here and outside, that there is a good deal of wastage in some of the departments. In the short time available, it is not possible for me to particularise the departments. Once we bring this matter to the notice of the Finance Minister and the Government, we think that it will be taken note of by them. I am sorry

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that the Hon. the Finance Minister has not mentioned anything about this matter in his Budget speech. However, I hope he will bear this point in mind and take necessary action at least in the years to come.

"With regard to the Budget itself, much has been mentioned about the First Five-Year Plan and the Second Five-Year Plan, with the intention that the hon. Members of the House should take interest in those Plans. The Hon. the Finance Minister has also made an appeal to the Members to help him in all possible ways. He has also mentioned that there will be District Planning Committees for every district. I think the Hon. Finance Minister will do well to have a State Planning Advisory Committee also. Because, the District Committees will confine their activities to the particular districts only. But, there are many problems which affect the whole State. There are very eminent men who can advise the Government on these vital problems affecting the State as a whole. Take the case of irrigation, electricity and industrial development. These are fields covering the entire State and not merely the districts. Unless we have a State Planning Committee, wherein experts in these fields will be functioning, most of the problems confronting the State cannot be solved. I hope the Government will see their way in constituting a State Planning Committee also so that the services of experts in various fields may be available to the Government. Sir, I do admit that much has been attempted and also done in the fields of irrigation and electricity. But, unfortunately our resources in the field of irrigation are getting exhausted. For instance, we are not able to make full use of the waters of the Palar. There is a dispute between the Government of Madras and the Government of Mysore in regard to the utilization of the waters of this river and it has not yet been settled. If I remember aright, some representation has also been made to the Central Government requesting them to use their good offices with the Mysore Government and see that the waters of this river are made available for the people of the North Arcot district."

"Sir, in the field of electricity, much has been done and nobody will have much grouse in the matter. I wish to point out, however, that if the schemes adumbrated in the First Five-Year Plan and the Second Five-Year Plan are to succeed the Government must come forward to take up rural electrification. I have not seen any indication on the part of the Government to take over the distributing agencies. Many of the distributing agencies at present want the Government to take over distribution. There is also an Act empowering the Government to do this. The Government must do this as early as possible and supply electricity to all the villages which remain without this amenity for a very long time."

"Sir, it has been said many a time that our progress in the industrial field when compared to the other States has been very poor and backward. I do not find much hope or even a ray of

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hope in the speech of the Hon. the Finance Minister. Of course, there is mention of the exploitation of lignite in South Arcot district. It is expected that this project will help this part of the country which is industrially very backward. So far as the industrial development of the State is concerned, an attempt should be made either by the Central Government, or the State Government or in the private sector. But, unfortunately, conditions being what they are in this State, private sector is not going to play a substantial part in the matter of industrial development. In view of the heavy taxes which they have to pay, I am doubtful whether private people will come forward to start some heavy industries. Moreover, because of the financial implications involved and the uncertainty prevailing in the country with regard to the scope for private enterprise, much help cannot be expected from the private sector. So, the Government of Madras must necessarily look to the Central Government for the required help for starting heavy industries. There was some hope that the contemplated steel plant might be opened here. But nothing has been done in this regard so far. I appeal to the Hon. the Finance Minister to take up the matter with the Central Government and see that some heavy industries are started in this State which is industrially very backward.

"As for the lignite exploitation in South Arcot, we do not have much details. We are only told that the State will get 25 per cent of the profit from this project. No doubt this is a big scheme which will cost Rs. 60 crores which this Government cannot afford under the present financial stringency. I wish more details about this project had been given. Except this project, we do not have any heavy industry. That is why I have to request the Government to make a sincere and serious attempt in persuading the Central Government to locate some of the heavy industries in this State.

"Now, I come to the question of grants to local bodies. Sir, the Hon. the Finance Minister seems to have a very soft corner for local boards. He has now come forward with a new taxation proposal to which I shall refer later. For the present, I would like to ask, 'Have the Government satisfied themselves that the grants that they make to the local bodies are being properly utilized?' I do concede the point that the resources of the local bodies are very limited. But still, I would like to know whether the resources that are made available to them are properly made use of. Whether it be the panchayats, district boards, municipalities or even the City Corporation, do they properly use the money that they collect from the people as well as the money that they get from the Government as grant? By way of education cess, lakhs and lakhs of rupees are being collected every year from the people of this State. How many libraries have been opened in the various districts, municipalities or even in the city? Have the Government any information as to how much they collect as education cess and how many libraries they have opened? I do

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not claim to know much of the local bodies. But I know their state of affairs is not as it should be. Over and above the grants that are at present made available to the local bodies, the Government have now come forward with a new proposal to tax somebody else, get a sum of Rs. 75 lakhs and make it available to the local bodies. I only want to stress that the Government must take proper care in seeing that the money that they make available to the local bodies is spent in the best manner possible. Let the Government be careful about it. I leave this subject at that.

"There are several subjects on which I would like to speak but as the time at my disposal is not much, I shall confine myself to just three or four subjects. I shall now take up 'Harijan Uplift.' Sir, there was only a very small provision under this head in the beginning. It is now Rs. 110 lakhs for the coming year. There is a complaint that the money provided for is not properly utilized. Hostels are opened but accounts are not kept. The number of students on rolls is one but the number of students present is different. I do not mean to suggest that the provision should be curtailed. When we are spending Rs. 110 lakhs we should see that the money is properly spent. We must see whether the money goes to persons who are intended to get it or for whom it is earmarked. This is not an ordinary sum. Although the provision may look small as compared with our total revenue of Rs. 45 crores, yet we must see that the benefit goes to the people to whom it should go. I leave the question to the Government to decide how it should be done. They may have a small committee of officials or non-officials to scrutinize the accounts and see that the provision is properly utilized.

"With regard to education, Sir, I say it is not my field. There are very eminent personalities here, particularly, the hon. the Leader of the Opposition, who can speak with all authority on the subject. However, I wish to say one or two words on this subject also. We are very happy that during the Vice-Chancellorship of Dr. A. Lakshmanaswami Mudaliar more than 40 colleges have been opened in our State. But let not the Government or the Hon. the Minister for Education take credit for this. People have found that the Government agency is not functioning properly and that there should be private agencies forthcoming to open more and more colleges, especially in districts, where there are not many and where there are none. So, the credit for opening these colleges should go to the people. When I am on this subject I would like to pay a tribute to the service rendered to the cause of education by the various Christian Missionaries. They have done well. Still, we wish more and various communities and sub-communities have come out with contributions to start new colleges. But what is the amount of encouragement they get from the Government of Madras? The Government grant a sum of Rs. 75,000 to a first-grade college and Rs. 50,000 to a second-grade college. Is this the kind of help the colleges expect from the

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Government? Is it possible for a first-grade college and a second-grade college to carry on with these meagre grants? Sir, I am not cutting a joke or making a cheap attack on the Leader of the Opposition when I say he is a very costly Vice-Chancellor. Of course, I am also connected with a college and I know the rules of the University on the subject of endowments for starting colleges are so very rigid that he will not be content with a 'cheap' college. He never relaxes the rules, although he would allow time up to five or six months to the private agencies to fulfil the conditions of affiliation. He insists on the conditions being fulfilled completely, and colleges cannot be started with the promise of Rs. 75,000 and Rs. 50,000 offered by way of grants by the Government. Probably this limit was fixed under different conditions by the predecessor of our present Education Minister. I think the time has come for a reconsideration of the whole question.

"Incidentally, Sir, I quite welcome the proposal of the Government to provide education up to III form for all poor children. This is a very healthy thing that the Government have done because there are people belonging to communities which are considered as forward communities who are really poor in status. So, I feel that the Government deserve our congratulations on this wise step of theirs.

"Sir, some time back, the Intermediate class was taken away from the Presidency College and tacked on to the Muhammadan College. It might have been for political reasons. But when it was done, it was stated on the floor of the House that high research would be carried on in the Presidency College from then onwards. I would like to know to what extent this promise has been fulfilled. Four years ago, the promise was made by the Education Minister. Now what are the subjects in which research is made? Have you afforded research facilities in subjects like Physics, Chemistry, Biology, etc.? I want an answer to this question.

"I come next to taxation proposals. Sir, I may congratulate the Hon. Mr. Subramaniam on his capacity and efficiency in this regard. As far as imposing taxes is concerned, I think there has been none in the whole of India in the last three years to beat him. You take the number of taxation measures undertaken by the Government. It might well make one say, 'Well, you are the best Finance Minister', when he retires, not that I want him to retire early. It will be seen, Sir, that even the taxation measures adumbrated in the last year's Budget are yet to be passed by the Legislature. What does it show? They are too many in number and also cumbersome. We all thought that he would say at least this year: 'We have no new taxes this year; we shall rest and see next year.' But that is not to be. After all, the deficit is only about Rs. 360 lakhs and there is nothing sacrosanct about surplus budgets. I do not want to use a harsh term like 'jugglery of words' here. It is just a question of figures and to

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adjust three or four crores of rupees is not very difficult in a State whose budget runs to Rs. 45 crores. We thought he would make the Members of the Council say 'We are all very happy' but he has greeted us with two more taxes. One is with regard to the water-rates. The Hon. the Minister a little time ago expressed his anxiety about the growing downward trend in food prices. I ask him now: 'How is this additional tax of two annas in the rupee going to help to arrest that trend?' There is already a land revenue surcharge and there is also what is called water-cess collected from the landholders. I think this additional tax will make their position more difficult. Sir, most of the States this year have come out with deficit budgets. But they have no taxation proposals at all. But Madras has the record of taxing the people further. We have already taxed the people to the maximum capacity. Why tax them more? In this connexion, Sir, I would like to lay emphasis on one fact. We are awaiting the report of the Taxation Enquiry Commission. The Hon. the Finance Minister could well have waited for their report and said: 'We have no taxes this year; we shall wait for a while.'

"Then comes the tax on tobacco. The Hon. the Minister, a clever man as he is, did not give any indication in the speech that he has delivered as to how this tax would be levied. (The Hon. Sri C. Subramaniam: 'It will be sales tax on tobacco products.') Sir, I think, in the year 1953 when another taxation proposal was made with regard to tobacco products in the Legislature, the Government, on reconsideration of their proposals decided to tax only costly cigarettes, leaving the rest untaxed. I do not know what has happened these days for the Hon. the Finance Minister to think of taxing the very articles which they felt they should not tax. Sir, in these matters, there should be some finality. Of course, the Government may, for the sake of argument, say: 'This is all unnecessary for people; only those who are accustomed to it will have to bear the incidence of this taxation'."

DR. V. K. JOHN:—"Does the hon. Member smoke?"

SRI MOHAMED RAZA KHAN:—"I smoke very heavily. If this tax is levied, people may have to go in for other cheaper brands. And when they do it, they do so at the risk of their health. Sir, the tax may be said to be small—Rs. 1-9-0. It may be small but cumulatively, its effect may be great. Already, there is tussle between labour and factory owners. Now this additional tax of Rs. 1-9-0 which the factory owner may have to pay will only affect labour.

"Of course, the beedis cannot come under the tax because they are sold each for one pie and two pies. But let me say that once you impose heavy taxation, it will affect the whole industry. Already the beedi and tobacco industry are taxed very

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heavily by the Central Government. Therefore, I do not think it will stand to reason to tax them again. I am sure the Hon. Finance Minister will consider what I have said."

DR. V. K. JOHN :—" May I just request the hon. Member to persuade the Hon. Finance Minister to smoke beedi? "

SRI MOHAMED RAZA KHAN :—" The Hon. Finance Minister is not one who could be so easily influenced"

THE HON. SRI C. SUBRAMANIAM :—" Say ' who could be tempted '."

SRI MOHAMED RAZA KHAN :—" And that too to smoke beedi. (Laughter.) I would come to another question which of course the Hon. the Finance Minister has told once that I often repeat. Of course, I repeat things because sometimes it is necessary to repeat in the hope that even if once you do not appreciate it, at least some time later, you may appreciate it. I do maintain that the decision of the Government of Madras to put an additional tax of Re. 0-1-3 in the rupee on fine and super-fine mill cloth was not at all a justifiable thing. The Central Government is already taxing the mill industry at various stages by means of excise duty, handloom cess, etc., and then comes the Madras sales tax. When already this is the burden that the mill industry is bearing, I ask is it justifiable and does it stand to reason to put an additional tax of Re. 0-1-3 in the rupee? After all what is that that you are going to get by means of this tax? Hardly Rs. 40 lakhs. May I just inform the Hon. Minister for Industries that this tax far from encouraging the people to buy handloom cloth, has an indirect effect upon the people. They go in for handloom cloth to the adjacent Andhra State where there is no such tax of Re. 0-1-3. Moreover by this present tax, it is likely that the business transactions may shift to another State. I should like to mention another point also. On private transactions, without any vouchers or bills, handloom cloth is sold and bought. Thereby this additional tax of Re. 0-1-3 imposed is evaded and not collected. After all when it comes to a question of money naturally even an honest businessman is tempted and is apt to go wrong. And it is a known fact that all businessmen could not be honest cent per cent. Of course the President has not given his assent to the Bill, which seeks to levy an additional tax of Re. 0-1-3 in the rupee on the medium cloth, which this State Government had imposed last year to crown their achievement in imposing the tax on fine and super-fine cloth. Of course it is not as if my voice is going to be heard directly by the President; but, Sir, I am quite sure that that Bill which seeks to levy a tax of Re. 0-1-3 in the rupee on medium cloth will not see the light of day because it will be very difficult then for people who go to buy this cheap medium cloth to pay an additional tax of Re. 0-1-3 and that too on every rupee worth of purchase they make.

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" I do not want to take much of the time of the House in talking much about the additional tax levied on the sale of fine and super-fine cloth and which this Government say will go in only for helping the handloom industry. As far as the handloom industry is concerned, there could be no two opinions about it being given the necessary protection. Neither we on this side nor those on the other side object to the protection being given to the handloom industry. But does all the money that this Government get from the Centre from the Handloom Cess Fund (I think it is more than a lakh of rupees) go directly to the handloom industry? Of course in reply to a question the Hon. Minister for Finance furnished a statement regarding the collections from the Handloom Cess Fund and its allocation to different categories. When we get money, of course, it should be spent and we should see to it that it is spent properly. I think the Hon. Minister for Industries should be bold enough to say that the entire money derived from Handloom Cess Fund and the help they get from the Centre for the amelioration of the condition of weavers, all the money, in toto, goes to the handloom industry? I am sure it does not. All the money is not spent for the sake of handloom industry. Of course, the money that is got is distributed to the three or four big handloom co-operative societies. But hardly 20 to 25 per cent of the weavers are in the co-operative fold. What about the rest of the percentage of weavers? You have got to help the remaining 70 to 80 per cent of weavers who are not in the co-operative fold. I think there are competent people in the Madras Handloom Weavers' Co-operative Society who could speak with some authority on this subject. I think they have made some concrete proposals to Government as to how all the handloom weavers could be protected and as to how they could be brought into the co-operative fold and made to reap the benefits of the Handloom Cess Fund. I may request the Hon. Minister for Industries to take careful note of the views of those experts and see to it that the entire money that is got from the Centre from the Handloom Cess Fund is utilized wholly for the benefit of the handloom weavers. As I already said there is no difference of opinion either on this side or on the other side as regards protection being given to the handloom industry. The Government seem to think that by levying the additional tax of Re. 0-1-3 in the rupee they could induce people to buy handloom cloth in increasing numbers. I am afraid that economy could not be made on that basis. Take for instance, Khadi. May be Dr. John and I do not wear khadi. May be some members other than those in the Congress Party do wear khadi because of their own liking. In all these matters you cannot succeed by compulsion. If you compel people to buy handloom cloth the reaction would only be otherwise.

" I should like to say something in conclusion about the new taxation measures. I may request the Hon. Finance Minister to scrutinise the figures once more and not bring in the Bill embodying the new taxation measures this year. After all the deficit is

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ஏதாவது கைகூடிவரலாம். தொழில் துறையில் வேகமாக முன்னேற்றம் காண்பதற்கும், கிராம மக்களுக்கு வேலை அளிப்பதற்கும், சிறு கைத் தொழில்களும் குடிசைத் தொழில்களும் எல்லாக் கிராமங்களிலும் பரவ வேண்டும். உற்பத்தி சாதனங்களைப் பொதுவுடைமையாகக் கொள்கை சமீப காலத்தில் அதிகம் வலியுறுத்தப்படுகிறது. ஆனால் இத்துறையில் தனிப்பட்டவர் முயற்சிக்கு நிறைய இடம் உள்ளது. உள்ளூர் மக்கள் தங்கள் சொந்த முயற்சியால் செயலாற்றுவதற்குச் சாதகமான சூழ்நிலையை உருவாக்குவதே இத்துறையில் அரசாங்கத்தின் முக்கிய பொறுப்பாகும். கிராமங்களுக்கு மின்சார வசதி செய்து தருவது இதற்கு மிகவும் உதவியாக இருக்கும். ஆயினும் சாதகமான சூழ்நிலையை மிகக் குறுகிய காலத்துக்குள் உண்டாக்குவதற்கு, உடனடியாக உருவான நடவடிக்கைகள் பற்றி நாம் யோசிக்கவேண்டும். அந்தந்தப் பகுதிகளில் தொடங்கக்கூடிய சிறு கைத்தொழில்கள் பற்றி நாம் மாவட்டங்களில் அமைக்கும் திட்டக் குழுக்கள் பயனுள்ள யோசனைகள் கூறமுடியும். விவசாயத்தில் ஈடுபட்டிருக்கும் காலங்களைத் தவிர மற்ற மாதங்களில் விவசாயிகளுக்குள்ள ஓய்வு நேரத்தைப் பயன்படுத்தும் முறையில் இந்த சிறு தொழில்கள் அமையவேண்டும். இதற்கு தொழில் நுட்ப நிபுணர்களின் ஆலோசனை தர அரசாங்கம் வசதி செய்து தரலாம். மூலதன வசதி, விற்பனை வசதி ஆகியவையும் செய்து தரலாம். தொழில்களுக்கு அரசாங்கம் உதவி அளிக் கும் திட்டத்தை விரிவாக்கி, நிபந்தனைகளைத் தளர்த்துவதில் சில கஷ்டங்கள் இருந்தபோதிலும், சற்று தாராளமாக உதவி கொடுப்பதுபற்றி அரசாங்கம் இப்பொழுது ஆலோசித்து வருகிறது. விவசாய கருவிகள், வீட்டுப் புழக்க சாமான்கள் போன்ற பொதுவாகப் பயன்படும் பொருள்களை உற்பத்தி செய்ய, அரசாங்கத்தின் மேற்பார்வையில் கைத்தொழில் கூட்டுறவு சங்கங்கள் அமைக்கக்கூடும். தச்சர், கருமான், கொல்லர், தோல் தொழிலாளர் ஆகிய தொழில்களில் பயிற்சி தர ஒவ்வொரு மாவட்டத்திலும் கைத்தொழிற்சாலைகள் திறக்கவும் கூடும். இவ்வாறு பயிற்சி பெற்ற தொழிலாளரை கிராமக் கைத்தொழில்களில் ஈடுபடுத்திக் கொள்ளலாம். கைத்தறித் தொழிலை சரிப்படுத்த நாம் எடுத்துவரும் நடவடிக்கைகள் பற்றிக் கனம் அங்கத்தினர்கள் அறிவார்கள். நெசவாளரைக் கூட்டுறவு அமைப்பில் சேர்த்தல், அவர்கள் தொழில் முறையில் முன்னேற்றம் காண வசதி செய்தல், அவர்கள் உற்பத்தி செய்யும் பொருள்கள் உள் நாட்டில் விற்பனையாகக் கூடியவரை உத்தரவாதமான நிலையை ஏற்படுத்தல் ஆகியவற்றிலேயே அரசாங்கம் முக்கிய கவனம் செலுத்தி

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வந்துள்ளது. இம்முயற்சிகளை மேலும் பலப்படுத்தி, இந்த முக்கிய குடிசைத் தொழிலை நிரந்தர அடிப்படையில் உறுதிப்படுத்த, புது ஐந்தாண்டுத் திட்டம் வசதி செய்யவேண்டும். சிறு கைத்தொழில்கள், குடிசைத் தொழில்கள் ஆகிய துறையில் நாம் இது வரை அதிகம் செய்ய இயலவில்லை என்பது உண்மையே. இத்துறையில் நாம் எங்கு, எப்படி, ஆரம்பம் செய்யவேண்டும் என்பது குறித்துக் கனம் அங்கத்தினர்களின் யோசனைகளை நான் பெரிதும் வரவேற்கிறேன்.

இரண்டாவது ஐந்தாண்டுத் திட்டத்தின் பொதுவான உருவகம், அக்டோபர் மாத வாக்கில் தெளிவாகக் கூடும். யோசனைகளை இறுதியாகத் தீர்மானித்துத் திட்ட கமிஷனுக்கு அனுப்புவதற்கு முன்பு, அது பற்றி விவாதிக்க இச்சபைக்கு வாய்ப்பு இருக்கும். இதற்கிடையே, தங்கள் தங்கள் தொகுதியில் கிராமங்களில் மக்கள் ஆர்வத்தைத் திரட்டி அவர்கள் கருத்துக்கு உருக்கொடுக்க உதவுவதில் கனம் அங்கத்தினர்களுக்குப் பொறுப்பு உண்டு. இப்பணியில் அங்கத்தினர்கள் அனைவரும் ஆர்வத்துடன் முனைவார்கள் என்று நம்புகிறேன்.

20. இவ்வுரையை முடிக்குமுன், மத்திய அரசாங்க நிதி அமைச்சருக்கும், திட்டக் கமிஷன் அங்கத்தினர்களுக்கும் இந்த ஆண்டு நமது பொருளாதார நெருக்கடிகளில் எல்லாம் நமக்கு அவர்கள் அளித்த தளராத உதவிக்கும், தகுந்த ஆலோசனைகளுக்கும் நாம் பெரிதும் கடமைப்பட்டுள்ளோம் என்று கூற விரும்புகிறேன். நிதி இலாகாக் காரியதரிசி, திரு T. A. வர்கீஸும், அவருடைய சகாக்களும் செய்துள்ள சிறந்த வேலையைப்பற்றியும் நான் குறிப்பிடவேண்டும். அவர்கள் அனைவருக்கும் நம் நன்றியும் பாராட்டுதலும் உரித்தாகும்.

ஐயா, இவ்வுரையுடன் 1955-56-ம் ஆண்டு வரவு செலவுத் திட்ட மதிப்பீடுகளை, இச்சபையின் ஆலோசனைக்காகவும், அங்கோரத்துக்காகவும் சபை முன் வைக்கின்றேன்.

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not very much. I think it will be too much for us to say that for *this* department sufficient provision has not been made in the Budget while for *that* department some other provision has been made. I do appreciate the difficulties of the Hon. the Finance Minister in framing the budget. He has got to make provision for nation-building activities which again is the responsibility of every department. Therefore I say that the Hon. Finance Minister is the best judge to allocate the money necessary for every department consistent with the work which that department has got to do. But so far as the Police department is concerned (as much as Rs. 5 to 6 crores is now being consumed by it) I would say that of all departments, that has been given the largest provision. Of course for keeping law and order in our State, that department is vital. We are proud that in our State, the law and order situation has been well kept all these years. I would only request the Hon. Finance Minister to just see whether there is any chance to effect any economy in that department (Police) without impairing the efficiency. I leave it to the Finance Minister because I think he is the best man to deal with it.

"If I am not charged with expressing any communal feeling, I should like to say a word or two in conclusion about my community, I mean the Muslim community. Sir, the members of our community feel that we have not been given sufficient representation in the public services. We have not been given a 'square deal'. We look to the Government for redressing our grievances. May be there were times when we had clamoured too much. But let me leave it to the good sense of Government. Even representation to our community in the legislature is not too much. If at all some member of our community enters this House, it is not due to any favour shown by Government but by some other methods. Even in the recent district board elections we have found that only in Malabar some of the Muslim community men were able to get seats. Therefore I am sure the Government of Madras will consider our case. But I once again repeat, if the present sort of treatment is meted out, the minorities could not enter our legislature in large numbers to ventilate their grievances. I do not believe in fighting. But I do appeal to Government to do what is just and proper to look after the welfare of our community and see that justice is rendered to us.

"With these words, I thank you, Mr. Chairman, for having given me this opportunity to speak."

* SRI K. BALASUBRAMANYA AYYAR:—"I welcome the very salient and bright features of the budget presented by the Hon. Finance Minister. The budget has been framed with a view to satisfy the object of taking the State forward towards the realization of our cherished goal of Welfare State. Therefore it is that many of the irrigation projects have been financed. Especially, Sir, I welcome the large provision made available for minor irrigation works and tank improvement schemes. Especially last year and

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the year before last, I made it a point to stress that minor irrigation works and tank improvement schemes were far more important and would yield very useful results rather than big irrigation projects. They are very useful and they are already constructed projects. I am glad, Sir, that the Government have made a fairly good contribution towards these minor irrigation projects. They have also contributed a good deal towards rural electrification. In fact our State has got the just pride of leading other States in the matter of rural electrification. Electrification of the rural areas has been in the forefront. Many of our Electrical Engineers and their services have been appreciated by other States in the Union, and our workers are also very efficient in their job. I am glad that most of our villages will be electrified in the year to come. They have also taken to the development of roads and the supply of water to rural areas. All these things are really very beneficial to the public. For achieving all these, the budget makes a substantial contribution.

"As regards the deficit, the Government want to make up the deficit by new taxation measures. They propose to levy a flat surcharge of 2 annas in the rupee on land revenue on all holdings, big or small. The Finance Minister says in a very suggestive way that it may not be unduly burdensome. I feel, Sir, that he is conscious that it may be burdensome, but he says that it is not unduly burdensome. Land tax has been done to death in our State. There has been increased land surcharge, betterment levy, and every other tax only on land. Land surcharge was, I understand, based on the principle that bigger landholders should pay. There is already a land cess of two annas in the rupee. A surcharge of 2 annas in the rupee on the land cess is to be given to the local boards. The surcharge of 2 annas in the rupee on land revenue is also proposed to be given to the local boards. Education cess is a surcharge on land cess. Seeing all these taxes, I am afraid that the ryot in our country will shed tears. I am not exaggerating. To-day I had the good fortune or misfortune of meeting a number of ryots from Chingleput. They were all shocked to hear the proposal to levy a surcharge on land revenue. Is there any compelling necessity for a land tax to be imposed now on the ryots? When we take the ways and means figures, as given by the Finance Minister, we find that our requirements are Rs. 30 crores. In this he has included a revenue deficit of Rs. 116 lakhs. Five crores of rupees are on hand. The balance of Rs. 24 crores he hopes to get either by a contribution from the Central Government or by loans from the public. Why not this Rs. 75 lakhs be added to that? The figure will then be twenty-four crores and seventy-five lakhs of rupees. Why not this whole amount be got either by a contribution from the Centre or from the public? This is not a very big figure. After all for the purpose of getting Rs. 75 lakhs, the Government propose to levy a flat surcharge of two annas in the rupee on all holdings,

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especially when they have not got the Taxation Enquiry Commission Report before them (whose report has not yet been finally published) and especially when we are on the eve of land reforms, the final conclusions of which we are not yet certain. At this juncture, I say that it is not right on the part of the Government to impose a further tax of 2 annas in the rupee on all holdings, rich or poor, small or big. For what purpose? It is to hand over the money to local bodies. Already when we passed the Local Boards Act, there were proposals for reorganising all the district boards. There was also the question whether taluk boards should be reconstituted or not. When all these things are not yet settled and when the district boards have not yet been organised, why should we give much more money to the local boards? We are not sure that the local boards will manage the funds properly.

"I am glad to hear the statement by the Leader of the House that the local boards are the weakest links in our administration. (Interruption.) Because, this supports my argument. They are going to reorganise. I ask, Sir, are the Government going to give more money to the weaker link? Already we see every day in the newspapers that questions are decided in the municipal councils by an appeal to the Police. Faction is raging there. I do not think that this will be permanent and I hope it will all pass away. Why at this particular juncture we should hand over that money to the local boards, and why for that purpose we should tax the already heavily taxed ryots of our poor country? That is my submission. Our deficit is not a huge one. This deficit is part of our already existing deficit. To-day we are not attaching importance to the old and orthodox system of financing. Free scope is given for deficit financing everywhere. The Centre has deficit financing and almost all the States are having deficits, except Bombay which has a surplus. None of these States have resorted to taxation. I do not want that any tax should be imposed. I am not opposing this proposed surcharge because every taxation measure is unpopular. If taxation is necessary, and if the people who pay the taxes can bear that taxation, then certainly the Government are entitled to impose taxes for the purpose of achieving their ambition of a Welfare State. But that is not so. Already the Government have got a deficit. The ways and means requirements are to the extent of Rs. 40 crores, of which the Government have only Rs. 5 crores on hand. As I submitted earlier this surcharge on land is a burdensome levy and cannot be borne by the ryots. As I have very often stated, I have to enter my very emphatic protest against taxing the landholder. I would not call him 'landholder' in the ordinary sense of the term. He is not a landholder at all. He is only a ryot. Most of the ryots have got small holdings. In the composite State of Madras we had a thousand or so paying a land revenue of more than one thousand rupees. All our ryots are poor people. Therefore it is that I say that this levy will be an 'unduly' burdensome tax to adopt the phrase of our Finance Minister.

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"In this connexion I forgot to mention one thing. I welcome the publication of the Tamil translation of the Finance Minister's speech. I do not find my colleague Mr. Gajapathy Nayagar here now. But I personally feel that the Tamil translation of his speech is very good. We should be accustomed to read these things in our own language. It is because we are not accustomed to do so that we feel that we are doing something strange. It is 4 p.m. nothing of the kind. All the terms and phrases we should get accustomed to. There are rich possibilities in our language, Tamil. I know very well that all the terms can be freely used in our language. I know that very well. I am very happy that the Hon. the Finance Minister has broken the ice. For the first time, he has given a Tamil translation of his budget speech. Perhaps, there may be a demand for Malayalam and Kanarese translations also. I am not against Malayalam and Kanarese translations. I only want to say on this occasion that I am happy about the Tamil translation. Though this has no bearing on the budget proposal as such, I only wanted to make a passing reference to it and express my feelings of happiness about it.

"So far as other matters are concerned, I welcome the budget proposal so far as it relates to education. I welcome the move of the Government and the Hon. the Finance Minister in declaring full-fee concession to all poor people whose income is below Rs. 1,200 per annum. This is really a good proposal. As regards elementary education, I wish to say a few words. A Committee has been appointed to go into matters connected with elementary education. So I do not wish to dilate upon it. However, as I have devoted some attention to the subject and as I am acquainted with the working of some of the elementary schools, I would very much like to say a few words. It is absolutely necessary that all these elementary schools should be converted into basic schools sooner or later. Our Government have declared that basic education is their objective. So far as basic education is concerned, it is not so popular as it ought to be because of some small hitches and difficulties here and there. A very influential and experienced Committee which considered the question has evolved the fundamental principles governing ideal and model basic education. We would do well to adopt the recommendations of that Committee. Without adopting those recommendations, free and compulsory education will not be of much use. Recently, I read a book by Dr. Anandakumaraswamy, 'Bugbear of illiteracy'. It has been pointed out therein that literacy, only when it is combined with real education of life, will be useful and good. Mere literacy alone will not be of any use, as it will turn out people to be arrogant and make them discuss unnecessary things and occupy themselves in useless activities. Only when literacy is combined with real craft education, it will yield good results. That is why I say that the principles governing basic education are very good. I hope that the Government will spend more money for this purpose. At present there are about 400 basic schools, I think.

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This is not enough. We have to convert all the elementary schools into basic schools. I would like to take this opportunity to suggest that elementary education as a whole should be in the hands of the Government. This may appear as inconsistent with some of our principles with regard to other matters. But, so far as elementary education is concerned as it is the object of the State to give free and compulsory elementary education to all children in the State, I venture to suggest that it must be dealt with by the Government. It is the primary duty of the State to provide for free and compulsory elementary education. The outside agencies can only help the Government in this regard. The Government must take the full responsibility in this matter. Sir, I have always said, the University has always been saying and many eminent educationists have also been saying that education should not be in the hands of the local boards. I know how this subject has been managed by the local boards all these years. It is the considered opinion of all educationists that education should not be left to be dealt with by the local boards. I do not want to discuss this question further. So far as primary education is concerned, the State has got a responsibility.

"I now wish to touch upon another aspect of the question. The curriculum of studies must include religious and moral education. When I say this I do not want religious education of a particular denomination. I want that a spirit of godliness, faith in God, love of charity and morality should be inculcated in the students even in the early stages. By so doing, I do not think we will be offending the provisions of the Constitution. That is why I am making this personal suggestion, Sir.

"As for other matters, I wish to point out that more and more money should be spent on converting all elementary schools into basic schools. It will be much better to spend money on this purpose rather than on opening new elementary schools. Government's attempt must be in the direction of opening more and more basic schools and basic training centres. Sir, my hon. Friend Sri G. Krishnamurthy has always been urging that the status of the teachers must be improved. True, it has to be done. But, it is not possible to give all the teachers an improved status. Therefore, it is much better to employ part-time teachers, especially married women. Married women can very well take up this work as a part-time job as they have been doing in the good old pial-school days. If this is done we can have ideal basic schools maintained on an almost self-sufficiency basis. At any rate, the expenses in running these schools could be reduced to a certain extent by adopting this suggestion of mine.

"Having said this much on education, I now wish to refer to public health. I am very sorry to observe that only a very small amount has been provided under this head. For the provision of increased number of beds in the various hospitals, the Government have provided a very meagre sum. Public health is as

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important if not more, as food, clothing, electricity and so on. Our ideal should be to provide every village with a dispensary. (Interruption.) It is for eminent doctors to say. I only want to suggest that the Government must spend a larger sum on public health.

Sir, I now wish to make a few observations regarding the indigenous system of medicine. Though even as early as 1924 the Madras Government under the wise guidance of the Raja of Panagal declared it as their policy to encourage the indigenous system of medicine, I am sorry to say that it has not developed. At that time there was intense opposition to it. But still, with commendable obstinacy and ability the Raja of Panagal carried through the programme and encouraged the indigenous system of medicine. Now, Sir, we are beginning to discuss the comparative merits of the indigenous and the allopathic systems of medicine. They are beside the point and if we discuss it, it is only sidetracking the issue. None could question the utility of modern medicine. It has remarkable achievement to its credit and has wonderful cures. Nobody can dispute it and say it is unnecessary. But, Sir, in our country, for long ages together, we have had a rich store of knowledge and experience of medicinal herbs of great value. (Sri A. M. Allapichai: 'They are being exported.') Yes. They are scattered all over the country and we have this knowledge from father to son and even women know something about these cures. It is fast ebbing away and all these herbs are going out of our country. Now, even our women do not know anything about these very ordinary cures. They have forgotten them. When their children get sick, they rush to the hospitals nowadays. It was not so in olden days. The old woman in the family used to come to our relief when we feel sick. Now, for everything one has to go to the hospital. Sir, the other day one eminent doctor said—I read this in the newspapers—'Let us bury all this knowledge and let us build on the foundations of modern medicine here'. That is a statement to which I strongly object. It is not correct. It is not true. It is an intolerant statement. All cures belong to one system of medicine. The aspects of treatment may be different but medicine like religions, which have all only one object of the realisation of godliness, belongs to one system. It is, therefore, unnecessary to talk about one system as against another. I am constrained to refer to all this, because in the College of Indigenous Medicine, the authorities have reduced the number of teaching hours allotted for Ayurveda, Siddha and Unani on the principle which has also been adverted to recently by Mr. C. Rajagopalachariar. He has said that he and the Hon. the Minister for Health both took the courageous step—as he calls it—of introducing modern medicine in the College of Indigenous Medicine. Is that a correct academic proposition? You will be turning out doctors who are not really Ayurvedic doctors. You will turn out people who will neither be Ayurvedic doctors nor persons satisfying the

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standards of proficiency prescribed for allopathic doctors. You have unnecessarily created ambitions in the minds of students and you now see that they have applied to the Government for their classification as medical men in the Indian Medical Council Register. That will be so. Why not I also be called a doctor? There are standards fixed for a good allopathic doctor and no allopathic doctor will say that the curriculum of studies included in the syllabus of the College of Indigenous Medicine is good. So the product of that college is neither an allopath nor one qualified fully in the indigenous systems of medicine. If any expert disputes this statement, I accept it. I am layman. What is the use of giving some kind of tuition in modern medicine at the sacrifice of a knowledge of the Indian systems of medicine? The Government should not take sides when we discuss these matters. Their only anxiety should be to see that people have got proper cures for their diseases. Let them encourage all systems of medicine. We cannot have a single system of medicine and be done with it. It is a matter for the doctors to think of a synthesis of medicines. It must be left to the eminent doctors in our country to investigate and finally decide upon the synthesis of Indian medicine. That cannot be done by a G.O. But it is better on the whole to preserve the vast knowledge we have got of these Indian systems of medicine. Sir, did we not hear the other day of a former house surgeon of a city hospital here discovering certain medicinal herbs which have got an insulating effect to electric shocks when smeared all over the body? A correspondent from Saurashtra got that news and it was published in 'The Hindu'. We have got so many similar things with us and it is better to investigate and preserve knowledge of these for the benefit of mankind. We have got also modern discoveries and inventions. For instance, to-day every building is constructed with cement and mortar. We cannot say therefore that we do not want the old granite buildings built long ago. Let us have the new ones also along with the old ones and let both combine together and get rid of disease in the country. Let the Government take steps to establish schools and colleges of Indian Medicine in order to preserve our knowledge of Ayurveda, Siddha and Unani. I have got personal experience of these. Many of the cures effected with these are very effective. Sir, the Hon. the Minister for Public Health said the other day 'they are believed to be effective'. He was very careful in his choice of words. No, Sir. There is no question of mere belief. Possibly he meant 'mental cure'. That is, he probably thought, when a man believes he will be cured and takes it, he will be cured. It is not so. In my opinion, our medicines have been found to be very effective in very many cases. Also, they are cheaper. For example, let us take the disease, cirrhosis of the liver. There were very many medicines in olden days which could cure this disease and several others. The famous Jammi Venkataramanayya made large sums of money only with the receipt he prepared for the treatment of this disease. Then take

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the famous LODHRA (An hon. Member: 'Kesari Kuteeram?') Yes. It was sent and is being sent to places like America also for treating female diseases. So, Sir, this subject needs to be further studied and investigated.

"Sir, I would now like to urge on the Government the necessity to solve two important problems that face us to-day. One is about the small and cottage industries. I am glad that the Hon. the Finance Minister in his speech said that cottage industries should be encouraged. When we are going ahead with a big scheme of rural electrification and when electricity is to be supplied to all the villages in our State, it is high time that we looked into the possibilities of developing cottage industries. To-day, cottage industries are languishing for market and for patronage. I wish that the Government appoint a small cottage industries commission at the present juncture to go into the whole question and see how these can be preserved and developed. My friend, Mr. T. M. Deivasigamani Achariar, who is very enthusiastic about cottage industries, will, I am sure, support me when I say that a small committee should be appointed to see how the industry should be preserved and developed.

"Lastly, Sir, I come to the problem of unemployment. Recently, the hon. the Deputy Leader of the Opposition and I had an occasion to discuss this problem at a conference held in Triplicane. We were appalled at the enormity of the problem of unemployment which is stalking our land. Any problem that is solved at once gives rise to more unemployment. When Prohibition was introduced, it threw the tappers out of employment. Similarly, whenever we try to solve a problem, it increases the number of the unemployed. In a way, our present system of education itself has been responsible for unemployment among the educated classes. Even now, persons sent abroad, to places like America, do not get any employment on their return. Their knowledge is not used by anybody. It is much better if we publish statistics of unemployed people, as they do in other countries. In other countries, they have solved the problem of unemployment. In America, it is totally abolished. No person is unemployed there. The Government should undertake some kind of investigation for the purpose of tackling this problem and it must be attacked on all fronts. Here I wish to refer to one another matter. For Pongal we whitewash our compound wall, as we used to do, and we find one fine morning any amount of scurrilous writing on the wall disfiguring it. I do not want to give too much publicity to it, by speaking elaborately about it in this House. The Leader of the Opposition also referred a year ago to this sort of disfiguring of walls. I would appeal to Government to see to it that this sort of scurrilous writing is prevented. This sort of scurrilous writing is particularly intended to injure a particular section, who are citizens of this State. I would earnestly appeal to Government to see whether this could not be prevented. Especially after we whitewash our walls for Pongal, as is the

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custom amongst Hindus, opportunity is taken to disfigure the walls by scurrilous writing, mainly intended to promote hatred among the citizens of our State. It is up to the Welfare State to put a stop to this. With these words, I thank you, Sir, for the indulgence you gave me and I submit that this is a concrete budget which aims at the realization of a Welfare State."

* SRI T. PURUSHOTHAM:—"After listening to the sober and encouraging speeches of the two hon. Members of the Opposition, I believe the members on this side may not have much to say except to express concurrence with most of the things expressed so far by Hon. Members opposite. We are glad that the Opposition in this House is not opposing any measure merely for the sake of opposition, but on the other hand they give constructive suggestions so much necessary for good administration. We are grateful to the Opposition for the encouraging and constructive criticism they have made and we certainly agree with most of the views expressed by the two hon. Members."

"I congratulate the Government on the successful working of the First Five-Year Plan. The budget gives a vivid picture of the progress made by Government in all departmental activities. Of course as was stated by the Hon. Whip of the Opposition there is, I should admit, a sense of disappointment that we have to face a deficit budget and that it is proposed to levy a surcharge of 2 annas in the rupee on land revenue in respect of all lands including water-rates. This will work as a great hardship on the agriculturists, who are faced with the problem of fall in the agricultural prices. That this additional revenue would go to save local bodies from financial crisis is certainly no consolation to the landowner. I hope the recommendations of the Taxation Enquiry Commission, who would also have gone into the question of local finance, would be considered because its report would be before us in a few days. (The Hon. Sri C. Subramaniam: 'We hope to have it to-day.') The Hon. Finance Minister says it will come to-day, and I therefore hope that it will be possible for us to reconsider this question of levy of surcharge on land revenue as it appears to me to be most inopportune at this moment."

"I should repudiate the charge made by the Hon. Whip of the Opposition that local bodies are not functioning properly. This is an unfair charge. The local bodies are doing their best with their limited finance. There is also the Examiner of Local Fund Accounts who goes very carefully and deeply into the working of these local bodies. I may assure hon. Members that the money collected by these local bodies is not being wasted as stated by some. Sir, it has been pointed out that the local bodies form the weakest link in our administration. I may inform the House that it is because they are financially bankrupt they should be helped and it is up to the Government and the Legislature to see that this weakest link in our administrative machinery is made the strongest link by all possible help to enable them to render efficient service. I am indeed sorry that there is no reference at all

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in the budget proposals to any progressive reform of the local bodies. Local bodies reorganization committees were appointed but nothing has been done so far. I hope the Government will take swift action to introduce necessary reforms for developing the local bodies. The question of formation of municipalities should engage the attention of the Government. There are definite principles laid down that municipalities should be formed on the basis of population and on the revenue position of the local areas. Based on that standard many of our present panchayats should be formed into municipalities. I do not know why the Government have not taken steps to convert some of the big panchayats into municipalities and I hope the Government will take necessary action about it. Sri K. Balasubramania Ayyar has said that elementary education should be taken away from the control of local bodies. Here again if 'education' had not been effectively administered by the local bodies, it is because of their meagre finance."

"I am, however, one with my hon. Friend Sri K. Balasubramania Ayyar in this that all elementary schools should be nationalized and should be made Governmental institutions as early as possible. If at all any progress in elementary education is to be achieved, I say it most emphatically that we should take the earliest steps to see that all our elementary schools are nationalized as early as possible."

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"The hon. Whip of the Opposition referred to the question of retrenchment in Government departments. Hon. Members are aware that I have always pleaded that there should be a thorough overhauling of the Government Departments. Several intermediary posts such as Divisional Inspector of Schools, Deputy Directors of Agriculture, Deputy Directors in other Departments, etc., should be cut down. The Government are continuing these unnecessary posts. The mounting cost of establishment should be brought down. I feel and I say it with a certain amount of authority based on personal knowledge that it would be possible to effect at least 10 per cent saving that way. I would emphatically plead that this should be done."

"Let me now refer to some of these departments. Sir, the Prohibition work has been transferred to the Police Department recently. And what do we find? We are having a number of officers, one set of officers for enforcement of Prohibition under the Police Department, another set of officers for licensing under the Revenue Department, and a third set for amelioration work under the Co-operative Department. There should be co-ordinated agency for all items of work connected with prohibition and also decentralization of the duties. The Collectors could certainly be authorized to grant permits on definite rules laid down by Government. These papers need not come to the Board of Revenue and then the Government need not pass orders granting these licences. The other day it was brought to the notice of this House that for giving Government advertisements to newspapers, a central system

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is in vogue and that all advertisements should be sent by the Heads of Departments to Government. A Government Order has been placed on the table of the House which shows that there is a pretty large staff to attend to this work in the Secretariat. (Interruption.) It is stated in the Government Order that special staff has been sanctioned for the purpose. Here is again a case for decentralization. Certainly the Heads of Departments could be trusted to give the advertisements to all the newspapers by turns according to definite principles laid down by Government and from the list of newspapers furnished by Government.

"I may refer to another instance of possible retrenchment of staff. Take for instance, the Collector of Madras. He has only limited executive jurisdiction, just to inspect a few areas in Madras City. He has no extensive jurisdiction. He was Paymaster of Carnatic Stipends and Superintendent of Stationery and he had several other auxiliary duties. Now there is a separate post of Controller of Stationery and Printing. The Collector of Madras may as well be appointed as Accommodation Controller, in addition to his other duties. There is no need for a separate post of Accommodation Controller and a senior I.A.S. Officer need not be posted to that work.

"Let me also mention, Sir, that there are similar unnecessary posts in several other departments of Government. Such unnecessary posts should be axed. I do not see why there should be posts of Consulting Engineers in the Electricity Department. I find there are two such posts. There is no such post in the Public Works Department. There is no such post in the Irrigation Department. There is no such post in the Highways Department."

THE HON. SRI M. BHAKTAVATSALAM:—"Sir, I may tell the hon. Member that Sir Henry Howard was the Consulting Engineer for a long number of years in the Electricity Department."

SRI T. PURUSHOTHAM:—"There are now two posts in the Electricity Department. The posts of Consulting Engineers in the Electricity Department are nothing but the fifth wheel in the coach and I particularly emphasize that the posts should be abolished.

"Having referred to a few items of retrenchment, I am glad, Sir, that on going through the Budget one finds that the Governor has effected a voluntary cut of Rs. 9,900 annually in his pay. I refer to this because there is an obsession in the minds of some people that the Governors of Indian States are too highly paid. In the Madras State at least, it seems to me that this is a first rate misnomer. There appears to be an impression that the Governor of Madras takes ten lakhs of rupees as his salary annually as I found it recently published in one of the Madras dailies, and that he spends it just as he likes. The Governor is of course, given liberal allowances, but he cannot spend all the money just

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as he wishes. There are audits and checks. He cannot take a pie to be spent on himself, but has to spend that money on about four thousand employees of the *Raj Bhavan*, both here and in Ootacamund, not to speak of the public entertainments and several parties he has to arrange. We have in the Madras Governor Sri Sri Prakasa, a person who is very economical, for I find that he has not even a Military Secretary, a post which carried a salary of Rs. 1,500 per month. He has instead only a Comptroller of his Household on Rs. 800. I think we ought to be grateful to the Governor for all this economy.

"I am glad, Sir, that in the budget proposals the Government servants have received some consideration and that their leave rules would be liberalized. I hope this will be extended to local boards and municipal employees as well.

"Sir, I have referred on another occasion to Article 309 of the Constitution of India providing that an Act of appropriate legislature should be there to regulate the recruitment and conditions of service of persons appointed to public services and posts in connexion with the affairs of the State. No legislation has so far been brought forward and I would therefore urge for necessary steps to be taken to ensure contented and efficient public service by framing suitable statutory provision on liberalized basis to govern the recruitment and conditions of public service.

"I should like to mention in this connexion that appointments to the gazetted posts in the Educational Department which are to be made by promotion are kept for the past four or five years on a temporary basis. The reason for not making regular appointments is stated to be the delay in combining the Women's and Men's Branches and drawing up a common seniority list for the Subordinate Service. That this delay has been there for five years is not conducive to efficiency, because the subordinates do not get regular promotions, are not allowed to commence probation, and do not get their increments, etc. Discontent prevails and they throw up their hands in despair with a sense of frustration. The Hon. the Minister for Finance, who is also in charge of Education, presumably because he is having more portfolios than one, is not able to attend to this. We should certainly have a separate Minister for Education. But in the Hon. Mr. Subramaniam we have an energetic Minister who can with ease take over even more portfolios and I have every hope that when these matters are brought to his notice, he will take the speediest action possible. It is in that view I have made a reference to this subject.

"Taking next the Government Transport Department, fortunately, the Hon. Minister for Transport is present here, Sir, this Department is kept on as a temporary Department for the last seven years. There is a Government Order which says that if a department has been there on a temporary basis for five years, steps should be taken to make that Department permanent. Why

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has this not been applied in the case of this Department is not clear. Orders making the Department permanent and the incumbents should be issued and it is no credit to Government that the Department has been kept on a temporary basis for more than five years now.

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" The other day, I referred to the delay in filling up posts of Medical officers in hospitals and dispensaries. Such delays should be minimized by temporary appointment of doctors in all vacancies as soon as medical students complete their House Surgeoncy of 9 months' duration after taking degree. If necessary, to encourage graduates to serve wherever they are posted for temporary service, it may be made a rule that a candidate for regular appointment should have served for six months at least as a paid Civil Assistant Surgeon in a local fund dispensary, rural dispensary or Government Hospital as a qualification for selection for regular appointment. Now, service as House Surgeons—paid Rs. 30 or so or unpaid I am not sure—is an essential qualification for recruitment as Civil Assistant Surgeon. Temporary service for six months may be prescribed as an additional qualification. Engineering Graduates—Civil, Mechanical or Electrical—as soon as they finish their course in the State colleges get appointments temporarily first, before regular recruitment. The same system may be followed in the Medical Department as well.

" Sir, there is a public feeling that in the matter of recruitment to public services and admission to colleges, candidates not belonging to Scheduled Castes and Backward Classes manage to get in by obtaining the prescribed community certificates from Revenue Divisional Officers to the detriment of Backward Classes and Scheduled Castes candidates. The certificates are, of course, signed by the Revenue Divisional Officers who issue them. The signature of the Revenue Divisional Officer would indicate the authenticity of the person's claims to belong to the community—Backward Class or Scheduled Caste. Actually, however, it is found that in several cases, the person claiming to belong to the Backward Class is not a Backward Class person. So also in the case of Scheduled Castes. That is because, the actual verification of the claim is left to the Revenue Inspector, and there is no further enquiry or verification of the particulars furnished by the candidate. The report of the Revenue Inspector is forwarded by the Tahsildar to the Revenue Divisional Officer who issues the certificates. The Government should issue instructions enjoining on the Revenue Divisional Officer the responsibility for scrutinizing carefully the claims before issuing certificates, so that spurious claims may be checked. Strict measures should be adopted to prevent such irregularities. I feel it is a great pity that people actually belonging to Backward Classes and Scheduled Castes are made to suffer by such tactics on the part of some.

" Having said all this about public services, I now wish to refer to some of the welfare schemes. Taking first irrigation, as my

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Friend Sri Raza Khan said, it is a matter for regret that the dispute between the Madras Government and the Mysore Government regarding the utilization of the waters of the Palar river has not yet been settled. This morning the Hon. Minister for Public Works visited the All-India Congress Exhibition where the models of the various Irrigation schemes that are in progress and that are to be introduced are displayed in the Irrigation Section. But I am sorry to point out that there is not even one scheme to cover the Chingleput and the North Arcot districts. Hon. Members are doubtless aware of the conference of ryots recently held at Kaveripakkam where the question of supply of freshes in the Palar river was considered. This was dealt with at length by the hon. Sri Omandur Ramaswami Reddiar in this House on a former occasion. This controversy of sharing of Palar waters between Madras and Mysore regions has been pending for a long time. From the newspaper reports it is seen that the Mysore Legislature has of late been discussing this question. The Madras Government should take our Legislature into their confidence and place all papers before us so that backed by the views of the State Legislature the Union Government may be addressed for an early solution of this problem. Apart from that question, I am reminded that the construction of a storage reservoir across Palar in a suitable site above Ranipet was actually contemplated, so that Palar water to the extent available might be stored and let down according to needs below. This was investigated and a reservoir was proposed to be constructed at Kuppam some time back. The Hon. Minister for Agriculture knows more about it as I know he himself initiated it and several irrigation schemes in this State. A suitable site at Ambur or Vaniambadi may be selected as Kuppam is now in the Andhra State. There are several reserved forests in that area and a storage reservoir may be put up there. So also the construction of a supply channel from Palar with a reservoir across the river or an anicut near Kancheepuram to supply Tenneri and Cheruvambakkam tanks in Chingleput district was actively considered. Some rough investigation has been done by the present Chief Engineer for Irrigation when he was the Superintending Engineer. These schemes that I have referred to here should be taken up and definite proposals should be called for from the Chief Engineer and included in the Second Five-Year Plan. It is disheartening to see that the Chembarabakkam tank is not even one-third full in spite of the recent rains. The Hon. the Revenue Minister visited the Chembarabakkam tank yesterday and saw for himself and noted how such a big tank has no water practically and how it would be in summer may be guessed. Steps should be taken urgently to investigate the cause of low water level in the tank and institute remedial schemes. I hope that this and the other scheme that I have referred to just now for improving the irrigational facilities of Chingleput and North Arcot districts will receive the Government's earnest attention and consideration.

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" Sir, I congratulate the Government on their policy of expansion of rural electricity in this State. The Electricity Department has it is pleasing to note committed itself to a target of 1,000 villages and 10,000 pumpsets per year. This objective it must be observed is not being implemented in full due to lines having been laid and parties not availing of supply. In short, the number of 'unconnected agricultural services' is perpetually on the increase. The ryots do not have the financial resources to install a pumpset even though supply is made available. The Government have to go half-way and supply pumpsets, etc., for the agricultural purposes on suitable long-term hire-purchase system. This aspect is now being looked into by the Agricultural Department. As a matter of co-ordination between the Electricity and Agricultural Departments, I suggest that the Electricity Department takes up this question of supply of pumpsets, etc., to the agriculturists and sees that connexions are given soon after the supply is extended. This will go a long way in making the electrical extensions earn revenue as well. Better co-ordination will be achieved if the loans for purchase of electrical pumpsets for the agriculturists are arranged to be given by the Electricity Department.

" There is one other matter to which I wish to refer and that is the problem of village communications. This ought to receive urgent attention. Villagers feel that whereas highway roads are improved and black-topped entirely out of Government funds, the formation of village roads is left to the villagers to be taken up on half-grant basis, the other half to be met by the villagers. The villagers are not able to go ahead with these schemes and the District Boards as we all know are financially crippled and are unable to render any assistance in the formation of the village roads. May I not in all earnestness appeal to the State Government to assist these schemes with one-fourth grant to supplement Central Government grant, even if it should involve putting off the improvement of major roads.

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" The Hon. Finance Minister has stated in his budget speech that Rs. 50 lakhs will be utilized for black-topping stretches of State Highways. I earnestly urge for the consideration of Government that priority should be given to village communications with the available amounts, and the black-topping schemes should be put off for the present.

" It is happy to note that every village will have a school ere long under the budgeted scheme. The Government should also draw up a comprehensive scheme of rural medical service. The Hon. Finance Minister just now said that there would be no need for rural dispensaries, if on account of the introduction of protected water-supply, we are able to improve health and sanitation of our villages. But I would particularly refer, Sir, to the problem, which even a protected water-supply would not cure, namely, maternity. There is need for starting maternity homes on a planned basis in

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rural areas. Any amount of money allotted for this purpose would not be spent in vain and the Government should utilize the services of voluntary social organizations for pushing up schemes of this kind.

" Sir, let me in passing refer to the beggar problem. The beggar problem should receive greater attention and I trust that the Second Five-Year Plan would lay greater stress on such social problems and that effective steps would be taken to enforce the Madras Prevention of Begging Act by providing Beggar Homes at least in municipal towns.

" There are very few schools for defectives in our country. The improvement of existing institutions in this State is of paramount importance. Presiding over the anniversary of the Government School for Blind, Poonamallee, the former Chief Minister Sri C. Rajagopalachari stressed the State's responsibility in the matter. It was stated then that a scheme for reorganization of the school was in the offing. I searched for the same in the list of Part II Schemes in the Budget but no provision, I find, has been made for this. The Blind School should be improved and an industrial training section to teach crafts to the blind should be started to train the students in various crafts. I trust the Government would move in the matter at once and they should also take advantage of the visit of Dr. Helen Keller to this city and discuss with her the ways and means of improving the School for Blind at Poonamallee.

" Lastly, I would appeal to the Hon. Chairman to organize a Legislators' Association, so that there might be opportunities for general discussions and social contacts among the State legislators. Study circles and group consultations also may be encouraged and I hope, Sir, if we have such an organization it would be possible to ensure a healthy spirit of camaraderie and efficient discharge of our duties as legislators.

" Thank you, Sir."

* SRI M. P. GOVINDA MENON :—" Mr. Deputy Chairman, Sir, I am glad that the mistake which was committed last year is not repeated this year. You will remember, Sir, after the whole Budget was discussed and the Demands were voted by the Assembly last year—and even after the Appropriation Bill was passed by the Assembly—we were given an opportunity to discuss the Budget proposals. It was not only a *post-mortem* examination but was post-burial examination and we did protest against this attitude of the Government towards the Council. (The Hon. Sri C. Subramaniam : 'It was not last year, but the year before the last.') Yes. This year, we have simultaneous sittings for discussing the Budget proposals and I am thankful to the Government to the extent they have provided this facility.

" Sir, in the general discussion of the Budget, you will pardon me if I am a little parochial in my remarks and refer to the

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conditions obtaining in my district of Malabar, because this is the only opportunity and occasion when I can freely ventilate the grievances of the people of my district. Let me begin with an offer of congratulations and thanks to the Government, for, the other day, the Hon. Mr. M. Bhaktavatsalam, had the courtesy to visit the livestock farm in Thiruvazhakunnu in the district of Malabar and I had the opportunity and the time to accompany him on that visit. I am glad that there is a proposal in the present Budget to construct residential quarters for the staff employed in the farm. Barring that I feel that my district has been completely, thoroughly and systematically neglected. I am afraid, we are considered uninvited guests here. We are treated as persons who have no right to exist. Sir, if you go through the Budget from one end to the other, you will find Malabar is conspicuous by absence in regard to provision of beneficial schemes. I am glad that Mr. Narasappayya also feels with me, but unfortunately for him, he is a victim and a virtual prisoner in the hands of the Congress party. Though he touches his heart, he cannot ventilate his grievances here. But, I ask: So long as we are here and until such time as we go out of the State of Madras, is it not the duty of the Government to treat us generously, equally and justly? The hon. Members, Mr. Balasubramania Ayyar and Mr. Purushotham were dealing with rural electrification schemes proposed in the Budget for this State. But what about Malabar? Sir, if you travel through villages in Malabar, you will see electricity is conspicuously absent. If you cross the Western Ghats and see the villages you will find that the Treasury Bench here does not recognize any area on the other side of the Western Ghats as forming part of the Madras State. When I travel by the Malabar Express and get into the eastern side of the Western Ghats and reach Podanur, I really begin to feel jealous of the position Tamilnad holds. Of course, a paltry provision has been made in the Budget for supplying electricity to Badagara. Perhaps there is some individual over there who has some position in the Congress and some pull with the Government and perhaps to satisfy this individual, the Government have made this paltry provision of some six or seven thousand rupees. Throughout Malabar, you will find no electrification at all. I know my cry is only a cry in the wilderness. There is no representation for Malabar in the Cabinet either. I do not belong to the Congress party and it is for the members of the Congress party from Malabar to agitate for a seat in the Cabinet. But what I mean to point out is, if there is one representative of Malabar in the Cabinet, he would use his influence and see that the Government do some justice to Malabar. The Hon. the Leader of the House is looking at me and his look suggests, 'any way, you are going away'. It may be, Sir, we are going away. But so long as we are here, are not the Government bound to give us what they are giving the rest of the State? Sir, the Hon. Sri Kamaraja Nadar is not here. It is unfortunate. When he was touring the district of Malabar, some press representatives asked him, 'what about

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representation in the Cabinet for Malabar?'. He said, 'I am your representative'. Is this the kind of representation we have? God save us from Mr. Kamaraja Nadar! Nothing more, I can say. We do not want doles. The people of Malabar were formerly warriors. They can stand on their own legs. They will face any calamity. 5 p.m. Let me utter this warning to the Government. To whom are you going to hand over Malabar? To persons who are not desirable. Of course the Hon. Mr. Bhaktavatsalam says that during the 1952 elections I went to support the Communists. It was not as if I swerved from the constructive principles of the Father of the Nation, Mahatma Gandhi, in which organization I have worked for 30 years. I took that stand in 1952 because I thought that the Congress organization, which had swerved from Congress principles, should be taught a lesson. Malabar may fall into undesirable hands. But what about adjacent Tamilnad? Do you think Tamilnad could be safe from that menace? Is not that disease contagious? Will it not affect Tamilnad and spread its wings once it seizes power in Malabar? Will it not pass over the Western Ghats and spread to Tamilnad? That is why I say let Tamilnad people think twice or thrice before they give this sort of treatment to Malabar and thus expose it to undesirable elements. Once that element catches hold of Malabar, it will not be long before it catches hold and that too firmly, of Tamilnad because it is a contagious disease. Mr. Chairman, I am rather feeling very strongly on this question and that is why I am speaking with some feeling. If I have exceeded the bounds of moderation of language, I hope I may be pardoned.

"In the budget presented to us there is the confession of the colossal failure of the First Five-Year Plan. Of course there are figures running to crores as to what has been done. They are there on paper. But I do not think the effect of this plan has been felt in the countryside, I mean particularly in the villages. It has been a colossal failure. Of course I belong to a party wedded to principles. My party's strength may be small but I am proud of the fact that we are wedded to principles. I am one of those who will in toto support everyone of the constructive principles enunciated by the Father of the Nation. But let it be understood that the cardinal principle of planning is that it should start from the bottom and then go upwards and not begin from the top and go to the bottom as is now sought to be done under the First Five-Year Plan. It must be a plan of the people starting from the villages. I am glad at least in the Second Five-Year Plan that object has been recognized by the Hon. Finance Minister, as has been indicated in the budget speech. He has said that the broad outlines of the Second Five-Year Plan must be drawn up at the district level. What I say is it must be at the village level. It is good to start from the villages or districts. We must start from the bottom and then go upwards. That has not been done in the First Five-

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Year Plan and so it has ended in a colossal failure. At least in the Second Five-Year Plan, I think Government will seriously consider taking the people into confidence at the village and district levels. Let the plan be decentralized so that it may be acceptable to the people in the villages. That should be the constructive approach. I am one of those who will in toto support everyone of the constructive principal enunciated by the Father of the Nation. I am a firm believer in his constructive programme. But what is done by Government in the name of implementing that programme is only a mockery of it. I do hope at least in the Second Five-Year Plan, the plan might be directed from the bottom, that is from the village and then taken up, and spread to urban areas.

"I shall now come to the subject of local boards. As has been pointed out by Mr. Purushotham, again it is a question of finance. For want of adequate finance, the local bodies have not been functioning properly. You do not give the local bodies power. Let autonomy be given to the local bodies. Give them sufficient power. The successful working of local bodies in Western countries and especially in the United Kingdom is due to their having been clothed with sufficient powers. If you want our local bodies to come to the level of local bodies in Western countries wherein you have a dignified form of democratic Government, it is absolutely essential that they should be given sufficient powers; in their respective field they should be given autonomy. Mark out the fields for them and do not interfere with them in their respective fields of administration. Let them be given autonomy; let them be self-governing independent units, just as they are in Western countries. If this is not done, I do not think our local bodies could come to the forefront. If this is not done, there is no use of helping the local bodies only with money.

"The hon. Member, Mr. K. Balasubramania Ayyar, has referred to the subject of elementary education. I think as Mr. Balasubramania Ayyar has said the time has come when the subject of 'elementary education' should be taken over by the State from the local bodies. There should be nationalization of elementary education. I think Madras should make a beginning by nationalizing elementary schools. Anyhow you are paying the teachers in Government schools. For the aided schools, you give grant. Therefore when you are spending money for the sake of teachers, I do not think there would be any difficulty if you make a beginning by nationalizing all elementary schools. Let a beginning be made in that direction. Why leave the subject of elementary education to local and private bodies and then give them grants? I do not think there would be any harm in the State stepping in and nationalizing all elementary schools? After all, are you not told under the Constitution that within 10 years from the commencement of the Constitution, the State should endeavour to give free and compulsory education to all children between the ages of 7 and 14? Where are we now? We are in 1955. Five years

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have rolled by since the commencement of our Constitution. To fulfil the directive in the Constitution, should we not make a beginning at least after five years have elapsed? Is it not the duty of the State to give education to all citizens. Even as far back as 1832, when the Reform Bill was introduced in England there was a cry in Parliament, viz., 'Educate our masters'. Have we educated our masters? These children, these masters are going to be the future citizens of India, who will shape its history. Therefore if you do not educate our masters, I mean the children of to-day, if you do not give all the citizens proper education, woe unto the freedom which you have got. It is absolutely necessary to give compulsory and free education to all our citizens. I hope that the Government would seriously consider what I have said. Let me hope that Mr. C. Subramaniam, now that he is present here, will seriously consider what I have said and make a beginning by nationalizing all our elementary schools.

"The subject of 'basic education' has been referred to by the hon. Member, Mr. Balasubramania Ayyar. I am a confirmed believer in the type of basic education envisaged by Mahatma Gandhi. Of course there was a resolution on 'basic education' at the Avadi Congress. We have some basic schools in our State. We have some basic belts, so to say, in our State. I myself come from one such basic belt. But let me boldly say that the type of basic education taught in the basic schools in the area from which I come is a mockery of the 'true basic education' conceived by Gandhi. There are no tools in the schools, no instruments; the teachers are not sufficiently trained. With this background, it is a waste to convert ordinary schools into such basic schools. I say it is a crime against Mahatma Gandhi's basic education. It is a shame to call the education in those schools as 'basic education'. I was attracted towards Rajaji's new elementary education scheme. But that has been thrown to the winds. We have now a committee to review the question of elementary education in our State. From the very nature of the questionnaire, I feel some such thing as 'a mountain laboured and brought forth a mouse' will result in the case of this committee. That is what I have got to say. In conclusion let me say if you want to convert all schools into basic ones, do it by all means on proper lines. Let it not be a mockery on basic education. If you are not able to impart true basic education, put to a stop to it but for God's sake don't do anything which is a mockery on the basic education envisaged by the Father of the Nation.

"I looked into the taxation proposals from two standpoints, viz., first of all whether you are justified in coming by with the taxation proposals at the present juncture. I do not think that any Government could go on without taxation. I do believe that for the functioning of a Welfare State, we should have some sort of new taxation; but you should not think of taxation before effecting

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retrenchment and effecting as much economy as possible in the administrative machinery. Mr. Purushotham has already referred to it. You have inherited a top-heavy, over-centralized administration. You have not effected any retrenchment, for which there is scope, in the unwieldy administration."

SRI A. M. ALLAPICHAJ:—"There will be more unemployment, then."

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* SRI M. P. GOVINDA MENON:—"If the Government want to relieve unemployment among the people and, therefore, they are creating posts, I say, Sir, that is not sound economics. We want to solve the unemployment problem by having unnecessary posts! (Interruption.) That is not the way to deal with the problem. But what has been done? There is the over-centralized, archaic and ante-diluvian administrative machinery of Revenue Board. What is its function? I can understand the bureaucratic Government centralizing all power in one body consisting of all superannuated I.C.S. officers. But now there is democracy. In this body I do not want to see the examples mentioned by the hon. Member Sri T. Purushotham. Sri Purushotham has helped me by saying that there are many unnecessary posts in Government departments. He says that if there is a Director in one department, he has got his Assistant Director, Deputy Director, Sub-Assistant Director and so on. So many unnecessary appointments are there carrying fat salaries. The amount which the Government may be able to save by retrenchment may not be much, but it is only a token to show to the people, 'I have done so much. Come and help with fresh taxes'. Have the Government done that? What right have the Government to come forward with taxation measures? The Government propose to levy a tax on tobacco. If the cigarettes that I and the Hon. Chairman smoke are taxed, I do not mind. But why should the Government go to the lowest level and tax even the poorest of men? Men in the villages smoke cheap cigarettes so that they may get relief from their work. But the Government want to tax the cheapest cigarette. The Government may tax luxurious articles. But if they go to the lowest level, I say it will be a great hardship on the poor people. In these days of Prohibition when we want to wean away people from greater vices, why not we allow some small vice so that there may not be the incentive to take to greater vices? I hope the Finance Minister will reconsider his taxation proposal. I am not against taxing tobacco as such, but I am against taxing the poor people."

"Then, Sir, I come to the question of the surcharge of two annas in the rupee on land revenue. This is the last straw on the camel's back. What has happened to the Treasury Bench, Sir? Have they no imagination? As my hon. Friend Sri Balasubramanya Ayyar put it, the system of land revenue is unscientific and not properly arranged by the Government. On top of the education cess, we have the local board cess. Recently the Land

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Revenue Surcharge Act was passed imposing a graded scale of surcharge on land revenue. Now to crown all these the budget proposes to levy a flat surcharge of two annas in the rupee on all ryots. This is a uniform rate to be levied on all. The surcharge is levied on all people, rich or poor. A man who pays one rupee has to pay two annas. A man who pays Rs. 100 as land revenue, has to pay two annas in the rupee on that one hundred rupees. A man paying a lakh of rupees as land revenue has also to pay a surcharge of two annas in the rupee on that lakh of rupees. This is the new kind of socialistic pattern promised to us by our Congressmen. When the resolution on the socialistic pattern of society was placed before us, I was so immensely pleased with that resolution that I thought that I must rush back to my old organization. But the socialistic pattern of society which has been promised is this kind of society—not only equal suffering, but equal suffering for all people. I must suffer equality in this matter, that is, suffering must be distributed to all persons. This is the kind of socialistic pattern that is assured to us. Sir, I may warn the Government this much. If they carry on the administration like this—I am speaking more in sorrow than in anger—we may not prevent a greater danger to the freedom of our country. This kind of taxes, without caring for the people, will result in great trouble. Simple arithmetical calculation of getting some lakhs of rupees from these taxes, without caring for the consequences on the people, will result in great danger. The people are already overburdened with taxation. If they are still further taxed, there will be great danger not only to the Government but to the country. That is my fear. I do not mind if the Congress Party goes to dogs. But the country will be ruined. By trying to impose these taxes, we will be driving the people away to an undesirable path. I hope the Government will seriously consider my point. This budget is not the post-Avadi session budget. This is pre-Avadi session budget. May I, with all respect to them, say that the budget proposals should be thrown into the Cooum river, and that the Government should begin afresh with a new budget based on the socialistic pattern of society? I hope sense will dawn upon the Government. I hope the Government will realize their mistakes and the country will be saved from danger and disaster. With these words, Sir, I resume my seat."

* SRI T. M. DAIVASIKHAMANI ACHARIAR:—"Sir, I feel grateful to you for giving me this early opportunity to speak on this occasion. The budget, in my opinion, should be welcomed by all, not only by the members of this House but also by the general public and all institutions connected with the Government. Sir, in other countries the budget session is welcomed by all including the Opposition. It is an opportunity for the Opposition to pounce upon the Government and tear their schemes to pieces. For this reason in other Parliaments, this opportunity is being welcomed to criticise the measures of Government. The question whether the measures adumbrated are beneficial or disadvantageous, will be dealt with by the members. Sir, the budget session as pointed out by the

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hon. Member Sri M. P. Govinda Menon is an opportunity for Members—no matter whether they are elected or nominated—to express their opinions freely and to advise the Government if they can. Sir, this budget is an improvement over the previous year's budget in that the Finance Minister was able to produce a Tamil translation of his budget speech. This shows the great aptitude he has for the language and his mastery of the language and also his literary taste. This alone is a great improvement on the previous budget speeches. It is very difficult to find certain technical equivalents in Tamil. For example, I may point out a mistake. For thermal plants the free translation in Tamil speech used is மின்சார நிலையங்கள். This may mean anything. (Interruption by Sri V. V. Ramaswami.) Then, I have come across the translation into Tamil of the word 'train' elsewhere. The translation is இரும்பு நெடுவண்டித் தொடர். This is the free translation given by a Tamil literary authority. In this way, I find there are insuperable difficulties in translating technical terms adequately. Therefore our first attempt before making Tamil our official language must be to get all these technical terms translated into Tamil equivalents. Before the Tamil language can be adopted as the official language at a future date, the first step should be to appoint a committee and charge it with the work of translating all these technical terms into appropriate Tamil.

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"Now, I come to the budget proper. Though it is a deficit budget, deficit by Rs. 166 lakhs, it is a very hopeful budget in the opinion of the Hon. the Finance Minister. After all, the figures given in the budget are not going to remain what they are. They are going to be altered. Once, Benjamin Disraeli said in the House of Commons, when he presented the budget, that there were three kinds of lies, viz., white lie, black lie and budget statistics. Thus, he classified budget statistics under 'lies'. By so saying he did not mean that the budget estimates are all lies. He only meant that the budget figures were capable of being altered from time to time. So also in this budget, we can substitute a new set of figures for the ones that are now given in it. Therefore, I think we need not go into the figures given in the budget. Leaving the figures aside, I now propose to deal with ten matters connected with the budget.

"Sir, let me begin with irrigation works and lay a great stress on the promotion of artificial rain. A large sum of money is now being spent for investigation and execution of several irrigation projects. In America, they have evolved a regular programme by which they take the 'rain' to parts which need it most. Instead of spending so much money on digging canals and damaging rivers, is it not reasonable that this Government must also investigate the possibilities of artificial rain?

"Coming next to electricity, it is gratifying to note that 1,000 villages are going to be electrified in a year. I would very much like to know whether it is the intention of the Government to extend

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lighting only or whether it is their intention to make electricity available for the purpose of starting rural industries or small-scale industries. There is no use of extending electricity merely for the purpose of lighting. When we go to certain mofussil places, we find that the lighting is very bad and in some places it is worse than even the oil lamps. Unless we establish a sufficient number of thermal stations, it will be very difficult to tackle the problems of rural electrification and promotion of industries.

"Coming next to the Neiveli Lignite Project, we are not very sure whether it will be successful or not. I understand there are two layers of water, viz., the surface water and the underground water which the Government have to tackle. We do not know whether the underground water is stagnant or whether it is a current running into the sea. We are groping in the dark, so to say, in regard to this matter. On this project, the State Government have spent a sum of Rs. 80 lakhs without knowing the real position. We are told that the Government of India will come to our rescue by taking up the whole project and working it. It is a welcome news indeed that the Government of India at their expense are going to investigate the matter. If, God willing, they are successful we are told that we will get one-fourth of the net profit accruing from the project. Have we spent Rs. 80 lakhs only to get this much? I want that we must get a proportionate share from the project. With your permission, Sir, I would like to touch upon one or two important matters. If my time is up, with your kind permission can I speak tomorrow, Sir?"

MR. CHAIRMAN :—"We are sitting till 6 o'clock. The hon. Member has already taken 15 minutes. He may speak for seven more minutes."

SRI T. M. DAIVASIKHAMANI ACHARIAR :—"About the taxation proposals, I wish to say a few words, Sir. Besides the six old taxes, three new taxes have been imposed. The President of the All-India Jewellers' Association, Bombay, has published certain official information according to which we find that a sum of Rs. 600 crores is spent annually by the people of India in making jewels. I reckon that in this State the corresponding figure will be Rs. 70 crores. Originally there was a just proposal to levy an enhanced sales tax at the rate of Re. 0-1-3 on the jewels made and sold in shops. But all on a sudden, for reasons which are inexplicable, this proposal was given up on the responsibility of the Cabinet and the old rate of taxation was maintained. As a result of this, the Government have lost an income of about Rs. 218 lakhs. Why should the Government lose such a substantial income and come forward with fresh proposals to levy a tax on tobacco and other petty things? When the rich people can afford to spend so much on their marriages and luxurious jewels, they can very well afford to pay the increased sales tax. So, I feel that it is a wrong move on the part of the Government to have given up this enhanced sales

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tax at the request of some of the interested persons and thereby to have lost a substantial sum. Therefore, I request the Government to look into the matter seriously and do the needful.

"There is yet another question, Sir, which I want to touch upon and that is the question of elementary education. Most of the hon. Members might have seen the questionnaire issued by the special committee on elementary education. Questions are written in chaste and high-flown English. Are the villagers going to grasp and understand what the questionnaire means? Therefore, whatever be the ability of the members of the committee, let them issue hereafter all their questionnaires, notifications and reports in the Tamil language. I hope I am justified in expressing this opinion. I shall be failing in my duty if I do not congratulate the Government on their wise decision to give compulsory free education up to 8th standard. Our State has set an example in the matter. When the future historian writes about the present administrators of the State, the names of the Chief Minister and that of the Education Minister will be paid due tribute.

"Sir, in Salem district, iron-ores are found in superabundance. In that district, there is a small village known as Ethapur which produced large quantities of steel, first class steel, in the days of the East India Company. That place is now forgotten. When the subject of starting an iron and steel industry in Salem was mooted recently the Central Minister said that it was a day dream to think of installing a steel plant in Salem, much less in South India. Sir, this is a grave mistake. He throws the whole blame on lack of coal supplies in the State. Were not the Government importing coal all these days from abroad and other parts of India? Instead of wasting our money on the uncertain lignite project, we can as well get any amount of coal from foreign countries. Depending upon the lignite we are hoping to get, for running our industries is not safe. This reminds me of an old story. A man wanted brinjals. He purchased several acres of land and began planting brinjals all over—all for his daily use! This lignite project is something like this. I would like the Government to investigate the industrial possibilities in our State with the help of atomic energy. In other countries, they have found out that atomic energy can be used for industrial purposes and for the promotion of new industries; it has been found that 15 pounds of atomic fuel can produce as much power as 40 million pounds of coal! This is a subject which can be investigated by the Universities and in the laboratories started in Bangalore, Madras and Karaikudi. We must not be content with our past achievements in the industrial field. Our industrial possibilities should be explored to the fullest extent. My friend, Mr. Balasubramania Ayyar went out of his beaten-track and very rightly touched upon the subject of cottage industries in this State. I am glad that he has taken so much interest in these because it is the cottage industries that are going to give every prosperity to the State. I therefore lay a very great stress on this.

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"Sir, with your indulgence, I have taken a few more minutes to close my speech. I now resume my seat."

* SRI G. KRISHNAMOORTHY :—"Mr. Chairman, Sir, I must say that this is a colourless budget. We are living in very important times. The historian will write this period as the most important period of the initial stages of the post-freedom era. We say we should build our nation. But who are the builders of the nation? Nobody can deny the fact that it is the teachers that are the builders of the nation. Sir, I was scanning the budget to find out whether there was any provision in it for amelioration of the condition of the teachers. I find it nowhere. Of course, the Government have tried to add a little colour to the budget by saying that they are going to spend 50 lakhs of rupees on giving education to poor children up to the end of III Form free of cost. If we make a survey, we will find that we have already given several concessions to children of backward and scheduled castes; besides, now the N.G.Os. and teachers have been permitted to have their children educated free of cost up to the end of III Form; the policemen's children also get education free; then come the children of employees of local bodies, etc. And, now the concession is confined to people who get less than Rs. 1,200 per annum by way of income. It is because several concessions have already been given in this way, the total cost of the new concessions may not come to Rs. 50,00,000. Unless the limit of income of the parent is raised to Rs. 300 per mensem as has been rightly done with reference to the cost of living index in the case of local board employees and concession is given to children of parents who get less than Rs. 3,600 per annum, I am afraid the provision of Rs. 50 lakhs may not be fully utilized. Now, Sir, what is it that has made the Government suddenly jump to the aid of the parent ignoring the teacher who has also educated the parent? This is a land where the teacher was held in high esteem as Guru. But now that is gone. The Guru is forgotten. His claim ought to have been settled as the first item in the list of priorities even on the 14th August 1947. On the 14th August 1947, the Guru felt happy that all his claims not defrayed by the foreigner would be considered by our Government. But even after eight years of Swaraj, the teacher—the Guru—is yet to find his place in the list of ameliorative measures undertaken by the Government. Is it for want of clamour on the part of the teachers? No. They have been clamouring and I as their representative have been putting forth their demands here for the last nearly three years. I would like the hon. Members of this House to look into their demands. They are the builders of the nation. As the very name implies, they discharge the duty of the parents. This problem is not a party problem. It concerns all people, whether they sit on the Treasury Bench or on this side of the House. We say we are a Welfare State. We say we are building up the nation. We say we are aiming towards economic Swaraj. Our ways of living must change. Our fashions must change. Unless

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and until we change our ways of living, economic prosperity cannot come. When we say the ways of living must change, that means the system of education must also change and therefore the teacher has got to give his whole and undivided attention to the task of building up the nation. But I am very sorry that nothing has been mentioned in the budget about the amelioration of the condition of the teachers, who are engaged in the task of building up the nation. Mention has been made about concession being given to the N.G.Os. in the matter of liberalization of leave rules, viz., of how they would be permitted hereafter to accumulate 120 days instead of 90 days leave. Is this such a great concession as to be mentioned in a budget along with irrigation schemes and other beneficial schemes costing several lakhs and crores of rupees and that by a Government getting over Rs. 47 crores on the revenue side? No mention has been made of the teachers. What has been done in this budget to make the condition of teachers happy? What has been done to them? Have they been given a living wage? We do not ask for any luxury; we do not want that teachers should live in big bungalows and go about in cars. What is it that we ask? We want a living wage for the teacher. We do not want anything more than what is required for a simple living. What is he paid now? He is paid Rs. 30 by way of pay and Rs. 19 by way of dearness allowance. In these hard days, can we by any stretch of imagination say that this Rs. 49 per month is a living wage? In these days, for a husband and wife, not less than Rs. 200 is required a month for a decent living. Where is Rs. 200 and where is Rs. 49? In spite of our repeating it again and again, Government have not given the teachers a square deal. The teachers have not been treated properly. Even now it is not too late. It is not as if the budget figures could not be changed. In fact we often find that the budgeted estimate and the revised estimate do not agree. That is why I say, let the Government kindly consider the question whether they could not make any enhanced provision in the present budget itself for the amelioration of the condition of teachers. It is not too late. If only the Government have the mind, they could do it. Let them revise the figures accordingly and let that enhanced provision be made in this budget itself.

"I am saying this because it is the teacher who moulds the character of the future generation. The school is rightly described as a miniature society. If we have an irrigation or hydro-electric project, we say it is an item of capital expenditure and provide for it. It is treated as an item of capital expenditure since the benefits are to be enjoyed by the future generations and the present people should not pay for it from the current revenues. Education is not treated as a capital expenditure and extra provision is not made under capital expenditure for new schemes and better salaries for teachers. The benefit of education is passed on not only to future generations, but carried from birth to birth as a cultural heritage. Even to make the present capital expenditure on irrigation and

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electricity, really useful to the poor, the human element is important. Men of integrity and honesty are to be at the helm of affairs. It is the teacher who trains men of character, integrity and honesty. It is the human element that is important. Even for a mechanical brain working figures (the artificial machine brain) the human operator is required. It is the quality of education that is important. But the Government want to increase the quantity at the cost of quality.

"We are going to have 1,500 single-teacher schools, besides the 2,800 recently opened. Let us see what this single-teacher school is. It is an elementary school started with an untrained teacher, who is to get the salary of a qualified teacher with two years of training. In due course the teacher is to handle more than one class. A short training of a few days may be claimed to be given to these teachers. But it is really adding to the hungry battalion of teachers. When the existing teachers are not given a living wage, why add to their number? Is it real education to have an untrained teacher and to put 40 children under his charge? We may say we are solving unemployment by employing such teachers. But we are really producing on the other side 40 'unemployables' from out of the 40 children put in charge of that teacher. For every untrained teacher we are producing 40 'unemployables'. I say this sort of spreading of education is not spreading 'real education'. It will not yield fruitful results. Again could you expect by paying the teacher Rs. 49 to devote his undivided attention to the pupils? When one's stomach is not full, could you expect anyone to devote himself wholeheartedly to his work? Is the teacher given a living wage? When a husband and wife require Rs. 200, how could you expect the teacher to be content with the paltry sum of Rs. 49 when the cost of living index is as much as 350? The teacher is there to set an example to the boys. We know how children imitate the teacher. When the teacher goes to the class room, ill-clad and ill-fed with sunken eyes, will not the boys imitate him? Even those who have not read psychology specially know that the child has got a lot of imitative power. It tries to imitate the teacher. When the teacher comes ill-clad, do you want the child also to come ill-clad to the class, because by natural instinct it will try to imitate the teacher. By his manners and conduct, the teacher should conduct himself in such a manner as to be an example to the pupils. That is why I say, let him be paid a living wage and made to concentrate more on his work, with love. But the Government may say 'Well, Krishnamoorthi, we know what you say. But even after the separation of Andhra, we have a lakh of teachers. Even if it is a question of giving one rupee increase in the pay of a teacher per month, it means Rs. 12 per year per teacher and that may cost the exchequer as much as Rs. 12 lakhs.' But if it is a fact that when you have as much as Rs. 47 crores as income on the revenue account, it is not possible to give some increase to the teachers, why incur more expenditure by starting more schools? When you are not providing even a living

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wage to the present teachers why add to the number of teachers and create more 'unemployables' as I have said previously by opening single-teacher schools with untrained men? We know the sort of education that would be given in these single-teacher schools. It is not education at all. Our experience has proved that the type of education that is now being given in schools is not useful in later life and much of what we learn has to be forgotten. Nothing is useful except some smattering of English and some arithmetical knowledge to add and subtract. That sort of useless and purposeless education, we are trying to perpetuate, by starting more single-teacher schools. We may make a Deputy Inspector of Schools follow a piper with great pomp and open an elementary school. We may say that every village with a population of 500 and above is going to have a school. But unless the quality of education is improved this quantitative improvement will be a waste. Sir, I have been asking the Government, 'Why not feed the existing teachers?' Let the Government make them strong, make them feel more happy and cheerful, make them real examples before the forty children before whom they sit and make them pay undivided attention to their work. Is this a very hard task? The Government have been telling that this is a department which does not bring in anything—not even one crore—by way of receipts and that the department is spending Rs. 10½ crores. Out of a revenue of Rs. 47 crores, we are spending a sum of Rs. 10½ crores on education—a major item in the Budget for education. But I have always been stating 'Throwing away these Rs. 10½ crores into the Bay of Bengal is the same as spending them on Education.' There are two things in education, first the content of education that we impart and secondly the undivided attention that is to be given to Education by the teacher. The Government have been saying 'We have formed the Elementary Education Committee and we have the Secondary Education Commission Report for re-organizing the content of Education. How many years is it now since we got Independence? It is more than eight years and we are in the committee stage only. Can we not do all these things within less than six months by asking a few educationists to sit together, study the problem and chalk out the picture of the future individual according to the national and economic needs and just put the daily routine required for that as the syllabus in the school? Very easily this can be done. It cannot be controversial whatsoever. What we wish to do in society is going to be the syllabus in the school, the miniature society. Unless and until this is done, this large amount allotted for education is sure to be a waste.

"We are trying to expand education quantitatively and not qualitatively. Therefore we are committing the greatest mistake by adding to the number of hungry battalions of teachers. The Government can show so many teachers as employed on paper, why, even in flesh and blood. They are all men of poverty. They are in the profession because they have been caught into it. They do

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not want to leave off the profession for good reasons. It is necessary for the Government to see that these teachers are there continuing in their profession as a contented lot. The Government should not think 'We need not worry ourselves. Let them claim and claim. We will have our own time.'

"The teachers must be enabled to give their undivided attention to their work by a living wage. In the interests of the nation, in the interests of the child, and in the interests of the parents, it is the imperative duty of the Government first to concentrate on education and then only on irrigation and electricity projects. We have so many schemes for constructing reservoirs and canals. We may have so many schemes for constructing dams. But unless we have got a person of honesty, integrity and character to handle all these things, the benefit of all these things will not go to the poverty-stricken masses. To produce that amount of honesty, integrity and character, the school is the only possible place. The man who is in charge of that task is the teacher, and unless we start from the bottom, as the hon. Sri Govinda Menon pointed out, we cannot make any headway. Unless we give the teacher the living wage, we will not be doing any service to the nation. I go further and say that service to the teacher is service to the poor man and service to the poor man is service to God. Service to the teacher is service to the nation, because he is the nation-builder. So long as we delay service to the teacher, we are delaying service to the nation. Bridges and dams may loom large. The defects of education do not loom large, as they are only abstract things. As philosophy says, it is only abstract things that stand for ever. Education stands for ever. That is the cultural tradition of our nation. This cannot be stolen by anybody or carried by anybody. This tradition enabled us to stand on a common line with other nations the moment our bonds of slavery were taken away. If we had not been cultured, and we had not had that cultural tradition, we could not have claimed an equal place with other nations. We were kept bound and fettered by foreigners. Once our fetters were taken away we were able to say that we were not only equal but superior to other nations. In order to preserve that cultural heredity, in order to make people think again and again of our nation, history has to be re-written. Still we are re-writing that history! Cannot the Madras Government give a lead in this matter? Will not the Government pass the necessary orders? Do not the Government have the power to direct the Director of Public Instruction in the matter? The history books prescribed should be prescribed, torn and should be thrown away into the gutters. The history of our country should be re-written. It is high time that the Government did it.

"Sir, we have a text-book committee under the auspices of the Government of Madras. A number of books preaching communal hatred are published. There are anti-religious writings and also publication of false information. Books are published praising

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foreigners and degrading ourselves. Is it not high time that we took away all these things? Unless and until we take away all these books, all our communal bickerings and parochial demands for separate States would not vanish. We should see that all these things are taken away. It is education and education alone that can bring about the emancipation of the nation. There is no use of just adding some figures. We want radical and revolutionary changes in the Budget. We want the whole Budget to be re-arranged. We want to change the habits and ways of living. We want the schools to cater to this need. We want the teachers to do all these things. Once the teachers are promised a living wage, they would do all this. The lower the standard, the higher must be the qualification of the teacher. But our departmental rules are against this. We want the greatest man for the lowest class. We know in practice that in colleges the students can look after themselves. But our departmental rules say that even a highly qualified man should get less salary if employed in a middle school or elementary school. All these things must change. The Government must change all these and bring in a new scheme with a promise that they will give a living wage to the teacher. I have been suggesting to the Government—in a Congress-minded way, though I have not been wearing khaddar—that if they really feel the need for finance, they can easily get the money. It is not money that stands in the way of the Government. They can, if they want to, tax the parents a little and get their contributions, credit all these contributions to a Fund called the Teachers' Maintenance Fund, and from out of that Fund they can pay something to the teachers. I have given facts and figures already. A sum of Rs. 1½ crores at least can be collected for that Fund from out of the simple contributions from pupils. According to the latest statistics published by the Government of Madras, I find that at least 30 lakhs of school-going children are there in elementary schools and more than five lakhs are there in secondary schools. I just tell them to leave off five lakhs in the elementary schools and one lakh in the secondary schools. Let Government take only 25 lakhs of the actual school-going children in elementary schools, get Rs. 3 from each child—one rupee per quarter as Guru Dakshina. This will mean Rs. 75 lakhs. Let Government leave one lakh of children in the secondary schools. Let them collect from four lakhs of pupils at the rate of Re. 1 each along with each instalment of fees. There are now ten instalments. Ten rupees a year will be paid as Guru Dakshina by each pupil. This will mean Rs. 40 lakhs. Thus Government will get Rs. 115 lakhs. From out of this Rs. 115 lakhs, they can meet easily the demand for an increase of Rs. 10 in the salary of the teacher. An old age provision also can be made. The teacher is there to discharge the primary duty of developing and making the nation. An old age provision has to be made for him. If the Government have the mind to do this, they can tax the parents. They may say that they do not want to tax the parents and they do not want

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to tax the middle classes. They may say 'How is it that Krishnamurthi who used to plead the cause of the middle classes suggests this?' They have imposed the betterment levy on those who get the benefit from out of the general tax-payer's money. They want that they should pay for the benefit they enjoy. In the same way a Teachers' Maintenance Fund can be raised by asking the parents of school-children to pay. After all the middle-class man can pay this amount. He is spending money on several luxuries. He can cut out luxuries like cinemas and pay Rs. 3 a year to the teacher. This is not much of a tax on him.

"Sir, even at the present moment they are paying for so many 6-p.m. other things. That is why I venture to suggest in this connexion that the parents of the students can very well pay a small amount for the benefit of the teacher as 'Guru dakshinai'. This is nothing to them, I say. They will not grudge this. The Government may think that by making education free up to a certain standard in respect of certain persons, they have done a great thing. In my opinion, it is not a great thing. The Government have yet to do a lot of things to help the teachers. There are many ways in which they can do this. I have been repeatedly pointing out to the Government how they can help the teachers. It is in this connexion I have suggested that the parents of students must be made to feel that they have also got a share in helping the poor teachers to whose care their boys and girls are entrusted. As I said, to-day the parents are spending quite a lot on the education of their children in purchasing text-books and so many other things. With these few observations, I appeal to the Government and also to the hon. Members of this House to see that some ameliorative measures are taken and provided for even in this Budget so that the builders of the nation are restored to their rightful position little by little."

MR. CHAIRMAN :—"The House will now adjourn and meet again to-morrow at 3 p.m."

The House then adjourned.

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

* Bill passed by the Assembly and received therefrom in the Council: The Madras General Sales Tax (Amendment) Bill, 1955 (L.A. Bill No. 4 of 1955).

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APPENDIX.

[Vide answer to starred question No. 213 asked by Sri M. Ethirajulu at the meeting of the Legislative Council held on 28th February 1955 on page 301 supra.]

(a) Number of persons convicted by violation of Prohibition Act from 1951 to 1954—

1951	--	--	..	4 962
1952	..	--	..	5,850
1953	..	..	..	5,540
1954	..	..	..	4,954

(b) Amount of fines collected—

				RS.	A.	P.
1951	..	--	--	91,331	0	0
1952	..	..	--	1,12,216	0	0
1953	--	..	--	95,194	12	0
1954	--	--	..	71,800	0	0

(c) Number of prosecutions launched—

				Police.	Excise.
1951	..	..	--	809	4,179
1952	..	..	..	1,081	4,637
1953	--	--	..	733	4,505
1954	--	..	..	867	3,910

(d) Number of men, women and juveniles involved—

		Men.	Women.	Juveniles.
1951	..	4,805	336	52
1952	..	5,597	434	60
1953	..	5,170	461	43
1954	..	4,551	381	63

THE MADRAS LEGISLATIVE COUNCIL.

Tuesday, the 1st March 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.—FELICITATIONS TO MR. CHAIRMAN ON HIS APPOINTMENT AS VICE-CHANCELLOR OF THE ANNAMALAI UNIVERSITY.

THE HON. SRI M. BHAKTAVATSALAM :—“ Mr. Chairman, Sir, will you permit me to offer to you on my own behalf and on behalf of this House our warmest felicitations on your assuming the high office of Vice-Chancellor of the Annamalai University. It is indeed a matter for gratification that the two Vice-Chancellors in this State adorn two important seats in this House. Let me hope that this feeling of joy on our part will not be a short-lived one.”

DR. V. K. JOHN :—“ Mr. Chairman, Sir, may I join with the Leader of the House in offering to you felicitations on your appointment as Vice-Chancellor, very warmly and very sincerely? ”

MR. CHAIRMAN :—“ I am very grateful to the Hon. the Leader of the House, the hon. the Deputy Leader of the Opposition and hon. Members for their kind expression of joy on my assuming the office of Vice-Chancellor of the Annamalai University. I am sure that with the fine sentiments expressed by them, I should be able to discharge my duties as Vice-Chancellor, at least to my satisfaction during the period I hold that office. Thank you very much.”

II.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

Loan to the Co-operative Milk Supply Union, Cuddalore N.T.

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

(a) the amount of loan granted to the Co-operative Milk Supply Union, Cuddalore N.T., during the years 1952-53 and 1953-54;

(b) the approximate quantity of milk supplied by the society during the above period; and

(c) the number of milk centres managed by the society?

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

“ (b) The Union supplied 183,087 Madras measures of milk during 1952-53 and 172,097 Madras measures during 1953-54.

“ (c) The Union managed 40 milk centres during 1952-53 and 37 during 1953-54.”

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SRI M. ETHIRAJULU :—“ May I know whether the Government have any proposal to open a milk colony in the City on the model of the one in Bombay? ”

THE HON. SRI A. B. SHETTY :—“ The milk colony in Bombay is intended for Bombay City. It requires huge investment.”

SRI K. BHASHYAM :—“ May I know whether the price charged for milk sold by the co-operative societies compares favourably with the prices obtaining elsewhere? ”

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

SRI M. ETHIRAJULU :—“ May I know whether the Government have conducted any research to find out whether buffalo's milk or cow's milk is better for human living? ”

THE HON. SRI A. B. SHETTY :—“ Buffalo's milk, I believe, contains more fat than cow's milk.”

SRI T. M. DAIVASIKHAMANI ACHARIAR :—“ May I know whether the milk supplied by the co-operative societies is being sterilised or scientifically purified? ”

THE HON. SRI A. B. SHETTY :—“ They are supplying good milk. They test it before sending it for retail sale outside. In Madras City, it is pasteurised.”

SRI K. BHASHYAM :—“ Is it correct to say that pasteurised milk is being sold? If so, in view of certain comments which appeared in the newspapers that such milk was not good, will the Government discontinue this process of pasteurising milk? ”

THE HON. SRI A. B. SHETTY :—“ It is regarded as good milk and that is why there are proposals under the Part II Schemes for installing pasteurisation plants in other places also.”

SRI V. V. RAMASWAMI :—“ Will the Government consider the question of exempting milk from sales tax? ”

THE HON. SRI A. B. SHETTY :—“ This question may be addressed to the proper quarters.”

Cost of the Neiveli Lignite Project

* 215 Q.—SRI V. V. RAMASWAMI : Will the Hon. the Minister for Agriculture be pleased to state—

- (a) the estimated cost of the Neiveli Lignite Project;
- (b) how it is proposed to meet the expenditure; and
- (c) the industries proposed to be started in that area and when?

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THE HON. SRI M. BHAKTAVATSALAM :—“ (a) to (c) The Government have not yet come to a decision on the nature of the scheme to be undertaken for the mining, utilisation and processing of lignite pending the results of the further investigations still to be carried out. The detailed information on the points raised in the question cannot therefore be furnished now. The Government of India have agreed to meet the cost of the project from 1st January 1955.”

SRI V. V. RAMASWAMI :—“ இந்த அரசாங்கம் அதற்காகும் முழுச் செலவையும் 1955-ம் வருஷம் ஏப்ரல் மாதம் 1-ந்தேதியிலிருந்து ஏற்றுக் கொள்வதற்காகத் தீர்மானித்திருக்கிறது என்று சொன்னார்கள். ஆனால் லாபம் கிடைக்கும்பொழுது அதில் கால் பங்குதான் நமது அரசாங்கத்திற்குச் சேருமென்று சொல்லப்பட்டிருக்கிறது. ஆனால் அதில் கிடைக்கும் முழுப்பங்கும் நமக்கு வரும்படி தக்க ஏற்பாட்டைச் சர்க்கார் செய்வார்களா? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ 1955-ம் வருஷம் ஏப்ரல் மாதம் 1-ந்தேதியிலிருந்து மத்திய அரசாங்கம் செலவை ஏற்றுக்கொள்வதாக அல்ல, 1955-ம் வருஷம் ஜனவரி மாதம் 1-ந்தேதியிலிருந்தே ஆகும் செலவை மத்திய அரசாங்கம் ஒப்புக்கொள்ள முன்வந்திருக்கிறது. இந்த பழுப்பு நிலக்கரிச்சுரங்கம் நம் ராஜ்யத்தில் இருக்கிறது என்கிற உரிமைக்காக கிடைக்கும் லாபத்தில் கால்பங்கை நமக்குக் கொடுக்க மத்திய அரசாங்கம் இணங்கியிருக்கிறது. ஆனால் எப்பொழுதானாலும் இந்த பிராஜெக்டுக்கு ஆன செலவுத் தொகை எல்லாவற்றையும் மத்திய சர்க்காருக்கு இந்தச் சர்க்கார் கொடுத்து விடுவதாக இருந்தால் அப்படியே அந்த ராஜ்யத்திற்கே அதனை விற்று விடவும் மத்திய சர்க்கார் ஒப்புக்கொண்டிருக்கிறார்கள்.”

SRI ALEXANDER GNANAMUTTU :—“ As a layman, may I know the various uses of lignite? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ Primarily, we expect to have this as a popular economic fuel for domestic consumption. Linking with that, we propose to have a fertiliser factory and a thermal station capable of producing 200,000 k.w. of power. There are other subsidiary industries that may spring up from out of the clay and other by-products.”

SRI K. BHASHYAM :—“ Apart from the royalty that the Government of Madras may get from the Centre, will they get anything by way of profits or a share from the profits that may be earned by the Centre? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ That is what the hon. Member, Mr. Ramaswami also asked. The Government of India have agreed to credit 25 per cent of the profits in favour of the Madras State.”

DR. V. K. JOHN :—“ May I take that the Central Government are taking away 75 per cent of the profits because they are finding the money for exploiting these mines? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ Yes, Sir. That is so. Not only that. If there is any loss at any time, we are not going to share it. There is that advantage for us.”

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SRI A. M. ALLAPICHAJ :—“ Will the Central Government return to us the eighty lakhs of rupees which the State Government have already spent? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ After all, this eighty lakhs of rupees is nothing when compared to the capital investment of sixty crores of rupees that will be required for working this project. So, this Government do not think it worth while to ask for this eighty lakhs of rupees back.”

Use of Government Transport buses for Avadi Session

* 216 Q.—SRI V. GURUNANDAN ROW : Will the Hon. the Minister for Religious Endowments and Transport be pleased to state whether and, if so, how many Government Transport buses operating in the City of Madras and in the mufassal were taken away from their usual routes in connexion with the Avadi Session of the Indian National Congress?

THE HON. SRI B. PARAMESWARAN :—“ Government buses were not taken away from the usual routes in the City or mufassal to meet the traffic between Madras and Avadi. However two of the spare buses of the Government Transport were operated between Egmore and Avadi on the first day of the open session of the Indian National Congress to meet the rush of traffic to Avadi. They performed only one trip each. On other days, no bus of the Government Transport was operated between Madras and Avadi.”

SRI K. BHASHYAM :—“ Is it a fact that all spare buses belonging to companies operating in the mufassal were requisitioned and brought to the City for the purpose of being used in connexion with the Avadi Congress? ”

THE HON. SRI B. PARAMESWARAN :—“ Yes, Sir. Some of the companies were asked to spare their buses which were in very good condition.”

SRI K. BHASHYAM :—“ On what basis? Did the Government incur any expenditure on this account? ”

THE HON. SRI B. PARAMESWARAN :—“ The Government did not incur any expenditure but we fixed the rates to be charged for carrying passengers to and fro Avadi.”

SRI K. BHASHYAM :—“ Is it a fact that persons owning these spare buses had to find their own money for the purpose of transporting them to Madras running a risk of losing good profits which they might have earned otherwise? ”

THE HON. SRI B. PARAMESWARAN :—“ They very gladly co-operated with the Government in their endeavour to see that the public were provided with necessary facilities. The question of profit or loss does not arise at all.”

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SRI K. BHASHYAM :—“ I want to know whether these mufassal bus-owners got any profit at all or whether they incurred any loss.” 3-10 p.m.

THE HON. SRI B. PARAMESWARAN :—“ I do not think they could have made any profit at all. Only normal charges were collected.”

SRI V. GURUNANDAN ROW :—“ May I ask the Government whether any request was made by the Indian National Congress that such spare buses from the mufassal should be diverted to Avadi or whether the Government took that action of their own accord? ”

THE HON. SRI B. PARAMESWARAN :—“ I have already answered this question. There was nothing on the part of the Indian National Congress or any organization to ask for the provision of buses for going to Avadi. Government thought that it was their responsibility to serve the public and therefore they required the help of private operators who very gladly co-operated with the Government by sparing their buses without minding the inconvenience caused and the loss that would have accrued.”

DR. V. K. JOHN :—“ Are the Government aware of the fact that public opinion is that in the matter of transport and traffic arrangement during the Avadi Session of the Congress, the Government did very well? ”

THE HON. SRI B. PARAMESWARAN :—“ Yes, Sir, may I thank Dr. John for that? ” (Laughter.)

SRI A. M. ALLAPICHAJ :—“ Whenever there is religious festival in a temple or some such thing, do the Government if necessary divert these buses to that particular place, in the nature of things, to cope with the increased traffic? ”

THE HON. SRI B. PARAMESWARAN :—“ To Kodambakam we divert our buses, if necessary, if more buses are required. Otherwise unless it be for compelling reasons, we do not divert our buses.”

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

III.—POINT OF INFORMATION RE THE UNION PRESIDENT'S ASSENT TO BILLS PASSED BY BOTH THE HOUSES OF THE LEGISLATURE.

SRI T. PURUSHOTHAM :—“ On a point of information, Sir, when looking into the old proceedings of the legislature, I find that whenever assent has been given to a Bill passed by the two Houses of the Legislature by the Governor or the Governor-General (now President), the announcement of such assent is to be made in the Houses of the Legislature. I do not know why that procedure is not followed now. I want that convention should be followed, viz., of making such announcement in the House when the Houses of

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the Legislature are sitting and by communicating the same by demi-official letter to the members when the House is not in session. I am making this suggestion for your consideration, Mr. Chairman, and for the consideration of the Hon. Leader of the House."

* THE HON. SRI M. BHAKTAVATSALAM :—" I think the remarks of the hon. Member refer to the consent that is reported to have been received from the President for the Indebted Agriculturists (Repayments of Debts) Bill. No consent has yet been communicated to the Hon. Speaker. If it has been communicated to the Speaker, I have no doubt it would have been communicated to the Hon. Chairman also and then the Speaker and Chairman would have announced it to the Houses concerned. That is the usual practice. But, Sir, some hon. Member in the other House raised a question yesterday when the assent of the President to that Act would be received and whether it would be received in time, to which the Leader of the other House had to answer and he had just then received the information about the receipt of consent from the President and he gave that information. There was no such announcement by the Hon. Speaker in the other House."

MR. CHAIRMAN :—" I think it is good to resume that practice of making such announcements (as soon as the assent from the Governor or President is received) in the House. When the House is not sitting, I think the announcement of the consent by the Governor or President may be communicated to the hon. Members' addresses by demi-official letter."

IV.—GENERAL DISCUSSION ON THE BUDGET FOR THE YEAR
1955-56—cont.

MR. CHAIRMAN :—" We shall now take up the discussion on the budget. Mr. K. Bhashyam may now speak."

* SRI K. BHASHYAM :—" The budget that was presented has evoked in me feelings of a mixed character. I think Dr. John nods his head and he agrees with me. Well, I am glad that Government have expanded their activities in all departments. They have also at the same time hit upon some taxation measures. That is why I say the budget has evoked in me feelings of a mixed character. As regards the activities of Government in the direction of rural welfare and in the programme of rural electrification, I think the progress made so far has been remarkably good. But one point that has been the cause of some concern is what the Hon. Leader of the House told the House while introducing the budget, viz., that we have practically come to the end of our water resources. It was somewhat disquieting to us to hear it. Agriculture has to be intensified in two ways. One is by improving the yield of the land by chemical manures and the other is by irrigation. What with all of our electric schemes we could do if our water resources are exhausted, is a thing which is worth pondering over. The question of tapping the subsoil water is of course there for the purpose of cultivation. But for the generation of electricity,

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subsoil water is no good. For our hydro-electric projects, we want regular supply of water. I do hope and trust that any new regular water-supply sources if any would be fully tapped. Of course it is absolutely necessary that we should increase the yield of our lands. We must try to increase their fertility by means of chemical manures and by means of intensive cultivation advanced by agricultural implements. We should no longer depend upon our neighbouring States. There a time was when we had to wait for our rice consumption upon the neighbouring State of Andhra. Therefore it is absolutely necessary that we should intensify our cultivation to increase our yield and make the State self-sufficient in food. We should increase our food output to such an extent as not to be dependent on Nellore rice. I do hope that Government would take into consideration what I have said and move the surplus stocks of rice in Tanjore and Tiruchirappalli districts to Madras City so as to meet the needs of the people in the City. I hope steps will be taken in that direction.

" Firewood also is another item. Its price has gone up now. All the time we have been getting our stocks of firewood from Chittoor in Andhra. It is up to the Government to make us self-sufficient in the matter of firewood also. We should not be made to depend upon the neighbouring State for any essential commodity of which firewood is one. Rural electrification scheme is a thing which must be welcomed. For the purpose of achieving the object in view, namely, intensive cultivation, it is necessary that rural electrification works should be carried out fairly quickly. Pump-sets should be spread all over the State and the subsoil water should be used to a large extent for cultivation in our villages. In respect of these matters I do feel that something has been done though a little more has to be done taking care to see that we become self-sufficient in food and firewood."

" Education is one department in which the Government have made great advance. I should like to say a word about this department. We are all glad that the Finance Minister, who is also the Education Minister, thought that during his tenure of office he should make education free to all poor people up to III Form. Previously the allotment for education was only Rs. 6½ crores. It has now jumped to Rs. 10½ crores. I take it that this huge increase is to meet the heavy compensation payable to the various schools which may be functioning at the present moment for the loss of their fee income. Sir, for myself I would always like any Finance Minister to be not in charge of any other department than Finance. The Finance Minister must be a person who is not interested in any particular department. Because it is then only he will prove to be the watchdog of the finances of this State. If he has interest in any department, possibly he may be tempted to be partial to that department and perhaps overspend on that department, which may not be quite desirable. When I look at

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the amount provided for education, I feel that the Finance Minister must have had a tussle with the department when he wanted to allot four more crores of rupees this year." (Interruption.)

THE HON. SRI C. SUBRAMANIAM :—" It is only fifty lakhs of rupees."

DR. V. K. JOHN :—" Anyway the hon. Member Sri K. Bhashyam's point is correct."

* SRI K. BHASHYAM :—" I am glad that I am corrected. I congratulate the Hon. the Finance Minister on his making provision for this huge expenditure and on making education up to III Form free for all poor people. It is possible to extend this further if perhaps we really take away some money spent on higher education. I am now treading on dangerous ground so far as University education is concerned. I ask, Sir, are we getting a good return for the money we spend on University education? I know there will be difficulties, there will be difference of opinion, and there will be protests if we are to put this question. But I want to know whether we are getting a good return for Rs. 89 lakhs that we are spending on University education. The University is turning out graduates every year, and these are unemployed. Unemployment problem is a very serious problem. Especially unemployment among the educated people is more dangerous than unemployment among the uneducated people. If we turn out more and more graduates from our Universities and do not find employment for them, we will be creating a dangerous situation and things will not all be easy. Therefore, I would like to see that the amount spent on University education is really confined to persons who really deserve that education and who, at the end of their education, will be useful to the State in the matter of production, etc. I would like to see that as a matter of policy all persons who really get into our colleges are persons who will be useful to our State at the end of their college course. Persons who enter colleges should be allowed to do so after some scrutiny is made of their claim and after finding out whether they are fit for University education. If we really do that, perhaps we may save some money out of the amount spent on University education, and with that saving we may be able to extend our free elementary education a little more than what we are now doing. The ambition of the Finance Minister to make education free to all as early as possible will also be easily realized.

" Then, Sir, as regards administration of justice, I want to say a word. The receipts under the Court Fees Act is about Rs. 9½ lakhs, and the receipts under non-judicial stamps is 2 crores and 38 lakhs of rupees. The demand on account of the administrative expenditure (civil and criminal) is one crore and twenty-seven lakhs of rupees. If we take away Rs. 37 lakhs from this amount, spent on criminal courts it will be seen that about Rs. 90 lakhs is required for administration (civil). That is exactly the

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amount we are taking out from the civil side (judicial stamps). Therefore, there is no necessity at all for any money being mulcted from the litigants now. I should like to say that this question of revision of the court-fee and getting something out of it need not be taken up now. It is unjustified more to take it up now. If we look at the figures on the civil side, we will see that what we get by sale of judicial stamps really balances the amount spent upon the civil side of the administration of justice. While the present day people will welcome the suggestion that justice should be made cheap, the Government ought not to sell justice for money. The Government should not expect anything in return for rendering justice. I should like to say that this revision of the Court Fees Act be held over and that nothing be done for the purpose of enhancing the court fee. We have been always saying that court fee is heavy and that persons are finding it difficult to go to courts. I submit to the House that there is no case made out for the revision of the court fee at the present moment. I would only say that this question of extra cost involved in litigation is very heavy, and that the Government must not think of enhancing the court fee. It is a fallacy to say that lawyers are making money. After all there are very few lawyers making thousands of rupees. A large number of them are persons who are poor and only a very small amount is earned by them. The conclusion that is drawn that lawyers get larger moneys is not justified. But in view of the fact that Government are making much more money than lawyers, there is no case for the Government to think of enhancing the court fee at the present moment. We must leave the court fee as it is even if we cannot reduce it.

" As regards jails, Sir, I have always taken keen interest in the improvement of sub-jails. I have visited most of the jails in our State. They require lot of improvement. Now the sub-jails are merely lock-ups either in the Police station or in the Sub-Magistrate's office. They are practically under the police surveillance. The prisoners in the sub-jails can be seen by the public. The result is that these prisoners are looked upon by the visitors as though they are wild animals kept in the zoo. There is also very great difficulty in keeping these men in sub-jails, because when the question of identification of a particular person comes up, it is easy for the police to have the identification made in a manner which ought not to be done. The police take the particular man to the people, and therefore identification of the person is made possible and easy. About Rs. 20 lakhs is provided for the purpose of improving sub-jails. I welcome this measure. I would like the amount increased next year.

" Sir, there are two points on which the budget is silent. One is the question of solving unemployment among the people. Of course it is pointed out here that it is a serious problem. (Interruption by Sri K. Balasubramanya Ayyar.) What I wanted to

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say was that in the present speech of the Finance Minister, there was no reference to the burning problem of the day, namely, the unemployment problem."

SRI MOHAMMED RAZA KHAN :—" People may not want employment! "

3-30 p.m. * SRI K. BHASHYAM :—" If he speaks for himself, it is all right. But if he speaks for the large numbers of people outside, I do not think it is right. (Interruption.) Well, I stand corrected that the word 'unemployment' is used somewhere for some purpose in the Budget. But I want to know whether any opportunity has been utilized for taking note of the seriousness of the problem and finding a solution for it or at least for saying that no solution is possible. The mere use of the word 'unemployment' in the Budget speech of the Hon. Minister does not mean that the problem has been dealt with or that some suggestion has been made in regard to the solution of the problem. I know that the Central Government have given some money for tackling this problem. They have suggested the opening of single-teacher schools all over the State. I do not know whether it will touch even the fringe of the problem. Perhaps, it may not at all touch the problem of, what I may call, the educated unemployed. Therefore, so far as unemployment is concerned, the problem is still there and it has got to be tackled. I may point out that the persons whom I call educated unemployed and who are intelligent should not be driven to a state of despair. Therefore, I am making this appeal to the Government that the question of unemployment should be considered seriously and some way of absorbing the large number of educated unemployed persons should be found. As it is, the question of unemployment has not been dealt with in the Budget speech and how the Government are going to deal with this question is not clear. I submit that this is a serious omission in the Budget speech and I hope that this defect will be rectified when the Hon. Minister replies to the discussion on the Budget.

" One other matter which requires the attention of the Government and about which nothing has been said in the Budget speech of the Hon. Minister is the introduction of land reforms in the State. Some committees were appointed to go into this question. They have submitted some reports also. But the Government have not made up their mind in respect of the recommendations made by those committees. This state of uncertainty is leading to a lot of dislocation. (The Hon. Sri C. Subramaniam : 'The committee appointed to go into this question was not a Government committee.'). I did not say that the Government did appoint a committee. I only said that committees had been appointed to go into this question. But, in fact, the Government had also appointed a committee and its report has been there before the Government for the last two or three years. Further, the unofficial committee that was appointed to go into this question has also produced a

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report. What the Government propose to do in regard to introduction of land reforms in the State we do not know. We are really uncertain as to what is going to happen. We do not know whether the Government are going to fix a ceiling on the extent of holdings. This is a question which is exercising the minds of the people all over the State. What is really happening is that in view of the uncertainty, persons who are holding large tracts of land do not take as much care of the land as they would otherwise do if there had not been any reports."

DR. V. K. JOHN :—" The Government have not appointed any committee for this purpose."

* SRI K. BHASHYAM :—" Speaking from the side of the Opposition, the hon. Member may say anything he likes. But I want to point out that the Government did appoint a committee two years ago to go into this question. That committee has submitted a report and it is before the Government. There is also an unofficial committee and that committee also has submitted its report. That report is available both to those on the Government side and to those on the side of the Opposition."

DR. A. LAKSHMANASWAMI MUDALIYAR :—" We do not have copies of that report."

* SRI K. BHASHYAM :—" If they ask for them, they will get them."

* DR. A. LAKSHMANASWAMI MUDALIYAR :—" If there is a report, it ought to be placed before the people without their asking for it. The members of the Opposition do not ask for a favour like that from any Party."

* SRI K. BHASHYAM :—" I think the Opposition will be failing in its duty if it does not take note of what is published in the newspapers as the views of certain persons. I think that persons who are in the Opposition ought to be in touch with the current affairs of the State. They must really take note of the fact that the recommendations of the unofficial committee have been published in the newspapers and those recommendations are there before the public for discussion and offering of comments. It was not as if that committee had been there and had made its report only to the Party concerned. The report has been published in the newspapers and, therefore, it is a matter open to the public. Any member of the public may take it up and offer his remarks thereon even in the newspapers if he cares to."

* DR. A. LAKSHMANASWAMI MUDALIYAR :—" The hon. Member, a member of the Party concerned, was himself doubtful whether it was a Government Committee or a Party Committee. If that is the case, how does he expect us to know what exactly is taking place in a political organization? "

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* SRI K. BHASHYAM :—“ While I might have doubts as to whether it was a Government Committee or a Party Committee. I have no doubt that its recommendations have been published in the newspapers. Therefore, those recommendations are there before the public just like the proposals of various big persons. Suppose Dr. Lakshmanaswami Mudaliar writes an article about this matter and says, ‘These are my views on this subject’. Then, it will be before the public for discussion and I think everybody should take note of that because he is a big man and a big man in politics and his words carry weight with everybody. Even if it is done by anybody else, that ought to be looked into and due consideration given to it. Anybody can offer his suggestions and criticisms in respect of this matter.”

DR. V. K. JOHN :—“ The point of the hon. Member is that nothing has been done by the Government in respect of this matter.”

* SRI K. BHASHYAM :—“ I think Dr. John need not want my admission for this purpose. The Government themselves admit it. That is what I have been complaining about. I want that the Government should make up their mind soon. Otherwise, because of a state of uncertainty, persons owning large tracts of land will not take as much interest in the lands as they ought to.

“ As regards the debt position of the State, I would like to have some information. I think the Hon. the Leader of the House said that the debt charges stood at Rs. 75 crores. I find from the book supplied to us that they are expected to go up to Rs. 93 crores. I do not know which of the two is correct. I do not know if there is any correction anywhere in the book. At page 38 of the big book supplied to us there is a provision of Rs. 11 lakhs referring to new loans to be raised. In view of the fact that the Government may propose to raise a loan, I think this provision has been made to meet other expenses connected therewith. I think there is no reference at all in the speech of the Hon. Minister to this aspect of the matter. (Interruption.) He only said that by the way, the deficit may be left uncovered or it may be covered by raising loans from the public. But I think it has not been specifically mentioned anywhere.

“ Then, I come to the question of imposition of fresh taxes. For over thirty years during the days of British rule, we have been complaining about the system of settlement of land revenue. We used to complain that the land tax was heavy. That was talked about by the politicians on the platform. That was the complaint whenever there was a resolution about that matter in the Legislative Council, etc. We were making that complaint as long as the Britishers were here. Immediately they went away, survey and settlement operations were done away with. But we are now having the levy of a surcharge on land because tax is the easiest thing that can be adopted and collected. We need not make any

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abstruse calculations for that purpose. We can fix a certain percentage of the tax as surcharge and that is largely collected. I know money is needed for providing various amenities to the people. But who is to be taxed? What is the scientific form of taxation? We must tax the people who can pay. If they tax the rich, get the money and spend it for the benefit of the poor people, I can very well understand it. That is the correct policy to follow. Sir, I have been saying in the past two or three years that the scientific way of taxation is to introduce agricultural income-tax. If agricultural income-tax is introduced, the rich landlords can be made to pay a larger amount and the smaller land-owners may be exempted from the tax. In that case, from the money collected from the bigger landlords, the Government can undertake many ameliorative schemes for the benefit of the poor people who cannot afford to pay any tax. According to the present statistics, we find that the number of small pattadars in the State is considerably large. Therefore it is I have to make an appeal to the Government to see that the incidence of taxation does not fall very heavily upon the poor people. (Interruption.) It is said that the increased rate works out to only Re. 1-4-0. But, though this amount may look to be very small, from the point of view of the poor agriculturists, it is a substantial sum. It means the cost of two meals for an agriculturist, his wife and children. Can he really bear this? When he is already starving, it is really impossible for him to bear this. It is only to relieve these poor people from the heavy taxation burden, I have suggested the introduction of the agricultural income-tax. I am not objecting to the Government's imposing certain taxes. Because, I know there is no other way. But I only want them to do it in such a way that the rich people who can really afford to pay are made to pay. The money realized from the rich people may be utilized for the welfare of the poorer sections of the State.

“ Sir, I would like to know how the sum of Rs. 75 lakhs, realized as a result of the increased tax of 2 annas in the rupee, is going to be utilized. It is said that this sum is going to be made available to the local boards for the purpose of improving communications. In this connexion, I should like to make a few suggestions. In the first place, I wish to point out that questions as to whether the district boards are to exist or the taluk boards are to be revived are pending before the Government. That being so, who will decide how this amount is to be spent? Sir, the enlightened villager will certainly not grudge to pay this amount if only he is satisfied that the money that he pays will be properly spent and for the money that he pays he will get some return or other. He will naturally like to know how the money is going to be spent. We are only told that the money that is made available to the local boards is for the purpose of improving communications. I would like to suggest that the money that is collected from a

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locality should be spent in the same locality from which it is collected. For this purpose, the authorities concerned will do well to ascertain the requirements of the various localities and make available the sums collected from the respective locality for this purpose. If this is not done, do you know what will happen in actual practice? When the district boards are vested with the discretion to spend the grants made to them, some amenities are provided only in the villages where the district board member concerned has got some house, lands or some other property. The other parts of the district are sadly neglected. In actual practice, we find that funds are not made available to the most needy parts. I would suggest that these things should be attended to on a firka basis. Let there be a small authority in charge of each firka which may be entrusted with this work. There are many places where there are no roads. But, there are places which have good roads. I am really of the view that there must be some sort of decentralization in regard to this matter. There are the small panchayats which also require money for carrying out certain ameliorative measures. That is why I suggest that there must be a small body which must decide the priority and settle how much money has to be spent and what are the works to be undertaken and such matters. I do not know why the Government have said that the money realized from this tax is to be spent only for communication improvement. I do not know why they should confine it to communications."

THE HON. SRI C. SUBRAMANIAM :—" It is not confined to communications though it will be mainly communications."

* SRI K. BHASHYAM :—" Sir, I take the information from the Hon. the Minister for Finance that it is not confined to communications. In the districts, there are ever so many matters which require urgent attention. Take the case of medical facilities. Some money may be spent in providing hospital facilities in places where they do not exist. I only want to say that instead of confining to communications only, the money that is made available to the district boards may be utilized for other purposes also."

" The effect of all these land taxes is this. Already the land value is decreasing. Any further tax will make the position of the agriculturists worse. If it is the object of the Government to raise the general wealth of the State and make the State prosperous, how is it possible of achievement if they allow the land to go down in value? Our aim should be to raise the economic standard of the people. But, by these taxes, I am afraid the economic prosperity and creditworthiness of the middle classes will seriously be affected. People belonging to the middle classes may be employed in some office and may be getting a small sum as salary. They will have to depend upon the landed property for their 'capital expenditure' such as marriages and funerals. When

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the value of the lands is allowed to go down in this manner, it will seriously affect the middle classes. I request the Government to carefully consider this aspect of the question.

" As regards the tax on tobacco, I very much like it. (Sri Mohamed Raza Khan : ' Why '?) Let the hon. Member wait in patience to hear me further. Why should he be in such needless hurry? After all, I am not flying away. I am here and I am going to explain the reason for my statement. So, let the hon. Member be patient. Sir, tobacco is a luxury. We all know the evil effects of tobacco. To-day, even students have begun to smoke. The number of persons who either smoke or chew tobacco is increasing. This is not desirable. So, it is better we make tobacco a little dearer than what it is to-day. That is why I welcome the measure and congratulate the Government on their coming forward to impose this tax."

" So far as pensions are concerned, I find that a sum of Rs. 2 crores is spent under this head. The persons are asked to retire from service at their 55th year. I know many of them are quite active and they can very well be employed in some useful occupations. We have got the First Five-Year Plan and the Second Five-Year Plan and many other nation-building activities. We can rope in some of these retired people who have very good experience. Their service could with advantage be utilized by the Government. (An hon. Member : ' What about the younger generations? Their interests will be affected.') I am coming to that aspect also. Sir, it is said the educated men should go to the villages and attend to the problems of the villagers. Now, we can ask the retired gentlemen, who are at present in the cities in large numbers, to go to the villages. Their services could be employed for tackling the problems confronting the villages. The younger people, who would like to remain in the urban parts where you have all the amenities, may be asked to remain in the urban parts and attend to matters in the towns and cities. I just want to reverse the old process. If this is done, the number of the retired people in cities and towns will be lessened and they can very well engage themselves in the task of raising the living standards of the villagers. The Government may give these people a suitable amount as village allowance just as they are giving city allowance to those who are employed in the cities. Thus, these people who will get this village allowance besides their pension will be induced to take up this work in the villages."

" With these few observations, I congratulate the Government on many of their extension activities in various directions. I do feel hopeful that the Government will take into consideration the suggestions that I have made in respect of their taxation proposals and other matters."

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3-50
p.m.

Mr. CHAIRMAN :—“ I fix fifteen minutes for each speaker.”

Sri V. V. RAMASWAMI :—“ கனம் தலைவர் அவர்களே, இந்தத் தடவை வரவு செலவுத் திட்டத்தை தமிழ்மொழியில் பார்வைக்கு வரவர கனம் நிதி அமைச்சர் அவர்களுக்கு எழுதித் தெரிவிக்கப்பட்டுள்ளது. அதற்கு இணங்க தன்மைய மொழியில் அச்சுபடுத்தக் கொடுத்ததற்காக கனம் சுப்பிரமணியத்தை வெகுமதி காட்டப்படுகிறது. அதோடு தன்மையையும் தெரிவித்துக்கொள்ளுகிறேன். கீழ்க்கண்ட நம் பிரதமரின் திட்டம் தமிழ் லேயே வாசிக்கவேண்டுமென்றும் சொன்னேன். அப்படி அப்படிச் செய்ய முடியாமற்போய்விட்டது. ஒருவேளை முதல் தடவையாக இந்தப்பதால் தன்னுடைய தமிழ் வாசகம் தன்வாசகம் கருத்துக்களை உணர்வதற்காக சொல்லுகின்றனவாக அமையுமா என்ற சந்தேகம் எழப்போகக்கூடும். ஆனால் நான் அதைப் படித்துப்பார்த்தேன். அழகுறும் சரியாகவே யிருக்கிறது. ஆகவே இனி கடைக்கக் கூடிய சந்தர்ப்பங்களில் எல்லாம் நாய் மொழியையே கையாளுவார் என்று எதிர்பார்க்கிறேன்.

“ ஐயா, கனம் நிதி மந்திரியின் உள்ளத்தில் தமிழ் ஆரம்ப என்ன ளவு இருக்கிறதென்பதை நன்கு உணர்ந்திருக்கிறேன். அரசாங்கத்தில் அமைச்சராக இருப்பதாலும் புலவி மந்திரி அரசாங்கத்திற்கு உட்பட்டவராக இருப்பதாலும் தன்வாசகம் ஆரம்பத்தை கட்டுப்பாடுத்தேவையைய வராக இருக்கிறார். எனினும் நல்லது ஆரம்பித்திருக்கிறார்களே இந்த ராஜ்யம் தமிழ் நாடாக இருக்கும், தமிழ் ஆட்சிமொழியாக ஆகும் தக்க நடவடிக்கை எடுக்கவேண்டுமென்றும் கேட்டுக் கொள்கிறேன்.

“ இந்த பட்டிபட்டைக் கவனிப்போம். மேலில் நிர்வாகத்துக்கு வேண்டிய செலவினத்தில் ஊடுதல் இல்லை. ஏன்? ஒரு ஆண்டாக அதிகாரத்தி லிருக்கும் நமது முதல்மைச்சர் திரு. காமராஜ் அங்கிலை அமைதி எங்கும் நிலவுகிறது. ஒழங்கத்தும் கட்டுப்பாட்டுக்கும் பங்கம் விடப்படவில்லை என்பது எதைக்காட்டுகிறது? நாட்டிலுள்ள சகல வகுப்பினருக்கும், என்வி தக் கருத்துடைமொருங்கும் காமராஜ் மீது நம்பிக்கையும் ஆதரவும் ஏற் பட்டிருக்கிறது என்று புலனாகும். ஆகவே மக்களில் நம்பிக்கை ஏற்றத்து விடவண்ணம் அரசாங்கம் இயங்குவதும்படி முதல் அமைச்சர் கவனித்துக் கொள்ளவேண்டும். மேலும் தமிழ் நாடு மாநிலமும் நம் பக்கம் ஆதரவு கொடுக்கின்றது என்ற நல்ல உறுதியுடையது அவர் செய்யவேண்டிய கடமை ஒன்று உள்ளது. அதாவது நமது தென்னாடு எவ்வகையிலும் மந்திரி அரசாங்கத்தாலும் புறக்கணிக்கப்படாமலும், சொல்லிலும் செயலிலும் அடக்கியப்படுத்தப்படாமலும், நம் பொருத்த காரியங்களில் அநாவசியமான தலைவர்களை, கட்டுப்பாடுகளும் இல்லாமல் பாதுகாக்கவேண்டும். ஏன்? நம் உள்நாட்டு விவகாரங்களில் முழு உரிமையும் கிடைக்கும் எண்ணத்தையே வேண்டும். பக்கத்தில் உள்ள சிலோனில் நம் தமிழ் மக்கள் படுமாடு மிக்கவேகையைக் கொடுக்கக் கூடியாதாயிருக்கிறது. அங்குள்ள தமிழர்களுக்கு ஆறுதல் சொல்லவும் அவர்களுடைய உண்மையான சங்கங்களை உணர்ந்து நமது அரசாங்கத்துக்கு எடுத்துச் சொல்ல ஒரு தமிழன் அங்கு வேண்டாமா? நான்வரை அப்படி புவதிலும் தமிழரைப் புறக்கணிப்பதா? இது மானக்கேடாக இருக்கிறதே. தமிழனையே தூதராக அனுப்பவேண்டும். அப்பொழுதுதான் எங்க ளால் ஒத்துழைக்கமுடியும் என்று காமராஜ் அரசாங்கம் வலியுறுத்த வேண்டுமென்று ஆசைப்படுகிறேன்.

“ இந்தச் சந்தர்ப்பத்தில், நேற்று பேசிய திரு. கோவிந்த மேனன் அனலைக் கக்கினார். அதைத் தவிர்க்க இனிய மொழியில் திரு. கோயா பேசுவார். இருப்பினும் திரு. மேனன் எழுப்பிய குறை களுக்கு மந்திரிகள்தான் பதில் சொல்லக்கூடமைப்பட்டவர்கள். மலையாளம் புறக்கணிக்கப்பட்டதாகக் கூறினார். தமிழகத்தைப் பார்த்து பொருமை உண்டாகிறதென்றும் சொன்னார். கிணறுகளும், சிறுகைத் தொழிற்சாலைகளும் இருந்தாலல்லவா மின்சார வசதிக்குத் தேவைப் படும்? மலம்புழா அணைக்கட்டு, வையநாடு காலனிசேஷன், காஞ்சாத்திட்டம் போன்றவைகள் மலையாள ஜில்லாவில்தான் இருக்கின்றன என்று

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நினைக்கிறேன். பொதுமக்கள் தேவையை உருவாக்கி சட்டசபை உறுப் பினர்கள் ஒத்துழைத்தால் போட்ட திட்டங்கள் எல்லாம் நிறைவேற்றமுடியு மென்று நிதி அமைச்சர் கூறியிருக்கிறார். அதை விடுத்து காமராஜ் மந்திரி சபையைத் தாக்கினால் தொண்டைதானே வறட்சியாகப் போகும். தமிழகத்தைவிட்டுப் பிரியவேண்டுமானால் சுமுகமாகப்போய்ச் சேருங்கள். தமிழகத்துக்குப் போகச்சொல்லவில்லை. திரு—கொச்சியில் உள்ள தமிழர்கள் தமிழகத்தோடே சேர்ந்துக்கொள்ளவேண்டுமென்று கிளர்ச்சி ஆரம்பித்தபொழுது மாகாண சீரமைப்புக் கமிஷன் முடிவு தெரியட்டும் என்று கட்டாயப்படுத்திப் போகச்சொல்லவில்லை. நட்டத்து என்ன? ஆலேசத்தால் கொச்சியை ஆரம்பித்து விட்டார்கள். பெண்களை, நோயாளிகளை, பெயாட்டம், கொடுங்கோல், குற்றமற்றவர்களை, பெண்களை, நோயாளிகளை, சிறுவர்களைச் சுட்டார்கள், துன்புறுத்தினார்கள், வேட்டையாடினார்கள், யார்? காங்கிரசு கட்சியின் உதவியின்றிமேல்தின்ற பட்டம்தானா பின்னே என்ற பிரஜா சோஷலிஸ்ட் ஆட்சிதானே? தமிழகத்தில் காங்கிரஸ் ஆட்சியில் மலையாளத்தார்களுக்கு அப்படி ஏதாவது நடந்திருக்கிறதா?

THE HON. SRI C. SUBRAMANIAM :—“ I think we must refrain from referring to happenings outside this State. We must have a convention like that. Otherwise, it may not be quite proper and also fair. The other party is not here to defend himself.”

Mr. CHAIRMAN :—“ Quite right.”

Sri V. V. RAMASWAMI :—“ காங்கிரசு ஆதரவும் போய், தன் கட்சிக்கும் செல்வாக்கு இல்லாமல் போய், மாற்றுக்கட்சி செல்வாக்குக்கு தம் ஜில்லாவைக் கொடுத்துவிட்டு திரு. காமராஜ் மீது பழிசுமத்தினால், தன் கட்சி மீண்டும் பிழைத்துத் தலைதாக்கிவிடுமா? ஆத்திரத்தையும், குரோ தத்தையும் வளர்க்காமல் இருப்பதே மேல்.

“ வரவு செலவுத் திட்டத்தைப் படிக்கும்போது முதல் ஐந்தாண்டுத் திட்டம் கூடியவரை திருப்பதியாக முடிந்திருக்கிறதென்றும், அடுத்த ஐந்து ஆண்டுத் திட்டத்தின்கீழ் அநேக இலக்குகள் கைகூடும் என்று அரசாங்கம் நம்புவதை காட்டுகிறது. முதல் திட்டத்தினால் ஏற்பட்ட முக்கிய பயன் என்ன? கிராமத்தில் வாழும் மக்களிடையே நல்ல விழிப்புணர்ச்சி ஏற்பட்டுவிட்டது. தங்கள் நலன்களுக்கெல்லாம் ஏதாவது நல்ல முறையில் திட்டம் வகுக்க வேண்டுமென்ற விருப்பமும் தோன்றியிருக்கிறது. அதோடு சர்க்கார் கொடுக் கும் மானியத்துடன் தாங்களும் ரொக்கமாகவோ, உடல் உழைப்பாகவோ, சாமான்களாகவோ கொடுத்துத் தவ வேண்டுமென்ற திட்டமும் வந்துவிட்டது. ஆகையால் இத்தகைய சூழ்நிலையை வைத்துக்கொண்டு அரசாங்கத்தார் அடுத்த திட்டத்தில் தங்கள் முழுக்கவனத்தையும் கிராமங்களில் சீரமைப்பி லேயே செலுத்த உறுதி கொண்டிருக்கின்றனர். ஜில்லாதோறும் ஆலோசனை போர்டுகள் நிறுவப்போகிறார்கள். சென்னையிலிருந்துகொண்டு திட்டம் வகுத்து அந்தப்படியே நிறைவேற்றவேண்டுமென்று சொல்லு வதை நிறுத்தி மாவட்டங்களில் உள்ள மக்களின் விருப்பங்களையும் யோசனைகளையும் கொண்டு திட்டம் வகுக்க முன்வந்த மனப்பான்மை வரவேற்கத்தக்கது.

“ அடுத்தபடியாக முதல் திட்டத்தால் ஏற்பட்ட விளைவுகள் என்ன? பெரிய பெரிய அணைக்கட்டுகளும், நீர்த்தேக்கங்களும், மின்சார உற்பத்தி நிலையங் களும், நீர்ப்பாசன வேலைகளும் அநேகமாக முடிந்திருக்கின்றன. மேலிட்டு ஆறுகளோ, நீர்வீழ்ச்சிகளோ திட்டத்தில் தெரியவில்லை. ஆகவே, சிறு சிறு நீர்ப்பாசனங்களையும் எரிகளையும் குளங்களையும் செப்பனிடவேண்டுமென்று முடிவுக்கு வந்திருக்கிறார்கள். இதையும் வேண்டிய அடிப்படைத் தேவைக கிராமாதிரங்களில் வசிக்கும் மக்களுக்கு வேண்டிய அடிப்படைத் தேவைகள் என்ன? ஆரம்பக்கல்வி, குடிதண்ணீர், கிராம ரோடுகள், விவசாய வசதிகள், கிராம கைத்தொழில்கள், மருத்துவ உதவி போன்றவைகள்.

[Sri V. V. Ramaswami]

[1st March 1955]

“(1) ஆண்டும் படிவம்முடிய ஏழை மாணவர்களுக்கு இலவசக் கல்வி கொடுக்க முடிவு செய்திருப்பது, நிதி அமைச்சரின் இன்ன பரிந்துரைக்காட்டுகிறது. அவரை வாழ்த்துகிறேன். வாரம் அல்லாத கிடைக்கும் இந்த வசதியைப் பெருக்க மறுக்கமாட்டார் என்று நம்புகிறேன். அடுத்த ஆண்டுக்குள் 500 ஏழை மாணவர்களை இலவசக் கல்வி கொடுக்கும் வொரு பள்ளிக்கூடம் இருக்கும் என்று கூறலாம் அல்லவா? உள் இரகசியம். ஒவ்வொரு பள்ளியும் நல்லபடி நிதியாகத் திறம்பட அந்தந்த ஊர் மக்கள் புனிதகரமாகக் கவனித்துக் கொள்ளப் பெறும்.

“(2) கிராமக் குடித்தண்ணீர் வசதிக்காக நிறுவப்படும் கட்டத் தைப் பெரிதும் வரவேற்கிறேன். ஒவ்வொரு ஊரிலும் குடித்தண்ணீர் ஒரு நல்ல தண்ணீர் இல்லாது இருக்கக்கூடாது. அனைத்து மாவட்டங்களிலும் தெரட்டிக்கட்டி குழாய் மூலமாக தண்ணீர் பிடித்துவர முடியாத இடங்களிலும் மாசுபட்ட இடங்களிலும் கிராமத்தில் உள்ள கட்டி குடித்தண்ணீர் கட்டித் தரப்படும். இல்லையெனில் குடிநீர் கிடைக்காத இடங்களில் தான் இருந்துகொண்டிருக்கும்.

4 p.m.

“(3) போடு வரதிகளெல்லாம் துறையாக்கமான கிராமங்களிலிருந்து நல்ல வாய்ப்புகள் கிடைக்கத் தருகின்றன. நடைமுறைக்கு உடனடியாக உள்வாங்கிப் பார்க்கக்கூடியவை, வசதியாக இருக்கக் கூடியவைகளைப் பார்க்காத கிராமங்களில் அதிகமாக இருக்கக்கூடிய காரியம் தான். இந்த நிலை மாறவேண்டும். வசதியாக இருக்கக்கூடிய இடங்களில் 75 லட்சத்தில் 25 லட்சம் பஞ்சாயத்துக்களுக்கு கொடுக்கப்படுவதாக இருக்கிறது. எப்படியும் முதலாளியாக ஒரு கிராமத்துக்கும் மற்றக் கிராமத்துக்கும் இணைப்பாட்டைக் கொடுக்க வேண்டும். கிராமத்திலும், பெரிய சாலைகள் தற்கு நல்ல வசதி யிருந்தால் எந்த அவசரத்துக்கும் போய்கொள்ளார்கள். தீவுகள் போலாகின்றன, அநேக கிராமங்கள் வெளியே போய்விட்டன. உலகத்தோடு இணைந்திருக்கவேண்டும்.

“(4) விவசாயிகளுக்கு வேண்டிய உரம், வித்துக்கள், தேவையான கடன் உடனுக்குடன் அங்காங்கே கிடைக்க வழி செய்யவேண்டும். பழக்கவழக்கம் மறை ஆண்டுதோறும் ஒழுங்காக இருக்குமாறு நம்புவதற்கில்லை. ஆகவே பெய்கின்ற மழை வீணாகக் கூடலுக்கு ஒடுங்கி விடுகின்றன. வரிகள் மண்ணடி மோடிகிலேயே, அவைகளை ஆட்படுத்தி நீர்நீட்டிவை அதிகப் படுத்தவேண்டும். நிறிய ஆறுகளிலும், ஓடைகளிலும் அங்கங்கே திறு திறுப்புக் கட்டிவிட்டால் தண்ணீர் தேக்கி நிற்கும்; குளங்களில் நிரப்பலாம் அல்லது பூமிநீரைந்து கிணறுகளில் ஊற்றுப் பெருக்குக்குத் துணையாக இருக்கும். இப்படிக் காரியங்களுக்கு கிராமத்திலே வசிகளும் அனுபவப் பட்ட விவசாயிகளைக் கேட்டால் நல்ல யோசனை கூறுவார்கள்.

“(5) கிராமங்களில் உள்ள பாம்பணையான பள்ளை தொழில்கள் நசித்துப்போகாவிடாமல் சிறு தொழிற்சாலைகள் ஏற்படுத்துவதற்கு முன் வந்திருப்பது, கிராமத்தில் உள்ள வாலிபர்கள் நல்ல பழக்கமுள்ளவர்கள் இருக்கும். நகர பக்கங்களில் இருக்கும் என்ற ஆணையாக விளங்கக்கூடிய சிறிய தொழில்களையே கிராமங்களில் ஏற்படுத்திவந்தான் கிராம ஆலைகள் வளர்ச்சியடையும்.

“(6) மேலும் பயிர் செய்யும் காலம் தவிர எஞ்சிய மாநிலங்களில் உழவர்கள் சும்மாயிருக்கிறார்கள். அவர்களுக்கு அப்போது வேலை வேண்டுமே? உழவர்களிடம் மண்வெட்டி, கூடை, கட்டப்பாறை, மாடு, எண்டி இவைகள் தானிருக்கின்றன. இவைகளைப் பயன்படுத்தவேண்டுமானால் பெரிய பெரிய கட்டிட வேலைகள் முதலியவை நடக்கவேண்டும். சர்க்கார் கட்டும் கேந்திரமான அலுவலங்களை பண்டைக்காலத்து அரசர்கள் மாதிரி கட்ட

1st March 1955]

[Sri V. V. Ramaswami]

முன்வந்தார்களானால் தமிழ் நாட்டுப் பண்புக்கு ஏற்ப சிற்பம், ஓவியம், தச்சு, கொல்லை முதலியவற்றை கலைஞர்களுக்கு ஆண்டுதோறும் கொடுத்துக் கொண்டிருக்கலாம். அவர்களுக்கு வேலை செய்வதற்கு வசதியாக குடிசை, வேளாண்மைக்குச் சாப்பாடு, தேவையான உடை, காலாகாலத்தில் ஓய்வு முதலியவைகளைக் கொடுத்தாலும் போதும். மேலேசொல்லப்பட்ட குறிக் கொள்கைகளைக் கொண்டு திட்டங்களை நிறைவேற்ற சில வரிகளையும் போட்டிருக்கிறார்கள். சில விலக்குகளையும் கொடுத்திருக்கிறார்கள். மூன்றாம் படிவம் முடிய ஏழைக்கு இலவசப் படிப்பு, ஸ்காலர்ஷிப்புகளுக்கு மாண்புமிகு முதலியவை கொடுக்கப்பட்டிருக்கிறது.

“(7) புனையிலேக்கும், அதன் வழிவந்த பொருள்களுக்கும் விற்பனை வரி விதிக்க இருப்பது குறை கூறுவதற்கில்லை. நான் எவ்வகையாலும் உபயோகப்படுத்தலை. கொங்காயம், உருளைக்கிழங்கு, வெற்றிலை, வாழையிலை ஆகியவற்றிற்கு வரிவிதிக்கக் கொடுத்திருப்பது போற்றத்தக்கது. கருப்பக் கட்டிக்கும் இன்றளும் கூட்டுறவு முறைத் தொழில் உற்பத்திகளுக்கும் விற்பனை வரியை ரத்து செய்தது மகிழ்ச்சியைக் கொடுக்கிறது. குடிசைத் தொழிலுக்கு நேர மிகவும் ஆக்கம் கொடுக்கும் என்று நம்புகிறேன். ஆனால் பாதுகாக்கும் கொடுக்காதது ஏன்?

“(8) நமது ராஜ்யத்தின் நிதியின் வருவாய்க்கு வழிகள் என்ன? மக்கள் மீது விதிக்கப்படும் வரிகள், முன்பு முதலீட்டால், செய்து முடிக்கப் பட்ட ஸ்தாபனங்களிலிருந்து வரும் வட்டி முதலியவைகள், மத்திய அரசாங்கம் கொடுக்கும் கடனும், மான்யமும், நம் ராஜ்ய மக்களிடம் வாங்கும் கடன் இவைகளாகும்.

“(9) பொதுமக்களிடமோ, மத்திய சர்க்காரிடமோ கடன் வாங்குவது பெரிய திட்டங்களுக்காகத்தானிருக்கவேண்டும். நடைமுறைச் செலவுக்கு உபயோகிக்கக்கூடாது. மத்திய அரசாங்கம் நாம் எவ்வளவு பணம் போட முடியுமோ அந்த அளவுக்கு மாண்புமிகு கொடுக்க முன் வருவார்கள். ஆகவே நம் வருவாய் இனம் எவ்வளவு இருக்கிறதோ அதைப் பொறுத்திருக்கிறது, மத்தியத்திலிருந்து கிடைக்கும் தொகை. நம் மாகாணத்தில் வரி இனத்தில் முக்கிய இனமாக இருந்தது நில வருமானம். ஆதலால் நில வரியையும் அதிகப்படுத்தியிருக்கிறார்கள். வேறு வழியில்லையா? விற்பனை வரி வந்ததிலிருந்து ஆண்டுதோறும் நில வருமானத்தைக் காட்டிலும் கூடியே வந்திருக்கிறது. ஐம்பது சத விதிக் கூடியிருக்கிறது என்று சொல்லலாம். ஆகையால் இந்த சர்க்கார் விற்பனை வரியை எவ்வகையாலும் விடமாட்டார்கள். வியாபாரிகள் பலகட்ட வரிமுறை வேண்டாம், ஒருமுறை வரி விதியுங்கள் என்று ஒவ்வொரு வருடமும் கிளர்ச்சி செய்தும் சர்க்கார் காதிலே அது ஏறுவதில்லை. இன்று வெளியான வரி விதிப்பு கமிஷன் அறிக்கையைப் பார்த்தால் பலமுறை வரிதான் நிலைத்துவிடுமென்று தெரிகிறது. ஒருமுறை வரி விதித்து தாங்கள் எதிர்ப்பார்க்கும் வருமானம் குறையாமல் இருந்தால் ஒப்புக் கொள்ளும் என்றுதான் வியாபாரிகள் சொல்லுகிறார்கள். உணவுக் கட்டுப்பாடு இருந்தகாலத்தில் வியாபாரிகளையும் மற்றவர்களையும் ஒழுக்கக் குறைவாக எப்படியாகியதோ அதேபோன்றுதான் இந்த பலமுறை வரியும் என்று சொல்லுவேன். வியாபாரம் ஒழுங்காக நடைபெற்று, வியாபாரிகள் நசிந்துப் போகாமல் இருப்பதற்கும், அரசாங்க வருமானமும் குறையாமல் இருப்பதற்கும் வழிசொல்ல வணிகர்கள் முன்வந்தால் பொறுப்புள்ள மந்திரிகள் கொஞ்சம் தாராள சிந்தையுடன் ஆராய்ந்து பார்க்கவேண்டும்.

“(10) நமது நிதி அமைச்சர் நமது தமிழ் நாடு செழிப்புற்று வளரவேண்டுமென்பதிலும், பெரிய தொழிற்சாலைகள் ஏற்படவேண்டுமென்பதிலும் மிக்க ஆர்வமுள்ளவர். ஆகவே அவர் மத்திய அரசாங்கத்திடம் இடித்துக் கூற வேண்டிய நேரத்தில் சுட்டிக் காட்டியும், சாதிக்க வேண்டிய நேரத்தில் இதமாகப் பேசி காரியங்களைச் செவ்வையாக முடிக்கிறார். ஆகவேதான் அநேக மான்யங்களை மத்திய அரசாங்கத்திடம் பெறுவதில் வெற்றி பெற்றிருக்கிறார். துண்டுவிழும் 166 லட்சத்தையும் டில்லியிலிருந்து வாங்கியே

[Sri V. V. Ramaswami] [1st March 1955]

சரிக்கட்டிவிடலாம் என்றும் முடித்திருக்கிறார். ஆனால் எந்தவிதமாக என்பதை விளக்கவில்லை. ஆகவே அடிப்படை அபிவிருத்தியாகிய என்.ஜி.ஓக்களுக்கும் மத்திய அளவுப்படியானது கொடுத்து, நில வரியையும் விதிக்காமல், 331 லட்சம் துண்டு விநியோக முடிந்தால் அத்தகையதையும் மத்தியத்திலிருந்து சரிக்கட்டி மத்திய ஆற்றல் நமது நிதி அமைச்சருக்கு இல்லையென்று மரபாக கூற முடியும். ஆகவே அவர் சிறந்ததுப பங்கு வேண்டுமென்று கொடுக்கிறேன்.

“நமது மாகாணத்தில் சமுதாய நலத்திட்டம், தொழிற்சாலைகளில் திட்டம், ஸ்தல அபிவிருத்தி திட்டம், சமூக நலக்குழு முன்னெய்வதன் நலத்திட்டம் வருவதோடு நாட்டுமேற மக்களிடையே நல்ல அறிவும் ஏற்படுத்தியிருக்கிற தென்பது மகிழ்ச்சிக்கூறிய காரியம். நமது சபை முன்னால் விவசாய மத்திரி கனம் பத்தவதசலர் அவர்களை இவற்றுக்கு வெள்ளையப் பாராட்டுகிறேன். அரசாங்க அமைப்பில் சிக்கலாக கொண்டிருக்கின்ற அமைப்புகள், கருக்கக் கூடியவைகளை கவனமாகப்போடு குறைத்துக்கொள்ளவேண்டும். ஆனால் சமூக நலக் குறிக்கோள்கள் எல்லாம் எழுகின்றனவாகும். ஆனால் ஒவ்வொரு டிபார்ட்மென்டும் விநியோகிக்கொண்டிருக்கின்றன. இதன் மூலமாக அமைச்சருக்கு வேலை கிடைக்கிறது. இவற்றையும் பொறுப்பாக வேலை யில்லாததுடன் ஒழியவேண்டியவைகள் பெரிய பெரிய தொழிற்சாலைகள் திருவட்டியென்றும், இந்த அமைப்பில் தெய்வெலி நிலைக்கித், தெய்வில நிலையம் ஏற்படுவது மிகவும் பொற்றத்தக்கது. இந்த நிலையம் சொல்லிட ஆரம்பித்த பிறகு மறு ஆணைத் தொழில்கள் உண்டாவதற்கு வசதியுடையது நல்ல பயன் அளிக்கக்கூடியதாகத் தெரிகிறது இந்த தெய்வெலித்திட்டம். ஏற்பட்டது நமது விவசாயத்துறை அமைச்சருக்கு ஒரு பெரிய வெற்றி யென்று அவரை வாழ்த்துகிறேன்; 60 கோடி ரூபாய் செலவுக்கும் மத்திய அரசாங்கமே ஏற்றுக்கொண்டது. இது நமது நிதி அமைச்சரை பாராட்டக் கூடிய செயலாகும். ஆனால் அதிலிருந்து நிகர லாபத்தில் கால பங்கு கிடைக்கும் என்பது ஒருவாறு திருப்திதான். எனினும் அத்திட்டத்தினால் நிருவப்படும் எல்லா தொழிற்சாலைகளிலும் தென் இந்தியர்கள் பெரும் பாலும் இடம் பெற செய்யவேண்டியது காமராஜ் மத்திரி சபையின் கடமை ஆகும்.

“நமது விவசாய மத்திரி அவர்கள் நமது கவுன்சிலில் டீராகயிருக்கிறார். அன்னவர் மெம்பர்கள் கேட்கும் கேள்விகளுக்குத் தாராளமாகவும், விவாகவும், செய்திகள் தெரிந்துகொள்ள வேண்டிய அளவுக்குப் பதில் கூறிவருவதற்கு பாராட்டுவோமன் நன்றியையும் தெரிவித்துக்கொள்கிறேன்.

“அடுத்தபடியாக நமது கவுன்சிலுக்குத் தனியாக செக்டேரியட் அவசியம் வேண்டுமென்றும், தமிழ் ரிப்போர்டர்கள் அதிகப்படியாகவேண்டுமென்றும், ரிப்போர்ட் செய்வதற்கு டேப் ரிகார்டர் என்ற முறையையும் ஏற்படுத்தினால் அவர்களுக்கு உதவியாக இருக்குமென்றும் சொல்லிக் கொள்கிறேன். நாட்டில் நிலவளமும் நீர்வளமும் இருக்கிறது, கனிப் பொருள்களும் கிடைக்கின்றன. தொழில் தெரிந்த உழவர்களும், உழைப் பாளிகளும் இருக்கின்றார்கள், நாடும் செழிப்புற்று மக்களும் சுபிட்சமாக வாழப் பணமும் வேண்டும். அதற்கு நல்ல மனம் படைத்தவர்களிடையே பணமும் இருக்கிறது. எனவே ‘தள்ளா விடாயுளும் தக்காரருந் தாழ்விலாச் செல்வரும் சேர்வது நாடு என்ற வள்ளுவர் வாக்கிப்படி நம் நாடு இயங்குக என்று வேண்டிக்கொள்கிறேன்.”

* DR. A. SREENIVASAN :—“ Mr. Chairman, the Hon. Finance Minister has to be congratulated on the circumspective way in which he has presented the budget. He has taken note of the political and other exigencies in presenting the budget speech in the vernacular also. I hope there will not be any such necessity next year for presenting the budget in Malayalam and Kannada

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also. I suppose we will not be compelled to do that, as by then the linguistic Provinces would come into existence. I want to suggest only one excellent improvement in the presentation of the budget. In spite of the key that has been given to us by the Secretary to the Finance Department, I find it very difficult as a layman to get a lot of information which I wanted to collect. The figures are not available separately department-wise. If only they had been given in that manner, it would have been very useful. I want to point out to the Hon. the Finance Minister one other thing. That is regarding the provision under Tuberculosis. Under the allotment for expenditure on it, a sum of Rs. 59,400 will be given to international experts. I am not able to find the necessity for providing so much money to the international experts. I do not know the reason for this. It will be saving a lot of time of the hon. Members if the information like the one I want is given in an explanatory note. I am not able to understand what this payment to international experts means. I also suppose that the Treasury Bench will not take our speeches as only letting off steam. We are not unnecessarily criticising Hon. Ministers. We know they are very busy and they are taking lot of interest in their departments. Of course they must realise also that they do not hold the monopoly for everything under their sway. If at all we make any criticism, let it not be taken as anything personal but be given due consideration. If they do not agree with our criticism, they may ignore it.

“The next point that I wish to speak on is rural water-supply. I think the time at my disposal is short. But I wish to say this. When I interpellated last time as to how many wells were sunk in our State, the Hon. Minister referred me to the budget of 1952-53. I have been unable to find out the figures. I wanted to confess my inability to get at the figure. The Hon. the Finance Minister has told us now that 15,000 wells are owned by the State. It is quite good. But my question is whether these wells yielded potable water. The water in them may be brackish and unfit for human consumption. I have got information regarding 50 wells at least. The water supplied by these wells is brackish and is unfit for human consumption. There is also a rumour—it is only a rumour and it is for the Government to verify that—that the money allotted for sinking wells is not very usefully spent and it is being misappropriated. I request the Hon. the Finance Minister to examine this. If he wants any information, I am prepared to supply him with the information that I have. A man may go without food but no man can go without water. This is impossible. Therefore it is the elementary duty of the Government to quench the thirst of the people, and it is a good thing that they are spending lot of money. The Hon. Minister has not told us how much money of the rural water-supply fund, which was created in 1937, has been so far utilised for sinking wells, how many wells have been so far sunk and whether the Government have been taking money from the general revenues of the State.

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"As regards urban water-supply, I want to mention this. The other day I saw a gazette notification regarding mechanical filters costing Rs. 7 lakhs. I hold my own view in the matter, and I am still in correspondence with experts in Western countries. Of course, it was said that Micromesh filter was unfit for Madras water-supply. In 1949, the man who was the expert in micromesh strainers gave his view that micromesh filter was excellent for Madras water-supply. Later on he seems to have given a different opinion. I wrote to the Hon. the Chief Minister in the matter, and I do not know what he has done. I want to tell the Finance Minister that the agents for micromesh strainers are also the agents for mechanical filters. Mechanical filters cost much more than micromesh filters both to instal and to maintain and therefore from the business point of view it is perhaps stated that micromesh filters are not quite good for Madras water-supply. I do not know whether this business point of view is responsible for the expert's opinion that micromesh filter is not good for Madras water-supply. In my letter to the Chief Minister I have quoted the very words of the Expert who gave his opinion that micromesh was ideal. In other parts of this State, mechanical filters have been used, and they have been found wanting. This fact is revealed by the periodical analysis of water and from the report of the King Institute, Guindy. But for the chlorination, people would have died like rats on account of intestinal diseases. Mechanical filter is useful in certain conditions. But so far as Madras Water-supply is concerned, I do not think mechanical filter will be useful. For one reason we are a poor country, and we cannot afford to waste so much money on mechanical filters. We have to think of simpler and cheaper methods of rendering the water fit for human consumption. Not that I am against mechanical filtration at Guindy. It is only a question of relative usefulness and cheapness. I have been examining this question rather carefully. One thing seems to be certain. That is, the mechanical filter will be a veritable white elephant. I do not know whether the Hon. the Finance Minister is going to accept this mechanical filter, because science can never let down a man.

"Sir, another phrase has been used by the Hon. Minister, the meaning of which I do not know. He says 'composite schemes' for water-supply. I have not been able to understand what that phrase means. I suppose the Hon. the Finance Minister will say what it is. (Interruption.) I thought it was a special scheme.

"Sir, I now come to the question of the separation of the Sanitary Engineering Department from the Public Works Department. Having been born in a family where a person had the misfortune to serve the Government in the Sanitary Engineering Department, I know the vagaries of the department much more than anybody else. He was the victim of a lot of unnecessary political manoeuvres. Every time an Hon. Minister interested himself in one of the members of the Sanitary Engineering Department, he wanted that department must come under him. If the

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Hon. the Minister for Local Administration had any interest in that department, automatically that department will have to come under him. If the Public Works Minister was interested in that department, then that department must come under him. This department is very often changed from one Minister to another for the sake of personalities. This should not be done. There is also a rumour—it is only a rumour and the Government may take it for it is worth—that there was a request by a Member of the Government to the Minister for Public Works that a particular member of his community should be promoted over the head of some others. As the Minister for Public Works did not give in, the manoeuvre started, and I am told that that is the genesis of the separation of the Sanitary Engineering Department from the Public Works Department. The Hon. the Minister for Local Administration in his report said that there was plenty of non-co-operation. Well. Is it a case of non-co-operation among the Treasury Bench or is it a case of non-co-operation from the officials? This slings a lot of mud on competent engineers. I went through this question, and I am told that there is absolutely no justification for the separation. However valid it may have been, it should not have been separated at this juncture. Besides who is the engineer in-charge of the Sanitary Engineering Department? He is comparatively a junior officer. Whether by age or by experience, I do not think he is good enough to shoulder the responsibility, because the Government themselves say that he cannot sanction schemes costing more than three lakhs of rupees. If there is no engineer to technically sanction the expenditure of over three lakhs, are the Government going to rely upon their administrative sanction? Besides, when a mistake is committed by specialists, it becomes irrevocable. I think the Government have to consider one hundred times before they finalise their proposals."

SRI T. PURUSHOTHAM :—"I do not think, Sir, the Hon. 4-20
Member is in order in making personal references of the sort he p.m.
has been making."

* DR. A. SREENIVASAN :—"I am not casting any aspersion on anybody. The hon. Member has not heard me correctly. I was only saying that the person referred to was a junior officer. I think I am quite within my limits in referring to the facts as I see them. Now, I do not want to enter into a controversy over that. The question is this, when a sum of over Rs. 3 lakhs is involved, are the Government going to rely on their administrative sanction instead of fixing responsibility for technical sanction? If this is done, it will lead to a lot of trouble. I ask whether it will not be correct for the Government to entrust the whole thing to a committee consisting of officials and non-official experts so that it may go through the professional details of the schemes before they are finalised and accepted by the Government. Once a mistake is committed, it becomes very difficult afterwards to correct it. We

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are not quite well off economically and we must scrutinise before spending whether every pie that will be spent will be well-spent or ill-spent.

"Then, I come to the question of vaccination. The other day the Hon. the Minister for Health misunderstood me. What I wanted to impress upon him was one simple fact. The original seed for the vaccine came here in or about 1880. From time to time it has been revitalized by several methods. Now, the incidence of small-pox in the State is very high. After hearing the Hon. Minister, I borrowed, as it were, some copies of the Administration Reports of the Public Health Department and went through them. There are some figures found therein. But they do not bring out the seriousness of the disease. Even the best man who knows something about bacteriology will not be in a position to understand all that is said there about infectious diseases. There is a reasonable doubt in the mind of certain specialists whom I consulted in regard to this matter. They seem to think that the present lymph as it is manufactured may not have proper antigenic properties in it. There are grown-up people who have spent years and years on the study of this subject. Therefore, I request the Hon. Minister to send for a random sample of the lymph. I do not want the sample to be chosen by anybody who has got anything to do with public health. An ordinary Assistant Secretary or Secretary to Government may choose or select a sample from one of the vaccination depots and that may be sent to any specialist chosen by the Government for examination. That step alone will infuse considerable confidence in the people. Then, greater success can be achieved provided we know something about the anti-genic properties contained in this vaccine.

"Then, the Administration Report of the Public Health Department is not properly prepared. The report is prepared as a routine affair on traditional lines. But modern statisticians and others require a lot of details in regard to several matters. For instance, no information is available regarding the incidence of smallpox among the vaccinated and unvaccinated people. That is a very material information from the point of view of entomologists. The whole blame seems to be put on the village headman for not reporting cases in good time. When even people in the City of Madras who are enlightened people do not care to report the matter to the public health authorities unless the patient is removed to the Isolation Hospital, we cannot expect the village headman who has to depend on popular support to report cases of smallpox. It is very easy to condemn the village headman but I think the public health authorities are rather slack so far as villages are concerned. Villages are far away and sitting in the Travellers' bungalow under a fan or punkah is more congenial than to walk five or six miles to get some information about the incidence of this disease. We must have correct figures regarding the incidence of smallpox in the villages.

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"Regarding the Research Assistant attached to the Public Health Department at Madras, I think it is only a cushy job so far as I have been able to judge. The Hon. Minister referred to the various achievements of that officer. But as far as I have been able to find out, everything seems to be done by the subordinates of that officer. If the Hon. Minister cares to go through his travelling allowance bill and his achievements, he will know how much of field work has been done by him. That is the suggestion that I can make to him in this regard. Very often there have been frequent transfers of such officers.

"Now, I do not want to enter into the technical aspects of spraying of D.D.T. and the control of sand-fly and prevention of kala-azar. The subject is full of doubts and nobody has been able to give any definite opinion about it. The Public Health Department thinks that by spraying D.D.T. and by controlling the sand-fly the incidence of kala-azar can be reduced. It may be the view of those authorities but it is not the view of scientists.

"Then, the Statistician attached to the Public Health Department has been given the status of a Gazetted Officer. But I think efficiency is not increased by his being made a Gazetted Officer. The point is whether he is well versed in the subject or not. An ordinary ignorant non-gazetted officer may be made a Gazetted Officer, but it does not mean that his elevation in rank improves the quality of his work. Therefore, I hope the Hon. Minister will recruit proper technicians to this post because in the matter of modern medicine statistics play a very vital part in understanding the various aspects of the problem of prevention as well as treatment of diseases.

"Now, I come to the question of grant to the Kasturba Medical College, Udipi. I think it is an unrecognised institution and as such there is no use of wasting our hard-earned money on an institution which is not recognised by anybody. I do not know why the Hon. Minister wants to spend so much money on that institution which is still unrecognised by competent authorities.

"Then, I come to the question of the indigenous system of medicine. It is a very controversial subject. I did not want to refer to it, but the speech of the hon. Member Sri Balasubramanya Ayyar yesterday has provoked me to refer to the subject. I went to some people who were well versed in that branch of science and I got certain information. Everybody knows that it was the late Raja of Panagal that started this institution for indigenous medicine with some excellent intentions. Later on, politicians entered into the field and ruined the institution. Till very recently, the institution of indigenous medicine was in the hands of professional politicians. I think the Hon. Minister knows that two-thirds of the teaching syllabus of that institution related to modern medicine and that only one-third of it related to indigenous medicine. So, it was a hybrid form of education. Even now we are continuing it. But in support of this combined system, the word 'synthesis' was

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used. What does 'synthesis' mean? It means this. Various components go to make a compound, but the ingredients that go to form the compound should contain chemical and other properties. I went through the Bhore Committee Report. That report only says that research into the indigenous system of medicine should be carried out. Nobody has any objection to research being made. But having been a practitioner in modern medicine for over forty years, I may say that mixing indigenous medicine with modern medicine is something like mixing water with oil. It is absolute moonshine to say that it is good combination. Sir, I would like to point out to the Hon. the Minister for Health that the practitioners whom I have visited are only practising in modern medicine and not in the indigenous system of medicine. I can very well give the names of these people. I am not saying anything against that system of medicine as such. If only the Hon. the Minister for Health can accompany me one of these days, I am prepared to take him from house to house and from dispensary to dispensary and prove beyond doubt that those people do not know anything about the indigenous system which is a very difficult system to follow. But, the other system of medicine is very easily learnt. Even some laymen after reading some books become 'doctors'. Take for instance the compounders. After some years' experience, they begin to administer medicines. Sir, it is said that the modern system is very costly. It is nothing but nonsense. The other day I went to a well known practitioner in indigenous system in connection with a case of nerve disease. He demanded, mind you—a sum of Rs. 1,000 for some oil treatment. Yet, people say that the indigenous system is very cheap. I say it is absolutely wrong to say so under the present circumstances. It may have been cheap in the case of 'village vaidyans' who at the most demanded and were satisfied with four annas or eight annas. But the persons in the urban parts who are practising the indigenous system of medicine will not be satisfied with small amounts. Their treatment will be somewhat expensive and even more expensive than treatment under the modern system. Moreover, a practitioner of modern medicine will think hundred and one times before he administers an anti-biotic. Because, he is fully aware of the harmful effects of using anti-biotics indiscriminately."

SRI V. CHAKKARAI CHETTY :—"Will the hon. Member explain to us what he means by the scientific terms such as 'biotics', anti-biotics' and so on?"

* DR. A. SREENIVASAN :—"I am glad the hon. Member has interrupted me. Today, we have penicillin, streptomycin, amomycin and other 'mycins', which cost about Rs. 20 and more. For injecting these medicines, the doctors take a couple of rupees as fees. I may tell you from personal knowledge that these so-called practitioners of indigenous medicine use more of these injections than the practitioners of modern medicine. When people say that the indigenous system is cheaper, they only take into consideration

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the 'village vaidyans' and not those who are in the urban parts. While the 'village vaidyans' will be satisfied with eight annas or even four annas, the practitioners of indigenous medicine in the urban parts demand huge sums of money. Especially for *navara-kizhi* and other Malayalam treatments, they demand in thousands. (Sri M. P. Govinda Menon : 'It may be due to the fact that they are more effective'.) Sir, whatever it is, I do not have personal experience of these treatments. I have been only pointing out a fact which we have to face, viz., that the indigenous system of medicine is not so cheap as some people imagine it to be. On the other hand, people practising this system demand huge sums of money and sometimes in thousands. (Interruption.) We may have set up a bad example. Why not those advocates of the Ayurvedic treatment set up a better example for others to follow? Without doing that, it is wrong to say that we have set up a bad example. It is said that 'Ayurveda' was written by *Rishis* with long beards who were nearer God than we people who are considered to be mercenaries. We are told that the Ayurveda system has been given to us by 'Aswini Devas' (அஸ்வினி தேவதைகள்). What are all these? Nobody in this modern world is going to believe these 'Aesop fable' stories. (Interruption.) Sir, I must say that the Hon. the Finance Minister is absolutely wrong. It may be that I come from the mercenary stock. But what about those who are supposed to come from the holy stock? What is it that they do now?

"Sir, I had the misfortune to read the report of the Public Service Commission which was circulated to us yesterday. It is a disquieting document so to say. It is really very heartrending to find that the Government have been trying to override the statutory rights of the Public Service Commission. If the Government have no confidence in the Public Service Commission and if they do not find it good, why not abolish it straightway? In the days of diarchy, people wanted the creation of the Public Service Commission so that some confidence might be created in the minds of the public in the matter of recruitment to public services. If the Government now think that the Public Service Commission is not doing good work, why not they straightway tell so?"

THE HON. SRI C. SUBRAMANIAM :—"There are certain constitutional difficulties."

* DR. A. SREENIVASAN :—"Whatever the constitutional difficulty, the man in the street must understand the whole matter. The whole thing must be explained and made clear to him. Because, we depend on him for our political existence. We cannot afford to keep him in ignorance for all time to come. He has taken note of the news featured very prominently in the newspapers. That is why I have to emphasise that it is the duty of the Government to explain to the man in the street the reasons for overriding the Public Service Commission."

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* SRI K. N. PALANISAMI GOUNDER :—“கனம் தலைவர் அவர்களே, இன்றையதினம் நான் கொண்டு வரவு செலவுத் திட்டத்தை சபை முன்பு சமர்ப்பித்திருக்கிற கனம் நிதி பற்றி அங்கேயும், இந்த மாண்புமிகு அறங்காணியத் துறை அங்கேயும் நான் பாராட்டுகிறேன். அதே சமயத்தில் இந்தச் சபையின் நிர்வாகப் பகுதியைத் தவிர்த்து, மெய்யாக அங்கேயும் நான் பாராட்டுகிறேன்.

“இன்றையதினம் சபை முன்பு சமர்ப்பிக்கப்பட்டிருக்கும் வரவு செலவுத் திட்டத்தை ஆதரித்து மகிழ்ச்சியுடன் நான் இதனை இந்தச் சபையில் பதிலில் இரண்டொரு வார்த்தைகள் சொல்ல விரும்புகிறேன்.

“இவ்வாண்டு நமது சர்க்கார் சில புதிய வரிமேல் போட உத்தேசித்திருக்கிறார்கள். இந்த நாளும் கூட சர்க்காருக்கு 166 லட்சம் ரூபாய் துண்டு விற்பனை என்று சமர்ப்பிக்கப்பட்டிருக்கிறது. அப்படித் துண்டு விற்பனை என்று தான் தெரியவில்லை. சென்ற ஆண்டில் நாம் ஏற்பட்ட இரண்டொரு மீன், இறைச்சி, காய்கறி போன்ற பொருள்களுக்கு விலை, அளத்தோம். அதே கொள்கையிலேயே இப்பொழுது, கெட்டியாமை, கருவிக் கெட்டியாமை, வெற்றிலை, வாழை, பூண்டு, ஆகியவற்றிற்கு, வேலை வாய்ப்புக்கு, விலைகளை அளிப்பதென்று சர்க்கார் நிர்வாகித்திருக்கிறார்கள். இப்படிப்பட்ட விலைகளைக் கணிதப்படுத்திப் போனால் சில ரூபாய் மிகுந்தது என்று தான் தான். அப்படிப்பட்ட வரிமேல் வரிமேல் விலைகளை அளித்தால்தான், இதனால் சர்க்காருக்குப் பதவற்றதென்றே சொல்லத்தக்கது. எந்தெந்த, புஞ்சை, தொட்டம் ஆகிய விலை நிர்வாகம் மீதும், நிலையிலும், எல்லா தலைவர்த் தீர்மானம் மீதும் ரூபாய்க்கு இரண்டரை விகிதம் அதிகப்படி கட்டணம் (சர்க்கார்) விதிக்க சர்க்கார் நிர்வாகித்திருக்கிறார்கள். இது சொம்பவும் வருத்தவேண்டிய விஷயமாகும்.

“விவசாயிகள் இன்றையதினம் சர்க்காருக்கு ஏராளமான வரி கட்டி வருகிறார்கள். அதோடு கோயமுத்தூர் ஜில்லாவில் பழை இன்றையதினம் காரணமாக பழங்கள் எல்லாம் நாமமாக அதனால் அங்குள்ள விவசாயிகள் இன்றையதினம் மெக்சுமம் சர்க்காருக்குக் கட்டவேண்டிய விலை கூட கட்டமுடியாமல் கஷ்டப்பட்டுக் கொண்டிருக்கிறார்கள். அப்படி இருக்கும் போது இப்பொழுது புதிதாக வேறு தண்ணீர் தீர்வை, நிலத் தீர்வை எல்லாவற்றையும் ரூபாய்க்கு 2 அணுவாக உயர்த்தினால் விவசாயிகள் பெருத்த கஷ்டத்திற்குள்ளாக நேரிடும். நல்ல செழிப்புள்ள நஞ்சை நிலங்களுக்குப் பெயர்ப்பம். நீர்ப்பாய்ச்சல் செய்துள்ள பிரதேசங்களுக்குப் போடலாம். ஆனால் கோவை ஜில்லா போன்ற வறண்டியான பிரதேசங்களுக்குப் போடுவதால் அங்குள்ள விவசாயிகள் தான் பெருத்த கஷ்டத்திற்கு உள்ளாக நேரிடும் என்று நான் தெரிவித்துக்கொள்ள விரும்புகிறேன். இதை கனம் நிதி பற்றி அங்கேயும், இதர அமைச்சர்களும் கவனிக்க வேண்டுமென்றும் விரும்புகிறேன். பொதுவாக தண்ணீர் வரியையும், நிலவரியையும் இரண்டரை உயர்த்துவதானது திறிய விவசாயிகளைப் பெரிதும் பாதிக்கும். இதை மாற்றி 250 ரூபாய்க்குக் குறைவாக வரி கட்டுகிறவர்களுக்கு ரூபாய்க்கு ஒரு அணு வீதமும், ரூபாய் 500-க்குக் குறைவாக வரி கட்டுகிறவர்களுக்கு ரூபாய்க்கு 2 அணு வீதமும், அதற்கு மேற்படிக் கட்டுகிறவர்களுக்கு ரூபாய்க்கு நான்கரை வீதமும் வரி விதிக்கப்படும் என்று சொன்னால் அதில் ஓரளவு நியாயம் இருக்கிறதென்று ஒப்புக்கொள்ளலாம். ஆகவே இதுவிஷயமாக மீண்டும் புனராய்வு செய்வதென்று சொல்லுகிறேன்.

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“சர்க்காருக்கு வரவு செலவுத் திட்டத்தின் துண்டு விடுகிறதென்று சொன்னால் அவர்கள் ஏராளமாக மக்களுக்குப் பணத்தைச் செலவிட்டு வருகிறார்கள் என்பதால் அல்ல. இன்றைய தினம் அரசாங்க உத்தியோகஸ்தர்களுக்கான எண்ணிக்கைதான் மிக விரிவாகப் பெருகிவிட்டது. பத்து ஆண்டுகளுக்கு முன்னர் அரசாங்க காரியாலயத்தில் வேலை செய்தவர்களை யும், இன்றையதினம் வேலை செய்து கொண்டிருப்பவர்களையும் சணக் கெடுத்தால் அது நன்கு புலனாகும். உதாரணமாக கோயமுத்தூரில் 1945-ம் வருஷத்திலே ஒரு கலெக்டர் இருந்தார். இன்றைக்கு டெபுடி கலெக்டர் சிரஸ்தார், தாசில்தார் போன்றவர்களின் எண்ணிக்கை மிக அதிகமாகப்

[1st March 1955] [Sri K. N. Palanisami Gounder]

பெருகிவிட்டது. ஆந்திரா பிரிந்துபோய்விட்டது என்றாலும் கூட சென்னை செக்டரிடையட்டில் வேலை செய்துகொண்டிருக்கும் ஆட்களின் எண்ணிக்கை குறையவில்லை. அதிக ஆட்கள் வேலை செய்துகொண்டிருக்கிறார்கள். அவர்களுடைய எண்ணிக்கையைக் குறைத்தால் நாட்டில் வேலையில்லாத திண்டாட்டம் உண்டாகும் என்று சொல்லுகிறார்கள். இந்த நாட்டில் பிறந்த ஒவ்வொருவருக்கும் சர்க்கார் வேலை தரவேண்டுமென்று சொன்னால் அது முடியாத காரியமாகும். எங்கெங்கே உத்தியோகஸ்தர்கள் அதிகமாக இருக்கிறார்களோ அவர்களை எல்லாம் குறைக்க சர்க்கார் உடனடியாக ஒரு கமிட்டியை போட்டு பரிசீலனை செய்யவேண்டும். அப்படிச் செய்தால் தான் சர்க்காருடைய செலவினம் குறையும். அனாவசியமாக விவசாயிகளின்மீது புதிய வரியைப் போட அவசியம் இருக்காது. ஆகவே சர்க்கார் அதிகாரிகளுடைய எண்ணிக்கையைக் குறைக்க முன்வரவேண்டும். ஜில்லாக் கமிஷனரின் அதிகாரிகளின் எண்ணிக்கையைக் குறைப்பதோடு நகரங்களிலுள்ள போலீஸ் அதிகாரிகளின் எண்ணிக்கையையும் குறைக்க முன்வர வேண்டும். குறிப்பாக தீ அணைக்கும் படையினர் என்று எங்கு பார்த்தாலும் பல போலீஸ்காரர்களை காலையிலிருந்து சாயந்திரம் வரை வேலை ஒன்றும் இல்லாமலேயே உட்கார்ந்திருக்க வைத்திருக்கிறார்கள். எல்லாஸ்தாபனங்களும் இவ்வாறான செய்கு கொண்டிருக்கிறது. விபத்தில் அந்தக் கம்பெனிகளுக்கு ஏதாவது சேதம் ஏற்பட்டால் ஏற்படும் நஷ்டத்தை இவ்வாறான கம்பெனிகள் கொடுக்கப்போகிறார்கள். அப்படி இருக்கும் போது அந்தக் கம்பெனிகள் இந்த தீ அணைக்கும் படையினருக்குச் செலவாகும் தொகையை ஏற்றுக்கொள்ள வேண்டுமென்று சொன்னால் சரியாக இருக்கும். அதைவிட்டு சர்க்காரே தங்களுடைய செலவில் ஏராளமாக இந்த ஸ்தாபனங்களை அங்கங்கே வைத்திருக்கிறார்கள். கோயமுத்தூர் ஜில்லாவில் மாத்திரம் நான்கைந்து இடங்களில் இந்த ஸ்தாபனம் வைக்கப் பட்டிருக்கிறது. இருக்காது இருபது இருபத்தைந்து லட்சம் ரூபாய்க்குமேல் செலவாகிறது. இவர்களுக்கு மூன்று நான்கு லாரிகள் வேறு கொடுக்கப் பட்டிருக்கின்றன. இப்படி சர்க்காருடைய பணம் அனாவசியமாகச் செலவானால் வரவு செலவுத் திட்டத்தில் துண்டு விழாமல் என்ன செய்யும்? இந்தச் செலவினங்களை எல்லாம் குறைத்தால் நமது வரவு செலவுத் திட்டம் பற்றாக்குறை திட்டமாக இருக்காது, உபரித் திட்டமாகவே இருக்கும் என்று இந்தச் சந்தர்ப்பத்தில் சொல்லிக்கொள்ள விரும்புகிறேன்.

“முக்கியமாக இவ்வாண்டு கல்விக்காக இந்தச் சர்க்கார் பத்து கோடி ரூபாய் சொச்சம் ஒதுக்கியிருக்கிறது. எங்கு பார்த்தாலும் ஆரம்ப பள்ளிகளை மாத்திரம் ஸ்தாபிப்பதில் பிரயோஜனமில்லை. நிறைய கல்லூரிகளை ஏற்படுத்தவேண்டும். எனக்குத் தெரிந்த ஒருவரின் பையனை வைத்தியக் கல்லூரியில் சேர்க்கவேண்டுமென்று நானே மிகுந்த சிரமப்பட்டுன். ஆனால் முடியவில்லை. திருப்பூர் போன்ற ஆஸ்பத்திரிகளின் பெட் வசதியையும் அதிகரிக்கவில்லை. அன்றைக்கு என்ன வசதிகள் இருந்தனவோ அதே வசதிகள்தான் இன்றைக்கும் இருந்துகொண்டிருக்கின்றன. அதோடு இன்றையதினம் தேசிய அபிவிருத்தித் திட்டம், சமுதாய நலத் திட்டங்கள் எங்கு பார்த்தாலும் செய்யப்பட்டு வருவதாகச் சொல்லப்படுகிறது. ஆனால் செய்கின்ற காரியங்கள் மிகக் குறைவு. செய்கிறதாகச் சொல்லப்படுகிற காரியங்கள்தான் மிக அதிகம். அம்மாதிரி திட்டங்கள் போடும் போது ஆங்காங்குள்ள ஸ்தல எம்.எல்.ஏ.-க்கள் வேறு முக்கியஸ்தர்கள் ஆகியோரைக் கலந்துகொண்டே போடவேண்டும். இன்றையதினம் எடுத்துக் கொண்டால் கோயமுத்தூர் ஜில்லாக் கலெக்டரிடம் பத்து லட்சம் ரூபாயைக் கொடுத்துச் செலவு செய்ய சொல்லியிருக்கிறார்கள். அந்தப் பத்து லட்சம் ரூபாயை ஜில்லா போர்டு ஸ்தாபனம் செலவிட்டால் நன்றாக இருக்கும். அந்த விட்டு ஜில்லாக் கலெக்டரின் இஷ்டப்படி செலவிடப் படவேண்டுமென்று சொன்னால் அது நியாயமாகாது. எங்கள் ஊருக்கு தேசிய விஸ்தரிப்புத் திட்டத்தின் கீழ் நடத்தப்பட்ட ஒரு கூட்டத்திற்கு கனம் பக்தவத்சலம் அவர்கள் வந்திருந்தார்கள். அந்த சமயத்தில் என்ன என்ன காரியங்கள் செய்யப்பட்டு வந்திருக்கின்றன என்று சமர்ப்பிக்கப்பட்ட ரிப்போர்ட்டில் உண்மையாகப் பார்த்தால் பாதிக்கச் செய்யப்படவில்லை. ஆகவே தேசிய விஸ்தரிப்புத் திட்டத்தின் கீழ் என்னென்ன வேலைகளை எடுத்துக்கொண்டு

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he may allot to each particular department what he thinks fit, consistent with the work which that department has got to do. On the other hand, I would suggest that the Finance Minister should be put in charge of each portfolio each year."

THE HON. SRI C. SUBRAMANIAM :—" I do not think the hon. Member is paying me any compliment." (Laughter.)

SRI M. P. GOVINDA MENON :—" I would suggest district-war allotment so that the case for Malabar may not be overlooked." (Laughter.)

5 p.m. SRI S. NARSAPAYA :—" So far as the new taxation proposals are concerned, the land tax is going to be increased. As I said in the very beginning, it is difficult to tap any new source of taxation. The only thing left is to increase the existing source of taxation and as such land tax is now sought to be increased. Criticism has been levelled against the increase in the land tax. But we have got to see the purpose for which this tax is increased. It is going to be disbursed to the local bodies. The Hon. Leader of the House has correctly said that the local bodies are the weakest link in our administration. That is because of want of finance. It is absolutely essential for the Government to strengthen the finances of local bodies. Government should take a decision on the matter whether the local bodies are required or not. Local bodies have been constituted during the British days in India for the purpose of training people towards self-Government. If it is felt in independent India that it is not necessary to train people in self-government, then local bodies need not be there. But if local bodies are to be continued, then it is absolutely necessary that their finances must be properly strengthened. I was sorry to hear some of my friends remarking whether the local bodies were functioning properly. Sri Raza Khan went to the extent of asking whether the district boards were functioning properly and spending moneys properly. He said that the education cess was being levied, but still they had not opened libraries, etc. Evidently there is confusion here. So far as education cess is concerned, every district board is utilizing the education cess for spreading education. As the cess is not quite sufficient, the Government are paying much more than the education cess to the local bodies for purposes of promoting education. As regards the library cess, the municipalities, as agents of the Government, collect the cess, and they make over the entire cess to the Library authority. It is the Library authority that has got to open libraries in the various places. The district boards and municipalities that are functioning to-day are really functioning properly and well. It would be wrong to say that they are not functioning well and that they do not deserve any monetary help. On the other hand, it is because of the want of finance they are not able to do anything more.

" Sir, much has been said against the levy of a flat surcharge of 2 annas in the rupee on land revenue. It was stated that there was already heavy taxation on land, and that this surcharge would be the

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last straw to break the camel's back. This is not correct. Land tax is imposed on the people on the basis that the State is entitled to a certain share of the produce of the land. The produce of the land was converted in terms of money years back when the agricultural produce was at a very low figure. Now during the last one or two years, the prices of agricultural produce have fallen. But this is nothing compared to the prices prevailing at the time the land tax was fixed. When we compare the prices of produce at the time the land tax was fixed and now, it will no doubt be seen that prices have increased by three times. Of course people will say that expenditure also has increased. But that is no argument, because it is the share of the produce which the Government are entitled to, and which has been commuted into money. If a levy of two annas in the rupee is made on land revenue for a very good purpose, I do not think the landholder can complain. Even here I say that the Government are not very anxious to increase the tax. It is only as a last resort that the Government propose to levy this surcharge on land revenue. After all it is only a budget proposal. A Bill for the levy of this surcharge may or may not be brought forward. If the Finance Minister finds that he can lay his hand on any other money for this purpose, he may not bring forward a Bill. If it is not possible to get this money from other sources, he may bring forward a Bill for levying the surcharge of two annas in the rupee on land revenue.

Sir, coming to my own district, I say that I do not have that feeling of frustration or sorrow which Mr. Govinda Menon had. He used very harsh words against Government. But I will be wrong if I do not state that the Government could have dealt with my district more leniently. They could have been more generous. During the last one or two years, there has been a feeling that South Kanara anyhow will go out of this State after the reorganization of the States. There was also the feeling that after all the people of South Kanara were bound to go out of this State. It may be that they have to go out of this State after some time. But so long as we are here in this State, we have been here for the last 150 years—we must be treated well. After all we are going. We will be going in a year or two. But so long as we are here, I appeal to my Tamil friends to treat us well. Let them not give room for the feeling that we are unwanted people.

Much was said about rural electrification and irrigation. The Leader of the House said that Rs. 19 crores were being spent on rural electrification and irrigation. When I heard this huge sum that is going to be spent on the village side for electrification and for installing pumpsets, I felt like a poor relation in the house of a rich man where festivities were going on, and where women were decking themselves with jewels and saris, and men decking themselves with good clothes. A poor relation has only to look on. He has nothing for himself. In the same way, nothing out of this Rs. 19 crores will go either to South Kanara or possibly to Malabar. There is absolutely no hope for us. It is perfectly true that there

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is no major work of irrigation in South Kanara. The Leader of the House said that all the water sources had been tapped already, and that therefore there was no further water source for executing any major irrigation work. South Kanara has about one hundred and fifty inches of rainfall every year for four months, which is washed away into the Arabian Sea leaving the land dry. During the remaining eight months of the year, there is vast scope for minor irrigation. During the Grow More Food days, a number of minor irrigation projects had been investigated. Estimates and plans were also prepared. But as soon as the Grow More Food campaign came to a close, these minor irrigation works were given up. I would appeal to the Government to take up these minor irrigation works. Under the Irrigation head, about Rs. 128 lakhs has been set apart for special work. I appeal to Government—even now it is not too late—to divert a small percentage of that money for minor irrigation works which have been investigated and for which plans and estimates had already been prepared. They could be executed without any difficulty.

“So far as rural electrification scheme is concerned, I have to warmly congratulate the Government on the expeditious manner in which the line from Jog Falls has been constructed. In about nine months' time, we have to receive power from Mysore Government. At the same time, it is absolutely necessary in a place like South Kanara, where there is no scope for major irrigation works and where the entire thing has to be attended to by lift irrigation either from rivers or tanks or streams, rural electrification work has to be taken up. For this purpose, the work of laying distributing lines to take electricity to all the villages has to be taken up and finished in about 15 months' time.”

THE HON. SRI C. SUBRAMANIAM :—“It is mere speculation.”

SRI S. NARSAPAYA :—“It is no speculation so far as the Madras State is concerned. The work will be completed in about 12 months.”

THE HON. SRI C. SUBRAMANIAM :—“We are thinking of our dead capital. We do not know when the Mysore Government will give power.”

SRI S. NARSAPAYA :—“So far as Mysore is concerned, we had correspondence with the Hon. the Minister for Electricity there, Mr. Nagana Gowd. He has assured us that his Government will expeditiously work for the reason. . . (Interruption.) It cannot be correct. We were assured that within 12 months or 15 months we will be given power. What is more? We were told that the delivery of power would be from Hulikal. Last time when we went to Huhli, we actually saw the towers being erected between Shimoga and Hulikal. In these circumstances, it is absolutely necessary that, when actually power comes, rural electrification work is taken up. For this purpose, provision should be made in the budget. If the Hon. the Minister for Finance and the Hon. the Minister for

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Industries have any doubt as to the time at which Mysore will supply power, I would request them to use their good offices and request the Mysore Government to give power immediately on the plea that we have already spent lakhs of rupees and that amount is now a dead capital. They must ask the Government of Mysore to supply power immediately. When such a request goes from the Hon. Ministers of the Madras Government, it will have all the strength behind it, and I do not think the Mysore Government will in any manner delay supply, especially when a request comes from the Madras Government. Once again I appeal to the Government . . .”

THE HON. SRI M. BHAKTAVATSALAM :—“If Mysore had responded to the request of the Madras Government in time, friends from South Kanara should have been enjoying electric power for the last three or four years.”

SRI S. NARSAPAYA :—“Sir, we are fully aware of the initial reluctance of the Mysore Government to give power. In fact when Mr. Ranga Reddi was the Minister, some of us legislators went to Mysore to prevail upon the Mysore Government.”

DEPUTY CHAIRMAN :—“Will it be in order to speak anything about other Governments here?”

SRI S. NARSAPAYA :—“We are not criticizing that Government. It is only a statement of fact. There is this controversy between the Madras Government and the Mysore Government. We do not propose to criticize that Government. Some of us went to Mysore to prevail upon the Ministers of the Government of Mysore to agree to sign the agreement. We are fully aware of the difficulties we had and the difficulty the Government of Madras had. We are aware of the interest taken by the Government of Mysore to supply electricity to South Kanara from Mysore. I do not mean to say that the Madras Government have in any 5-10 manner been delaying the matter or have been unwilling to help p.m. South Kanara in this respect. But if this is done, so far as Mysore is concerned, even they will get income. Within twelve or fifteen months, we can get power and within that time it is better to see that we develop the possibility of rural electrification also. Therefore, electric lines in the villages should even now be laid.

“Then, so far as public health is concerned, we have got the Mangalore Water-supply Scheme and we are really thankful to the Government for having sanctioned a few days back extra staff for expediting the execution of the scheme. But along with water-supply, drainage facility is also absolutely essential. In Mangalore, the incidence of filariasis is possibly the highest in the State. In the recent investigation conducted by the Government, it was found that as much as 25 per cent of the people had been infected. Unless a drainage scheme is also taken up side by side with the water-supply scheme, the incidence of filariasis may even increase. Therefore,

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I appeal to the Government to take up at least the investigation and preparation of plans and estimates for a drainage scheme at present and use their good offices to see that that scheme is included in the second Five-Year Plan. Water-supply is only a part of our problem. The main problem is that of drainage. Therefore, if a drainage scheme is executed at least during the period of the second Five-Year Plan, the city will be healthier and for that purpose, investigation of a scheme and preparation of plans and estimates are necessary. I request the Government to do that work at least immediately.

"The Headquarters Hospital in Mangalore has been upgraded. But it is part of a bigger scheme whereunder both the hospitals—the Women's Hospital and the Men's Hospital—are to be upgraded. But I am sorry to note that in the next year's Budget no provision has been made for further expansion. As I said, the upgrading of the headquarters hospital is part of a bigger scheme. One-third of the money necessary has already been spent. We were hoping that the work of expansion would be continued. But, unfortunately, in the next year's Budget no provision has been made for any further expansion of the hospital which is absolutely necessary.

"So far as the taluk headquarters hospitals are concerned, they are in a sorrowful condition. Except in Mangalore and Udipi, all the hospitals in other places are not at all in a good condition. I request the Government to improve the condition of the taluk headquarters hospital also. In this connexion, I have got one thing to say. The hon. Gentleman Sri Govinda Menon was yesterday saying that there was not even a Minister representing Malabar and that there was no possibility of ventilating the grievances of the Malabar people and making representations through the Minister representing Malabar. But having a Minister hailing from Malabar alone would not be of much use. Now, we have the Hon. Sri A. B. Shetty. He is a Minister; he is a perfect gentleman. He does not like even a suggestion to be made that he is partial to a district. So, it is rather a handicap than a help to have a Minister hailing from one's area. In fact, when the hon. Member Dr. Srinivasan questioned the propriety of sending radium to the hospital at Mangalore on the ground that the bed-strength in that hospital was not as much as in Madurai or Tiruchirappalli, the Hon. A. B. Shetty was not fighting, if I may say so, so far as South Kanara was concerned. Being a doctor, Dr. Srinivasan should have known that the use of radium does not depend upon the bed-strength of the hospital. The existence of 600 or 700 beds in a hospital does not indicate that there is necessity for radium in that hospital. Similarly, the fact that there are only about 200 beds in the Mangalore hospital does not show that radium is not necessary there. The Hon. Sri Shetty was questioned why radium was sent to the Mangalore hospital wherein there were only about 160 or 200 beds and not to another hospital wherein there were about 600 beds. When such questions are put, the Hon. Sri Shetty is rather reluctant to fight for the cause of South

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Kanara. So, I want to tell the hon. Gentleman Sri Govinda Menon that he need not be sorry that there is no Minister hailing from Malabar in the Cabinet. He can get his work done even without having a Minister hailing from Malabar."

(At this stage, Mr. Chairman resumed the Chair.)

SRI A. M. ALLAPICHAJ:—"It will be good not to refer to any particular district in regard to these matters."

SRI S. NARSAPAYA:—"Such of the Hon. Ministers and hon. Members as have come to South Kanara know that the main problem of South Kanara is that of transport and communications. We have got innumerable streams which have got to be bridged and before there could be good roads, a lot of money has to be spent because there is a heavy rainfall in our area. Under 'Civil Works' a lot of work has been shown as relating to South Kanara. There are several pages relating to this subject in the book given to us. But the Hon. the Finance Minister has pointed out in his speech that all these works will be on the West Coast Road running from Bombay to Cape Camorin. The Government of India have agreed to meet the full cost of these works. This Government are not going to spend even a single pie . . ."

THE HON. SRI M. BHAKTAVATSALAM:—"Unless this Government agreed to that, it would not be possible for the Government of India to spend all the money on South Kanara and this State Government could have very well objected to that and insisted on the amount that was available with the Government of India being distributed among the various districts. We did not do that. I have no doubt that the hon. Member will appreciate that."

SRI S. NARSAPAYA:—"Money is not spent on South Kanara because South Kanara asks for it. The proposed road is one which connects Cape Camorin with Bombay. It is a National Highway. Originally, the idea was that the State Government should meet half the cost of the work and the Central Government the other half. The road passes not through Malabar and South Kanara alone. It passes through the Travancore-Cochin and Bombay States also. All the States had agreed that they would contribute half the cost of the work. It was on that basis that the work was to be started. But later on, evidently, the Central Government suggested that the entire cost would be borne by them. This has been made clear in the speech of the Hon. the Finance Minister. What I want to point out is that all the money to be spent on bridges and roads in South Kanara is going to be given by the Union Government and not by the State Government. But it does not matter to us wherefrom the money comes. However, the Hon. the Minister and the Government know that the problem of communications is one of the main problems of the district. Since the whole cost of the construction of the West Coast Road is to be borne by the Central Government, our Government have saved about Rs. 1.5 crores, being half its cost. I request that a small portion of this saving,

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at least Rs. 10 lakhs, may be diverted to South Kanara for improvement of communications. I may also point out that the South Kanara District Board is chronically deficit financially. An extent of about 800 miles of road is within the jurisdiction of the South Kanara District Board. But not even a single bridge or culvert has been repaired by the district board for the last four or five years. The reason is that there is no finance. If the Madras Government will generously sanction about Rs. 10 lakhs to South Kanara for the execution of the various schemes which the district board has undertaken and investigated and for which sanction has been accorded but the execution of which has been held up for want of money, we will be very grateful.

“ So far as electricity is concerned, I do not know what the policy of the Government in regard to the companies that are already existing is. I do not know whether they are going to nationalise and acquire those companies or whether they are going to allow them to function for some more time. But anyhow, it is proper and necessary that the Government should come to some definite decision in regard to this matter and tell the companies where they stand. I am saying this because for the last two or three years the company which has been supplying electricity to Mangalore refuses to spend even a pie on the erection of a pole. The authorities of the company say, ‘ The company is going to be acquired by the Government. So, we are not prepared to spend now.’ There is a polytechnic outside the limit of the Mangalore town. The Government have spent a considerable sum on it. A hospital and a workshop are attached to it. Electricity is absolutely necessary for carrying on its functions. For want of electricity, the workshop cannot function. There is a Tuberculosis Sanatorium within four or five miles of Mangalore. It is proposed to construct a bridge to reach that sanatorium. There is no electricity there. It is absolutely necessary that the Government must look into the matter at a very early date. When we approach the company, they say that they are not prepared to do anything in the matter because of the present uncertain conditions. They are not willing to incur any capital expenditure. It is better that the Government kindly make up their mind as to whether they want to acquire the company or not. If they want to acquire it, let them do so immediately. If, however, they are not prepared to do so immediately, at least let them say that for five more years the Government will not acquire the company. If this is done the Mangalore Electric Supply Company will definitely know where they stand and will come forward to do what they can in the matter. With these few observations, I once again congratulate the Hon. the Minister for Finance on the budget that he has presented, especially on his move in giving educational concessions to the poor students.”

* SRI A. M. ALLAPICHAJ:—“ Mr. Chairman, it is clear from the budget that our Government are determined to do good to our people however much the resources may be limited. Some time back when we were under foreign domination, we fought

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against the Britishers as the majority of our people were suffering on account of acute poverty and ever so many other disabilities. This was one of the chief reasons for our fighting against the Britishers. We are moving fast and faster than many people might have expected us to. Yet, the nation has a right to ask our Ministers, our Government and our great political parties to move faster and faster. One point is quite clear. However fast we have been moving, we have to admit that we have not yet solved the problem of poverty. Because, large numbers of our people are even to-day very poor. Sir, I am not making any biting criticism against the Government. I know very well that our Government at the present time are doing all that is possible. I only beg to submit that we have to bear in mind that we have to move faster and faster.

“ Sir, to-day the prices of foodgrains are falling. On page 16 of the nice budget speech of the Hon. the Minister for Finance, there is one significant sentence touching this subject. To check the falling prices what should be done is stated by the Hon. Finance Minister in this sentence. This is what he says: ‘ One means by which the Government can push up agricultural prices is by increased spending in the public sector and thereby placing new purchasing power in the hands of the people, and I am sure the Union Finance Minister is considering this question in all its aspects.’ So, it is clear that though the prices of grains are falling, our people are not in a position to purchase the grains as they are very poor. Again, this is due to unemployment. For this I do not find fault with the Government. Anyhow, these are the facts which we have to bear in mind. Sometime back, we were told that in the whole country there were more than 6 lakhs of educated unemployed people. If we take the uneducated unemployed also into account, it will be a very huge figure indeed. It will be lakhs and lakhs. We can no doubt solve this problem in course of time. However, the Government must be courageous enough to tackle this problem. Sometimes we want that the standard of living of our people must go up.”

DR. V. K. JOHN:—“ Why sometimes only? ”

* SRI A. M. ALLAPICHAJ:—“ I am sure my hon. Friend Dr. John is going to speak after me. Then he may say whatever he wishes to say. Sir, we have to bear one point in mind. Our country is a very poor country. There are no doubt a few rich men. Barring a few of them we can describe our countrymen in this fashion. Our countrymen are poor, poorer and poorest. We can very correctly describe them like that. Whenever we want to do some good to our people, we have to place some burden on the poor to help the poorer sections and some burden on the poorer people to help the poorest ones. That is the present position in which we are placed. Now, when the Government come forward with certain taxation proposals, immediately, some people ask, ‘ Why should the Government introduce this tax? ’ Well, how can the Government carry on their work without taxing people?

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"There is another point to which I wish to make a reference. I have always been telling in this House that the Congress Party as such and the Congress Government as such are wedded to the middle path. We do not go to this extreme or the other extreme. We are neither capitalistic nor communistic. Ours is the middle path. We do not believe in violence. If our party were to believe in violence, things would have been different. I reiterate that we do not believe in violence. We are firmly convinced that it is bad from every point of view. Therefore, the only legitimate way in which we can improve the standards of the poorest men is to tax . . . (Interruption.) Yes, to help the poorer and poorest men if it is necessary to tax the poor men, we have to do it."

DR. V. K. JOHN :—"According to the hon. Member, one way of saving the poor man is to tax him!"

* SRI A. M. ALLAPICHAI :—"As I said, my Friend Dr. John may say whatever he wishes to say when he gets a chance to speak. Sir, I would like to put the matter in this way. Take the case of a hospital. When a rich man goes there as a patient, he is asked to pay some charges. But, when a poor patient goes there, nothing is asked of him. So also in the matter of taxation, we have to tax the rich people who can afford to pay and not the poor who cannot afford to pay. The number of the poor people in the State is very large indeed. We have to raise them up from their poverty. How can we do it without taxing those who can afford to pay? As far as the surcharge on land revenue is concerned, some people ask, why it should be collected. The Government have to get a sum of Rs. 75 lakhs. How else can they get this amount? In this case, the people who are going to be taxed have some land of their own. So there is no reason for any complaint. Now, the Government are going to spend a sum of Rs. 50 lakhs in giving full-fee concessions to all poor students. So the Government are quite justified in their taxation measures."

5-30
p.m.

"Now I shall come to Prohibition. Sir, it has now become a fashion to say that Prohibition has failed or that it is not working properly. It is, I think, an exaggeration to say so. If we are to judge the success of an Act by the number of convictions under that Act, then it would be very wrong. Take, for example, the Indian Penal Code. It has been in existence for the last so many years and yet there are so many cases of murder, dacoity, robbery, cheating, etc., in the country to-day. Can we say that the Indian Penal Code does not work on this account? The only thing to do is to try to improve the character of our people. Most of the Members of this House may not know that all offenders against Prohibition are not ex-toddy tappers. Some of them may carry on illicit distillation. But mostly they are those who once upon a time were indulging in all sorts of criminal acts. When these people found that it was easier to make illicit distillation of arrack, etc., and sell them at a profit, they began to take to it as their profession. They have preferred this to robbery, theft, etc."

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DR. V. K. JOHN :—"May I remind the hon. Member that the Ramamurthi Committee found that Prohibition was to prohibit?"

* SRI A. M. ALLAPICHAI :—"I know he has said like that. But if the hon. Member wishes to know something about the working of Prohibition in this State, I can give him lot of information. It is the professional cheats and criminals that have taken to this work. Sir, I mean no reflection on the Department when I say that if our Police Department makes up its mind to ruthlessly put down the offenders, easily the problem of illicit distillation can be solved. I know there are some difficulties in carrying on the administration of the State. If the Police people take a little more interest, Prohibition can be enforced more effectively. Then, Sir, if we want to know whether Prohibition is a success or not, we must ask the women in the villages. They will tell you whether it has succeeded or not. Now, Sir, even granting that there is some force in the argument of the Opposition that addicts always manage to get drinks, I say, we have saved the children of future generations from this drink evil. This is a very good thing that the Congress Government have done. Sometimes, Sir, we talk in a lighthearted fashion and ask: 'Why should this Government lose several crores of rupees on account of Prohibition; we can do much constructive work with this revenue.' They do not hesitate to think even for a second from whom this money was being got. Sir, this is ill-gotten money; it is 'blood money.' We got what would otherwise have gone into the mouths of the poor children and women. We snatched it from the poor."

DR. V. K. JOHN :—"I suggest that you give them drinks free."

* SRI A. M. ALLAPICHAI :—"I beg to submit, Sir, that Dr. John is too incorrigible. (Laughter.) That is our feeling."

"Sir, there is one more matter to which I wish to refer, and that is about the working of the Disciplinary Tribunals. I am not going to make any charge against them. But what I wish to point out is that the Government servant does not cease to be a citizen of this country merely because he is a Government servant. When a citizen commits an offence, how is he dealt with under the law? Suppose an ordinary person is charged with corruption. The Police at once investigates the case and after various formalities are gone through, he is brought before the magistrate. The magistrate then hears evidence according to the Indian Evidence Act and the Criminal Procedure Code. Then, if he finds the man guilty, he convicts him. Otherwise, he is let off. Why should the Government think that the Indian Evidence Act and the Criminal Procedure Code exist for nothing? It is due to our wisdom that we were able to produce the Indian Evidence Act. The evidence let in is always tested by the Court and the whole trial is in accordance with the Criminal Procedure Code. But as far as the Tribunal is concerned, it is not bound either by the

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Indian Evidence Act or by the Criminal Procedure Code. It is not even bound by the decisions of the High Court. I am not given to exaggeration. What I say is what happens. No doubt, the Tribunal may have some procedure of its own."

DR. V. K. JOHN :—" In this matter, is the hon. Member supporting the Government? "

* SRI A. M. ALLAPICHAHAI :—" I am supporting the Government." (Laughter.)

THE HON. SRI C. SUBRAMANIAM :—" He is giving a suggestion."

* SRI A. M. ALLAPICHAHAI :—" What I say is, merely because one happens to be a Government servant and merely because there is some suspicion about one's conduct, should one be kicked off? That is not correct. Congress stands for high principles. The law governing the work of the Tribunal is not of our making. Therefore it is that I wish to bring this to the notice of the Government. Every man must be tried properly. Give the Government servant a chance to defend himself. If then, he is found guilty, punish him. That is all what I wish to say. With these words, Sir, I support the Budget proposals."

5-40 p.m. SRI N. ANNAMALAI PILLAI :—" கனம் சபாநாயகர் அவர்களே, திருக்கிற வரவு செலவு திட்டத்தை மிக சந்தோஷத்துடன் வரவேற்றேன். கனம் நிதி மந்திரி அவர்கள் இந்த திட்டத்தை சமர்ப்பிக்கும் பேறு பெற்றது அவர்கள் செய்த பாக்கியம்தான் என்று சொல்லவேண்டும். நம்முடைய வாழ்விலேயே புனிதமான ஒரு குறையிலே காலவைத்திருக்கிற எல்லோரும் வரவேற்று எல்லோரும் இந்த வரவு செலவு திட்டத்தை பேசியது நமக்கு மிகுந்த சந்தோஷத்தை அளிக்கிறது. கொடுத்த தினம் கனம் ஸ்ரீ கோவிந்த மெனன் இந்த வரவு செலவு திட்டத்தைக் கூவம் ஆற்றிலே போடவேண்டுமென்று சொன்னார். அவர் சொன்னபடி, இது கூவம் ஆற்றிலே போடவேண்டிய ஒரு திட்டம்தான் என்று சற்று மாட்டார். அவர்கள் வேண்டுமானால் மேற்கு சமுத்திரக்கரைக்கு போய் சேர படுகின்ற ஒரு வரவு செலவு திட்டத்தை கூவம் எல்லோராலும் போற்றிப் என்று சொல்வது வருத்தத்தைத்தான் உண்டாக்கிறது. உண்மையில் பார்க்கப்போனால் மலையாளத்தில் இருப்பவர்களுக்கு தமிழ்நாட்டில் இருக்கக் கூடிய நாங்கள் எவ்வளவோ காரியங்களைச் செய்திருக்கிறோம். கன்னடி யருக்கு அன்பு காட்டியிருக்கிறோம், தெலுங்கருக்கும் அன்பு காட்டினோம், அடிபணிந்தோம். அப்படியிருந்தும் நம்மைவிட்டு அவர்கள் பிரிந்துவிட்டார்கள். அதேமாதிரியாக மலையாளிகளை செலலப்பிள்ளைகள் மாதிரி நாம் தக்க ஒரு திட்டத்தை கூவம் ஆற்றிலே போடவேண்டும் என்று சொல்வது மிகவும் ஆச்சரியத்தைக் கொடுக்கிறது.

"இந்தத் திட்டத்தை சமர்ப்பிக்கும் பாக்கியம் நிதிமந்திரி அவர்களுக்கு கிடைத்தது. கனம் முதல் மந்திரி காமராஜர் காலத்திலேயே இந்த திட்டமானது தயாரிக்கப்பட்டு கொண்டுவந்தது எல்லோரையும் பிரமிக்கச் செய்தது. அதில் முக்கியமானது ஏழை பிள்ளைகளுக்கு கல்வி வசதி அளிப்பது. கஞ்சிவரதப்பா என்றால் எங்கே வரதப்பா என்பதாக ஏழைகள்

[1st March 1955] [Sri N. Annamalai Pillai]

கஷ்டப்பட்டுக்கொண்டிருக்கிற காலத்தில் முதல் வகுப்பில் இருந்து 8-வது வகுப்பு வரையிலும் எல்லா ஏழைப் பிள்ளைகளுக்கும் ஜாதி மத பாகுபாடின்றி இலவசக் கல்வி அளிப்பது போற்றத்தக்க விஷயமாகும். நமது ராஜ்யத்தில் முதலில் 5-வது வகுப்பு வரையிலும் கிராமங்களில் பள்ளிகள் ஏற்படுத்தினார்கள். அதற்குப் பிறகு மதிப்பிற்குரிய தலைவர் ராஜாஜி அவர்கள் காலத்தில் ஷிப்ட் சிஸ்டம் கொண்டுவரப்பட்டது. இப்பொழுது எல்லோருக்கும் 8-வது வகுப்பு வரையிலும் இலவசக் கல்வி வசதி அளிக்கப்படுகிறது. இவ்வாறு படிப்படியாக கல்வி விஷயத்தில் முன்னேற்றம் அடைந்திருப்பதை நாம் போற்றுகிறோம். விவசாயிகள் தங்கள் பிள்ளைகளுக்கு படிப்பு சொல்லிக்கொடுக்க முடியுமா என்று பார்க்கவேண்டும். அவர்கள் இருக்கும் நிலையில் தங்கள் பிள்ளைகளுக்கு சம்பளம் கொடுத்துப் படிப்பு சொல்லிக்கொடுப்பது என்பது சந்தேகிக்கவேண்டிய விஷயம். இந்தச் சமயத்தில் முதல் வகுப்பில் இருந்து 8-வது வகுப்பு வரையிலும் சம்பள மில்லாமல் கல்வி போதிப்பது போற்றத்தக்க விஷயமாகும். அவர்கள் தங்கள் பிள்ளைகளுக்கு சம்பளம் கொடுக்க முடியாமல் சக்தியற்றிருக்கும் இந்தக் காலத்தில் நமது நிதி மந்திரி அவர்கள் இதைக் கொண்டுவந்து எல்லோரையும் ஆனந்தத்தில் மூழ்கவைத்திருக்கிறார்கள். சாதாரணமாக இந்தக் கல்வியைப் போதிக்க பல கஷ்டங்கள் இருக்கின்றன. சாதாரணமாக ஒரு விவசாயி திண்ணைப் பள்ளிக்கூடத்தில் படிக்கும் தன் பிள்ளைக்கு மாதத்திற்கு நான்கணு சம்பளம் கொடுக்கிறார் என்றாலும் வருஷத்திற்கு மூன்று ரூபாய் ஆகிறது. ஆனால் இப்பொழுது விவசாயிகளுக்குப் போடப்பட்டிருக்கும் வரி ஒரு விவசாயி வருஷத்துக்கு 14 அணுதான் கட்டவேண்டியவரும். ஆகவே இதனால் விவசாயிகளுக்கு நன்மையே தவிர கெடுதல் ஒன்றும் இல்லை. இந்த வரியால் அவர்கள் ஒன்றும் பாதிக்கப்படமாட்டார்கள். அதனால் இந்த வரியைக் கொடுப்பதற்குத் தயங்கமாட்டார்கள். அவர்கள் ஆனந்தமாகக் கொடுப்பார்கள். உருவான ஒரு திட்டத்தைக் கொண்டுவந்ததை ஜனங்கள் பூராவும் வரவேற்கிறார்கள். கனம் காமராஜ் நாடார் முதல் மந்திரியாக இருக்கும் காலத்தில் கனம் சபாநாயகம் அவர்கள் இந்த அருமையான வரவு செலவுத் திட்டத்தைக் கொண்டுவந்ததற்கு எல்லோரும் அவரை வரவேற்கிறார்கள், போற்றுகிறார்கள், வாழ்த்துகிறார்கள். இது சரித்திர பூர்வமாக பிரசித்திபெற்றுவிட்டது என்றுதான் சொல்ல வேண்டும். ஜனங்கள் மிகவும் திருப்தியடைந்திருக்கிறார்கள். இந்த நல்ல காரியத்தை காமராஜர் காலத்திலேயே செய்திருப்பது மிகவும் திருப்தியை அளிக்கிறது. இந்தச் சபையில் சர்வகலாசாலைத் தலைவர் ஸ்ரீ லக்ஷ்மணசாமி முதலியார் இருக்கிறார். பலதிறைகளிலும் உத்தியோகம் வகித்த ஸ்ரீ நாராயணசாமி பிள்ளை இருக்கிறார், தமிழ் அறிஞர் கஜபதி நாயகர் இருக்கிறார். அவர்களுக்கு தமிழில் பேசவேண்டுமென்ற ஆர்வம் இருக்கிறது. ஆனால் தொடர்பில் பழக்கம் சுகோமட்டும் என்ற பழமொழிக்கு ஒத்த வாறு ஆங்கிலத்தில் சட்டம் படித்து ஆங்கிலத்திலேயே உத்தியோகம் வகித்துவிட்டு இப்பொழுது அவர்களுக்கு இருக்கும் தமிழ் ஆர்வத்தினால் ஒருவாறு பேசமுற்பட்டிருக்கிறார்கள். இந்தச் சபையின் நடவடிக்கை பூராவையும் தமிழிலேயே நடத்தவேண்டுமென்று நாங்கள் பல நாளாகச் சொல்லிக்கொண்டு வருகிறோம். ஆனால் இதுவரையில் நாங்கள் சொல்வது எதையும் கேட்கவில்லை. எங்களுக்குப் புரியாத பாஷையில் மக்களுக்கு புரியாத பாஷையில் ரகசியமாகவே சபை நடவடிக்கை பூராவும் நடப்பதாகவே இருக்கிறது. தமிழ் மக்களுக்கு ஒரு கௌரவம், தமிழ் மக்களுக்கு ஒரு மதிப்பு ஏற்படவேண்டுமானால் எல்லாம் தமிழிலேயே நடக்கவேண்டும். ஒரு மதிப்பு கற்றவர்களே, ஆங்கிலத்தில் புலமை உள்ளவர்களே ஆட்சி பீடத்தில் இருக்கவேண்டுமென்று ஒரு சிலர் விரும்புகிறார்களா என்று கேட்க விரும்புகிறேன். ஆங்கிலத்தை நாங்கள் விடமாட்டோம் என்று சொல்லிக் கொண்டேயிருந்தால் என்னைப் போன்ற தமிழர்கள் ஆட்சி பீடத்தில் எப்படி அமர்வது? நான் மந்திரியாக வரவேண்டுமென்று விரும்புகிறேன். ஆனால் ஆங்கிலத்தை விடமாட்டேன் என்று சொன்னால் நான் எப்படி மந்திரியாக வருவது என்று கேட்கிறேன்."

(At this stage the Deputy Chairman occupied the Chair.)

THE MADRAS LEGISLATIVE COUNCIL.

Wednesday, the 2nd March 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.

Number of wells sunk in South Arcot district for Harijans.

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

(a) the number of wells ordered by the Government to be sunk in South Arcot district during the years 1953-54 and 1954-55 for the use of Harijans for drinking purposes;

(b) the number of wells sunk so far; and

(c) the expenditure so far incurred by the Government on this account?

THE HON. SRI A. B. SHETTY :—“(a) 70 in 1953-54 and 112 in 1954-55.

“(b) 40 in 1953-54 and 21 in 1954-55.

“(c) Rs. 63,488 in 1953-54 and Rs. 54,715 in 1954-55.”

SRI V. V. RAMASWAMI :—“May I know, Sir, whether these wells were sunk in the areas exclusively occupied by the Harijans or in public places?”

THE HON. SRI A. B. SHETTY :—“These wells were sunk for the benefit of Harijans.”

SRI A. GAJAPATHY NAYAGAR :—“Are the Government satisfied that the water in the wells is good and enough for the people concerned?”

THE HON. SRI A. B. SHETTY :—“I presume most of the wells provide enough water, but I cannot say that all the wells provide enough and good water.”

SRI V. CHAKKARAI CHETTY :—“May I know whether these public wells which are open to all classes of people are easily accessible to the members of the Harijan community or are any difficulties felt by the Harijans in getting access to them on account of caste feelings? Has there been any complaint made to the Government in regard to that?”

THE HON. SRI A. B. SHETTY :—“The public wells are open to all Harijans. Whether any difficulties are experienced in any particular place I cannot say.”

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Dr. V. K. JOHN :—“ What is the principle underlying the system of sinking wells for Harijans? Does it prevent those other than Harijans from taking water from those wells? Why should not wells be sunk for all persons? ”

The Hon. Sri A. B. SHETTY :—“ The Harijans want wells to be sunk within their own cheris. They do not want to exclude or prevent other people from taking water from those wells. But other people may not go there.”

Sri M. ETHIRAJULU :—“ Is there any target fixed regarding the number of wells to be sunk in the State for Harijans? ”

The Hon. Sri A. B. SHETTY :—“ A separate programme for sinking of wells for Harijans is under consideration.”

The Hon. Sri M. BHAKTAVATSALAM :—“ Sir, I request that questions Nos. 218 and 219 addressed to the Hon. the Minister for Finance and Education may be taken up tomorrow.”

Mr. CHAIRMAN :—“ All right. Those questions will be taken up tomorrow. Questions are now over. We shall now resume discussion on the Budget for the year 1955-56. Srimathi Clubwala Jadhav will now speak.”

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

II.—GENERAL DISCUSSION ON THE BUDGET FOR THE YEAR 1955-56—cont.

* SRIMATHI MARY C. CLUBWALA JADHAV :—“ Mr. Chairman, Sir, I rise to congratulate our Government and the Hon. the Minister for Finance and Education on being able to provide for the free education of all poor children up to the VIII Standard. It is clearly a very welcome feature. I also congratulate the Government on opening 2,800 new elementary schools and thank them for helping existing schools with 200 additional teachers. The opening of another 1,500 schools and the strengthening of existing schools by another 1,000 teachers in the new year covering villages with a population of 500 is indeed most welcome.

“ But I am sorry to say that Public Health has not had the allocation that it should have. There is only a provision of Rs. 15 lakhs made for extension of hospitals and increase of bed-strength. We know that our hospitals are overcrowded and that the doctors and nurses are overworked. We have been working for the last thirty years in all the hospitals in the City of Madras and in recent years we find an enormous increase of patients but there are not adequate facilities to meet their needs. Therefore, I would urge on the Government to be fairer and to make an increased allotment for this purpose.

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“ Then, I should say that in the City of Madras there are only two Welfare Officers in such large hospitals as the General Hospital and one Welfare Officer in other hospitals. Institutions which are training people for medical welfare work—the Red-Cross and the Madras School of Social Work—Stella Maris College, have turned out welfare workers but they are not employed. Certainly, welfare workers will be of great help in the hospitals both to the patients and the hospital staff in that they can contact the families of the patients and supervise the distribution of diet to patients. I am proud to say that the Government of Madras have asked voluntary workers of the Guild of Service to assist and nearly 30 volunteers have been rendering service in the hospitals by way of helping in and supervising the distribution of diet to patients in the different wards. The nurses are overworked and I am happy to say that there has been an improvement in the diet. But I would like to bring one point to the notice of the Hon. the Minister for Health in this connection. Formerly, the European diet used to be distributed to the patients. That is continued even now. That diet is not very palatable to some Indian patients. I have addressed the Hon. Minister earlier on this matter. I would request him to constitute a special committee to go into this question of diet and see that only diet which is palatable to the patients is supplied to them.

“ Sir, I do not think that anyone can take better care of the patients than the nurses. But I feel that there is neglect of provision of recreational facilities for them. Such facilities are provided in other countries and in other parts of India also. Transport facility should be provided to take them out of their places of work for recreation and for doing some physical exercise and relaxing after the hard work they put in. I would request the Government to call for the report of the special committee who have made suitable recommendations.

“ Then, there are many hospitals run by volunteers, Missionaries and others and they should be given greater encouragement than other hospitals. I want specially to refer to one Missionary Hospital—the Sacred Heart Leprosy Hospital in Kumbakonam. There are over 500 lepers in that hospital and there are 65 child-patients who are also taken care of. The Government give a meagre per capita grant of Rs. 9 per patient. There is also a Government order which says that a month after the patient becomes positive, he should be discharged. The lot of these people is very pitiable. They are shunned even by their own families. Therefore, 95 per cent of the patients relapse into the illness. I would urge on the Government to continue the per capita grant for at least six months and also to help in starting after-care colonies like the one we have for tuberculosis patients. I have seen after-care colonies for leprosy patients in Bombay State and I do wish that the Madras Government should help voluntary organizations and other existing after-care colonies. If

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at least the *per capita* grant is raised to Rs. 18 per patient it will be worthwhile. These people are doing excellent work and they should be given every encouragement possible. They are doing everything possible to cover up many of the deficiencies. This is a very important work and I would request the Government to give this matter their earnest and urgent attention.

" Now, turning to the work done by the Tuberculosis clinics, I wish to point out that there are many voluntary agencies which have taken up this work. Thanks to the efforts on the part of the organisers of the Provincial Welfare Fund and other Associations, a certain number of these clinics have been started. I would request the Government to give their full support and encouragement to these agencies so that they may be able to help the people in distress, whose number in this State is large. Sir, there is another difficulty to which I wish to make a reference. Whenever a private agency, organization or a person comes forward to make an endowment for providing a bed or an X-ray unit in a hospital, the Government fix ever so many conditions to be fulfilled not only by the person who makes the endowment but also his successors. When the Government make the successors and even grandchildren responsible in the matter, people are almost frightened to make these endowments. I would very much like the Government to consider this aspect also very carefully so that private agencies may be encouraged to help us in some of the welfare activities.

" I now turn to a subject which is very dear to my heart and to the heart of many other social workers, viz., the cause of children. I am really sorry that the Hon. the Minister for Finance and Education is not here as this subject is his portfolio. Sir, the Government of Madras have three Certified Schools for Boys and one Senior-cum-Junior Certified School for Girls. They have recognized 7 voluntary institutions to receive such children. This is a very inadequate number. The number of such destitute children is really great. They are not foreign to us. They belong to this State. That is why I have to request the Government to encourage such of the voluntary agencies who come forward to take these destitute children. The Governments in other States in India and in other countries go all out to request private agencies to accept these children. It is better for the children to be absorbed in the nominal way. What I would suggest is that these destitute children need not be made to go through the Juvenile Courts for being certified. Public opinion in regard to this matter is lacking. There is not a proper understanding of the situation. As a matter of fact, these children are to be certified through the Juvenile Court so that they may be protected for the rest of their youth. But, it is really a pity that the public at large do not understand the fact that a certified child is not necessarily delinquent and that a large percentage of them are destitutes. Sir, I would like to take this opportunity to suggest that with the help

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of the social workers and with the help of the Chief Presidency Magistrate and the Commissioner of Police, these children could be sent to such of the institutions which have facilities to receive them and take care of them. This is the practice followed in some of the other States and I think that our State could also do the same thing in this regard. As I said previously, the Government are not at present taking full advantage of the assistance that the voluntary agencies are willing to give.

" I will now refer to another type of children, viz., mentally and physically backward children. Their case needs special, careful and sympathetic consideration at the hands of the Government. In this vast State of ours, there is no proper and suitable place or home to receive such children. It is really a pity indeed. These children are first sent to the Mental Hospital. The authorities of the Mental Hospital, after examining them give the opinion that those children are not so bad mentally as to warrant treatment in the Mental Hospital and that they can be sent to the normal schools. When they are sent to the normal schools, they become objects of ridicule. Thus, these children are to undergo a lot of difficulties and their case is really a great problem to the social workers. Somehow or other, the Government have not thought over this problem. With very great difficulty we managed to start a Home for children needing special care and attention. This Home was opened by Dr. Lakshmanaswamy Mudaliar. It is being run for the last 8 months or so. With the assistance of a person who is an expert in this line and who is giving his service free we are able to run it. Many voluntary social workers are also giving their assistance in running this Home. I have addressed the Government to transfer all the children in the Certified Schools who need special care, to this Home. I regret to say that my request in this regard to the Hon. the Chief Minister and the Hon. the Minister for Finance and Education has not so far met with success. Sir, I was anxiously looking forward to see some provision or allotment in the budget to help these poor unfortunate children. But, I was sorely disappointed to find that no provision whatsoever has been made in this regard in the budget. Let me express my earnest hope that at least in the Part II Schemes, the Government will be able to make some provision under this head. What I wish to say is that there is already a ready-made machinery available. The Government's commitment will only be to the extent of Rs. 30 per child. I think in the Certified Schools also this is the rate that is allowed.

" With the starting of these schools and the Special Home, many parents, including some well-to-do parents, have approached us with the request that their children may also be taken into our institutions. Unfortunately we have to say 'No' to them in view of our limited finances. Thus, it will be seen that there are a number of such children who need special care and attention but we do not have suitable Homes in adequate numbers to receive

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them. I would like to take this opportunity to appeal to the Hon. the Minister for Education to give greater consideration to this matter and help the voluntary agencies in this work which should legitimately be undertaken by the Government.

" Sir, I now turn to another important work, viz., after care of children who come out from certified schools. There is, I think, an order to the effect that when these children come out of the schools, they can be housed in the Boys' Club or Girls' Club as the case may be, attached to the certified schools for a period of one year. If they cannot find some useful employment within that period, they are turned out. Nearly 80 per cent of the children will be left without any agency to care for them. As a result of this, many of them are unfortunately sent back to the Borstal School or the Jails. I would earnestly plead with the Government to start a decent Aftercare Home-cum-Hostel where such children can be made to learn a trade and earn a living. I am of the view that this can be easily achieved if only the Government of Madras can see their way to giving the necessary financial assistance to such of the voluntary agencies who have the required experience and trained personnel in this field. Mr. Chairman, I may be permitted to say that this is done in other parts of the country where the Government bear 50 per cent of the cost and the society the other 50 per cent. While the other States with the help of the social welfare organizations have been able to achieve this objective, I do not see any reason why we cannot do the same thing here in our State. Sir, the Madras State has hitherto been leading the other States in all fields. Somehow or other it has begun to lag behind other States in the field of social welfare with the result that to-day Madras occupies only the second place in this field while Bombay is leading the other States. The Bombay State is making very rapid progress in this reformatory work of looking after the unfortunate children.

" Sir, the Seva Samajam Boys' Home has been recognized as a junior certified school and it receives destitute children. But I am sorry to say that the extension of the same for girls has not yet been decided upon by the Government. The reason for our opening this Home is this. There are a number of boys with none to care for them. Some of them have sisters and these girls naturally like to and also have a right to live near their brothers. At present, due to lack of facilities, they are sent to different orphanages in the State. So, we have now started a Home for destitute girls to take in sisters of the destitute boys. Our idea is to see that the home life is maintained. I have requested the Hon. the Minister for Finance to extend the Government's recognition in the case of girls also. The Government have not so far seen their way to doing this. I take this opportunity to repeat this request of mine. I hope the Government will soon extend their recognition in the case of girls also.

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" Sir, it is our object to make these destitute children useful citizens of the State and also useful for regular family life. The voluntary agencies have started many of these institutions. In so doing, they had to fight against convention, public opinion and undergo ever so many other difficulties. After undergoing all sorts of difficulties when they have opened these institutions and are running them efficiently too, it is but just and proper that the Government should come forward to extend their full support and help to them in all possible ways.

" I now wish to say a few words about the care of blind children. I would like to request the Government to make a larger amount available for this purpose. In this State, the number of these children is somewhat great. There are excellent institutions to look after them. I would request the Government to extend their help to all these institutions. The Government, besides helping the existing institutions, must also assist in starting new institutions also. I am very happy to find that 45 lakhs of rupees have been reserved for constructing buildings for policemen and their families. Last year also, I touched upon this point in my speech on the Budget proposals. Our policemen are doing an excellent job. Every day we read in the papers something about robberies, thefts, etc., committed in this State and the policemen always have to face danger. Surely, they should be afforded as much welfare facilities as are afforded to the armed forces. Already in five or six States, they have gone ahead with welfare work comprising provision of creches, maternity centres, vocational centres, etc. All such activities should be carried on in this State also. The policemen could render assistance during their leisure hours in managing grainshops, physical training, etc., while their wives could be trained to take part in maternity and child-welfare work and in running dispensaries and vocational centres. The money and labour spent in this way will have ample returns and I do hope and assure you, Sir, that voluntary agencies will be very happy to assist in this work if their services are required in organizing this work.

" Sir, I would like to congratulate the Government on having appointed a woman as the Chief Inspector of Certified Schools. The lady who occupies that post richly deserves it. Sir, vigilance work was started in this State thirty years ago by some voluntary and selfless workers. And it is against great odds that they have kept the Vigilance Home and the Stri Sadan going all these years. Now the Government have taken over this institution and you will find, Sir, this is a very well run institution in the country. I do hope that the Government will see to it that it is made a permanent institution. I also hope, Sir, that the Government will use the Stri Sadan as a first-class training school for training social workers. I have visited and seen vigilance work done all over India but there is nothing I found there to equal the work we have done here. The results of our rehabilitation work are simply astounding. I hope the Government will use this institution as a

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training centre. If they do so, we will be doing a great service to our sisters in many parts of India. In this connexion, I would also request the Government to make the post of Chief Inspector of Certified Schools and its present incumbent permanent. The incumbent of the post has been there for seven years in a temporary capacity. At the same time, Sir, I would urge the Government not to forget the parent body of the Home they have taken over, viz., the Madras Vigilance Association. They must see to it that it gets all assistance necessary to carry on its delicate and difficult work.

“ Sir, the Government are not giving any grants for meeting the expenses incurred on maintaining the patroller. Immoral traffic has very much increased. I have said this very many times in this House and I feel my cry has always fallen on deaf ears. I repeat that immoral traffic is on the increase and that some more patrollers are required to take care of the destitute girls. Unfortunately, to-day, Dr. Muthulakshmi Reddi is not here. If she is, she would also lay great emphasis on this matter. I do hope that the Government will give some assistance in the matter of providing more and more patrollers to the Madras Vigilance Association, which is doing and has done pioneering work in this field.

“ There is a great awakening in the country in the matter of care of poor children. Many eminent people have asked for juvenile courts being opened in every district headquarters. I hope the Minister for Courts and Prisons will give his earnest attention to this question. There are three or four in our districts but I should specially refer to Tanjore where people are anxious to have juvenile courts. After all, they do not cost very much. In the beginning, we need one stipendiary magistrate for these courts. We can have women magistrates to assist the juvenile courts, and later on preside over them, because to-day, a good number of ladies are willing to do social work, all educated women who have understanding of children and their value.

“ Sir, we pass ever so many Acts in this House but so far we have not had a Bill to amend the Children's Act. The old Children's Act is defective. A new Children's Bill was prepared by certain experts in 1951, and yet, in spite of repeated requests for its introduction in the House, it has not seen the light of day. I have gone to other States, met their Chief Ministers and other Ministers and have been able to introduce Bills designed to improve the lot of children, but in my own State, the Government have not thought it fit even now to tackle the problem. We must protect our children. As I said, the old Act is faulty in that it enables the elders who encourage children to commit theft, etc., to go scotfree whereas the children suffer. Sir, I would now read out to you and to hon. Members, the number of cases tried by the juvenile courts in the State from the 1st January 1954 to the 30th November 1954.

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		Boys.	Girls.	Infants.
1	Destitution	2,109	397	196
2	Theft cases	494	40	..
3	Prohibition	277	39	..
4	Uncontrollables ..	11	2	..
5	Travelling without tickets.	7	..	1
6	Gambling cases ..	25	..	..
7	Murder cases	2	..	..
8	Escape from lawful custody.	1	..	..

These figures show that the majority of the children are destitute and not delinquent. I would particularly request the Hon. the Minister for Prohibition to take note of the figure relating to Prohibition cases.

“ Then, Sir, I would refer to the necessity for amending the Suppression of Immoral Traffic Act. Some amendment to this Act was made some time ago and it touched only upon one or two aspects of the problem that required attention. I know all our Ministers are social workers and have the interest of women and children in the country at heart. I do hope that they will do their best to see that an amending Bill is brought in at an early date.

“ Sir, there is also another Bill, which I would request the Government to introduce in this House. That is a Bill relating to the law of adoption. So far, in this overpopulated State of ours, we did not have many people coming forward to take children in adoption. But now, we see great demand for children everywhere—at family planning centres and at other places—from persons who have either no child or who have one child and want another for the sake of company for their own child. Then, there are other people who have lost their children and who would like to give their property to some other children. Some social workers and organizations who have received such requests have referred the matter to the Bala Mandir, whose president is our Chief Minister. I would request the Government to provide for some legal machinery to enable children being taken in adoption by those who want them. Sir, I venture to suggest that a committee consisting of men and women connected with children's work and officials and non-officials connected with orphanages and similar institutions be appointed to draw up the necessary legislation for this purpose so that the child's welfare may be guaranteed even after adoption by means of a follow up programme. We do not want some of the bad experiences which other countries have had in this matter.

“ Sir, last year, Rajaji, the then Chief Minister of the State, was good enough to accede to our oft-repeated request to have the diploma issued by the School of Social Work recognized for all

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practical purposes. We are very grateful to Rajaji and this Government for this. I then appealed to the present Chief Minister, Mr. Kamaraj Nadar and or Education Minister and other Ministers to recognize this school as a special school. That object has also been accomplished. I express my grateful thanks to the Cabinet as a whole for this decision of theirs and I do hope that this gesture will be followed up with a good grant to the school. It is the only school in India for trained workers entirely started by volunteers. We have had very many difficulties—and even certain unnecessary difficulties—in the beginning to encounter. But we have now succeeded. Both the students and the staff have given excellent record of their work to international visitors and our own people have paid ample tribute to their fine work. Some of the students who have passed out of the school have been able to secure good appointments. I would request the Government to encourage our students by appointing them for work connected with the National Extension Service, social welfare schemes, etc. We have recently received a grant of Rs. 5,000 from the Social Welfare Board and with that money we have organized a short-term course of training in rural welfare. We have candidates—some 30 women and 20 men—from the Welfare Extension Projects areas in Travancore-Cochin, Andhra and Madras States. So, our training is appreciated. We have had occasion to receive all the Hon. the Ministers sitting in the opposite row at our school and they have always paid tribute to the good work we have done. But the Government should set an example by giving recognition to students who have come out of our school as qualified social workers by appointing them to posts under their control. I specially refer to their employment as District Probation Officers and officers for correctional work. Through the help of the Planning and the Chairman of the Central Social Welfare Board, social service and its connected activities have been brought home to the doors of villagers, as irrigation and water-supply. It is a very happy sight to see that villages that had never received any attention are now having Maternity Centres, Bala Vihars, Creches, Schools, etc. What is more, large number of women who had never left the shelter of their homes (either you have kept them indoors or they themselves had never left the shelter of their homes) are now coming forward to do social work and a large number of villagers are having employment as social workers, maternity assistants, teachers, etc. We are grateful to the Government of Madras for having agreed to bear 25 per cent of the cost of these welfare extension programmes organized by the Central Social Welfare Board. The one aspect that is heartening to note in these Community and Extension project areas is the awakening of the villagers and the pleasure and keenness they evince in these works. It is a sight worth seeing when one sees the people in the villages coming with gifts of buildings or lands or labour or some other assistance so far as these works are concerned. It is really a happy sight to see this awakening among our men and women in the villages. Also the welfare extension schemes started with the initiative of Mrs. Durga Bai Deshmukh, Chairman of the Central

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Social Welfare Board, are yielding fruits. Mrs. Durgabai Deshmukh had set upon herself the task of seeing that the village women awaken themselves and participate in the welfare extension schemes. The response from the women is very encouraging. There has been an excellent awakening among them and they participate very readily in these extension schemes and while doing so earn something also, which would go a long way in easing their family budget. We are grateful to the Government for the co-operation they have given to push forward these welfare extension schemes (the State Government are bearing 25 per cent of the expenditure) and we look to the Government for further support in this particular line of social work. I would like to congratulate the Hon. Minister in charge of Agriculture and Rural Welfare for the excellent progress made in the Community and Extension Projects. Visiting these areas one is overjoyed to see the results of this programme and the great alertness and co-operation shown by the people. I would request the Hon. Minister for Agriculture and Rural Welfare to associate in the Community Project Committees, social workers also. If social workers are not readily available, people who have been trained in social work might be taken. I am sure the association of social workers in the project committees would be useful in implementing the welfare extension schemes.

“Turning to the Women Welfare Department, I am sorry to say that the promise of the department becoming permanent has still not materialized. On 1st November 1954 a committee consisting of Dr. Muthulakshmi Reddi and others waited in deputation on the Chief Minister and the concerned Minister and we were told that the orders would be coming. Many months have elapsed since then and still no order has come. It is now 14 years since it started and the Women Welfare Department has been there for the past nine years (before that it was named as Indian Women's Civic Corps). While large sums of money are being spent by Government on extension projects, it seems to put this department in the background and especially when this department is intended to promote the welfare of women. There was a Women Welfare Officer here. But she went to Lucknow and there she had been the head of the department and the department has been given the greatest encouragement to expand. That head of that Women's Department has become the Assistant Chief in the Ministry of Social Welfare recently formed. But here in my home State of Madras, this Government have not thought it fit to give the status of a head of department to the Women Welfare Officer. Now the Women Welfare Officer here is in the grade of a Deputy Secretary and this Women's Welfare Department comes under the Rural Development Department. The Women Welfare Officer is not now the head of the department. If our women could be Ambassadors, President of the United Nations, Governors and Vice-Chancellors, must this State deny this privilege, and must the Chief of the Women's Organization, be under a gentleman?

“I shall now turn to the subject of scouting. I have been acquainted with many youth movements but the Bharat Scouts and

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Guides, I can say, is a movement which has no parallel and is one which gives training in character, discipline and initiative in young boys and girls. The Hon. Minister for Education has himself been a boy scout and he therefore knows fully well how the scout movement contributes a great deal to the character—building of young boys and girls. In the Composite State of Madras, our strength was 50,000. In the present State of Madras, our strength has increased appreciably and we have 55,000 scouts and guides. During the year we have trained a band of 2,000 to officer the movement and of them 500 are women. We have been carrying on a first-class programme of service and that too service with no payment whatsoever. Our scouts and guides accept every form of service, service for public bodies, official and non-official and they have rendered service in the Community Projects, National Extension areas, etc. We have run camps and have given a good account of ourselves while serving in the Community Projects and National Extension areas. The Hon. Minister for Education was an eye witness to the services the scouts and guides rendered at Senji and he evinced such an enthusiasm in their working by himself distributing kanji and milk to the poor children. I would request the Hon. Leader of the House to provide us with better camp sites and some allocation for equipping these camp sites and also technically qualified workers in charge.

“Coming to the N.C.C., I know hon. Members would appreciate how that movement builds up character and physical strength of our own boys and girls. Government spent five lakhs on 100 units of N.C.C. This excellent movement which forms the basis from childhood for organizing a sense of discipline and service in children from the age of five and upwards receives for these boys and girls a grant of only Rs. 20,000. We have 2,000 units of the scouts and guides. I would appeal that our Government may give Re. 1 per head and raise the grant to Rs. 55,000 from this year onwards. I do hope that the Government, now that the Planning Commission is also willing to give grants for youth movement and youth work, would give us greater support in future. Our boys and girls have acquitted themselves very creditably in all the public functions they had attended.

“I shall now come to the reported discontinuance of the grant of Rs. 323-8-0 per mensem which the Government have been giving to us, I mean the Madras Branch of the All-India Women's Food Council. I do appeal to the Hon. Minister for Finance to re-consider their reported decision to discontinue the grant they are giving us now. We have been running cafetaria not only in our building in Government Estate, Mount Road, but in the High Court, in the Presidency College, in the Income-tax office and for the deck passengers. We want to open some more stalls; but we have no capital. We have already to repay the loan of Rs. 17,000 towards an advance paid to us by the Central Food Council for equipping and building our present cafetaria in Government Estate, Mount Road. I would request the Hon. Minister for Finance who had himself seen and

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appreciated our working not to discontinue the grant the Government are now giving us. In the recent Congress Session at Avadi, in spite of the handicap of having no water whatsoever for several days we had to send our vans to collect water and we served thousands of people. We do also practice in nutrition.

“I shall now come to the subject of Harijan Welfare. I am glad to see that adequate provision has been made in the budget towards Harijan Welfare. I congratulate the Hon. Minister in charge of Harijan Welfare for it and I would request him to undertake the services of voluntary agencies in running the various hostels that are being organized for Harijan children. I also say that we should do away with this agitation of class and caste; I want that no distinction should be there on caste and that the door should be open to all.

“I am glad that at long last Madras is getting a large number of tourists. I am sorry that Mahabalipuram, which bounds with beautiful historical architectures and which attracts almost all our tourists, still does not have a Guest House. Between the Central Government and the Government of Madras, the plan is going forward and backward and we are still without a Guest House. The tourists when they spend money on travel should have a comfortable place to stay and enjoy the sceneric beauty of Mahabalipuram. I would therefore request the Government to see to it that a Guest House is provided in Mahabalipuram for the tourists as early as possible.

“I shall now come to Nilgiris, the blue mountains, my birth place. In spite of its beautiful climate and with all its facilities of a first class hill station its attractions are not availed of. People of course live there and they have to carry on their trade. I would request the Hon. Ministers, tired and hard-worked as they are, to make Nilgiris their headquarters during summer months or for a month at least and thus revive the practice which was in vogue previously. As it happens now the Ministers come there once in a way and remain there for a week or two and then go away. I would therefore urge on them to patronise that queen of hill stations and make it a first-class tourist centre.

“Coming to the Employment Exchanges, I am not satisfied with the running of them. I hear that shortly the States would assume control of these exchanges. Local Government should take a greater interest in these Exchanges. Not only exchanges should be the place which would register the names of the unemployed but they should have clearing houses and investigation centres side by side so that reliable people who come to seek employment are recommended to Government and other departments. Our employment exchanges need such improvement and I do hope that side by side with these exchanges, clearing houses and investigation centres would be established.

“At present the work relating to the ex-servicemen's welfare is being attended by the officer in charge of the Employment

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Exchange. The Employment Exchange Officer who is to man this work is already overworked. I would therefore request that a separate organization and an independent Welfare Officer be set up for this assistance work for the ex-servicemen, so that the ex-servicemen would be rendered all assistance which they richly deserve. Might I add that voluntary agencies would be too glad to associate themselves in this work.

3-40 p.m. "In our Madras State, we have a fine set of welfare workers, individuals, groups and organizations of which we could be proud. Our own people in India come to learn from Madras State its programme. They come to our State, study our work and fashions and copy it back when they go. I find copying of our work in other States. I should like to say that our Government have been very kind to us. I would ask them to give us some more financial assistance. I do not say they should give every assistance but only some assistance.

"Sir, I should like to thank the Hon. the Minister for Land Revenue for helping so many voluntary agencies to acquire lands for their buildings. This means a great deal to orphanages. We are very grateful to the Revenue Minister for this. We want the Government to give some help to voluntary workers.

"I do not know, Sir, when all other States in India have a Minister for Social Welfare, our State should be so high-brow and not have a Minister for Social Welfare. The Hon. the Minister for Rural Welfare is covering a lot of social welfare activities of the Government. His portfolio should be extended to cover all social welfare activities. Sir, is it not time that a Director of Social Welfare is appointed to co-ordinate the work of women's welfare, hospital, medical welfare, rural welfare, etc.? We have to go from Minister to Minister and from Secretary to Secretary in connection with social welfare work. It will save lot of time if there is a separate Minister for Social Welfare. From the papers I see that there is going to be a change in the Cabinet, and I hope that one of the Ministers will be in charge of the Social Welfare portfolio.

"Sir, may I congratulate you on your becoming the Vice-Chancellor of the Annamalai University? We were all taken by surprise when the Leader of the House got up to congratulate you yesterday. We are all very proud of you, and you deserve this honour. You have served in so many capacities in this State, and this is another laurel to the many laurels which you have. I thank you, Sir, for the patience and kindness you have shown to social workers to speak in this House, because you yourself are a social worker. I am grateful to the Hon. Ministers of the Government for their patience and kindness shown to social workers. I would ask them to loosen their purse strings a little more in the cause of social service. Thank you, Sir."

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* Dr. A. LAKSHMANASWAMI MUDALIYAR:—"Mr. Chairman, Sir, I always feel it a handicap to speak after a charming speaker whose persuasive eloquence has been let loose on all of us to-day. I hope some of it has pervaded even the Members sitting on the Treasury Bench. Her musical voice, I should say, has even attracted the birds in the air to come in large numbers so much so we were not able to listen effectively to her speech and appreciate it. I am afraid mine will be a harsher voice for more reasons than one.

"Sir, on the first day when the debate was initiated, the hon. Member Sri T. Purushotham seemed to be a little surprised that two Members sitting on the Opposition side had something to say on the budget in terms more favourable than he had anticipated. Let me assure him that our party has not been started with a view only to criticise the Government. But as I said at the very beginning when I had the opportunity and the honour of taking this place, our party will always support wherever necessary and will criticise without fear or favour where such criticism should be levelled. We have not bent our knees to age nor shall we bend our knees to youth. Whatever we have got to say we shall say in the interests of the public, which is what we conceive to be our duty to the public. As I sat listening to the budget debate and reading the budget speech of the Finance Minister, I felt that this budget was unique in some respects, and I felt also happy that a new line of thought had pervaded the Members of the Treasury Bench. I refer to the unique feature in the budget. The chief merit of the budget is the attempt made to solve the problems of rural life for the first time in a very effective manner. I hope and trust that this policy that has been laid down by the Government will be effectively carried out in future and that rural relief will be the first concern of this State in every important aspect of our national activity. I refer for instance to the schemes adumbrated in the budget. The rural electrification scheme will cost Rs. 764 crores. I am exceedingly happy that this scheme has been brought into existence. On a former occasion I said that rural electrification was the most important and urgent thing in many respects, that it will give a new life and a new thought to the village population, and that it will serve to promote the creation of cottage industries in this modern world. The old type of rural industries are outmoded, and it is impossible to swing people backwards. They should give up those old methods and take to much more advanced methods, for electricity has come to stay.

"For assuring rural water-supply, I welcome the definite policy laid down by the Government for the first time. I have been crying hoarse that the most important thing to-day is good water-supply and the second thing is the provision of sanitary housing facilities. I am glad to see that in this budget we have composite schemes for water-supply. I referred many years ago to the example of water-supply to Liverpool from a distance of about 250 miles. Sinking wells here, there, and everywhere will never solve the problem nor will it conduce to give a good and protected water-supply to

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the rural areas. The Hon. Minister was quite right when he said that diseases would not occur. I would say that there are certain diseases which are eradicated by means of this water-supply scheme. I want, therefore, that instead of tackling the water-supply problem on the new basis, there must be a positive scheme for supply of water to the village. It is quite possible to give effective water-supply through pipe lines so that uncontaminated water supply may be made available to villages. I have known a tract of the country of which there was considerable amount of discussion four years ago, when Sri O. P. Ramaswami Reddiar was the Chief Minister. There was the question then as to whether any water was available at Karaikudi to locate a National Laboratory. I ventured to state then that if that place was tapped, there would be plenty of water supply. To-day Karaikudi has got parks, beautiful gardens, good buildings, etc. If effective measures are taken to tap water sources, I am sure that in many places we will be getting plenty of water supply.

"The third thing we feel necessary for rural relief is the rural communication. I am glad that rural communication work is also to be taken on hand. If agricultural produce is to be effectively transported, if the villagers are to have amenities quickly available to them, rural communication is the most important and urgent problem to be tackled. I am glad that this budget lays emphasis on rural communication. There is reference to rural education also to which I will refer when I come to education proper.

"The Hon. the Finance Minister presented us with a deficit budget. Not content with presenting a deficit budget, he is anxious to cover a portion of that deficit by taxation measures. I am not one of those who will shrink from any taxation measures. Taxes can be levied on people if two conditions are satisfied. The taxation measure must be one that levies a tax on a reasonable basis on those who can afford to pay. Secondly, all the money collected from such a taxation measure should be utilised to the utmost advantage and economy and efficiency should be borne in mind in spending all such additional resources. I shall refer to some of the lacunae in both these respects a little later. There is one thing that I wish to suggest. Hon. Members would have noted that State Governments in the Indian Union have presented their budgets with a much larger deficit than the Madras Government and that they have not attempted to do anything to cover up their deficits. I have studied this problem for some years. I have reason to believe that unfortunately those States that show deficits in their budgets are more eagerly sought after by the Finance Minister of the Central Government than those States who try to balance their budgets and who try to levy additional taxes and also increase the existing taxes. The States that throw up their hands in despair and say, 'We cannot help and there will be disaster' are helped by the Government of India. They give such a vivid description of their difficulties. I know several departments of the Central Government have spent crores of rupees to alleviate the position in those deficit States.

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"I have always said that the Central grants are not based on any principle, any scientific principle. It is, therefore, not merely a question of giving something to the States but it is something more than spreading of taxes. Now, I am sorry to state that our State is the only State which, for some years past, has added on to the burden of taxation on the people. To tax has become a tradition for our State and there is not a single instance of a legislation which does not propose a tax. There is not a single budget which has been introduced in the last few years without new taxation proposals. I suppose this is probably because South India abounds in brilliant mathematical genius which always suggests taxation proposals to the Government. (Laughter.)

"I said that I was not criticising the taxation proposals just because they were taxation proposals. I oppose them because I feel that there is no sufficient and proper study of the incidence of taxation and the even distribution of the burden thereof. I see that recently a report has been published by a Special Committee, which naturally will attract the attention of this State as well as of some other States. Let me take the taxation proposals now. This year's taxation proposals are directed, with a single exception, at the agriculturists. Within the last six or eight months we have enacted and we are about to enact several laws which seek to levy taxes on agriculturists. For example, we have the Madras Land Revenue Surcharge Act which was passed in May 1954. We have then the Madras Plantations Agricultural Income-tax Bill which was introduced in August 1954, and I need not be an astrologer to say that the Bill will be passed without any deviation from the strict principle and wording of the Bill as introduced. Then, there is the Betterment Levy Act which was passed last month. Lastly, there is now the proposal to levy a surcharge of two annas in the rupee on land revenue on all lands, wet, dry and garden lands, and on all water-rates. I congratulate the Hon. the Finance Minister who must be the author of several taxation measures and more so because he is still thinking that the goose will continue to lay the golden eggs. I do not know when the time will come when the agriculturists will feel that it is not worthwhile for them to continue in their profession. Now, Sir, the Hon. Minister may say that two annas in the rupee on land revenue will be a very small amount. The point is not whether a particular tax is heavy or not. But the point is whether the cumulative effect of all these taxes on the agriculturist has been studied before imposing fresh taxation. Have the Government studied the psychological reaction of the peasantry to a new tax. That is the point which requires the attention of the Government. There has so far been no tax proposed or attempted to be proposed which does not affect the agriculturist.

"Now, there is another tax that has come into the picture, namely, the proposed tax on tobacco and if, for no other reason, at least because the Chief Whip of my party is greatly perturbed by it, I must refer to it. I have never smoked in my life, but I

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cannot say that in the case of others it may not be a burden. However, I am always reminded of that little couplet we are all apt to

'Compound for sins we are inclined to

By claiming those we have no mind to.'

Therefore, simply because I am not a smoker, I cannot forget or ignore the great anxiety of my hon. Friend. I shall tell him that whatever is reasonable and whatever is beneficial we shall always support.

"The Hon. the Leader of the House gave some comparative figures of the amount spent on various welfare activities. He stated that the provision for education made in the present budget was Rs. 10.20 lakhs or about two and a half times the outlay for the composite State ten years ago. But I am afraid that he forgot to mention that while the income of the composite State was Rs. 16 crores in 1938-39 and Rs. 50 crores in 1947-48, in the divided State alone in 1955-56 the income would be Rs. 48 crores. Let me put it in another way. On page 3 of the Budget Memorandum are given figures indicating the progress of expenditure since 1946 on the nation-building activities. If the percentages of increase are given, they will be more indicative of the expenditure on the various departments than if the total amount of expenditure is given. I find while in the composite State for the five-year period 1946-47 to 1950-51 the average expenditure on education was 30 per cent of the total income, in 1951-52 it was 26 per cent, in 1952-53 it was 28 per cent and in 1954-55 it was 28 per cent; it is going to be 26 per cent in 1955-56. I have given it in round numbers. Therefore, it will be seen that the increase is more in the nature of an apparent increase and not a real increase. I do not suggest that there has not been expansion of educational activities, but I would also like to point out that much of this amount has been utilised for payment of dearness and other allowances which have to be paid on account of the stress of circumstances. It is this more than anything else that has contributed to the bulk of the increase in expenditure.

"Now, Sir, I come to the question which I posed, viz., that any additional taxation must be looked upon from the expenditure point of view. We should see whether the money has been put to good use and see whether there is reason to doubt that there has not been a sufficient amount of scrutiny over the expenditure incurred. The hon. Gentleman, Sri Purushotham raised a point in that connection with which I am inclined to agree half-way. He wanted that the present strength of the services should be reduced and that some posts should be abolished. If expenditure is to be controlled, it should be done not after the money has been expended but long before it is expended. It is from that point of view that I feel that the Hon. the Finance Minister should continuously scrutinise every item of expenditure that is submitted by all the departmental heads. (Interruption). The red pencil should be applied only to such items of expenditure as should not logically be incurred. I will come to some of the items of expenditure. A few months back a statement was placed on the table of the House showing the recurring expenditure that was incurred on

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the various motor vehicles used for State purposes by the various departments. I must confess I was shocked to find that it amounted to nearly a crore of rupees. In other words departmental heads who would not have thought of having these cars, trucks, buses and various other amenities have now got into the habit of claiming them as a matter of right and thinking that they cannot possibly do without them. Heads of departments support the proposal, Secretaries to Government support the proposal and the Ministers feel that they may not be able to oppose it. Just fancy, a sum of nearly a crore of rupees is spent as recurring expenditure on these vehicles. What the non-recurring expenditure on these vehicles will be we do not know. Probable it may be more. Is it necessary that all this expenditure should be incurred? Could we not do without all this necessary glamour? I was asked to buy a car or a bus for the University because the University was now working at a distance of seven miles. I said it was much easier to go by the Government Transport than for the University to spend on buying a car. I am not suggesting that I have done something praiseworthy in saying so. But I would appeal to the Hon. the Finance Minister to take note of what need not be spent. Sir, I found for instance a most beautiful van carrying fish which is no doubt a very useful commodity, Mr. Chairman. But I thought that it could be more usefully utilised for a better purpose than carrying fish. There are ways and means of exercising some discretion in these matters.

"Sir, my hon. Friend Sri K. Bhashyam to whom I will have to refer more than once for obvious reasons, referred the other day to the increasing cost of court-fees and said that the clients are experiencing a lot of difficulties. I entirely agree. I think he would do well to consider the clients' view points from another angle as well. Sir, the inordinate delay in justice is proverbial and it has been so from the times of Shakespeare and even earlier. But I am sorry to point out that this is increasing by leaps and bounds in modern times. It is not only a question of the clients having to pay or bear the cost of it all. When a client comes to the court he finds that the case has been adjourned on some ground or other. But he has to pay and pay heavily for the lawyer irrespective of whether the case is adjourned or not. He has to pay sometimes even to the extent of Rs. 500. I would like to tell Mr. Bhashyam that so far as the medical profession is concerned such a thing would never happen. The medical profession has still got certain standards. The Government have also to incur a large expenditure as a result of these repeated adjournments which are scarcely necessary and which are resorted to in order to satisfy certain influential members of the legal profession. Both in the High Court and in the mofussil courts, we find the same thing. I know of an instance where a very leading member of the legal profession had a case on hand. One fine day he was suddenly called to the Supreme Court. When the poor client came all the way from a distant mofussil station also bringing with him a lawyer to instruct this senior in the City he was told that the honourable senior lawyer had gone on a very important engagement to the Supreme Court. Supposing I did the same thing as that senior lawyer in respect of a delivery case that I had undertaken, would Mr. Bhashyam come to my rescue? 4 p.m.

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he get somebody else to attend to the case or will he ask for the adjournment of the delivery case to a future date when I will be available? (Laughter.) Sir, I am speaking from facts. The Hon. the Minister for Law may even investigate the matter. I can quote a number of such cases. It is true that there are clients and clients. Even in respect of ordinary traffic offences, let us see what happens in the City of Madras. Similar traffic offences have occurred elsewhere also. Sir, Mr. Anourin Bevan, an ex-Minister of England was once asked to appear before a Court in connection with some traffic offence. He could not ask for an adjournment. He had to appear before the Court. He did appear and was fined. Another Minister of the Crown in Great Britain appeared in court in a similar case. But what happens here? A small traffic offence case, which did not involve even loss of life was postponed for 15 times by the Presidency Magistrate. Why? because, a very influential and very important person was probably involved in it. In these days when we have so much of fine arts, academies and things like that, naturally some weight must be given to such persons who dominate more than anybody else in the cultural world. I do not complain against personalities. Again, when one of the musicians gives a talk or a performance in the All-India Radio his or her emoluments runs very high. But when a person like Sir C. V. Raman gives a talk in the All-India Radio, he is offered a sum of Rs. 100 as remuneration. Others of a less calibre like myself are offered a sum of Rs. 25 with the result that I systematically refuse to accept any remuneration as I consider it an insult. That apart, I want the Hon. the Minister for Law to seriously enquire into the causes for such abnormal delays even in ordinary traffic cases which are to be disposed of then and there without any delay whatsoever. Should there be two sets of rules, one for those called the elite and the other for the common man? Let me tell the Government that I am not bringing this matter to their notice in a light-hearted manner. I have seen comments about this in the papers. The Government are no doubt interested in the repercussions of the common man who feels very strongly in the matter. If it is the repercussions of a high placed official or non-official, they need not care. I would suggest that the Hon. Law Minister should request the Hon. Chief Justice of the Madras High Court to appoint a Committee to go into the causes of delay in all courts. I understand, I speak subject to correction, and I shall be happy if I am corrected, that after the separation of the Judiciary from the Executive, one can very well notice that the vagaries in regard to administration of justice have increased instead of getting decreased. It is for this reason that I request the Hon. Law Minister to take some concrete steps in this matter. I am not for a single moment casting any reflection—I will never do it—on the judicial aspects. But on the administrative aspect, I do feel that this House is entitled to seek some information.

“ Sir, the cost on judicial establishments was Rs. 14 crores in 1946-47 in the composite State. It is estimated that it will be Rs. 12.7 crores for 1955-56 in the divided State. This requires some little explanation and some looking into.

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“ I now come to another portfolio with which the Hon. Law Minister is connected and that is education. Let me state at once that I welcome his proposal to give free education to all pupils of poor parents up to the middle school stage. I do not agree with my respected friend here that education at this stage at any rate should be free to all. Those who can afford must pay. The reason why education has not spread is simply because of the fact that all the time we have been harping on the slogan, ‘ free and compulsory education ’. It is not possible. If you want ultimately that the provision in the Constitution should be effective, let me tell here and now that not only up to the middle school stage but even in the higher level also free education should be given to those who are very poor. There must be a great deal of discretion and scrutiny as to who is really poor. This is an excellent suggestion and I am sure it will be implemented. But, I would like to ask the Hon. the Minister for Education whether he has considered the increase in the number of schools. What is more important is the increase in the number of teachers within a very short time. This free education is not going to be just for one or two. There will not be any difficulty in getting pupils for the schools when started in any part of the country except perhaps in the remote hill tracts. But, even there, I know how the people in the Kodaikanal hills are anxious to get education. So, the position is this. The moment we start a school and run it effectively and efficiently, it will be completely full before we know where we are. Sir, this is a matter which requires very urgent consideration. It is no use just asking these children to come to the schools if you have not got those essential conditions which must always be provided whenever you get young children from their homes.

“ Sir, the other day my attention was drawn to a report in the papers. I do not know whether it was correctly recorded or not. I just wish to read it here. The Hon. the Minister for Education presiding over a particular function is reported to have said :

‘ The question before them was how to develop Tamil. He had no doubt that it could develop to its full stature only when it was adopted as the medium of instruction in all schools and colleges in Tamilnad. Only then could it be said that they had laid the foundation for the safe development of Tamil. How and when that day would dawn is a serious problem to me now as Education Minister . . . If the University authorities could not do it, the Government representing as it did a large majority of Tamilians would have to interfere at some stage or other and I have no doubt that in this matter the Government will receive the wholehearted support of Tamilians.’

I do not propose to make any comment on this question. But I wish, for the information of the House, to avail myself of this opportunity as Vice-Chancellor for the last so many years to give a brief resume of what the University has done. In the year 1949, long before anybody dreamt of these Councils and Legislatures taking up this question, the Syndicate passed an Ordinance which was approved by the Senate. The Ordinance runs as follows :—

‘ It shall be competent for the Syndicate to permit candidates to appear for and answer a paper or papers in a group or subject or subjects in a group under Part III of the Intermediate examination in an Indian language, provided one year's notice had been given by the college concerned.’

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Let me state that Part III refers to subjects. Part I refers to English and Part II refers to the regional language. One year's notice was given or asked for simply to enable the Syndicate to get properly qualified examiners to value answer papers written in the candidate's mother tongue. Again in 1948, a provision was made to permit candidates to appear under Part III of the B.A. degree examination in an Indian language provided one year's notice was given by the college concerned. In the initial stages, it was suggested that humanities might be taken into consideration. As a result of circular letters sent by the University to principals of colleges—both Government and aided—three colleges came forward—the Government Arts College, Coimbatore, the Municipal College, Salem, and the National College, Tiruchirappalli—to seek permission to offer instruction through the medium of Tamil. When provision was made in 1948 to permit students to take the examination in an Indian language in the B.A. class, the Government Arts College, Coimbatore, and the Municipal College, Salem, accepted the suggestion and provided for Tamil as the medium of instruction in the B.A. class in group IV—Economics. But, however, from the academic year 1950, both the colleges reverted to the English medium as it was said that it was difficult to give instruction in Tamil. Let me state this, Sir. The Chairman or the President of the Advisory Committee of the Government Arts College, Coimbatore, our late much respected Member of the Legislature, Mr. Ramalingam Chettiar, in a communication addressed to the Director of Public Instruction and the Government of the day said that he did not find it possible to continue Tamil as the medium of instruction and that the general feeling of parents and students was that they should revert to English. I do not propose to offer any comment on this except to bring it to the notice of Hon. Members and let them judge for themselves what effective steps are necessary to make the University do what is expected of it. I shall not attempt to state what my own personal feelings are in the matter. But I would like to make this clear. If South India is to find a place in the sun, if her sons are to play an effective role anywhere, if she is to contribute to the wealth of this country or to the wealth of this part of the country and if they are to play their role effectively in the international sphere in economic, in technical, scientific and cultural activities, I am clearly of opinion that whatever may be the place given to the regional languages, either as medium of instruction or otherwise, the study of English can never be neglected except at our own peril. (Hon. Members: 'Hear, hear.') Sir, recently the Public Service Commission at the Centre sent a communication to the Inter-University Board suggesting that from the year 1960 onwards, Hindi be made the medium of examination for all candidates appearing for the Indian Administrative Service and all other central services examinations for which the Union Public Service Commission is responsible, giving serialim the stages and the manner in which the suggestion should be implemented and asked for the opinion of the Inter-University Board. The suggestion was considered the other day at a meeting of the Board held at Patna and the Board very wisely decided that the question was

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of such fundamental and such far-reaching importance that it must necessarily be referred to the Universities and their views obtained. I am not sure whether such a communication has been addressed to the Government of the day. But if it has been, this House will be very glad to know the opinion of this Government on this subject also.

Sir, I think I have almost finished. I wish to make a reference to what my esteemed Friend, Mr. Bhashyam, said yesterday. The suggestion went from him that the grants made to the Universities should be withdrawn and utilized for other educational activities in the State such as, on primary education, and so on. Last year, he said, he will remember—I remember it very well at any rate—that all higher educational institutions should be closed down for one year and that the money saved therefrom should be given for work on famine relief. I congratulate him on the process of evolution which has brought him on to a higher standpoint to suggest that grants made to the Universities be stopped. I am glad that he no longer feels that higher educational institutions should be closed. It is very difficult to speak with persons who have not got the good fortune or the misfortune of having a progeny of their own. (Laughter.) That is why I always feel that at family planning centres, there should be a certain amount of realization on the part of those who run them of the essential values of family and that we should not rush off with all quixotic ideas of family planning. However, I am glad, as I said, that a change in the attitude of my Friend, Mr. Bhashyam, has taken place and I am eagerly looking forward to further changes in his attitude at the time the next year's Budget is presented (laughter), if I should be so fortunate as to listen to his speech."

* DR. V. K. JOHN :—" By then, Mr. Bhashyam will have a son." (Laughter.)

* DR. A. LAKSHMANASWAMI MUDALIYAR :—" Sir, I now come to the field of co-operation. I am exceedingly glad that the Hon. the Minister for Co-operation has appointed a committee to go into the working of the co-operative movement in the State. My esteemed Friend, Mr. T. M. Narayanaswami Pillai, knowing him as I do, I am sure, will, although he may be soft in his words produce an effective report and present it to the House.

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I visited a district headquarters hospital. Although the authorities there tried to send away as many patients as possible so as to present us with something of a decent appearance, I found patients all over on the beds, between the beds and underneath the beds. There was no place. I want to tell the Hon. the Minister for Health that hospitals to-day must be called hospital-choultries. They are no longer hospitals. Many cases that require treatment for just nutritional disorders have to be admitted to hospitals. My hon. Friend, Dr. Srinivasan, is not sure whether the rule that only 25 per cent of the bed-strength of the hospitals should be permitted in addition, is observed at all. May I say, Sir, our lives will be in danger, the moment we refuse to admit more than the prescribed bed-strength? There will be petitions sent to the President of the Republic, to the Chairman of the Municipal Council and the Collector of the district, the superintendent's explanation called for and questions put in the Legislature, questions which we cannot face."

DR. A. SREENIVASAN :—" Sir, I observed the '25 per cent' rule very strictly so long as I was in charge of the hospital for well over fifteen years."

* DR. A. LAKSHMANASWAMI MUDALIYAR :—" This House would have realised by now that Dr. A. Srinivasan is a unique personality. (Laughter.) I respect him for that and I know he would never care for any comment. He is one who will call a spade a spade. I admire his integrity and straightforwardness."

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" But human nature is weak in many instances. The reason why I say this in this House is because I felt that there should be another approach to this question of overcrowding. I have pleaded for it often. In Western countries there are what are known as chronic and convalescent hospitals to look after the patients. I pleaded for such hospitals year after year. I plead that the Avadi camp should be converted into a chronic and convalescent hospital for all hospitals in the City of Madras. Such a hospital would go a long way in easing overcrowding in the city hospitals. I plead for such a hospital for three reasons. First of all by mixing all these people together in the city hospitals, you are not able to attend effectively to all cases and only the minimum assistance necessary is rendered for the one who needs expert attendance. The nurse in charge of 56 patients where the normal strength is only 24 patients, cannot possibly take the temperature of all of them. If she begins to take the temperature of all of them, she would be losing all the time at her disposal and she would not be able to attend to other duties of hers. Everything is in short supply in the hospitals. Linen is short. Everything is short, because the patients are far too many more than the hospitals could accommodate and medical officers likewise are not able to attend properly to the patients because of their large number. There are so many other causes. I am not going to dilate on all of them."

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"That is why in view of all the difficulties in the city hospitals where there is overcrowding of patients, it is better to have (at the Avadi camp, say) a chronic and convalescent hospital. There in that hospital, the food that the patients need is not the same as the one you give in other hospitals. Secondly medicines are much better stereo-typed. Thirdly nursing attention in the chronic and convalescent hospital could be more effectively given. A matron with a couple of assistants could look after 100 patients both by day and night. Lastly you need have only a couple of doctors, a surgeon and a physician. This hospital could be located at a convenient place near the city. I have suggested that it could be Avadi. All that is necessary is telephone and transport which will enable the chiefs of the particular sections from which these patients were transported, to go there in time for any emergency and attend to them."

SRI V. CHAKKARAI CHETTY :—" What about the Congress session? "

* DR. A. LAKSHMANASWAMI MUDALIYAR :—" I am coming to that. The Congress has held a unique session at Avadi. I was present and I was fortunate enough to see from what may be called the 'Maidan' of the Congress and could therefore have a better view of the whole session than what I could have had if I had come earlier and been there in the platform, as was intended. I say that nothing will give greater credit to Madras and nothing will impress on the poor people as to what the Congress session has done in this respect than to enable that particular camp in Avadi where the session was held (or a portion of it) to be utilised as a convalescent hospital. (Cheers.) It is in that sense that I would appeal to the Chief Minister and I would request the Hon. Leader of the House, the Hon. the Finance Minister and the Hon. the Health Minister to consider this very seriously and take steps in the direction of what I have stated and likewise in course of time to set apart some buildings in the mufassal also for such convalescent hospitals. Tanjore need not then suffer with 950 patients, in spite of their discharging a good number. They could be looked after when a convalescent hospital is established in Tanjore also."

" I speak with some concern about medical education. I am afraid that medical education in this State is developing new features which are both unfortunate and harmful. A committee was appointed some time ago with the Secretary to Government, Health Department, with the Director of Medical Services and with some eminent men in the profession and I had the privilege of being the convenor of that Committee. The Committee was appointed to consider the position of the staff in regard to what are known as pre-clinical and clinical laboratory sciences, sciences which are of utmost importance both to the students as well as to the profession. That committee suggested certain revision in the salaries of the staff and let me tell you that these scales of salaries and gradation

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were actually in operation in this State up to the great economic crisis of 1930. The first catastrophe was struck when a democratic Government necessitated such economic measure on the subject of health and then on education. That tendency has gone on. We submitted our report in the hope that something will be done. But what happened? I understand that the previous Government not only turned down the revision of scales suggested but took a very facile method of suggesting that these people could make it up by private practice, with the result we find to-day that these departments are very much neglected. I had received reports from heads of departments that the daily work in this department had deteriorated."

DR. A. SREENIVASAN :—" They are sleeping at 11 a.m."

* DR. A. LAKSHMANASWAMI MUDALIYAR :—" Even in the High Court I have seen some lawyers overcome completely with sleep."

SRI K. BHASHIYAM :—" Why say High Court? Everyone feels sleepy when he has no work." (Laughter.)

* DR. A. LAKSHMANASWAMI MUDALIYAR :—" The reason why I lay stress on this subject is because there is no civilized country in the world which does not have a full time professor for each of these sciences. Not only that. The position is that there is a full-time staff besides the professors for the different clinical subjects, viz., surgery, medicine obstetrics and gynaecology. I had the privilege in 1953 to preside over an Environmental Medical Educational Conference which was attended by 650 delegates from all over the world including South America and the report of that commission is valuable to the Hon. Minister in charge of Health and I am sure if any one wants I could give a loan of it since I have two copies. There is no use trying to push back our medical men and allow them to do private practice. Instead of neglecting medical education it is better to give it up, than try to do it in this perfunctory method, which is in a way very very retrograde step. I therefore suggest that immediate steps should be taken to cancel this right of private practice and at the same time also given them sufficient remuneration to make them happy and do their work properly. These professors in charge of different sciences are the pivotal points for medical education in the medical colleges and I am sorry to note a step which ought not to have been taken has been taken, viz., of allowing these medical men to do private practice also. I was not here at that time. I had gone abroad and when I returned I was told of this. I hope and trust that the Hon. Minister for Health and his colleagues would take note of what I had said and would do the needful.

" Let me state another point. We have been time and again saying that properly qualified persons with the minimum experience required are not available in the medical colleges. This has been made known to the Government. It is not Government's

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fault. Enough has not been forthcoming for that department. In the correspondence which the University had with the Head of the Department in charge of health and the Government would be published, it will be seen that long before this crisis occurred, the University requested Government to take adequate measures to avert this crisis. Sir, I feel where we have not sufficient qualified personnel in the medical department for some of these essential positions especially in the pre-clinical and clinical sciences, Government should not hesitate to continue in office those experienced persons who are now retired as soon as they reach 55 years of age. It is not only unscientific but it is suicidal when viewed in the long run. Most of our retired persons are now staffing the medical colleges in other States. In Assam, Indore, Jaipur, Delhi and Nagpur I need not speak about other States—there are our medical men. In all these places there are men from our medical service. When I asked them, they said that they were not wanted here. I am not saying that all should be continued here because we have fortunately still an abundance of good material. But I do feel that it is not right that we deprive students of very good teachers just because the artificial rule of 55 years for superannuation is to be applied. The Government will not be doing their duty to their medical students if these teachers are sent out after their 55th year. I hope, Sir, as I have nobody in view, my suggestion will be taken in the spirit in which it is made.

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appendix of the man in the rural area does not behave differently from the appendix of the man in the urban area. Therefore it is much better to post people with some experience to the villages. If they are sent out after training when they are still young and without encumbrances, they will be giving effective medical relief in the villages.

"I now come to a subject which I feel a little painful to dwell upon. But I cannot help it. Sir, the question of the starting of a medical college in the West Coast has been raised in this House once before. I gather that there was criticism that that college was not affiliated to the University of Madras. I want to assure the House that I have absolutely no prejudice against any institution affiliating to any other University. That is not at all a proper criterion to apply. What I am concerned with is this. What is the position of the Government of Madras vis-a-vis the medical college? To what extent are they holding themselves responsible? To what extent the public mind is engaged in saying that because the Government of Madras are behind it, everything is all right? I do not propose to dwell on some aspects which I dwelt on on a former occasion. I would like to make it clear that I am very happy indeed that the Mangalore Hospital that has been long neglected is now being improved. I see from the budget that a sum of Rs. 32 lakhs is being spent on that hospital. I know that much more is necessary, and I hope ultimately a sum of Rs. 70 lakhs or even Rs. 80 lakhs will be allotted.

"Sir, I am entirely in favour of the view that South Kanara should have the amenities proportionate to its needs, and, if possible, a medical college. My friend from Malabar is now looking at me. I can assure him that I shall not hesitate to support him if he should make a proposal. But my object in referring to this question is to point out the very anomalous position to which the Government have reduced themselves. I understand, though at one time it was promised, the Bombay Government have withdrawn their offer of financial help to this particular college. Sir, the position is this. It is not a question of giving money. It is a question as to how far the responsibility to the public can be discharged. I understand that while 100 students were admitted in the first year, last year 120 students were admitted to this college. When I say that the Madurai Medical College could admit only 50 students, the Government will realize what a difficult position would be created when these students pass out of the college and go over to the clinicals. Secondly, clinical training has become difficult. From all accounts I see that the Mangalore hospital is to be utilized by the students at a distance of 55 miles. Whether this is all right in the light of the experience and the advice given by medical authorities everywhere, is a matter that I shall not dilate upon. But I want to ask this question. Who will be responsible for running this hospital? What is the responsibility of the Government? Are the Government going to give the hospital to the institution to look after? I noticed just a few weeks ago that a

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number of so-called honorary medical officers were appointed for varying periods in this hospital. I doubt whether the system usually adopted to select honorary medical officers was adopted or whether those who were appointed as members of the teaching staff were given the so-called honorary posts. What is the control that the Government will have in an institution which is to be run by somebody else and to which we will normally be asked to contribute something like eight to ten lakhs of rupees as recurring expenditure? Even in the selection of honorary medical staff, we have only to put up with those people who have been appointed. It is a misnomer to call them honorary medical officers. I understand they are getting honoraria of Rs. 600 to Rs. 1,200, whereas our own paid medical officers can only get a maximum of Rs. 700. The thing has been done. I am a practical man and I want to suggest to the Government to take immediate steps in the matter in consultation with the Government of India. I would much rather vote for funds that are necessary to have a medical college run on proper lines started in Mangalore. I am sorry to have to say that the example of this institution is being copied in other States as well. We in this State must be quite sure that we are helping this institution and that it is running on proper lines. I shall not dilate much more. I am sure to be very severely criticised for it. But that will not make much impression on me. I would appeal to the Hon. Minister for Health who, I know, is in a difficult position not to take it as any statement made to deprive Mangalore or South Kanara of the possibility of a medical college. Seventy to Seventy-five per cent of the students are students hailing from other parts than Madras State. I think that is a matter also to be taken into consideration. I do not want that a college should be started and that ultimately owing to a freakish decision, the support that has been given so far should be discontinued.

"Sir, I have always felt that public health and medical relief should be co-ordinated at least at the lower levels. The personnel at the lower levels can be better utilized. There is no reason why a public health official should not also attend to the curative part. He can be trained. At the taluk level, he can certainly be utilized. He can do some portion of the curative work.

"Sir, we are prolific in our anxiety to pass Bills. I said the other day that the number of Bills passed in this House, and which were inoperative, would go to more than two digits. Last year we passed the Acquisition of Slums Act. It was passed in April 1954. I remember the speeches made by the then Leader of the House and some others. I should like to know what has been done. We passed an Act to say that smoking should not be permitted in cinemas. Is that Act being observed to-day? There are many other Acts which, while they were passed in great haste, are generally allowed to lie dormant.

"I now come to general administration. I feel that we must keep the tone of the administration at the highest level and I hope that this will be kept in mind. I should like to refer, in this

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connection, to the Annual Reports that are sent to Members. The Annual Reports on the working of the several departments are made available to the several Members of the Legislature after a very long interval when the information contained therein has become out of date and the persons responsible, whether they be departmental officers or Ministers, are no longer in charge or are not concerned with the department. For instance, the Local Administration Report for the year ending the 31st March 1952 was actually received in May 1954. The Report on the working of the Hindu Religious and Charitable Endowments Act for the year September 30th to 30th June 1952, was received in July 1954. The Report of the Madras Animal Husbandry Department for 1951-52 and of the Forest Department for the year ending the 31st March 1952 were received in June 1954. The Report Madras 1950—I have got a copy here—being an outline of the administration of this State, was actually received some time in the beginning of this year 1955. I feel that it is no use publishing these Administration Reports. At the same time, the Report of the Highways Department is a noticeable example of the delay in the receipt of Annual Reports. Its Report for the year 1951-52 was received in January 1955. Sir, a great deal of work has been done in these five years. Now, it seems to me that if the hon. Members of this House and of the other House are to offer any advice on the working of these departments, it is necessary that the Reports should be published within a very short time. (Interruption.) What I am suggesting is that it should be a rule that within six months of the conclusion of the year to which the Report relates, it should be printed. As a member of the medical profession, I can say that in the hospitals we had to keep up the report month by month and after the 31st December within seven days in January, we had to write up the whole record and send it to the Surgeon-General. The review of the Government will take some time. So, I am suggesting that these Reports should be published first and a copy of the review of the Government may be sent to the Members at a later date. I feel that it will tone up the administration also if the Report is asked to be submitted within a short time.

"There is a feeling that many officers in the districts have to spend a very long time out of headquarters. The general feeling, I think, is that officers are not in a position to devote sufficient time to their actual work. There is another thing that has cropped up recently. I find that some officers are sending copies of their tour programmes to several people. I do not know when the system started. It seems to me that if an officer wants to go and inspect a particular place, it is hardly necessary for him to send a tour programme to about 65 officers. Recently, I received a circular from the District Agricultural Officer sending a copy of his tour programme in the month of February. Copies are sent to the Director of Agriculture, the Deputy Director of Agriculture, the District Collector, the Revenue Divisional Officer, the District Forest Officer, the Deputy Registrar of Co-operative Societies, the

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District Veterinary Officer, the Regional Agricultural Officers, Block Development Officers, Superintendent, Rice Research Station, and all M.L.As."

SRI K. BHASHYAM:—"Are M.L.Cs. also included?"

* DR. A. LAKSHMANASWAMI MUDALIYAR:—"All M.L.As. and M.L.Cs.' Fortunately, you are included. (Laughter.)"

"Apart from the waste of stationery and stamps, I think such a tour programme will hardly be useful. The officer goes to a place for inspection for a day. It is his duty to contact the people and find out the position. I do not think that this sort of habit, the old Mughal or Viceregal method of sending copies of tour programmes to several people is necessary for officers of this State. They should be told that the proper way to do their task is to contact the people, to know whom to contact and not to sit in the office . . ."

* THE HON. SRI M. BHAKTAVATSALAM:—"Some M.L.As. have rather complained to me that they do not get copies of this programme and that unless a copy is communicated to them, they will not be able to contact these officers when they visit their constituencies and discuss with them certain questions. Therefore, there is this other aspect of the question."

* DR. A. LAKSHMANASWAMI MUDALIYAR:—"I quite realise that aspect. But let me say that this megalomaniac attitude of the officers should be altered. It is certain that an officer cannot sit down for solid work if he is burdened with the task of disseminating copies of his tour programme far and wide. I will only request the Hon. the Minister in charge of Agriculture and other Hon. Ministers to see that such a system is put an end to. Somebody suggested to me in my official capacity that I must send copies of my notice to all members of the Senate, all members of the Academic Council and to all Principals and students of all educational institutions. (Laughter.) What I want is efficiency. If it is thought that efficiency will be maintained by this method of transacting business, I will not bother. I honestly feel that such a thing should be given up."

SRI M. P. GOVINDA MENON:—"Sometimes tour programmes reach us long after the tour is over."

* DR. A. LAKSHMANASWAMI MUDALIYAR:—"It may be true, but that is due to the vagaries of the Postal Department."

"I now come to the Public Works Department. The Hon. the Leader of the House is undoubtedly aware of some comments made on a former occasion. No doubt, we have very efficient and capable officers at the head of departments. But while I feel happy over this, there is a prevailing feeling that the criticisms in regard to the estimates are put up by the

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4.50 p.m. Public Works Department of the State apply equally to the Central Public Works Department. I shall give concrete instances. Whenever an estimate is made for a College, whether it be the Brennen College, Tellicherry, or some other College in the State, the Public Works Department generally gives the estimates as Rs. 16 lakhs, Rs. 18 lakhs and even Rs. 26 lakhs in some cases. I would very much like to tell the Hon. the Minister for Public Works, who is not here, but who doubtless will have this information in course of time whenever he is free and thinks it worthwhile to listen to the views of the Members of the Council, that others have also constructed colleges to accommodate thousands and thousands of pupils. I can even give the actual figures. I am prepared to take anybody who is responsible, to these Colleges and show him the accommodation that is provided and the laboratories that have been opened there. Why is it that these private managements are able to construct these colleges at half the cost estimated by the Public Works Department? I have the same criticism to make with regard to the Central Public Works Department also. I know people are frightened at the huge figures given in the estimates of the department. Such estimates are perhaps based on a system of calculation which has been in existence for a long time and which now weighs very heavily towards the non-recurring expenditure. It will be better to appoint a Special Committee to go into this question. Let it be an Expert committee. We do not want to come into the picture at all. Let that Committee consider whether there are any loopholes in the system. Can it be said that the structural stability of their buildings is so much better than the buildings constructed by private managements? Unfortunately when we look at the buildings constructed by the department, we come to the conclusion that it is unreasonable to depend on them. We would like to know whether there is anything peculiar in the system itself and why the estimates of the department should be so high when compared to the estimates prepared by private people.

"Sir, the Electricity department has been functioning for some time on the whole satisfactorily. But, I would like to ask the Hon. Minister in charge of this department whether it is necessary to have the 'war surcharge' continued even now. This was introduced at a time when people had to economise in electricity owing to the fact that there were only a few Thermal stations and the Hydro-electric schemes failed to work. The object of the Government should not be continued all the methods that have been adopted at that time. There is absolutely no need to continue this war surcharge. (Interruption.) Shall we then call it a 'peace surcharge'? (Laughter.) I would like somebody to look into this matter.

"Sir, I now come to local boards about which a great deal has been said, both for and against. It seems to me that certain fundamental considerations have to be borne in mind. We have been told that the district boards are going and the scheme will be

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revised and new enactments will be brought forward. I do not know what the intention of the Government is in regard to this matter. Whatever it is, I wish to make three or four suggestions. The first great mistake was committed when the provision for 'no confidence motion' was introduced in the field of local boards. Sir, knowing as we do that there is lot of local politics and estrangement of feelings due to family and communal quarrels and factions due to various reasons, I think it is most unfortunate to provide for 'no confidence motions' in their case. Due to lack of publicity and other reasons, they are already in great difficulties. Such a provision does not exist anywhere else. Such being the case, why the progenitors of local boards in this country have introduced this provision is something more than what I can say. Secondly, I would like the municipalities and the district boards to have only limited activities confined to the locality. I do not think that functions which should reasonably be shouldered by the State can be left to be shouldered by the local boards and municipalities. I recently met the representatives of the district boards and municipalities at a committee. They gave me to understand that they had opened more secondary schools because of pressure. I was told that in a particular district where there are about one hundred and more schools only three schools are provided with laboratories and scientific apparatus. The students of these schools have to go to other schools where these are provided, to conduct experiments. Sir, local board schools are employing teachers with the same qualifications as Government teachers or teachers in schools managed by private people. But their scales of pay ranges between Rs. 75 and Rs. 145 whereas the scales of pay of the teachers employed in Government or private management schools ranges between Rs. 80 and Rs. 175. Is it suggested that these teachers are less qualified or should be less qualified? The result has been that few teachers with the requisite qualifications and training are available for the local boards' schools. The whole educational set-up of local boards requires through examination at the hands of my Friend the Education Minister. We must come to some agreement. I was very glad when the other day he said that he did not propose to allow the local boards to open more schools. Somebody asked, 'Why?' Not being on the other side, however much I may wish, I could not give an answer to it. I should have very much liked to tell the member that it is most unfortunate that local boards should be saddled with this responsibility. The sooner this responsibility was taken away from them, the better it will be for all. My concept of a local board is something different. It should attend to the needs of the local population such as sanitation, water-supply, health, housing, etc. But anything that is to be attended to on a national scale, like education, should be the responsibility of the State. I am afraid in this respect my hon. Friend sitting left to me will tomorrow carry on a tirade against me for not supporting local self-government. Mr. Chairman, on this matter, we have agreed to differ so that there may not be a break-up in the party to which we belong. (Laughter.)

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I have read the report of the Government on the work of some of the Municipalities. Let me, with your permission, Mr. Chairman, quote a sentence from it. 'The administration was good in Madurai, Mayuram, Tindivanam and Tiruppur, satisfactory in 34 municipalities, fair in 41 municipalities and not satisfactory in 14 municipalities.' This is a very generous method of assessment. I ask the Hon. Minister in charge to take courage in his hands and suppress them. There is no use of not moving in the matter when the state of affairs in almost all the municipalities except four, was rotten to the core. It is an actual fact. I hope the Hon. Minister will do something in the matter.

" Sir, I have referred more than once to the usurious loans that are taken. The Hon. the Minister for Revenue has promised to bring a Bill and I am still expecting the golden egg out of him. I hope that Bill will be introduced very soon. What is wrong with the agriculturists, the middle classes and the poorer middle classes is not the loans that they take. But it is the usurious loans that they take which ruins them. They have to execute a document for Rs. 100 although in actual practice they will receive only Rs. 80. When I spoke on this matter three years ago during the budget discussion, I had a dozen letters from different people thanking me for it. I believe I do not deserve those thanks as nothing has come out of my speech. It is usual for me to receive assurances and I am grateful for the assurances given by the Members sitting on the Treasury Benches. I have been getting these assurances for the last 7 years. That is what I find when I go through the proceedings. But I am sorry to have to say that those assurances remain just where they were. (Interruption.) Yes, Sir. If the Government bring in such measures as will satisfy the needs of the poor people, nobody dare oppose them. Let me refer to another matter, Sir. The Agriculturists Debt Relief Act was passed some years ago. I felt that it was a wrong measure. I say that, as a Hindu, I feel that nobody who has contracted a debt can absolve himself of his debt. It is stated in the Hindu sastras that the debt of the father must be repaid by the son and even grandson. This has been the practice. We have got many a bright example where even great personalities have done this. We do not object to debts as such. It is the usurious debt to which we are objecting. This is equally true of the Christian faith, it is equally true of the Muslim faith and also the Zoroastrian faith. I therefore plead that a proper remedy should be given for the disease. One must not mistake something else for the disease. Just a few minutes more, Sir, and I have finished. Only the other day, a copy of the report of the Madras Public Service Commission was placed on the table of the House. I think it was last year that I said that the three bright features of the Constitution which should always be remembered and always preserved and venerated, were (1) an incorruptible Judiciary which would handle the scales evenly between one Government and another and between the Government and the individual, (2) an effective system of audit which would bring to light the vagaries

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of any Government and (3) a Public Service Commission, which would be a great asset for safeguarding the reputation of the Government themselves. I did not realise then that I was speaking something impracticable, for, instances of Governmental interference with the work of the Public Service Commission have been recurring. I think I was given an assurance on that occasion that nothing of the sort I have mentioned just now had ever been contemplated. But instances did occur subsequently also wherein serious differences of opinion were expressed by the Government and the Public Service Commission. My appeal to the Government is, in their own interests, for the sake of safeguarding their own position, even if they feel that a decision of the Public Service Commission is not on the correct lines, they should not interfere. You have left the matter to the highest tribunal. Leave it there. Mistakes may occur. Who does not commit mistakes? About my profession, I dare not say anything. (Laughter.) Is there any person or institution not committing any mistakes? Mistake is inevitable. So, I think it would be much better in future—whether it is the Public Service Commission, or for that matter, any other body like that—to allow them to deal with the questions entrusted to them in the best manner possible. Let us have nothing to do with them.

" There is one other remark I would like to offer on another feature of the report of the Public Service Commission. That is this. The Commission publishes a list of howlers, for whose glorification, I do not know. I am sorry, I am speaking in the presence of an ex-Chairman of the Public Service Commission. (Laughter.) I do not know whether the Commission has realised that the howlers may after all be aimed at the Commission itself. For instance, one of the howlers run: 'There is no life without a wife and wife is a knife to life.' The hon. Lady Members alone should appreciate this. I do not understand it. But is it necessary to publish these things? If you will permit me a couple of minutes, Sir, I shall give you an instance. In the year 1914 I was an instructor in the Medical School. There were seven of us including the Gymnastics instructor. Any higher appellation would not be given to us then. There was an examination in Physiology and there was a student in the second year sitting for the examination, well prepared in his usual way—a way which some students even now adopt with a full measure of preparation. (Laughter.) But unfortunately for him, the Superintendent sat before him and he could not utilise much of the material that he so carefully prepared and kept ready for his use in the hall. Therefore, he took the answer paper and began to write as he pleased. He wrote four pages and at the end of forty minutes got out. I walked in and saw what he had written. Hon. Members will know that he showed all his wrath against the Superintendent sitting before him in that paper. He wrote: 'Look at this flabby mass sitting before me. What does he think of me? I have been sitting here putting up with the disgusting spectacle of his

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presence before me.' He went on like this and the whole paper was full of vituperation. I ask: Are these innocent howlers and not aimed at the examiners themselves? That is the psychology coming up nowadays. Treat the howlers just as a little bit of pleasant information. But, they are of no educative value whatsoever.

"Sir, I have taken a little more time than you were pleased to allow me. I would conclude by saying that my observations have been made in the fond hope that they will receive some consideration at the hands of the Government. I have no intention whatever to suggest that everything that I have stated is practicable or useful. But if hon. Members would only care to see my suggestions consider them in their spare moments and give us the honour of being enlightened as to their reaction, I shall feel I have accomplished my duty and would feel more than grateful to the House for allowing me to speak."

* SRI K. BHASHYAM :—"Sir, one word. The hon. the Leader of the Opposition made some observations which are personal. I want to make clear my position. He congratulated me on the views I have come to hold now about higher education. I fear, I do not deserve those congratulations and I do not think I can accept them either. If there is any improvement in me, according to his notion, it is because emphasis was not there on what I said this time unlike last year when I emphasised what I said. I feel more attention should be paid to secondary and primary education than to higher education. This has always been my view. Again fortunately reference has been made to my having no children. Though I say the reference is fortunate, yet it is a point which certainly is in my favour because I feel that a person with children always feels selfish and looks after his own children only. But I have got the advantage and the opportunity of being more generous. My views are better and broader than those of a person who is engrossed in his own children's welfare. I am more disinterested and my views are more useful. I want to mention one more point. Though I have no children, many have passed through my hands. Dozens of children I have really educated, children of friends and relations. Therefore, I have some experience in the matter of education of children and I can make as much contribution to a discussion of this subject as any person with children."

* DR. A. LAKSHMANASWAMI MUDALIYAR :—"I apologise to the hon. Member, Mr. Bhashyam. I have got great respect for him and I am sure he will forgive me if I said anything more than what I had intended. After all, I have known him for many years and have availed of his pleasant company many times."

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* SRI K. BHASHYAM :—"Nothing of the kind, Sir. I am thankful to the Leader of the Opposition for his drawing attention to any defects in my character. I just wanted to clear my position. That is all."

* SRI T. M. NARAYANASWAMY PILLAI :—"Mr. Chairman, Sir, let me first thank the Leader of the Opposition for having referred to the appointment of the committee on co-operation. I know I have the support of esteemed friends both on this side and on the other side and I believe that, with their support and guidance, and with the support of the public I shall be able to produce a report which will be really useful in this very important field. (At this stage, the Deputy Chairman occupied the Chair.) Sir, our leader has traversed a very wide ground and I do not think it is necessary for me to take much of the time of the House in discussing the details of the Budget. As he pointed out, let us give praise to those to whom it is due and let us congratulate those who deserve to be congratulated. We feel that where congratulations are due to the Government, they should not be withheld, merely on the ground that we sit as an opposition, though we must not be hesitant to criticise the Government where criticism is necessary. Sir, the House must be thankful to the Hon. Leader of the Opposition for the very useful and constructive suggestions he has made with regard to the administration of many Departments of the Government. Everybody should congratulate the Government and the Hon. the Finance Minister in particular or the way in which they have steadily and vigorously taking steps to implement the Five-Year Plan. I was rather touched by the expression when reference was made to poverty which sticks to us through ages. When we consider the economic condition of our starving people and the under-developed state in which we have been living all through and see the enormous steps which are being taken to improve our condition, we feel that really a beginning has been made in the right direction. Of course the planning on the part of the Government must be supported and supplemented by the hard work of the people; the planning will not be effective unless the citizens take interest in the work and work hard and make it a reality. 5-10 p.m."

"Now though the budget is a deficit one, I for one, could tell the Hon. the Finance Minister that deficit is not such as to make one get alarmed or to make the Government resort to taxation to cover it even partially. The deficit is due to expenditure on development programmes; and certain developmental programmes have already begun to yield fruit. In electricity alone even during the last year it has yielded as much as Rs. 60 lakhs and income would accrue to Government from other development works. After all the deficit which is only 331 lakhs and the estimated deficit is about 200 lakhs. I think, these may well have been left over in view of the utter impossibility of having any new sources of taxation. I am not eloquent and I cannot command

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the language of the Hon. Leader of the Opposition. I agree with him in saying that this is not the appropriate time for any increase in taxation and that too in land revenue. I am not one who has got alarmed owing to the fall in prices. I hope it will be only a temporary phenomenon. I sincerely hope that it will not assume threatening proportions; if it should it would prove a catastrophe and shatter all our programmes under the First Five-Year Plan, and expose us to great difficulties. I hope that such a catastrophe will not happen. I do hope that Government would take suitable action to arrest the fall in prices, if it assumes such proportions and would take effective measures to pull up and stabilise prices in an effective manner and especially the price of foodgrains such as rice, etc.

"After all the deficit, as I said, is not alarming and I do not think resort to taxation is necessary. I am not much worried about the tax on tobacco even though for the sake of my friend I would plead for the removal of that tax. But I want the psychological factor to be taken note of. Land should be the last subject of taxation considering the present fall in prices and other adverse features in the agricultural economy. The psychological aspect of the taxation should be borne in mind. We should take note of the psychological effect which this tax would have on the poor agriculturist who would not bear the brunt of a flat rate of increase in land revenue by 2 annas a rupee. The plea that the benefit of this increased taxation goes to relieve the finances of local bodies cannot be sustained. Who is responsible for the poor finances of Local Bodies? The present cause of the lack of finances of the district boards and panchayats is due to the Government withholding all the grants which they promised to them; the Government have not been giving to local bodies what they ought to have given them and what they promised they would give. I shall not dilate much upon this point. I say there is no great harm in leaving the deficit uncovered. It is not as if I do not appreciate the development side of the budget, the vista of progress which it unfolds and the happiness which would accrue and the fruits of employment, the increase in purchasing power, increase in the standard of life—which are all listed in the Constitution and which would accrue as a result of the First and Second Five-Year Plans. I say that a definite step towards that direction has been taken in this Budget.

"I should like to congratulate the Government on their bold decision to give free education to poor boys upto third form without any distinction of caste, colour or creed. I should like to follow the observation of the Hon. the Leader of the Opposition that education need not be made free to one and all, but only free to those that deserve. As far as the suggestion made by Government to provide free education to the poor up to third form, we all welcome that proposal. Along with the implementation of

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the plan on the material side there should be a simultaneous development in the field of education which deals with mental and moral spheres of a person. I for one would say that education is the heart of the whole plan, something like the heart of the human body from where the blood is purified and circulated to the various organs of the body to keep them fit and sound.

"I echo what the Hon. the Leader of the Opposition suggested with regard to excess of expenditure with regard to some departments. I have not perused carefully all the budget figures. What I say may be right or wrong. But there is a feeling, as was pointed out by the Leader of the Opposition, that the expenditure on education is not as great as it appears to be in the budget figures. I have not taken the trouble to go through all the figures with carefulness. The Leader of the Opposition, who even though older than I, has taken the trouble to collect the figures. That is why I say we are not so much concerned with spending, but we are concerned with what the economist would call 'spending in real terms'. In the field of education quality is more important than quantity. A large number of new single-teacher schools are to be opened in rural areas. But before opening more number of schools we should be satisfied that we have the necessary teaching personnel. If we have the necessary teaching personnel then opening of such schools and the expenditure on the same would amount to real spending. Mere spending crores of rupees on education will not produce results unless it be that the amount is spent in 'real terms' as the economists would call it. Otherwise what is contained in a Tamil proverb which comes to my mind, will be the result (எண்ணெய் செலவுழித்ததுதான் மிச்சம் பிள்ளை பிழைத்த பாட்டைக் காணும்). We should be more careful about the quality of education than about the quantity.

"I shall now come to the subject of the Public Service Commission. The Public Service Commission, I always would say, is the statutory guardian of the civil servants. It is the civil servants who carry on the administration. The successful working of administration in England is largely due to its civil service. The Service Commission being the statutory body to guard the rights of civil servants, its importance cannot be belittled in a democratic set up and the Government should invariably respect the advice of the Commission; they should not depart from it. I do feel that the present liberalisation of leave rules of Government Servants making them eligible to accumulate 120 days leave instead of 90 days at present would be welcomed by the civil servants. They would be grateful to the Government for it. In this connection the hon. Member Sri Bhashyam said that he attached much more importance to elementary and secondary education than to college education. Nobody denies that. Dr. Lakshmanaswami Mudaliyar never questioned the truth that elementary education and secondary education was important. He does not deny that. Because elementary education and

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secondary education are important, would Sri Bhashyam say that the Government should withdraw their support to the University? Or will he suggest that University education is not important? Elementary education and secondary education are no doubt important, but it does not mean that University education is not important in a democracy. There should be a statutory obligation on the part of the Government to support University education. It is really the duty of the Government to see that all children up to a certain age must be freely and compulsorily educated but what would be the position of the whole State if University education is not encouraged? So there must be an obligation on the part of the Government to support University education. Of course there are other sources from which University are to be maintained.

"There is a reference to cottage industries in the budget. The Leader of the Opposition referred to the great benefits which cottage industries had received on account of the extension of electric power in this State. He also referred to the useful role which these industries played in our State. Definite suggestions in promoting cottage industries have been invited. Sir, I am not very much connected with cottage industries, but still my experience makes me suggest these two points. In some places cottage industries have prospered very well. In some others they are languishing and dying. It is more due perhaps to lack of finance and marketing. To put it in general way I say that I inspected some industries in Vaniyambadi, some in Madurai, and some near Kancheepuram. Everywhere I could see that the difficulty that stood in the way of cottage industries was finance. The people are so poor, and they cannot tide over even a temporary crisis. Therefore they really cannot compete with richer men. So many people engaged in cottage industries are suffering. They also suffer from lack of correct leadership. If these difficulties are removed, perhaps they may stand on a better footing. Even in the Five-Year Plan I find really no effective steps are being taken to remove their difficulties. More attention should be paid to cottage industries, and they should be placed on a very satisfactory basis.

"I agree that troubles in Municipalities cropped up when no-confidence motions were introduced. If the history of some of the municipalities and local boards is analysed, it will be quite clear that this disease is rampant only in municipalities. In district boards rarely do we see such a thing. My submission to Government is that this trouble in municipalities must be put an end to. Steps should be taken to put these municipalities on a proper footing."

SRI MOHAMED RAZA KHAN :—"Our colleague in the House was also a victim of that trouble."

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* SRI A. GAJAPATHY NAYAGAR :—"மன்றத் தலைவர் அவர்களே, நிதி அமைச்சர் அவர்கள் சமர்ப்பித்திருக்கும் வரவு செலவுத் திட்டத்தின் மீது இந்த சமயம் நான் பேசுவதற்கு வாய்ப்பு கொடுத்த தற்காக மன்றத் தலைவருக்கு என்னுடைய நன்றியைத் தெரிவித்துக் கொள்கிறேன். நமது மன்றத் தலைவர் தமிழில் ஆர்வம் கொண்டவர் என்று தெரிகிறது. அவர் தலைமை தாங்கும் காலத்திலே தமிழில் பேசுவதற்கு எனக்கு வாய்ப்பு தந்ததற்கு நான் சந்தோஷப்படுகிறேன்.

"இந்த ஆண்டிலே நமது கல்வி அமைச்சரவர்கள் வரவு செலவுத் திட்டத்தைத் தமிழில் மொழி பெயர்த்து வழங்கினார்கள். அதற்காக அவருக்கு என்னுடைய நன்றியைத் தெரிவித்துக்கொள்கிறேன். சென்ற ஆண்டிலேயே தமிழில் பட்ஜெட் பிரசங்கம் மொழி பெயர்த்துத் தந்திருக்கவேண்டுமென்று நான் கேட்டேன். ஏனென்றால் தமிழில் பிரசங்கம் ஆக்கப்பட்டு வழங்கினால், வெளியிலே இருக்கும் மக்களும் படிப்பார்கள். அப்பொழுது வரவு செலவுத் திட்டத்திற்கே ஒரு தனி மதிப்பு கிடைக்கும்.

"வரவு செலவுத் திட்டத்தின் பிரசங்கத்தை தமிழில் கொடுக்கப்பட வேண்டுமென்று நான் கேட்பதால், அதை யாரும் குறையாக எடுத்துக் கொள்ளக்கூடாது. ஏன் தமிழில் பிரசங்கம் இருக்கவேண்டுமென்று நான் கேட்கிறேன்? நமது இந்திய அரசியலமைப்புச் சட்டத்தின் 210-வது பிரிவின்படி, 15 ஆண்டுகள் வரைக்கும் தான் ஆங்கிலம் இருக்கும். அதற்குப் பிற்பாடு நமது தேசத்தில் ஆங்கிலம் இருப்பதுபோல் கருதப்பட மாட்டாது என்று சொல்லியிருக்கிறது. ராஜ்ய சட்ட அவையிலும், இந்தியப் பேரவையிலும், குறிப்பிட்ட சில ஆண்டுகளுக்குப் பிறகு ஆங்கிலத்தில் நடவடிக்கைகள் இருக்காது. ஒரு நாட்டினுடைய மொழி அரசியல் மொழியாயிருந்தால், அந்த மொழியிலாவது அல்லது இந்தி மொழியிலாவது அல்லது ஆங்கிலத்திலாவது இருக்கும் என்று சொல்வது பட்டிருக்கிறது. 15 ஆண்டுகளுக்குப்பின் ஆங்கிலம் இல்லாததுபோல் கருதினால், அப்பொழுது எந்த மொழியில் பேசுவது? அதற்காகத் தான் முதல்படியாக நாம் தமிழிலேயே நடவடிக்கைகளை நடத்துவதற்கு இப்பொழுது பயிற்சிசெய்து கொள்ளவேண்டும். அதற்காகத்தான் அடிக்கடி எல்லா உறுப்பினர்களும் தமிழில் பேசினால் நன்றாக இருக்கும் என்று நான் சொல்லிக்கொண்டிருக்கிறேன். அப்பொழுதுதான் பின்னால் வருத்தப்படாமலிருக்கமுடியும்.

"ஆங்கிலத்தின்மீது எனக்கு வெறுப்பு இல்லை. ஆங்கிலத்தில் நன்றாகப் பேசிவிடலாம். அழகாகவும் பேசிவிடலாம். நாம் இங்கு பேசுவது நமக்காக அல்ல; நாட்டு மக்களுக்காகத்தான் நாம் இங்கு பேசுகிறோம். மக்கள் முன்னேற்றவேண்டுமென்பதற்காகத்தான் நாம் இங்கு பேசுகிறோம். ஆகவே, தமிழில் பேசுவதுதான் நல்லது.

"நான் மூன்று விஷயங்களைப்பற்றி இப்பொழுது குறிப்பிட விரும்புகிறேன். கல்விக்காக இந்த வரவு செலவுத் திட்டத்தில் நிறையப் பணம் ஒதுக்கியிருக்கிறார்கள். தமிழ் மொழியின் மூலமாக கல்வி போதிக்கப்பட வேண்டும். தமிழ் மொழிக்கு ஒரு தனிச் சிறப்பு இருக்கிறது. தமிழ் மொழிக்கும் ஏனைய மொழிகளுக்கும் வித்தியாசம் என்னவென்றால் தமிழில் எழுத்துகளை ஒட்டியே ஒலி பிறக்கும். 'ஒருவன்' என்ற வார்த்தையை உதாரணமாக எடுத்துக்கொண்டால் எழுத்துகளை ஒட்டியவரும் ஒலியை வேறு விதமாய் சொல்லமுடியாது. ஆனால் ஆங்கிலத்திலுள்ள 'U' என்ற வார்த்தையை எடுத்துக்கொண்டால் அதிலுள்ள 'U' என்ற பத்திற்கு உச்சரிப்பே இல்லை—உச்சரிப்பு பிழைகளும் வரும். ஆகவே நான் மற்ற மொழிகளைவிட தமிழ்மொழி தனிச்சிறப்பு வாய்ந்த மொழி என்று நான் சொல்கின்றேன். தமிழைத் தம் மக்கள் எல்லா மக்களும் கல்வியில்வாழவும் படிக்கவேண்டுமென்றால் தமிழ் அந்தக் விதத்தை எடுத்துக்கொள்ளவும். பாபப் பத்திரிகையின் கீழ் அதிகமாக இருக்கக் கூடிய பத்திரிகையின் கீழ் அதிகமாக இருந்தால் எல்லா மாணவர்களும் படிப்பார்கள். அப்படி ஒருவருடைய பத்திரிகை இல்லாமலேயே ஆகிய

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கல்வியானது ஒன்றிரண்டு ஆண்டுகள் போதிக்கப்படலாம். இவ்விஷயங் களையெல்லாம் டாக்டர் ஆர். எம். அழகப்ப ரெட்டியார் அவர்கள் தலை மையில் அமைக்கப்பட்டிருக்கும் குழு நன்கு கவனித்துச் செயலாக்கம் என்று நம்புகிறேன். கல்விக்காக பணத்தை செலவு செய்தால் மட்டும் போதாது; தக்க முறையில் மக்களுக்குப் பயன் உள்ள வகையில் பணம் செலவிடப்படவேண்டும்.

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“தமிழ் மக்களுக்கு உணவு இப்பொழுது போதிய அளவு இருக்கிறது. அதற்காக இந்த அரசியலாசை நான் பாராட்டுகிறேன். ஆயினும், நாட்டுப்புறங்களில் பார்க்கும்போது நேற்று ஒரு உறுப்பினர் குறிப்பிட்டது இருக்கிறார்கள். ரயிலடியில் உரம் வந்து இறங்கியிருக்கிறதென்று ஒருவர் சர்க்கரை மூட்டையாக இருந்தது. மூட்டையின் மேல் எழுதியிருக்கும் அழுத்துக்களைப் பார்த்தால் அவைகள் ஆங்கிலத்தில் எழுதப்பட்டிருக்கின்றன. கிராமவாசிகள் தமிழ் தெரிந்திருப்பவராகையினால், ஆங்கி றார்கள். மூன்று தடவைகள் ரயிலடிக்கும் வந்தும் அவர்களுக்கு உரம் கிடைக்கவில்லை. சர்க்கரைதான் இருந்தது. இம்மாதிரி விவசாயிகளுக்குத் காலாகாலத்தில் கிடைக்காவிட்டால் விவசாயம் நன்கு நடைபெறமுடியாது. பூச்சி மருந்து வேண்டுமென்றால், இன்றைக்கு வா, நாளைக்கு வா, இலாகாவினரிடம் ஏழை விவசாய மக்கள் வந்து அவர்களுக்கு உதவி செய்வது கிடையாது. விவசாயிகளுக்கு உரம், விவசாயக் கருவிகள் முதலியனவும் பணம் கடனாகவும் தேவையாக இருக்கும். இவைக ளெல்லாம் ஏழை மக்களுக்குக் கிடைப்பது கஷ்டமாக இருக்கிறது. இதைத் தான் அரசியலாருடைய கவனத்துக்குக் கொண்டுவர விரும்புகிறேன்.

“நமது ராஜ்யத்திலே மதுவிலக்குச் சட்டம் அமுலுக்கு வந்திருக்கி றது. கள் குடிக்கக்கூடாது. மதுவிலக்கு மக்களுக்கு வேண்டியதுதான். ஆனால், யார் விலக்கவேண்டியது? ஒரு மனிதன் தன் மதியைக் கொண்டு மதுவை விலக்கவேண்டும். மதுவிலக்கு கூடாதென்று நான் சொல்லவில்லை. நாம் செய்யவேண்டிய வினையை முன்கூட்டியே செய்ய வேண்டும். ஒரு வினையைச் செய்வதற்கு முன்னாலேயே நன்றாகக் கவனித்துச் செய்யவேண்டும். திருவள்ளூர்,

“வினைவலியுந் தன்வலியு மாற்றன் வலியுந் துணைவலியுந் தூக்கிச் செயல்”

என்று கூறியிருக்கிறார். ஒரு வினையை எடுத்துக்கொண்டால் கையாள முடியுமா என்று பார்க்கவேண்டும். மதுவிலக்கு வந்ததினால் என்ன ஆயிற்று? எங்கு பார்த்தாலும் கள்ளச் சாராயம் அதிகமாக காய்ச்சப் பிறுத்தினேன். இரண்டு பேர் பேசிக்கொண்டிருக்கிறார்கள். “என்னப்பா 405 வந்தால், எனக்குக் கொஞ்சம் கொடுக்கக்கூடாதா என்று கேட்டான். கள்ளச் சாராயம் சாப்பிட்டான். மேலும் அவனுக்கு இரண்டு ரூபாய் கொடுத்தேன், வாங்கிக்கொண்டு போய்விட்டான்” என்று இருவர் பேசிக் கொண்டிருப்பதை என் காதல் கேட்டேன். எனக்கு மிகவும் கஷ்ட மாக இருந்தது. போலீசார் வசம் மது விலக்குச் சட்டத்தை அமுல் நடத்துவதற்கு விட்டுவிட்டதால் என்ன ஆய்விடும்? “பாலுக்கும் தோழன் தக்க முறையில் நிறைவேற்றவேண்டும். நான் எதற்காக இதைச் சொல் கிறேன் என்றால் மதுவிலக்குச் சட்டமானது அமுல் நடத்தும் விஷயத்தில் சில குறைபாடுகள் இருக்கின்றன என்பதற்காகத்தான். அரசியலார் இதில் தக்க கவனம் செலுத்தவேண்டுமென்று கேட்டுக்கொள்கிறேன்.

[Sri A. Gajapathy Nayagar] [2nd March 1955]

“கிணறு இருக்கிறது, ஆனால் தண்ணீர் இல்லை, கல்வி இருக்கிறது, ஆனால் படிப்பு இல்லை. விவசாயத்திற்கு உரம் கிடைப்பதில்லை காலா காலத்தில். விவசாய இலாகா அதிகாரிகளுக்கும் மக்களுக்கும் தக்க தொடர்பு இல்லாத காரணத்தினால் விவசாயிகள் அதிகாரிகளுக்கு லஞ்சம் கொடுக்கவேண்டி ஏற்படுகிறது. விவசாயிகள் பணம் செலவழிக்கவேண்டி யிருக்கிறது. விவசாய மக்களுக்கு இன்னும் அதிகமான நன்மைகள் வராமலிருப்பது பெரும் குறை. இதை நாம் கவனிக்கவேண்டும்.

“வைத்திய முறை இந்த நாட்டில் எப்படியிருக்கிறது? ஒரு இன் ஜெக்ஷனுக்கு மருந்து வாங்கவேண்டுமானால் ரூ. 20 கொடுத்து வர வமைக்கவேண்டும். பெனிசிலின் இன்ஜெக்ஷன் மருந்து ஒரு ரூபாய்க்குக் குறைவாக இருக்கிறதென்று ஒரு அங்கத்தினர் சொல்கிறார். நான் சொல்கிறேன், பெனிசிலின் உதவுமா உதவாதா என்பதே சந்தேகத் தில் இருக்கிறது. சித்த வைத்தியம், ஆயுர்வேதம் ஆகிய முறைகளை நமது தமிழ் முன்னோர்கள் ஏற்படுத்தியிருக்கிறார்கள். பழைய வைத் திய முறைகளை நல்ல முறையில் மக்களுக்குப் பயன்படும் வகையில் உபயோகப்படுத்தவேண்டும். பூந்தமல்லி சாலையில் இருக்கும் இந்திய வைத்தியக் கல்லூரியை நல்ல முறையில் கையாளவேண்டாமா? எடுத்த வேலையைச் சிறந்த முறையில் செய்கிறார்களா? மூன்றில் இரண்டு பங்கு நவீன முறைகள் என்றும், ஒரு பங்கு பழைய முறைகள் என்றும் சொல்லப்படுகிறது. நவீனமுறைகளைக் கையாளவேண்டியதுதான். ஏனென் றால், பழைய முறைகளாகிய ஆயுர்வேதம், சித்த வைத்தியம், யுனானி வைத்தியம் ஆகியவைகளில் இருக்கும் அடிப்படைக் கொள்கைகளை நாம் கவனிக்கவேண்டும். இரண்டு மூன்று பாட்டுக்களைச் சொன்னால்மட்டும் வைத்தியம் வந்துவிடுமா? ஆகையால், ஒரு வினையை எடுத்துக்கொண் டால் ஒரு சரியான வழியில் செயல்படவேண்டும். அரைகுறை வேலை கூடாது. நடு வழியில் விட்டுவிடுவது கூடாது. பராமுகமாக இருப்பது கூடாது. மந்திரிகள்பேரில் ஒரு குறையும் இல்லை. திட்டத்தின் பேரிலும் குற்றம் இல்லை. செலவு பண்ணுவதில் குறைவு இல்லை.

“சமையல் செய்வதற்குப் பருப்பு முதலியவை இருக்கின்றன. ஆனால், சமையல் பண்ணுகிறவன் சரியாக இல்லாவிட்டால் சமையல் எப்படி நன் றாக இருக்கமுடியும்? ஆகையால், நாம் எதைச் செய்தாலும், எதிர் காலத்தை அனுசரித்துச் செய்யவேண்டும். தற்காலத்திற்கு அனுசூல மாக இருக்கிறதென்று சொன்னால் மாதிரிப் போதாது. அதற் காகத்தான் நான் அடிக்கடி சொல்கிறேன், தமிழில் நடவடிக்கைகளைக் கொண்டுவருங்கள், இப்பொழுதே ஆரம்பித்துவிடவேண்டும் என்று நான் சொல்கிறேன். அப்படிச் சொல்வதினால் எனது நண்பர் கனம் அங்கத் தினர் டாக்டர் லக்ஷ்மணசாமி முதலியாருக்கு விரோதமாக நான் சொல்ல வில்லை. ஆங்கிலமும் வேண்டும்; ஹிந்தியும் வேண்டும். மூன்று மொழி களும் வேண்டும். ஆனால், அடிப்படையாக நமக்கு வேண்டியது தமிழ் மொழி. தமிழ்நாட்டில் அரிசி தானே நாம் முக்கியமாகச் சாப்பிடு கிறோம். ரொட்டியையா நாம் அதிகம் சாப்பிடுகிறோம்? இல்லையே. ரொட்டியை நாம் அன்னிய பதார்த்தம் என்று சொல்லவில்லை. நாட் டில் பல கோயில்கள் இருக்கின்றன. அவனவனுடைய இஷ்டத்திற் கேற்றபடி அந்தந்த கோயிலுக்குச் சென்று வழிபடுகிறான். தமிழ் நாட்டிலுள்ள பண்பாட்டுக்கேற்றபடி அவனவனுக்கு இஷ்டமான தெய் வத்தைக் கும்பிடுகிறான். தமிழ்ப் பண்பாட்டை அறிந்துகொண்டு, வர லாற்றை அறிந்துகொண்டு, காரியங்களைச் செய்யவேண்டும். தமிழ் உணர்ச்சியோடு காரியங்களைச் செய்தால் குறைகளெல்லாம் நீங்கிவிடும் என்ற எண்ணத்தில் நான் பேசுகின்றேனென்படியி, யாரையும் தாக்கிப் பேசுவதற்காக நான் பேசவில்லை. நான் அரசியலாருக்குச் சொல்லும் யோசனை என்னவென்றால், அரசியலார் ஒரு குழுவினரை நியமிக்கவேண் டும். அந்தக் குழுவில் அரசியலில் பங்கு உள்ளவர்களும், அரசியலில் பங்கு இல்லாத மற்றவர்களும் சேர்ந்திருக்கவேண்டும். அப்படிப்பட்ட குழுவினர் இதைக் கண்காணிக்கவேண்டும்.

[Sri A. Gajapathy Nayagar] [2nd March 1955]

“பொது மராமத்து இலாகாவில் ஏற்படும் செலவுகளெல்லாம் அதிகமாக இருக்கிறது. அதற்காகவும் ஒரு குழு அமைக்கப்பட்டு திட்டங்களுக்காக ஒதுக்கப்பட்ட தொகையானது சரியான முறையில் செலவிடப்படுகிறதா என்று கண்காணிக்கப்படவேண்டும். இப்பொழுது இருக்கும் அமைச்சர்களுக்கு அதிக வேலை இருக்கிறது. அவர்களுக்கு ஒய்வு என்பதே கிடையாது என்றுதான் சொல்லவேண்டும். செக்ரட்டரியட்டிலுள்ள அதிகாரிகள், மந்திரிகளுக்கு ஓரளவுதான் யோசனை சொல்லுகிறார்களேயொழிய, எல்லாத் தரப்பிலுள்ள அபிப்பிராயங்களையும் அவர்கள் மந்திரிகளுக்கு எடுத்துச் சொல்வதற்கு அவ்வளவாக முடியாது. இந்த நிலையில் மக்கள் பிரதிநிதிகளாகிய சட்டசபை உறுப்பினர்களையும் சேர்ந்த ஒரு குழுவானது மந்திரிகளுக்கு உதவியாக யோசனை சொல்வதாக இருந்தால் அது அரசியலாளுக்கு மிகப் பயனுடையதாக இருக்குமென்று நான் கருதுகிறேன். காங்கிரஸ் அரசாங்கமாக இருந்தாலும் சரி, வேறு எந்த கட்சியானது அரசாங்கத்தை நடத்தினாலும் சரி, அடுத்த ஆண்டிலேயாவது ராஜ்ய நடவடிக்கைகளெல்லாம் தமிழிலேயே நடக்கவேண்டுமென்றும், அதற்கான ஏற்பாடுகளை அரசியலார் இப்பொழுதிருந்தே செய்தாகவேண்டுமென்றும் கேட்டுக்கொள்கிறேன்.

“இந்த சபையில் எனது நண்பர் ஸ்ரீ புருஷோத்தம முதலியார் தமிழில் நடவடிக்கை நடக்கவேண்டுமென்று ஒரு தீர்மானம் கொண்டு வந்தார். அதைப்பற்றி எல்லாம் பேசியாய்விட்டது. ஏதோ உடனடியாக வாபஸ் வாங்கிக்கொண்டார். அதுவும் இல்லாமல் நமது முதலமைச்சரைக் கேட்டேன்: ‘ஐயா, மூன்று ஜில்லாக்களிலாவது . . .’

SRI T. PURUSHOTHAM :—“எனது நண்பர் கனம் அங்கத்தினர் ஸ்ரீ கஜபதி நாயகர் அவர்களுக்குக் கவனம் இருக்கும், நான் கொண்டு வந்த தீர்மானம் என்னவென்பதைப்பற்றி அங்கத்தினர்கள் தமிழில் கேள்விகள் கேட்டால் மந்திரிகளும் தமிழிலேயே பதில் சொல்லவேண்டும் என்ற முறையில்தான் நான் அப்பொழுது இச்சபைமுன்பு ஒரு தீர்மானத்தைக் கொண்டுவந்தேன். அது நடைமுறையிலும் நடந்துகொண்டு வருகிறது. அமைச்சர்கள் இங்கும் அசெம்பிளியிலும் தமிழில் கேள்விகள் கேட்கப்பட்டால் தமிழில்தான் பதில் அளிக்கின்றார்கள் என்பதையும் நேன்.”

SRI A. GAJAPATHY NAYAGAR :—“கேள்விகளுக்குத் தமிழில் பதில் அளிப்பதைப்பற்றி எனக்குச் சந்தோஷந்தான். காங்கிரஸ் கட்சியாக இருந்தாலும்சரி, வேறு எந்த அரசியல் கட்சியாக இருந்தாலும்சரி, தமிழ் மொழியிலேயே நடவடிக்கைகள் நடக்கும் வகையில் தமிழ் மொழி ஆட்சி மொழியாகத் திகழச் செய்யவேண்டும். அதற்கான ஏற்பாடுகளைச் செய்ய வேண்டுமென்று கேட்டுக்கொண்டு என்னுடைய பேச்சை முடித்துக்கொள்கின்றேன்.”

* **SRI MUHAMMAD USMAN** :—“Mr. Deputy Chairman, I am glad that you have called me to speak now. Sir, last year, we had as the Leader of the House Rajaji. The Legislature is greatly indebted to him for all that he did to give to the Madras State a stable Government. But owing to ill-health, he had to resign. It is a matter of good luck that our good Friend the Hon. Sri Subramaniam, who was a Member of the Rajaji Cabinet, is continuing now as the Finance Minister. Last year he stated in the Assembly that he was groping in the dark and that he was yet to see light. I am glad that he has seen the light and it is our good fortune that he is a Member of the Government to-day. (At this stage, Mr. Chairman resumed the Chair.) I should like

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to congratulate him on the excellent Budget that he has presented. The Budget, I should say, is a progressive Budget whose object is to convert Madras into a Welfare State. The objective of the India Government is to convert India into a Welfare State and I think, therefore, that it is right that steps should be taken by the various States to co-operate with the Government of India in making the country a Welfare State.

“Much has been said about the new taxation proposals. I know my hon. Friend Sri Subramaniam is capable enough, if he wants, to avoid all these taxation proposals. He might have presented a Budget without proposing any new taxation measures. But evidently, he has given very good reasons why he could not do so. But I should like to point out to the Government that the most unfortunate people in India to-day are the middle class people.

“Sir, there is a competition so to say in levying taxes between the State Governments and the Central Government. The taxes proposed to be levied by the Government of India hits the middle classes very heavily. That is what all the newspapers have written. Again the tax proposed by the Government of Madras to a certain extent will hit the middle classes. The only solution is that some of the people have to suffer a little in order to see that the people who are more unfortunate than them get the benefit of the various progressive measures which the Government want to introduce.

“I should now like to say a few words about the transport conditions in Madras. After the abolition of the tramways, more Government buses have been put on the road. Wherever we go, we find that these buses are plying at a terrific speed. The other day, the Commissioner of Police was requested to be present at a meeting of the Automobile Association of Southern India when this problem of transport was discussed. The Commissioner of Police at that meeting did admit that the Government buses were plying at a very rapid speed. The drivers of these buses do not observe the rule of the road. Though we find at very many places a board indicating that the vehicles should keep up a speed of 15 miles per hour, the Government buses do not observe this rule while the private cars driven by either owners or ‘hauffeurs’ do observe the rule. The Government buses invariably go at a terrific speed of 20 to 25 miles even in congested localities. The reason for this, I am told, is that the drivers of those buses cannot be prosecuted by the police constables as the constables have been instructed not to prosecute these drivers. If the Government do not want their men to be prosecuted by the constables, they must take firm action in some other way. For instance, they can ask the police to report the matter to the head of the department concerned so that he may be able to take severe action against those drivers who do not observe the rule of the road. If you just stand

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for five minutes in any road, you can very easily observe how the private car drivers are scrupulously obeying the traffic rules and how the drivers of Government buses are disobeying them. It is very essential that the Government should take a firm attitude in this matter and put down this practice. This does not cost the Government anything. All that the Government have to do is to issue an order saying that the drivers of the Government buses should also obey the rule of the road and if they do not so obey it, the police constable concerned must bring the matter to the notice of the Commissioner of Police who in turn must report the matter to the Transport Commissioner. The Transport Commissioner must be very firm in taking serious action against the drivers who have disobeyed the rule of the road. I hope the Government will do the needful in the matter.

"Sir, I am glad that my hon. Friend Dr. Lakshmanaswamy Mudaliar has spoken on the medium of instruction in Universities. I have no objection to your giving instruction to the boys and girls in the regional language or in Hindi which is the national language of the country. But, what about the position of English? Everybody says that English has come to stay. The other day, I think Rajaji said English cannot be neglected and it has come to stay. Our Governor has often been saying that English has come to stay. Our own Prime Minister of India has been telling that English has come to stay. The other day I saw a report that Dr. Pattabhi Sitaramayya, the great protagonist of Hindi has said that English should not be neglected. What is the use of such statements unless and until you have tackled this question at the level of University education also? For this purpose there must be thorough co-operation between the University authorities and the Government so that the boys who go from the High School to the College may know some English. Unless this is done, I am afraid the students cannot benefit by the instruction given in the colleges. If you take subjects like Biology, Zoology, Physics, Chemistry and medical subjects, you will find that there are not suitable text-books in either the regional languages or even in the national language, Hindi. That being the case, is it not the duty of the Universities to see that the boys who take up University courses do possess some sound knowledge of English so that they may be able to benefit by the education imparted in the Colleges? We must also remember that if we neglect English we will be producing graduates who will be intellectually blind. We must also remember that our students have to go to England, America and other foreign countries in order to learn modern science. For this purpose, they should know English much better than what they do now. Therefore, it is essential that there should be through co-operation between the University authorities and the Government authorities so that they may be able to come to some workable plan by means of which English will not be neglected at the

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school stage. I think it is a great mistake on the part of the University to have abolished the matriculate examination some years ago. If only the University had this examination today in their hands the Government will play to the tune of the University rather than the University playing to the tune of the Government as it is the case today. I think in matters of academic importance, the Government should be led by the University and not lead the University. In such matters, it is the University that should lead the Government and should not be led by the Government. Whatever it is, what is wanted at the present moment is hearty co-operation between the University and the Government so that the country may benefit.

"Sir, some reference has been made by Dr. Lakshmanaswamy Mudaliar and also by some hon. Members about the Public Services Commission. When I was a member of Government my impression of the Commission then was rather unfortunate. I remember two or three cases in which the Commission recommended dismissal. The Government then thought that this punishment was not absolutely called for in those cases. The Government had to overrule the decision of the Service Commission in those cases. Later, in one of the Collectors' Conference held at Ootacamund, Sir George Stanley, the then Governor, said that he was glad that the Home Member had overruled the decision of the Public Service Commission. At times, the Government have to do this in order to do justice to the parties concerned. It is easy and simple to say that the Government must always accept the recommendations of the Public Service Commission. But in actual practice this is not possible. Whenever the Service Commission goes wrong, I think it is the duty of the Government to intervene in the matter and set things right."

* **SRI A. SUBRAMANYAM:**—"கனம் தலைவர் அவர்களே, இந்த சபையில் கொண்டு வரப்பட்டிருக்கும் வரவுசெலவு திட்டத்தை நான் முழு மனதுடன் வரவேற்கிறேன். அதற்காக கனம் நிதி-மந்திரி அவர்களையும் மிகவும் பாராட்டுகிறேன். இப்பொழுது முதலமைச்சராக இருக்கக்கூடிய கனம் ஸ்ரீ காமராஜ் அவருடைய காலத்தில் இம்மாதிரியான வரவு செலவுத் திட்டம் வந்திருப்பதைக்கண்டு மிகவும் போற்றக்கூடிய ஒரு நிலைமை ஏற்பட்டிருக்கிறது என்பதை எவரும் மறக்கமுடியாது. ஆகவே, இதை எல்லோரும் போற்றிப்புகழ்வார்கள் என்பதில் சந்தேகம் இல்லை.

"ஆனால், இச்சபையிலும், கீழ் சபையிலும்கூட ஒரு சிலர் இதைக் குறைகூறி வருகிறார்கள். குறைகூறுவது சகஜம். ஆனால் காரியத்தில் செய்வதுதான் மிகவும் கடினம். 20 ஆண்டுகளுக்கு முன்பு நம்முடைய ராஜ்யத்தின் ஜனத்தொகை என்ன, இப்பொழுது இருக்கும்படியான ஜனத்தொகை என்ன, அப்பொழுது கல்விக்காக செலவிடப்பட்ட தொகை என்ன, அப்பொழுது மின்சாரம், நீர்பாசனம் ஆகிய இனங்களுக்காக எவ்வளவு தொகை ஒதுக்கப்பட்டது என்பதையெல்லாம் பார்க்கும்போது இப்பொழுது இருக்கின்ற ஜனத்தொகை விசுவாசாரத்திற்கும் மற்ற ஏனைய வசதிகளுக்கும் தக்கபடி செலவினங்களைல்லாம் அதிகப்படுத்தப்

[Sri A. Subramanyam] [2nd March 1955]

கிறதென்றால் எந்தக் காலத்தில் இவர்கள் உயர்ந்த பதவிகளை அடைவார்கள். இதைப்பற்றி நான் 1937-ம் வருஷத்திலிருந்து கூறி வருகிறேன். அப்பொழுது ஆரம்பித்திருந்தால்கூட 1947-ல் 10 வருடத்தில் முடிந்திருக்கும். 1947-ல் நான் மறுபடியும் கூறினேன். அப்பொழுது ஆரம்பித்திருந்தால்கூட இன்னும் இரண்டு வருடத்தில் முடிந்திருக்கும். இப்பொழுது ஆரம்பித்தால்கூட இன்னும் எட்டு வருஷங்களில் பிற்பட்ட இனத்தவர்கள் எல்லோரும் மற்ற வகுப்பினருடைய அளவுக்கு எல்லாத் துறைகளிலும் முன்னேறி விடுவார்கள். ஆகவே, இனியும் காலதாமதம் செய்ய தால இந்தக் கிளர்ச்சியை அடக்க முடியாது.

“சபையிலுள்ள பிற்பட்ட இனத்தவர்களைச் சேர்த்து அங்கத்தினர்களுக்கு மந்திரி சபையில் இடம் தருகிறோம் என்று சொல்லிவிட்டாலும்தான் பிற்பட்ட இனத்தவர்கள் உண்மையிலேயே முன்னேறி விட்டதாக சொல்ல முடியாது. பிற்பட்ட இனத்தவர்களை மந்திரி சபைக்கு அழைக்கக்கூடிய நிலையை இப்பொழுது ஏற்பட்டிருக்கிறதென்றால் அவர்களை இதன் முக்கியத்துவத்தை உணரக்கூடிய காலம் வந்திருக்கிறதென்று தெரிகிறது. ஆகவே பிற்பட்டவர்களின் நிலையை உயர்த்துவதற்கு காங்கிரஸ் சர்க்கார் முன்வர வேண்டும். அதுவும் இந்த மாகாணத்தில் கனம் முதல் அமைச்சர் ஸ்ரீ காமராஜர் ஆட்சி காலத்திலேயே செய்ய வேண்டும். அவரும் இது விஷயத்தில் மிகவும் அக்கரையோடு இருந்து வருவது குறிப்பிடத்தகுந்தது.

“பிற்பட்ட இனத்தவர்களுக்காக நான் எத்தகைய தியாகத்தையும் செய்யத் தயாராக இருக்கிறேன். ஆகையால் இந்த சந்தர்ப்பத்தை கை நழுவ விடக்கூடாது. பிற்பட்ட இனத்தவர்களுக்கு வேண்டிய வசதிகளை செய்து கொடுக்காவிட்டால் பிற்பட்ட இனத்தவர்கள் அனைவரும் ஒன்று யத்தில் இரண்டு கோடிக்கு மேல் உள்ள பிற்பட்ட இனத்தவர்கள் ஒன்று சேர்ந்து மந்திரி சபையை கைப்பற்றி விடுவார்கள். இந்த ராஜ் சேர்ந்து மந்திரி சபையை கைப்பற்றி அவர்களுக்கு உண்டான திட்டங்களை வகுத்துக்கொள்வார்கள். அதோடு காங்கிரஸின் நல்ல திட்டங்களை நிறைவேற்றிவைப்பதுடன், முற்பட்ட இனத்தவர்களுக்கும் செய்ய வேண்டியதைச் செய்வார்கள். ஆகவே காங்கிரஸ் கொள்கையை நியாயமான முறையில் நிறைவேற்ற வேண்டுமென்று இந்தச் சந்தர்ப்பத்தில் கேட்டுக்கொள்ள விரும்புகிறேன். இல்லையெல், கிளர்ச்சியும், புரட்சியும் ஏற்படும். இந்த மாதிரி நிலைமை ஏற்படாதபடி காங்கிரஸ் சர்க்கார் பார்த்துக்கொள்வார்களென்று நம்புகிறேன். நாங்கள் எல்லோரும் காங்கிரஸில் உழைத்துக் கஷ்டப்பட்டவர்கள். ஆகையால் காங்கிரஸுக்கு விரோதமாக யார் எதைச் செய்தாலும் ஒப்புக்கொள்ளமாட்டோம். ஏழைகளின் நன்மைக்காக பாடு ஸ்ரீ காமராஜ் அவர்கள் பிற்பட்ட இனத்தவர்கள் விஷயத்தில் கவனம் செலுத்துவார்களென்று நம்பிக்கை எங்களுக்கு அதிகரித்திருக்கிறது. அவருடைய மந்திரி சபையும் இவ்விஷயத்தில் அவருக்கு பக்க பலமாக இருப்பார்கள், இருக்கவேண்டும் என்று கூறிக்கொண்டு இந்த பட்ஜெட்டை கிறீன்.”

MR. CHAIRMAN :—“Some more Members have to speak. They may speak tomorrow. The House will now adjourn and meet again at 3 p.m. tomorrow.”

The House then adjourned.

THE MADRAS LEGISLATIVE COUNCIL.

Thursday, the 3rd March 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.

Accidents due to lighting of crackers.

* 218 Q.—DR. A. SREENIVASAN: Will the Hon. the Minister for Finance and Education be pleased to state—

(a) whether his attention has been drawn to the number of accidents which had taken place in the State due to lighting of crackers; and

(b) what steps the Government propose to take to avoid such accidents in future?

THE HON. SRI C. SUBRAMANIAM :—“(a) Yes, Sir.

“(b) The matter will be considered by the Government.”

SRI G. KRISHNAMOORTHY :—“Sir, have the Government issued instructions to wholesale or retail dealers who may be in possession of such crackers just to dispose them of without selling them?”

THE HON. SRI C. SUBRAMANIAM :—“We cannot issue any instructions like that. We can only place restrictions on storage of these crackers. I do not think we can issue any instructions that they should be disposed of in a particular way.”

SRI G. KRISHNAMOORTHY :—“In view of the fact that crackers called atom bombs and the material that is scratched on the ground to produce some sound like Chada-Chada, are very risky to public health and risky to children, will the Government issue a notification even now sufficiently in advance to prevent the manufacture of these two articles long before Deepavali and if necessary ban them?”

THE HON. SRI C. SUBRAMANIAM :—“This question is being examined.”

DR. A. SREENIVASAN :—“Sir, will the Government consider the possibility of preventing the manufacture of certain kinds of crackers that are likely to produce very intense sound? Is there any separate Act preventing this?”

THE HON. SRI C. SUBRAMANIAM :—“This question requires examination of the legal complications involved in it. As soon as the examination is over, we shall take action.”

* Question postponed from the list of questions for 2nd March 1955.

[3rd March 1955]

Admission to Government and Government Aided Colleges
in the State.

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

(a) the number of students belonging to the backward communities who were admitted during the years 1953-54 and 1954-55 in Government and Government aided colleges in the State; and

(b) whether the students belonging to the backward communities are given any special consideration in the matter of admission to Government and Government aided colleges and hostels?

THE HON. SRI C. SUBRAMANIAM :—“(a) The information is not readily available and it is considered that the time and labour involved in collecting the particulars may not be commensurate with the public purpose to be served.

“(b) 25 per cent of the seats in the Government Arts and Professional colleges are reserved for candidates belonging to backward classes other than Schedule Castes and Scheduled Tribes. The number of the students belonging to the above categories who are admitted on the basis of merit is not counted against the quota reserved for them. Though this reservation does not strictly apply to non-Government colleges, the managements of such aided colleges have been requested and they are expected to extend their fullest co-operation in the matter of encouraging the higher education of these backward classes consistently with the attitude adopted by the Government in respect of admissions to Government colleges. There is no specific reservation made for the backward classes in regard to admission to hostels.”

SRI A. M. ALLAPICHAJ :—“ May I ask, Sir, whether all this reservation has to be made merely because we do not have a sufficient number of colleges? ”

THE HON. SRI C. SUBRAMANIAM:—“It will take a long time to have a sufficient number of colleges to admit all the students who are prepared to go to the University class.”

SRI A. M. ALLAPICHAI:—"Will it be possible at least in the course of a few years for the Government to bring into existence a large number of colleges so that this problem may not at all arise and give us trouble?"

THE HON. SRI C. SUBRAMANIAM :—"With reference to arts colleges it may be possible. But with reference to professional colleges, the number has to be limited. It has to be limited to the requirements of the country, in which case there is bound to be competition for admission into these professional colleges."

*Question postponed from the list of questions for 2nd March 1965.

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Construction of a flood bank near Cuddalore.

* 220 Q.—SRI M. ETHIRAJULU : Will the Hon. the Minister for Public Works be pleased to state—
(a) whether there

(a) whether there was a proposal in 1945-46 to construct a flood bank in between Gadilam and Pennar rivers near Cuddalore to avert the danger to the town by flood; and

(b) if so, the action taken thereon and at what stage it is at present?

THE HON. RAJ. G.

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI:—“(a) There was no such proposal in 1945-46. But a proposal was initiated in 1947.
“(b) The proposal

(b) The proposal was deferred in 1951 on account of the poor finances of the State at that time. The proposal has since been revived and the Government are awaiting a report from the Chief Engineer."

New canal from Tiruvendipuram Anicut to Kondangi Lake
Cuddalore.

* 221 Q.—SRI M. ETHIRAJULU: Will the Hon. the Minister for Public Works be pleased to state—
(a) the amount sanctioned for the improvement of the canal for the irrigation of the land in the village of Cuddalore.

(a) the amount sanctioned by the Government to dig a new canal from Thiruvendipuram anicut (Asperiyamsuppam) to Kondangi lake, Cuddalore;

(b) whether the work has been taken up for execution;

(c) If so, when it will be completed; and

(d) whether there is any proposal to deepen the Kondangi lake as well?

THE HON. RAJA SRI SRI

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI :—“(a) A scheme for diversion of the Kondangitank supply channel from M-2—R-4 of the Thiruvendipuram main channel to first above the road culvert at M3 R2 by about 40 feet has been sanctioned under the Special Minor Irrigation Programme at an estimated cost of Rs. 20,000 for works.

“(b) Yes.

" (b) Yes.

" (c) Expected to be completed by 31st March 1955.

"(d) There is no proposal at present to silt-clear the tank."

Mr. M. BHASKARAJULO : " இரண்டு மாதங்களுக்கு முன்னதாக
இந்தப் பணியைச் செய்வதற்கு இப்பொழுது இப்போது
தெரிவிப்பார்களா ? "

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHU.
PATEL - "The work is expected to be completed by Sixt
March 1955."

[3rd March 1955]

Appointment of gem and gold jewellery examiner and Stapathi.

* 222 Q.—SRI T. M. DAIVASIKHAMANI ACHARIAR: With reference to the answers to question No. 73 answered on the 18th January 1954 and the supplementary question thereon, will the Hon. the Minister for Religious Endowments and Transport be pleased to state—

(a) what action the Government have taken to preserve the class of Stapathis who are experts in temple architecture;

(b) whether the Government have sanctioned the appointment of (1) gem and gold jewellery examiner, and (2) a stapathi to look after the temple architecture under the Hindu Religious Endowments Department;

(c) if so, (i) whether the Government have filled up these posts;

(ii) the names, age, qualifications and past experience of the persons appointed to these posts; and

(iii) whether these posts were duly advertised in the newspapers?

THE HON. SRI B. PARAMESWARAN :—“(a) The Government have under consideration the question of preparation of a list of able Sthapathis who may be consulted by the authorities of the temple whenever necessary.

“(b) The Government have sanctioned the posts of a Gem specialist, a Sthapathi and a Goldsmith in connection with the scheme of appraisalment and verification of jewels and other valuables of religious institutions.

“(c) (i) Yes.

(ii) A statement “ is placed on the table of the House.

(iii) No.”

SRI T. PURUSHOTHAM :—“ May I ask, Sir, whether these posts of Gem specialist, Goldsmith specialist, and Stapathi are permanent posts and whether any conditions of service have been prescribed in regard to these posts? ”

THE HON. SRI B. PARAMESWARAN :—“ We have fixed their salaries. Gem specialists are given Rs. 300 per mensem. Stapathi is given Rs. 150 per mensem. The Goldsmith is given Rs. 100 per mensem. There is one Verification Officer who is in the grade of Rs. 250-50/2-500.”

SRI T. PURUSHOTHAM :—“ Sir, in view of the fact that the Gem specialist has to handle valuable articles of jewellery, may I know whether the Government have taken any deposit from him as security? ”

THE HON. SRI B. PARAMESWARAN :—“ I have no information with me now. A separate question may be put.”

* Printed as Appendix on page 494 infra.

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SRI T. PURUSHOTHAM :—“ With reference to clause (b) (iii) of the question, may I know, Sir, whether these posts were advertised in the papers and applications called for? ”

THE HON. SRI B. PARAMESWARAN :—“ There was a specialist who was available, and we thought that there was no need for advertising the post. The Government were sure that they might not be able to get a better person for the job.”

SRI T. PURUSHOTHAM :—“ With reference to the post of the Stapathi, may I know why a gold and silver manufacturer has been appointed to this post? It is stated in the paper laid on the table of the House that this goldsmith was, before joining duty in the department, manufacturing gold and silver articles in the temples under the control of the Dharmapuram Adheenam.”

THE HON. SRI B. PARAMESWARAN :—“ With regard to the Stapathi, we have been trying to get a suitable person. But the Government were not able to secure one for that particular post to which the hon. Member wants a person to be appointed. This jeweller is also attending to the work of the Stapathi.”

SRI T. PURUSHOTHAM :—“ May I know what procedure was adopted before the question of appointment of a full-time stapathi was taken up? Was there not an honorary Consulting Architect for the purpose? Why was that post abolished? ”

THE HON. SRI B. PARAMESWARAN :—“ The Government wanted to appoint a person from the municipal service. The Local Administration Department could not spare the services of a suitable Engineer for this purpose. Now, we are trying to get another Engineer from some other Department. Till then, we don't know whether we can take up this question.”

SRI T. PURUSHOTHAM :—“ May I know whether the Government will kindly consider the question of appointing an Honorary Consulting Architect with special knowledge of temple architecture as before? ”

SRI MOHAMED RAZA KHAN :—“ Sir, I rise on a point of order. Usually, the convention is that a Member who puts the main question gets the first chance to put a supplementary as soon as the Hon. Minister gives his answer to the main question. But now there has been a regular race as it were between the elderly gentleman Sri Achariar who has put the main question and the young and energetic Member Sri T. Purushotham. Sri Achariar was rising in his seat seven times to put a supplementary question. Unfortunately, all the seven times he has failed in the competition. Sri Purushotham is no doubt young and energetic.

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I do not deny that. I think it will be better if the Chair itself calls the hon. Members one after another to put supplementary questions. If this is done, the advantage will be equally divided among all the Members in the House. Even the hon. Member sitting to my left failed to catch your eye even though he got up in his seat seven times, trying to put a supplementary. Sir, I think it will be possible for you to accede to my request."

SRI T. PURUSHOTHAM :—" Sir, as I have already put a question, I request that the Hon. Minister may give his reply to it."

THE HON. SRI B. PARAMESWARAN :—" Sir, let me give a detailed answer. The sthpathi sanctioned for the work relating to appraisal of jewels and valuables attends to the work of appraisal of (1) silver articles and vessels, (2) gold and silver gilded articles and (3) gold or silver plated articles and vahanams. As for the appointment of an architect, I have already said we wanted to appoint some Municipal Engineer, but it was not possible. We are trying to get another engineer."

SRI T. M. DAIVASIKHAMANI ACHARIAR :—" In view of the fact that the ordinary engineers are not familiar with the work connected with temple building, may I know whether the Government will continue to appoint sthpathis and put them in charge of renovation of these temples? "

THE HON. SRI B. PARAMESWARAN :—" The Government will consider the suggestion of the hon. Member, Sir."

MR. CHAIRMAN :—" Sri Krishnamoorthi may put his supplementary, and it will be the last supplementary on the question."

SRI G. KRISHNAMOORTHI :—" Have the Government any proposal to establish a training school to train people in temple architecture, Sir? "

THE HON. SRI B. PARAMESWARAN :—" No, Sir."

(Hon. Members Sri T. M. Daivasikhamani Achariar and Sri A. Gajapathy Nayagar were seen rising in their seats.)

MR. CHAIRMAN :—" You must listen to the Chair. I have definitely said that Sri G. Krishnamoorthi's supplementary will be the last. We have taken a sufficiently long time over this question."

SRI A. GAJAPATHY NAYAGAR :—" ஸ்தபதிகள் என்றால் கோபுரங்கள் கட்டும் நிபுணர்களா ? "

THE HON. SRI B. PARAMESWARAN :—" ஒரு கனம் அங்கத்தினர் சொன்னது போல அவர்கள் 'சிற்பிகள்' எனப்படுவார்கள்."

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

II.—ACT ASSENTED TO BY THE GOVERNOR

MR. CHAIRMAN :—" I have to announce to the House that the Madras Indebted Agriculturists (Repayment of Debts) Bill, 1955 (L.A. Bill No. 2 of 1955), which was passed by the Madras Legislature on the 24th February 1955, received the assent of the President on the 27th February 1955, and has been published as Act I of 1955 in Part IV-B of the Fort St. George Gazette (Extraordinary), dated the 1st March 1955."

III.—PETITION TO THE COUNCIL

* SRI T. PURUSHOTHAM :—" Mr. Chairman, under rule 182 of the Madras Council Rules, I present a petition addressed to the hon. Members of the Madras Legislative Council. 'This petition is from the Madras Provincial Coconut Producers' and Merchants' Association and it is signed by the President and Secretary of the Association. In this petition they have requested that coconuts may be exempted from the levy of sales tax."

(The hon. Member Sri T. Purushotham then presented the petition to the Secretary to the Council.)

IV.—GENERAL DISCUSSION ON THE BUDGET FOR THE YEAR 1955-56—cont.

* DR. V. K. JOHN :—" Mr. Chairman, I think you must be proud and this House must be proud that we have had a high-level discussion on the budget for the last three days and now we are on the fourth day of the discussion. Almost every hon. Member without an exception has made some contribution or other which I hope will be considered by the Government. Sir, the Government were complimented on the introduction of electricity in the rural parts and also on the provision of water-supply. They have also been complimented on the fee concession and exemption of certain perishables from sales tax. They have been complimented by everybody in the House who spoke on the subject. In this I include the warm supporters of the Government, Sri Alla Pichai and Sri Mohammed Usman and do not exclude Sri Bhashyam. (Sri K. Bhashyam : 'As I have welcomed some of the measures mentioned by you, you can include me there.') Yes. I have included him also. That apart, I would like to compliment the Government on another matter. Sir, an important feature in a budget is to see that the financial credit of the Government is kept up very high. I am pleased that the financial credit of the Government is kept up very high by the Government. The financial credit of the Madras Government is higher than that of any other State Government of India. This can be seen from the fact that when the Madras Government float some public loan it becomes oversubscribed. This itself is a great credit to the Government. I think the Hon. Sri M. Bhaktavatsalam in his speech has also referred to the fact that the Government credit has been kept up. Sir, I fancy that it is to keep up the credit of the

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Government the Hon. the Minister for Finance wanted to cover the deficit. There are many other Governments who have submitted deficit budgets. Our Finance Minister did not want to follow them apparently, but wanted to cover the deficit and keep up the Government's credit in the public market.

"Sir, hon. Members of this House were unanimous in suggesting that there should not be any fresh taxation. I also join with them in suggesting that there should not be any fresh taxation. I would even like to go to the extent of saying that the present tax burden can be reduced to a certain degree. Because, first of all, we will get a good share of the increased revenue that the Government of India are going to get through income-tax as is shown by the Union Finance Minister in his budget speech. Then, Sir, we have passed in the Assembly a measure for collecting sales tax in advance. I think that measure will go through this House also shortly. The result of this measure will be that the Government will be collecting a sum of Rs. 9 crores more in the year 1955-56. That is not mentioned in the budget at all. The sales tax assesses will have to pay not only the previous year's tax, but also the current year's tax in advance. In the year 1944 or 1945 income-tax was collected for two years. Thus, the Government will get Rs. 9 crores as advance tax and they will continue to get this tax in advance every year."

THE HON. SRI C. SUBRAMANIAM :—"That is what we are doing even now. It is nothing new."

* DR. V. K. JOHN :—"But, now every man is not compelled to pay."

3-20 P.M. THE HON. SRI C. SUBRAMANIAM :—"The hon. the Deputy Leader of the Opposition seems to be under a misapprehension. What we are now doing is to regularize the existing practice and nothing more than that. Unfortunately, this was provided for in the rules which were considered and approved by the Legislative Assembly and the Council in 1939. The High Court said that it should not find a place in the rules but should be provided for in the Act itself. That is the only thing the Government have done and no further advantage has been gained by the Government by the passing of this measure."

* DR. V. K. JOHN :—"There are many cases, I know, wherein tax has not been paid in advance. They have only submitted accounts but not paid money. I do not know whether the Hon. the Finance Minister knows this."

THE HON. SRI C. SUBRAMANIAM :—"I am quite aware of it."

* DR. V. K. JOHN :—"But the more important thing is that we must try to reduce the expenditure. Now, Sir, if you look into the expenditure in previous years, you will find there is great scope

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now for a reduction in expenditure. In the year 1938-39, the expenditure on General Administration was 276 lakhs of rupees. It went up to the enormous figure of 750 lakhs of rupees before partition and the provision made in the budget last year—I speak with reference to actuals given for last year—was 466 lakhs of rupees. I am glad that the Hon. the Finance Minister has now reduced it to some extent, viz., to 392 lakhs of rupees. While I compliment him on effecting this reduction, I ask: Is this not a very high rise—from 250 lakhs to four crores of rupees, 250 lakhs for the composite Madras State and four crores for the present Madras State? As one of the hon. Members of the House, Mr. T. Purushotham, pointed out, we have appointed too many people and I presume that we were not able to make the Andhra State take their quota of officers, which they should normally have taken. Now we should try to reduce this expenditure and if we try, it may be possible to effect reduction to the extent of at least a crore of rupees.

"Take another item of expenditure. I am only going to take a few items into account. The expenditure on Police administration in the year 1938-39 was 160 lakhs of rupees and it went up to the huge figure of 716 lakhs of rupees before partition. The expenditure now budgeted for is 486 lakhs of rupees or so. This is enormous expenditure. We must see how the Police administration has come to cost us so much. The real fact is that unnecessary expenditure is incurred on the Police probably on account of the Ministers' tours and the Governor's travel. Our Governor, Mr. Sri Prakasa is a very popular figure in South India. I think he is more safe in Madras State than anywhere else. Of course, he is liked in all parts of the country but why should there be 100 policemen attending on him when he visited Kodaikanal last year just for three days? Then, Sir, I know from a friend who knows everything about it that there is a bunk in Chingleput from which to carry the policemen to and fro in vehicles, the Government are spending 28,000 rupees a month on petrol. There must be an explanation given by the Hon. the Finance Minister as to how the expenditure went up to 750 lakhs from what was just more than one crore of rupees, particularly at a time when the Britisher has already left and we are no longer fighting him. There is no need for so much expenditure on the Police."

"Then, Sir, take the Jail administration. It is a pity to see that from 23 lakhs of rupees in 1938-39, it went up to 142 lakhs before partition and it is nearly a crore of rupees now. On jails, why should the Government spend so much? These are matters that require investigation. I am not going into everything. I suggest that all items of expenditure should be gone into thoroughly by the Hon. the Finance Minister and the Finance Department carefully and in detail. If that is done, it is quite possible that the Government can reduce the expenditure by a few crores of rupees. I have only touched upon three items of expenditure. Take education. It was 450 lakhs of rupees before we took over in 1947. It went up

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to ten crores of rupees later and on the eve of partition it was twelve crores. I remember, in the pre-Constitution Council, I had, as Leader of the Opposition, asked the Education Minister, Mr. Madhava Menon at that time, to tell the House to what extent we had improved in the matter of education. In other words, I wanted to know what the result of spending 450 lakhs of rupees on Education was. Sir, an expenditure may be beneficial and an expenditure may be a waste. After looking into the figures, Mr. Madhava Menon told me that there was ten per cent increase in the school-going population as a result of spending 450 crores of rupees. It really ought to have been double the previous number. Therefore, there may be some wasteful expenditure in respect of all our nation-building activities like Education, Medicine, etc. We were spending about 16 crores of rupees in 1938-39 in all and before Partition it went up to 60 crores of rupees. How this expenditure has gone up is a matter to be investigated. All through the Budget speech, you will see, Sir, the Finance Minister saying 'We are spending so much on this and so much on that'. But he has not told us what the result of that spending is. I suggest, Sir, that a very great check should be applied on the expenditure of the Government and the Finance Minister, as some hon. Members pointed out, must have this as his full-time job. He should not be saddled with other subjects like Education, which in themselves can break new ground and who can boldly carry out anything new. I suggest that he is relieved of all other duties and given a Deputy Minister to assist him in his work. Finance is the most important of all the subjects.

'Sir, one fact is always forgotten. It is this. The Government do not seem to show any recognition of the fact that the revenue of the State depends on the growth of the economic strength of the people and their purchasing power. It is from the economic strength of the people that the revenue must increase. It is not by fresh taxation. You will find in Britain, Sir, the income is over 6,000(?) crores of rupees whereas our total income including that at the Centre and in the States comes only to 1,000 crores of rupees. Why is the income larger in Britain? It is because the income has increased in proportion to the growth in the economic strength of the people. That is so in America also. Now let us take the neighbouring country—Ceylon with eight millions of people. There the revenue is 102 crores of rupees. That is because the people's purchasing power is high. We are following just the opposite of what America does. Last year, the Hon. the Finance Minister thought that he should go into the question of purchasing power and unemployment, and he did go into the question, for I find at page 17 of his Budget speech delivered last year he said:

'Turning from the rural to the urban industrial sector, it is not quite so much of unemployment that we are faced with as the absence of proper environs for the development of industries. Private capital is shy in seeking new venture and even in the existing limited field, there is little of new investment. The real trouble seems to be consumer-resistance caused by the low purchasing power of the masses and this can be corrected only on a long-range basis.'

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In the previous paragraph he had dealt with unemployment at very great length.

'But here in the present Budget we find nothing at all. Sir, 3-30 what is being done in America is explained in the President's p.m. Address to the Congress of the United States on 20th January this year and I would beg your leave to quote from that address the words, expressed by the President, on the principle and policy by which American economy is built up. He said:

'The need of our times is for economic policies that in the first place, recognize the proven sources of sustained economic growth and betterment, and in the second place, respect the need of people for a sense of security as well as opportunity in our complex, industrialized society.'

Then he said:

'The role of the federal Government in the achievement of these goals is to create an atmosphere favourable to economic activity by encouraging private initiative, curbing monopolistic tendencies, avoiding encroachment on the private sector of economy, and carrying out as much of its own work as is practicable through private enterprise. It should take its full part at the side of state and local Governments in providing appropriate public facilities. It should restrain tendencies toward recession or inflation. It should widen opportunities for less fortunate citizens, and help individuals to cope with the hazards of unemployment, illness, old age and blighted neighbourhoods.'

Continuing the President said:

'With wise management of the national household, our country can within a decade increase its production from the current annual level of about 360,000 million dollars to 500,000 million or more, expressed in dollars of the same buying power. In the future as in the past increases in productivity and in useful employment opportunities will be the core of economic expansion.'

Again the President observed:

'Instead of expanding federal enterprises or initiating new spending programmes the basic policy of the Government in dealing with the contraction was to take actions that created confidence in the future and stimulated business firms, consumers and States and localities to increase their expenditure.'

Coming to the cut in taxes by Government, the President said that not only the Government will reduce taxes, but:

'Apart from this, the decline in private incomes was automatically cushioned by increased payments of unemployment insurance and other benefits and by sharp cuts in taxes due to the Government on the reduced incomes.'

This is how the American Government try to check the decline in private incomes. They make provision for unemployment insurance, etc. Do we have such concessions like unemployment insurance, etc., in India? The answer is 'no.'

'It is said one in four owns a car in America. Millions of cars are purchased in America by the people. Their purchasing power is high. A labourer there earns Rs. 1,200 a month, has a furnished house and a car. His purchasing power is high. He owns a car. More cars are sold. More petrol is sold. Their business flourishes thus. The growth in the economic strength of the people is thus accelerated. When the economic strength of the people thus goes up, naturally more revenue is got by the State. But what are we doing here? What we are doing is taking away the purchasing power of the people. By taxation, and particularly regressive taxation, such as sales tax, we take away the purchasing

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power of the people and also increase the cost of living. If you give Rs. 100 to a man, you take by way of indirect tax Rs. 50 and thus leave only Rs. 50 for him for his purchases. What could he do with only Rs. 50. The law of diminishing returns will be the result. The Leader of the House in his Budget speech last year referred to diminishing returns. Therefore should we not have a policy which will give added economic strength to the people instead of taking that away from them? Should we not try to increase the purchasing power of the people, their business and their production simultaneously? What has this Government done in this regard? We have only increased the revenue not from the increased economic strength and not by increasing the purchasing power of the people but by new taxes whereby we only diminish his purchasing power. From a revenue of Rs. 16 crores in 1937-38 our revenue has grown to Rs. 60 crores in the Composite State of Madras and in our present State of Madras our revenue receipts amount to Rs. 50 crores. That is what we have taken from the people. You say you spend that amount for the sake of the people. But has the expenditure increased the purchasing power of the people? Whenever you introduce any taxation measure, you should think of the effect it will have upon the people. For years you have to watch and find out what effect it has and if the tax is found to be regressive, then you must at once repeal it because if you do not do so the law of diminishing returns will repeat itself and you will not be able to get what you want, i.e., the desired revenue.

"We have now the unemployment problem. Mr. Bashyam has referred to it and he has pointed out how there is no mention about it in the Budget. Budget is not mere figures of income and expenditure. Budget must represent and reveal the policy and programme of Government. Do the Government feel that the purchasing power of the people has gone down and therefore poverty and unemployment are growing in the State? I feel that the reason for the present state of poverty and unemployment of the people to-day is due to the regressive taxes that the Government have been levying for the last few years taking away the purchasing power of the public. It is simple mathematics. If you give Rs. 100 to a man, you take away indirectly by taxation Rs. 50 and thus give only Rs. 50 to the man. You take away his purchasing power. The income-tax does not apply to one earning below Rs. 4,200 annually (even though the computation of the tax has been revised in the present Central budget) and Rs. 3,000 is fixed as the limit. Why is it fixed? Because it is taken for granted that an annual income of Rs. 4,200 is sufficient only for maintaining the family of a person, for educating his children and for attending to other urgent necessities. Only if the income exceeds Rs. 4,200 his income is taxed. By the fixation of the limit of Rs. 4,200 it is meant that the purchasing power of a man earning below Rs. 4,200 is such that he should not at all be taxed. But what did you do? You tax a man getting below Rs. 4,200 a year. On all sorts of things you levy the sales tax. Even the

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beggar's bowl is taxed, and so by this regressive taxation, the purchasing power of the people has gone down. Side by side with this regressive taxation, you tax those who travel by buses. Transport has come to stay and people in the villages and cities are accustomed to travel by buses. You step in there also and you take away a large amount by way of tax on buses. It is about Rs. 10,000 a bus.

"The Hon. Finance Minister, I remember, once told the House that this money was paid only by the operator. But how could the operator pay such huge tax? He collects it from the passengers, poor passengers, and that amounts to indirect taxation on the travelling public. In Paris for one anna you can travel 200 miles in a public conveyance run by a private body. But here what is the position? You pay for travelling from Mylapore to Georgetown four annas and for going back from Georgetown to Mylapore you pay four annas. You must be able to travel at least ten miles to and fro for one anna. This reduces his purchasing power. The Government collect the tax and the travelling public pay that money—not directly into the Government but through the operator. It is foolish to say that the operator will pay out of his pocket this money and the traveller is untaxed. I would suggest, therefore, that the Government must first of all find out whether there are any regressive measures of taxation. They are introducing taxation measures year after year. They are frequently bringing in taxation measures to increase their income. They must find out what the effect of their taxation measures is. The Government collect the taxes and spend the money on so many departments. As I pointed out before, the expenditure on the Police Department has gone up many times. We do not know what result is produced as a result of the greater expenditure on education and other nation-building activities. We have no figures. We have only figures for the money that is to be spent. I can say that I have spent out of my pocket one hundred rupees. For what purposes is the question. The Government spend money on so many departments. What is the result of their spending? Nothing is known at all. In the whole accounts submitted to the Legislature we do not have any figures to show what is the result that the Government have achieved after spending crores of rupees. I suggest that the Government give the result of expenditure on irrigation, electricity, and other schemes. Let us know what they have achieved. Let us have comparative figures also from other States to know if they have spent so much. How many schools have been opened in our State? Nothing is found regarding these in the budget. What has been the result of spending so much money? One is led to think that part of it was a waste. If only the Government avoid this waste, they can immediately cancel some of the taxation measures in force. I suggest strongly that the Government follow the recommendation of the Taxation Enquiry Commission and charge only half a per cent as sales tax at each point. Instead how much do the Government charge now? Some papers have worked out

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the figures of sales tax levied at multiple points, and have pointed out that the Government are charging as much as twenty-five per cent of the value of the article at various stages put together. But the Taxation Enquiry Commission have recommended only a maximum of half a per cent of sales tax and this will work out very much less. Will the Government accept this recommendation and reduce the sales tax? They certainly know that this tax is a regressive form of tax and that it will certainly affect adversely the purchasing power of the people and instead of creating economic strength in the people, it will only weaken it. My advice to the Government is that the Government must examine every measure of taxation. Let them not rush through measures of taxation. Let them go slow; find out what the results of the various taxation measures are, and then only think of bringing in taxation measures, if any. It is in the interest of the assessee, the public, and the Government that we do not introduce regressive measures of taxation which take away the purchasing power of the public. Let us follow the American example—the richest country in the world.

“ In America even in the public sector, they employ private agencies. Irrigation works in America are carried out by private agencies. Water was taken from a river 400 miles away to an interior place—1,200 square miles of arid desert—wherein there was no rain for seventy years. Who did this? It is only a private individual. He improved the land there, demarcated plots, and leased those plots. Millions and millions of tons of food were raised on those plots. In America they encourage private enterprise. The American President says that even in other sectors where the public are interested, the Government will carry out those works, as far as possible, through private enterprise. Sir, I was once discussing this question with the hon. Member Sri O. P. Ramaswami Reddiar when he was the Chief Minister. I was discussing the question whether it was not possible to bring water from Krishna river to Madras City. It was found out that a private agency could do that work at one-third of the cost estimated by Government, if only the State guaranteed the private agency a return. The private agency was willing to undertake that work. We can give all big schemes for execution to the private agencies. They can be allowed to collect the betterment levy. Or the Government may collect the betterment levy on behalf of the private agency. The Government must give a guarantee to the private agency. That is all. But now what is being done? Our State loans outstanding on the 31st March 1954 amounts to Rs. 93,54.97 lakhs. Out of this amount Rs. 34.40 lakhs represent the open market loans. What have the Government done with this money? We are borrowing more and more every year. Have we made provision for a sinking fund? Every year we go into the market for loans. We spend almost all the money that we get from loans on electricity schemes, irrigation schemes, etc. What is the result of spending money on irrigation schemes? The Government are trying to recover a betterment contribution

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from the people. Who are the people benefited? Only a small section of the people and not all. The point for consideration is that the Government get all the money and spend it only to help five per cent of the people. For helping five per cent of the people to produce more all others have to pay. Now the Government have introduced the betterment levy. If only they had handed over these irrigation works to private agencies, they would have executed these works at far less cost. The Government need not have borrowed at all. My question is: Where is the end for this borrowing? Where is the sinking fund? Are we to take undue advantage of the fact that we have got credit in the market? Can we go on borrowing and mortgaging the future revenues of this State for generations to come? This is a very wrong principle. The Government have made no provision for a sinking fund which will liquidate their debts in a few years' time. This is what a wise man, who borrows for making investments, will do. The Government are borrowing because they have the ability to do so.

“ I find, Sir, that the Government of India, in their financial relations with the States, are doing a great injustice. We have to depend on their charity and loans. Why cannot they say, ‘ So much is to be given to a State every year.’ If that be so, we can base our plans on that. Why should we be asked to pay interest on the loans given to us by the Government of India? Sir, the Corporation of Madras has borrowed large sums from the Madras Government. A sum of twenty-four lakhs of rupees is being spent, out of a revenue of Rs. 2½ crores, for paying interest to the Government. How long can the Corporation continue in this manner? The Government should state on the other hand; ‘ This is what we give away to the Corporation.’ After spending nearly ten shillings in the pound for defence the Government of Great Britain are giving twenty-five per cent of their revenue to local bodies. The Hon. Sri M. Bhaktavatsalam has said in his speech that because local bodies have no money, they are unable to carry on. The whole of our policy is wrong. The Government of India ought not to be giving these loans and giving us grants according to their will and pleasure. After all it is money collected from the State.

“ The solution of the unemployment problem and the execution of the development plans can be best attended to by the local bodies. Sir, yesterday my hon. Friend sitting to my right said that he had no faith in the local bodies and education should not be entrusted to them. I quite agree that the local bodies are not functioning well to-day. Perhaps, 99 per cent of the Co-operative Societies in the rural parts are also not functioning well. But we ought to have taken the first step by putting them on their feet. It is only after putting the local bodies and co-operative institutions on their feet that the Government should have started their First Five-Year Plan and Second Five-Year Plan and other Plans. It is only when you decentralize authority and responsibility, you can

[Sri A. Subramanyam] [2nd March 1955]

பட்டினம். இந்தத் தொகையை ஈடுசெய்யவேண்டும். அதற்கென்ன வழி என்பதை ஒவ்வொருவரும் நன்கு ஆராய்ந்து தெரிந்துகொள்ளவேண்டிய நிலைமை ஏற்பட்டிருக்கிறது. அப்படிப்பார்க்கின்றபோது சில வரிவசூல் அவசியம் உயர்த்தவேண்டியிருக்கிறது. அதன் காரணமாக நிலவரி, நீர்வரி ஆகியவைகளின்பேரில் ரூபாய்க்கு 2 அணை வீதம் அதிகவரி உயர்த்தப்பட்டிருக்கிறது. இதைப்பற்றி வெகு சிலர் விபரீதமாக கூறுகின்றார்கள், இதை ஆட்சேபிக்கவும் செய்கிறார்கள். செலவினங்களை சரிக்கட்டுவதற்குத் தகுந்த காரணங்களைக் கூறுகின்றார்களா என்று பார்த்தால் ஏதேதோ காரணங்களைச் சொல்லுகிறார்களே தவிர சரியான காரணங்களைச் சொல்லி ஈடுகட்டுவதற்காக வழிவகைகளைக் கூறுவதில்லை. கோடிக்கணக்கான தொகை துண்டு விழுகிறது, அதையும் ஈடுகட்டியாகவேண்டும். அந்த முறையில் நம்முடைய பட்ஜெட்டில் துண்டுவிழும்படியான நிலைமை ஏற்பட்டிருப்பதை சரிக்கட்டுவதற்கான யோசனைகள் சொல்லப்பட்டிருக்கின்றன. அதனை நாம் ஆதரிக்கவேண்டுமென்பது ஒவ்வொரு அங்கத்தினரின் கடமை யாகும். இந்த நிலைமையில் பட்ஜெட் பற்றியே நான் அதிகமாக பேச விரும்பவில்லை. ஏனெனில் எல்லோரும் அதைப்பற்றி வெகுவிவாகப் பேசி இருக்கிறார்கள்.

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“குறிப்பாக இவ்வருடம் போற்றுகிறாயது. கனம் நிதி மந்திரி அவர்கள் தமிழிலே வரவுசெலவு திட்டத்தை சபை முன்பு சமர்ப்பித்தார்கள். இது வரவேற்கத்தகுந்தது. ஆனால், அவர்கள் தமிழில் சமர்ப்பித்ததோடு, தமிழிலேயே வாசித்திருந்திருப்பார்களேயானால் மிகவும் நன்றாக இருந்திருக்கும். இந்த ராஜ்யத்திலுள்ளவர்களும் அதை நன்கு வரவேற்றிருப்பார்கள். ‘யானைவரும் பின்னே மணி யோசைவரும் முன்னே’ என்ற பழமொழிக்கிணங்க, அடுத்தவரும் ஒன்றிரண்டு ஆண்டுகளுக்குள் னேயே தமிழ்மொழியானது ஆட்சி மொழியாக வரப்போகிறது என்பதற்கு இது ஒரு அறிகுறியாகும். தாமதமாக கனம் நிதி மந்திரி அவர்களின் பிரச்சனம், தமிழில் மொழிபெயர்த்துகொடுக்கப்பட்டிருந்தாலும், அதைப் பற்றி இன்னும் கொஞ்சம் காலதாமதம் செய்யவேண்டுமென்ற தோஷனையில் தமிழைப்பற்றி பேசிக்கொண்டோ, அதைப்பற்றி பிரசாரம் செய்துக் கொண்டோ, வேறுவித அபிப்பிராயம் கொண்டோ இருப்பார்களேயானால் பிரயோஜனமில்லை. உடனே தமிழ் மொழி ஆட்சிமொழியாக்கப்படல் வேண்டும்.

“இந்த நாடு தமிழ் நாடு, ஆந்திரநாடும் பிரிந்துவிட்டது, தெலுங்குப் பிரச்சனையும் தீர்ந்துவிட்டது, மலையாளம், கன்னடம் ஆகிய மொழிகள் பேசக்கூடியவர்கள் ஒரு சில ஜில்லாக்களில் இருந்துகொண்டிருக்கிறார்கள். இச்சபையில் இருக்கக்கூடிய மலையாள கன்னட அங்கத்தினர்களைச் சேர்த்து எண்ணிக்கையைப்பார்க்கப்போனால் குறைந்தது 5 நபர்கள்தான் இருப்பார்கள். எனது நண்பர் ஸ்ரீ அண்ணாமலைப் பிள்ளை அவர்கள் சொல்லுகிறார் ‘நாலு பேர்கள்தான் இருக்கிறார்கள்’ என்று. 5 அங்கத்தினர்கள்கூட இல்லையென்று சொல்லுகிறார்கள். அதை நான் ஒப்புக் கொள்ளுகிறேன். இந்த நிலைமையில் இருக்கும்போது அவர்களுக்காக ஆட்சி நடத்தவேண்டுமென்று கூறினால் இதை யாரும் ஒப்புக்கொள்ளக் கூடியதல்ல. மேலும் சீனாவின் பிரதம மந்திரி அவர்கள் சமீபத்தில் இந்திய நாட்டுக்கு வந்துபோனார்கள். இந்நாட்டிற்கு வந்திருந்தபோதிலும் அவர் சீனா பாஷையில் தான் பேசினார்கள். அவர் சீனமொழியில் பேசியதை மொழிபெயர்த்துக் கூறவேண்டியிருந்தது. அவர் தாய்மொழியின் மீது எவ்வளவு அக்கரைகொண்டிருக்கிறார் என்பதைக்காட்டுகிறது. நமக்கெல்லாம் பாடம் கற்பித்துவிட்டுப் போயிருக்கிறார். ஆகவே நம் நாட்டில் தமிழ்மொழியை ஆட்சிமொழியாக்கவேண்டும் என்பது அவசியம்.

“பாரத நாட்டுக்கு ஒரு பொது பாஷை இருக்கவேண்டும். அது பாரதநாட்டில் பெரும்பான்மையார் பேசும்படியான பாஷையாகியிருக்க வேண்டும். அதுதான் ஹிந்தி பாஷை. இதை யாரும் மறுக்க முடியாது.

[2nd March 1955] [Sri A. Subramanyam]

ஆகவே, ஹிந்தி பாஷையை கற்றுக்கொள்ள வேண்டியது அவசியம். ஹிந்தியை வடநாட்டு பாஷை என்று கூறுவது அர்த்தமற்ற பேச்சு. ஹிந்தியை நம்முடைய பிள்ளைகளுக்குக் கற்றுக்கொடுக்காவிட்டால் பிற்காலத்தில் அவர்கள் உத்தியோகத்திலும், மற்ற துறைகளிலும் முன்னேறுவதற்கு மார்க்கம் இல்லாமல் போய்விடும். தமிழ் நாட்டிலுள்ளவர் அனைவரும் ஹிந்தி பாஷையைக் கற்க வேண்டியது மிக மிக அவசியம். முதலிலே தாய் பாஷை. தமிழ் நாட்டில் தமிழ் தாய்மொழியாகும். இரண்டாவதாக பாரதநாட்டின் பொதுபாஷையாக ஹிந்தி பாஷை இருக்கவேண்டும். மூன்றாவதாக ஆங்கிலம் உலக பாஷையாக இருக்கவேண்டும். ஆங்கிலமும் வேண்டும், ஹிந்தியையும் கற்கவேண்டும், ஆனால் தமிழ் நாட்டில் தமிழ் ஆட்சிமொழியாக்கப்படவேண்டும் என்பதுதான் நம்முடைய முக்கியமான நோக்கமாக இருக்கவேண்டும். இதனை அரசாங்கம் செய்ய தயங்கக்கூடாது. தமிழ் பாஷையை ஆட்சிமொழியாக ஏற்படுத்தவேண்டுமென்று மறு முறையும் கேட்டுக்கொள்ளுகிறேன். இது விஷயமாக அதிகமான சர்ச்சைகளுக்கு நான் இடங்கொடுக்கவிரும்பவில்லை. ஆனால் ஒன்றை மட்டும் கூற விரும்புகிறேன்.

“கேள்வி நேரங்களில் தமிழில் கேள்விகள் கேட்டால் சிலசமயங்களில் கனம் மந்திரிமார்கள் ஆங்கிலத்திலேயே பதில் சொல்லுகிறார்கள். சில சமயங்களில் அவர்களுக்கு இஷ்டம்போல் தமிழிலும் பதில் சொல்லுகிறார்கள். இது கூடாது. தமிழில் கேள்வி கேட்டால் தமிழிலேயேதான் பதில் சொல்லவேண்டும். ஆங்கிலத்தில் கேள்விகள் கேட்டால் ஆங்கிலத்தில் பதில் சொல்லிக்கொள்ளலாம். இந்த முறையை இனி கனம் மந்திரி மார்கள் அனுஷ்டிக்க வேண்டுமென்று நான் கேட்டுக்கொள்ளுகிறேன்.

“கல்வி விஷயத்தில் நமது கனம் நிதி அமைச்சர் அவர்கள் வெகு தாராள மனப்பான்மையை செலுத்தியிருக்கிறார். 1937-ம் வருஷத்திலிருந்து சென்னை சட்டசபையில் பிற்போக்கு இனத்தவர்களுக்காக சலுகை செய்யவேண்டுமென்று நான் கூறி வந்திருக்கிறேன். மனித சமூகத்தில் மிகவும் தாழ்மையான நிலைமையிலுள்ள எல்லா பிற்பட்ட இனத்தவர்களுக்கும் கல்வி வசதியளிக்க வேண்டுமென்று எப்பொழுதும் நான் கூறி வந்திருக்கிறேன். மேடைகளிலும் நான் அதிகமாகப் பேசியிருக்கிறேன். இருந்தாலும்கூட சிற்சில உதவிகளைத்தான் அரசாங்கத்தார் செய்து கொண்டுவந்தார்களே தவிர இப்பொழுது கொண்டுவந்திருக்கும்படியான பரந்த நோக்கத்தோடு செய்திருக்கும்படியான நிலைமையில் அந்த காலத்தில் செய்யப்பட்டவில்லை. இந்த காலத்திலாவது ஒன்று முதல் எட்டாவது வகுப்பு வரையில் எல்லா ஏழைப் பிள்ளைகளுக்கும் இலவசமாக கல்வி கற்க வசதி செய்யப்பட்டிருக்கும் ஒரு பட்ஜெட்டை தமிழ் நாட்டில் யாவரும் நன்கு வரவேற்பார்கள் என்பதில் சந்தேகமில்லை. அதற்காக அவருக்கு நன்றி செலுத்த கடமைப்பட்டிருக்கிறேன். மேலும் பிற்பட்ட இனத்தவர்கள் விஷயத்தில் இன்னும் அதிகம் கவனம் செலுத்தப்படல் வேண்டும். பிற்பட்ட இனத்தவர்களில் இன்னும் எத்தனையோ பேர்கள் எஸ்.எஸ்.எல்.ஸி. வரையிலாவது படிப்பதற்கு ஊக்கத்தோடும், உணர்ச்சியோடும் இருந்து கொண்டிருக்கிறார்கள். அந்த வகையில் பிற்பட்ட இனத்தவர்களுக்கு எஸ்.எஸ்.எல்.ஸி. வரையில் முழு சம்பள உதவி கொடுத்து அவர்களுக்கு வேண்டிய எல்லா வசதிகளையும் செய்துதர வேண்டுமென்று இந்த சந்தர்ப்பத்தில் தெரிவித்துக்கொள்ள ஆசைப்படுகிறேன். அதை கனம் நிதி மந்திரி அவர்கள் கவனிப்பார்களென்று எதிர்பார்க்கிறேன்.

“பிற்பட்ட இனத்தவர்களுக்கு உத்தியோகங்கள் கிடைப்பது ‘குதிரை கொம்பாகத்தான் இருக்கிறது’ எங்கு பார்த்தாலும் ஜலம். ஆனால் குடிப்பதற்கு மட்டும் ஒரு சொட்டு ஜலமில்லை என்று கூறுவதைப்போன்று பிற்பட்ட இனத்தவர்களுக்கு அரசாங்கம், ஏதாவது உத்தியோக சலுகை செய்து வருகிறதா என்றால் சரியானபடி கிடையாது. எல்லா டிபான்ட்மெண்டுகளிலும் முற்பட்ட சில வகுப்பினர்களை எல்லா பெரிய, சிறிய உத்தியோகங்களில் இருந்து வருகிறார்கள் ஆனால், பிற்பட்ட இனத்தவர்கள் கிடையாது. இது வருந்தவேண்டிய விஷயமல்லவா? பத்து பதின்ந்து வருஷங்களாக இது விஷயமாக நான் சட்டசபையில் வாதிட்டு வந்திருக்கிறேன்.

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create a Welfare State. This is a thing which has been recognized by the Centre very late. What is the condition of the local bodies to-day? I do not think that the hon. Leader of the Opposition will take exception to entrusting some of these works with the local bodies once they are capable and competent to look after them. This is being done in Britain and other countries. The local bodies in my opinion should consider it as their responsibility, their concern, their privilege and their pride to create and promote a Welfare State within their jurisdiction. It is their duty to see that every man within their respective jurisdictions is employed, gets food, clothing, shelter, proper sanitary facilities, education, recreation and social securities such as provision for old age, unemployment and sickness and provision for widows and orphans and others in need. The local bodies must attend to all these. Only when we make the local bodies capable of attending to these matters, we can think of any plan. Now, they want to build on sand. It is no good. The foundation on which we can build up our schemes and carry through our programmes in the public sector is the local self-governing bodies. Really, they are the true foundation on which we have to build up our Welfare State. But, to-day we see that that foundation is not properly laid. Why don't we wait for 2, 3 or even 5 years to create that foundation and see that that foundation is firmly laid? Especially when he want to put up a structure on it and when we are spending crores of rupees on our schemes, when we are faced with a deficit budget to cover which new taxes are being imposed upon, it is but just and proper that we see that the foundation, viz., the local bodies, is properly laid. I must say that the Government are wasting crores and crores of rupees. What is the advantage that the villagers derive? Sir, I have also gone to the villages and seen conditions there. What are the development schemes that the Government have undertaken in the villages in the last 4 or 5 years? The Government have done precious little in the villages. The reason is, money was spent at the State level and not at the local level. That is why no appreciable result has been achieved. The Government have not laid the foundation well in the matter of decentralization. Unless they give more powers to these local bodies, there cannot be any progress at all."

* SRI T. PURUSHOTHAM.—"On a point of information, Sir. Is the hon. Deputy Leader of the Opposition contemplating a different kind of local bodies from what we have got now? Or, is he referring to the present local bodies which he himself says are not capable?"

* DR. V. K. JOHN :—"Sir, I do admit that the local bodies as they are constituted to-day are not capable of discharging these functions. They are not trained for this job and they have not got the proper leadership to undertake these jobs. Now, we never entrust them with money or responsibility. We must take early steps to put them on their feet and build up proper leadership and provide them with adequate sums of money to be properly spent and not to be misappropriated. The Government do not care to do these

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things. There is no use in simply saying 'Oh! there are factions. So we cannot entrust them with heavy responsibilities and large sums of money.' If the Government want to establish a Welfare State, they must come forward to put the local bodies on their feet so that they can provide all the amenities to the people within their jurisdictions.

"Sir, I have been repeatedly saying on the floor of this House that the Government must lose no time in bringing forward a suitable measure to ban and even penalize money-lending at usurious rates of interest. It is freely said that some Congress leaders are interested in this usurious money-lending. I do not believe it. But I cannot see why this Government, although they have promised us again and again year after year that they would introduce a measure in this regard, have not done anything up till now. Unless the Government prevent money-lending at usurious interest and unless they also prevent money-lending at more than 2 per cent interest, money will not be drawn towards the co-operative societies. Unless the co-operative societies are able to command some finance, it will be very difficult to liquidate both rural and urban indebtedness. One of the great things to be done under the present circumstances besides providing employment to all, is to find a solution for liquidating agricultural indebtedness. We must think of a comprehensive solution to solve this problem. We must see that larger and larger sums of money are invested in co-operative societies, which in turn must lend money at a small interest to the needy agriculturists. Unless this is done, it will not be possible to create a Welfare State and to push through and execute many of the schemes which are under contemplation. If we fail to do this, all our public spending will be a waste as it has been almost a waste up to this time. The Government may go on spending money. They can go on resorting to all sorts of regressive taxes. They may go on collecting as much as they can from the people. But, I am sorry to observe that they will not be able to spend the money that they have collected from the people effectively. The effect of their spending huge sums of money will be very little and negligible. I suggest that the Hon. the Minister for Finance may kindly go into this question and see for himself the effect of these taxes upon the public at large, and to what extent their schemes have benefited the people."

THE HON. SRI C. SUBRAMANIAM :—"I am afraid the hon. Deputy Leader of the Opposition may have to take over the Finance portfolio so that he could push through all these things."

* DR. V. K. JOHN :—"Sir, that is not at all an answer to the question. The Hon. the Minister for Finance has too much to do and I am quite sure that if he devotes his full time to Finance, he can break new ground and see that wastage is avoided."

"I wish to say a few words about Courts. Sir, the hon. Leader of the Opposition, Dr. Lakshmanaswamy Mudaliar, while speaking

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on the budget yesterday referred to courts and the delay in the disposal of cases. As I am practising in courts, I would like to say a few words on the subject. I should say that the delay in the disposal of cases is due to the fact that there are appeals, second appeals and letters patent appeals and other appeals. This is again due to the fact that we are following the Civil Procedure Code given to us long, long ago. Sir, so many cases involving large amounts are disposed of summarily by the Regional Transport Authorities and similar Tribunals. My suggestion in this regard is this. If only the cases can be disposed of by three Judges summarily, it will not take much time. In respect of these cases, we need not provide for appeals except in cases where questions of law are involved. I feel that this matter has got to be investigated. As far as the High Court is concerned, I must tell my hon. Friend Dr. Lakshmanaswamy Mudaliar, that after the Britishers left, the High Court is the best. There is no favouritism. There are not sleeping Judges. There are Judges who know the laws very well."

DR. A. LAKSHMANASWAMI MUDALIYAR :—" By way of personal explanation, I would like to tell my Friend Dr. John that I never referred to the High Court at all. I went out of the way to say that there was delay in the mufassal courts and also to refer to the effects of the separation of Judiciary from the Executive in that respect."

* DR. V. K. JOHN :—" Sir, I am glad that Dr. Mudaliyar did not refer to the High Court in regard to this matter. I thought that he was referring to the High Court as not having taken adequate steps to see that there was no delay in the mufassal courts. Anyway, it is my intention to point out at this stage that all this delay is due to the fact that we have been following the old Civil Procedure Code."

" There is one other matter to which I wish to make a reference before I conclude my speech and it is about the language question. Sir. So many Members have spoken that Tamil should be the regional language of this State. I agree. But, I would like to make a suggestion in this regard. We must have a big State in South India."

" We must draw a line and make Mysore, Travancore-Cochin and Madras into one State. If all of them combine we shall be a big State. We shall have very good pull with the Central Government. Tamil is spoken all over India. Let us take Mysore. After all, if you do not know Tamil, you cannot probably get on in the Bangalore Cantonment. Hon. Members know that Malayalam is derived from Tamil and all Malayalees can understand Tamil cent per cent. Malayalam is closely allied to Tamil."

SRI A. M. ALLAPICHAJ :—" The hon. Member has become a convert to Mr. Gajapathy Nayagar's creed."

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* DR. V. K. JOHN :—" In Britain, Sir, the English language is accepted not only by the English people but by the Scotch and Welsh as well. Tamil is better than even Hindi and I do not see why in course of time, Tamil should not be made the language of the State which should consist not only of Tamilnad but also of Travancore-Cochin and Mysore. But what I am not interested in, is the division of this State into Kerala, Karnataka and Tamilnad. Such a division will only affect us very adversely. I want hon. Members to consider my suggestion regarding the possibility of a big maritime State in South India having fifty million people thriving here. In course of time Tamil will be the language of this State as English is the language in Britain not only for the English people but for the Scotch and Welsh people also, because fifty per cent of the Karnataka Members know Tamil and cent per cent of Malayalees know Tamil."

THE HON. SRI C. SUBRAMANIAM :—" Can you say, this elsewhere? "

DR. V. K. JOHN :—" I would say it anywhere. I hope this opinion of mine will be reported."

* THE HON. SRI M. BHAKTAVATSALAM :—" Mr. Chairman, Sir, I should like to intervene, with your permission, at this stage to answer a few of the points made and emphasized by some hon. Members of this House in the course of the discussion on the Budget in these three or four days. The Hon. the Finance Minister will be speaking at the end of the discussion to-morrow."

" Sir, I must at once express my sincere gratification and my appreciation for the manner in which the Deputy Leader of the Opposition dealt with the affairs of the Government in the course of the speech which he just now concluded. He pointed with a sense of pride to the high level of discussion that has been taking place in this House. I may tell him that nothing else can be expected from this House. I am particularly glad that the hon. the Deputy Leader of the Opposition has avoided his usual severe characterization of the errors of commission and omission on the part of the Government. He has been very friendly and constructive in the various suggestions that he has thrown to the Government. It may be, Sir, that Government may find several of these suggestions as somewhat impractical. But still, I can assure him that the Government do appreciate the sincerity and the earnestness behind the various ideas which he has presented to the Government."

" Sir, I agree, the Government agree and the House will agree entirely with the dictum enunciated by the hon. the Leader of the Opposition regarding the basis of any taxation measure. The first principle that he enunciated was that there should be capacity for the people to pay taxes that were levied by the Government and the second one was that there should be genuine need for the levy

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of such taxes. Taking these principles into consideration, Sir, I would reiterate that the Government have been strictly adhering to these two principles in their proposals for taxation.

Several hon. Members have referred to the proposed surcharge at a flat rate of two annas in the rupee on land revenue for the purpose of augmenting the revenues of the local bodies. In the first place, I would like to point out that the Government have come forward with this proposal because they feel there is need for it and also because they are not able to find any other source which will prove less burdensome to the people. One hon. Member referred to the resolution passed by the Indian National Congress to evolve a socialistic pattern of society in our country, and said that the proposed levy of a surcharge of two annas in the rupee on land revenue went against this professed ideal of a socialistic pattern of society. Hon. Members are aware that those who hold land in this country, whether it is 100 acres, or 50 acres or two acres or half acre, are a few in number compared to the larger number of people who do not own any land at all. In fact, the holders of land form only 1/9 of the population of this country. The Government are there to cater to the needs of the entire population of the country. Most of our people live in the villages. So, if Government come forward to levy a surcharge of two annas in the rupee on land revenue it affects only one-ninth of the population and that is done only in order to render some service to the entire population of the country. I would contend, Sir, that this is exactly in accord with the ideal of a socialistic pattern of society. Hon. Members can easily imagine how many people in the villages hold so much land as to pay a land revenue of 25 rupees annually to the Government. Those who pay a land revenue of 25 rupees have to pay, according to this proposal, Rs. 3-2-0 and this is for the purpose of securing some amenities for the people who badly need them in the villages. I do not think that those who may have to pay this surcharge—if the proposal is accepted by the Legislature—will feel it a serious burden. The Government, as I have already said, have come forward with this proposal because they felt there was no other source which would be less burdensome to the people if tapped.

4-10 P.M. "Several hon. Members suggested that the Hon. the Finance Minister could have left the entire deficit uncovered. He could have done it and he could have won universal applause in this House, and places outside. But, Sir, there is a sense of responsibility which Government cannot break. It is not merely framing budget and carrying on good administration. The Planning Commission has defined it as its ideal and objective and the Government too are anxious, to cover the entire area in the State with rural development activities; and it is not merely rural development activities that have to be carried out, there are other major schemes that have to be implemented and these schemes also go to the benefit, to the economic benefit of the villagers. Therefore, Government did think it their duty to come forward and face this

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problem squarely and that is why they decided to come forward with certain proposals of taxation which would enable them to carry out the programmes to which the people have been looking forward. Some hon. Members referred, while criticizing the proposal to levy a surcharge of 2 annas in the rupee, to the present fall in prices of agricultural products. But I would like to point out to the House that Government have been very anxiously watching the situation and have been taking necessary steps in the matter. I could assure this House that not only this Government but also the Government of India have taken up the matter; they have decided to purchase coarse grains; they have decided to liberalize their export policy with reference to the various agricultural products. Sir, this will go to show that the Government have not been sleeping over this important question which vitally affects the agriculturists. I would like to point out that the situation is not alarming as it is sought to be made out by some critics. In fact I make bold to say with all the sense of responsibility, with all the facts and with all the statistics I have been able to gather, that the situation is not yet alarming. The present fall in the price of agricultural products particularly paddy and rice and other food products should not be compared to the exciting rate of 1953 just immediately after control was suddenly taken out. I find that in 1953 the price of paddy per bag was Rs. 9-6-0. In 1954 the price was Rs. 9-8-0 and in January 1955 the price was Rs. 9-0-0. I find the second sort rice was sold under procurement rate at 14-9 rupees per bag in 1954. Again there was control and there was procurement and still there was the open market. Even in 1954 when rice was procured at 14-9 rupees per bag it was also sold in the open market at Rs. 17-61. I find that on 5th February 1955 the price of this second sort rice was Rs. 14 per bag and it did fell by another two rupees. But still I have consulted and discussed with the agriculturists who are very much interested in this in some places in the Tanjore district. They have told me only last Sunday that the present price was Rs. 12 per bag and if it did not fall further, they would not be alarmed. They told me also that the trends were upward and not downward. Sir, even if the price could fall a little, even the price of Rs. 12 per bag would not be quite satisfactory when compared to what they were getting some years back, 2 or 3 years back. I would like to point out that there is an easy way of making it up by stepping up production. Sir, I looked into certain figures with reference to the crop competition that was held in two or three districts including Tanjore. Whereas the average production in the Tanjore district is only about 1,750 lb. or 14 bags of paddy I find that the average among 50 or 60 competitors for the price competitions was 4,500 lb. and the price-winner had shown that he could produce 7,900 and odd lb. If the ryot were to sell 14 bags of paddy at Rs. 12 per bag he could get Rs. 168. If the ryot could only produce 10 bags more, he need not mind the fall from Rs. 17 per bag to Rs. 12 for if he were to sell his increased production of rice, he could get more than Rs. 168. That is why I say he could get more by

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intensive cultivation and the seasonal conditions having been favourable I do think he would not mind paying the enhanced surcharge on land revenue because he would get more. Of course efforts are being made by the Agricultural Department to induce the ryot to take to improved methods which would lead to a stepping up in production and I am glad to say that I have been definitely told regarding Tanjore district that there is this year a definite 10 per cent stepping-up of agricultural production over the production of last year."

SRI K. BALASUBRAMANYA AYYAR :—" May I ask whether those people who got prices did not borrow money for the purpose of stepping-up production to get the price? "

* THE HON. SRI M. BHAKTAVATSALAM :—" Government are also lending money particularly to the small ryot for purchase of manure and other things. Even to the petty ryot Government have been advancing loan of Rs. 500 for chemical manure and the ryots in Tanjore district. I have particularly seen, have taken to the growing of green manure. They did not spend much money. They grew this green manure and that led to increasing yield in production. I am glad to say that the ryots have stepped up production. Although the average among the price competitors was 4,500 lb. I could say on the whole the production in Tanjore district this year has been stepped up by 10 per cent.

4-20 p.m. " Then, Sir, various suggestions were made by hon. Members. They suggested, ' If you need extra funds for meeting a certain expenditure, why not you reduce the expenditure on your staff? ' This is a very easy way to suggest. They say much retrenchment can be effected. The hon. the Deputy Leader of the Opposition also referred to that. Sir, it is easy to talk of retrenchment. I may at once assure hon. Members that Government have been taking every step that can be taken consistent with efficiency of administration to reduce expenditure on administration. I may also concede—I do not mind conceding—that there may be still a few officers' posts here and there which can be cut out. But, on the whole, I would tell the House that there is need for several of these officers and that they do serve a very useful purpose, although some hon. Members asked, ' Why should you have these intermediary officers ' and so on. I would like to give one instance here. There is the Superintending Engineer for Highways. I have myself seen how a scrutiny of the estimates made by the Superintending Engineer, rather than leaving the scrutiny between the Chief Engineer and the Divisional Officer in each district headquarters, is worthwhile. Suppose a bridge is to be constructed, an estimate for it can be prepared for Rs. 35 lakhs. Another estimate can be prepared for it for only Rs. 5 lakhs. The estimate for five lakhs can be all right. It is certainly worthwhile to have officers who have intimate knowledge of the work to look into the estimates closely. I have myself been carefully watching the work of the several officers functioning in the department. I can

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say, Sir, that some of these officers are really overworked. One must remember that the developmental activities also have been increasing. When we want to do so many things in the villages, taluks and districts, we do need staff. Without the necessary staff, we cannot carry out these activities. It is all easy to say, ' Why should we have staff? ' Of course, if the original suggestion made by the Deputy Leader of the Opposition that we could resort to private agencies for irrigation works and so on, is to be adopted, we may cut out staff. But we may ultimately have to pay more for these irrigation works. The hon. Member Sri T. Purushotham referred to the Consulting Engineer in the Electricity Department. He said that the Government had two Consulting Engineers in that department. Even then I pointed out to him that Sir Henry Howard, who was the pioneer in the development of this State, and who had taken no small interest in the development of electricity, was the Consulting Engineer to the Government. But after he left India, we made an offer to him that he could go over to India and take up our appointment. But he preferred to go to Australia and settle there. We had a very eminent engineer who retired from service. We had a good lot of high technical scrutiny made of our works by this engineer. Therefore it is we have a Consulting Engineer for the Electricity department. Otherwise we should be dubbed ' Pennywise and pound foolish '. We do not have two Consulting Engineers as pointed out by Sri T. Purushotham. There was previously a Chief Construction Engineer on the civil side, who was an expert in dam construction. We had a lot of dam construction. That officer retired, and then he had been serving as a Consulting Engineer for dam construction both for Andhra and Madras.

" The hon. Member from Tiruppur referred to the need for retrenchment, or his suggestion was rather wholesale. He asked, ' Why should you have any staff at all for National Extension Service? ' He went further and asked, if I am not wrong, ' Why should you have the Agricultural College? If by abolishing the Agricultural College, you can avoid the levy of the surcharge of two annas in the rupee, why should you have that college? There are the ryots who are carrying on from time immemorial. Why should you have an Agricultural College? Why should you have staff for the National Extension Service? ' I do not think, Sir, he will agree that even for his municipality no staff is necessary. There are the executive engineers, divisional engineers, health officers, and there is also the Collector's office. Therefore, will he agree with the suggestion that the municipality can wind up all staff and leave the problems of the municipality and everything else to the Collector and his staff? Sir, in the National Service, it is not right to exaggerate the expenditure. Our feeling and our anxiety is that we are not yet able to have sufficient staff to carry out the multi-purpose and varied activities intended to benefit the people, taking full advantage of the response that we are receiving from the people themselves. The hon. the

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Leader of the Opposition made one suggestion as to how we can save by cutting down our expenditure. He referred to the use of jeeps and vans in the various departments. On the other hand, in the other House several hon. Members put supplementary questions suggesting that 'this department' or 'that department' should be supplied with lorries, vans and jeeps. The hon. the Leader of the Opposition will excuse me for saying that unlike the work of the University, the work of our officers is not confined to the City of Madras. Here in Madras City anybody can go by bus and do the work. But in the districts the work has to be carried out in a very wide area. Work has to be done in the villages. I have myself seen many of these Revenue Divisional Officers being greatly handicapped for want of conveyances to go from village to village. How can we expect them to travel by buses for 30 miles and still be quite fit to attend to their work. This expenditure on conveyance, subject to proper check and audit on the use of petrol, and the exclusive use of the conveyance for official purposes, is worth incurring. With the check on the expenditure incurred on recurring and non-recurring items, I have no doubt that this expenditure on conveyance for our officers is certainly worthwhile incurring. I have myself seen sometimes how officers are very seriously handicapped for want of transport facilities."

AN HON. MEMBER:—"The recurring expenditure is too high."

* THE HON. SRI M. BHAKTAVATSALAM:—"I do not know about that. Perhaps if the jeeps are worn out and new jeeps are to be purchased, probably the expenditure, on an average, comes to that. But I consider that there must be proper checking of the expenditure. Still there is no question about the need for supplying these officers with conveyances."

"The hon. Member Sri Purushotham said that he did not like the Government imposing this surcharge of two annas in the rupee as surcharge on land revenue. He also said, 'If you are going to earmark the amount to local bodies, it is no solace'. I am unable to understand his point, Sir. If it is to be spent by the local bodies on the villages themselves, that should be an inducement even for the unwilling ryot to part with his money. If the ryot is going to have an amenity in his own village, he should readily respond and pay this surcharge. The hon. Member asked, 'Why should you resort to blacktopping?' We want the village roads to be given the first priority. If these village roads are left as they are, again they will get into disrepair. Even the roads other than the pucca roads in the villages require to be kept in a good state of repair. Unless we take steps to see that dust is avoided, the poor people in the villages will be exposed to dust and the consequent diseases. Therefore, the Government thought it worthwhile to allot some money for improving the surface of the roads so as to avoid this dust nuisance and to keep the roads in good condition."

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"Sir, there were criticisms regarding the omission of certain words, such as 'land reforms', 'unemployment relief', 'Tamil language' and so on. About land reforms, it has been explained so many times by us that land reforms are already there. The Tanjore Tenants and Pannaiyal Protection Act is there. Other taxation measures are also there. Hon. Members, I am sure are no doubt aware that the Provincial Congress organization went into this question very deeply and they have presented a very useful report. Hon. Members themselves have been criticising the Government that they have been hasty in bringing forward legislative measures. The Government are no doubt anxious that the remedies that we adopt should not be worse than the disease. We have been examining the whole question. Sir, the House has already been told by my Colleague, the Revenue Minister, that the Government do expect to bring forward legislation relating to lands in a few months. (Dr. V. K. John: 'How many years will it take, Sir?') I said 'a few months'. The hon. Member is free to put his own interpretation on the word 'months'."

"About unemployment, what I wish to say is this. Sir, I have had the benefit of discussing with the hon. Deputy Leader of the Opposition on so many occasions. On these occasions I found of course it may be due to my incapacity or ignorance—that some of his proposals were impractical. Still, I would suggest to him to give his own ready-made scheme for solving the unemployment problem by one stroke. Every step that is taken by the Government is towards the solution of that problem. There is the question of industries. More than agricultural development and all that, it is the small industries that we must develop and develop on right lines in order to solve the unemployment problem in the villages to a large extent. The Government are quite anxious to start industries, both big and small. We propose to invite leading industrialists and others who could help us with their guidance, for a conference so that we can discuss with them, take their counsel and then prepare a suitable programme for inclusion in the Second Five-Year Plan. In this connexion, I would also request the hon. Members to help us with their own constructive suggestions. I am particularly worried and anxious that we should be able to do something tangible by way of promoting small scale industries in this State."

"Sir, the hon. Member from Malabar is perhaps not here now. It is very unfortunate that he made a very unfair and extravagant charge against the Government that Malabar was totally neglected. Another hon. Member sitting behind also referred to the want of attention to his district of South Kanara. Hon. Members may legitimately claim for proper attention to their constituencies and to their own districts. But it serves no useful purpose if they should indulge in this kind of wild charge which would only lead to linguistic controversy. Sir, if certain hon. Members feel that their area should go out of this State, they are welcome not only to feel

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so, but also to work for it. But, if the people concerned do like to stay within this State, they are equally welcome to do so. So long as those districts are in this State, the Government have been trying to do their very best without any kind of discrimination between this area and that area. Just as the hon. Member from Malabar has complained, several other hon. Members coming from the Tamil districts may complain in the same way. Take for instance the district of Ramanathapuram. The Hon. the Chief Minister belongs to that district. Another Colleague of mine who holds a very important portfolio in the Cabinet, viz., Public Works, comes from that district. Is there one Government College in that district? Is there a cattle farm in that district? Is there a polytechnic in that district? It is a coastal area. But still, is there one fisheries cold storage plant in that district? Sir, I do not at all wish to speak in this vein. But, when the hon. Members have spoken in the manner they did and it has also been reported in the Press, the people far away when they go through the proceedings of the House in the Press, will accept whatever is said here by the Members especially when they attack the Government, as true. Therefore in order to clear that misapprehension, I have to speak in this vein. I am aware that it is not at all good for the very people concerned. Sir, there is a Government College in South Kanara. There are two Government Colleges in the Malabar district. There is a Polytechnic in Malabar. There is a Polytechnic in Mangalore. All along, when we considered any proposal to start certain institutions in the State and when we decided to start four institutions, we distributed two of them for the Tamil districts one for the district of Malabar and the other for the district of South Kanara. We have got a Hydrogenation factory at Kozhikode. We do not know what to do with it. We have spent lakhs of rupees on it. There is a cattle farm in Malabar. There is a cattle farm in South Kanara also. How many cattle-farms are there in the entire State besides these? There are only three of them in the other Tamil districts. There are the Chingleput and North Arcot districts. Is there any agricultural farm or cattle farm in those districts? Sir, there is as much coastal area in the east as in the west. There are 63 fisheries schools for the benefit of the poor people of South Kanara and Malabar only. In the other districts, there are hardly one or two such schools."

SRI A. M. ALLAPICHAJ :—" That shows that the Government must increase their number in the Tamil districts also."

* THE HON. SRI M. BHAKTAVATSALAM :—" Sir, taking this very budget to which reference was made by the hon. Gentleman from Malabar, I would like to point out that under Capital Outlay on Irrigation the amount allotted for so many irrigation projects for the whole State in the budget which is under discussion is Rs. 619 lakhs. Out of this, a sum of Rs. 99 lakhs is allotted for the district of Malabar alone and this works out to 16 per cent. According to the population of Malabar district, it will work out to only 13.3 per cent. The Irrigation allotment is a vital thing.

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We have allotted Rs. 99 lakhs to that district out of the sum of Rs. 619 lakhs intended for the whole State.

" Sir, reference was made to rural electrification schemes. There are transmission and distribution schemes in Palghat, Tirur, Ponani, Mahadi, Badagara and Quilandy. The hon. Member referred to the Badagara Scheme and made a very unfair remark that it was started in order to satisfy some Congressman. I do not know who it is.

" Sir, for distribution of power in the village of Edathanatti, Pyllore, Panangathari, Chungathara, etc., we are providing three lakhs of rupees. We have also provided for a blanket grant for distribution of power in Pudiagam, Ramasari, Theneri, Nambakode, Ethanoor, etc., of four lakhs of rupees. Then again, regarding acquisition of electrical undertakings, we have provided for three lakhs of rupees in the Budget for Malabar and a total of 12½ lakhs of rupees for South Kanara. There are also other provisions made for these two districts but so far as acquisition or electrical undertaking is concerned, people in the Tamil areas also are interested in it.

" Then, Sir, take Roads. Under Roads, a total provision of 170 lakhs of rupees is made for the whole State. The provision made for Malabar out of this sum in respect of major roads, State highways and other roads, barring of course National highways is 48 lakhs of rupees which works out to 28 per cent of the total provision for the whole State.

" Then, let us take Education. The total grant for elementary schools in the State 612 lakhs of rupees of which 158 lakhs go to Malabar, that is 26 per cent of the total provision.

" Let us then come to Community Projects allotted to this State by the Government of India. Out of the four allotted to this State in 1953, two big projects estimated to cost about 65 lakhs of rupees over a period of three years were allotted to the West Coast, one at Palghat and the other at Mangalore. The other two went to Madurai and Coimbatore districts. Under Local Development works, the grant received from the Government of India is distributed on the basis of population. And then under the National Extension Service scheme, we gave one block to Malabar and one block to Mangalore. I did not give anything to Madurai or to South Arcot. My friend, Mr. Ramaswami Reddiar is here and he may get angry with me for not giving anything to South Arcot. But, Sir, I had my own reasons for doing so. Sir, out of the total provision under Roads of 170 lakhs of rupees for the whole State, South Kanara gets 52(?) lakhs of rupees which works out to 31 per cent. So, Sir, it is unfortunate that even the very senior Member from South Kanara should say, 'When I see the provision for electrification in Tamil districts, I do feel jealous about it'."

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DR. A. LAKSHMANASWAMI MUDALIYAR :—" Sir, may I suggest to the Hon. the Leader of the House that in view of the very serious allegations that were made by the two hon. Members from the West Coast and in view of the grave misapprehension that must have been caused there on account of these statements, a Press note be issued giving all the details that he has just now furnished to the House? I am sorry that neither of them is here. But I myself felt that there was something seriously wrong on the part of the Government to have neglected these two districts. I am sorry I too had such an impression and when I hear the facts and figures given by the Hon. the leader of the House I feel they ought to be published in a Press note in the languages of these two districts and circulated to the people.

DR. V. K. JOHN :—" Then other districts may complain. (Laughter.)

* THE HON. SRI M. BHAKTAVATSALAM :—" I am glad that the hon. the Leader of the Opposition has come out with his appreciation of what we have done. We will certainly consider the valuable suggestion he has given. But the hon. Member from South Kanara did say that when he saw the villages of Tamilnad supplied with electricity he was feeling jealous. This is not fair, Sir. I would like to tell the House that, though I had been in charge of electricity for a long time, my own taluk which is only within fifteen miles from the City, saw electricity for the first time only a few days ago. There is another taluk in the southern end of the Chingleput district—Madurantakam—which has not yet seen and which does not know what electricity is. There are then other districts like Ramanathapuram and North Arcot which always complain that there are several areas which are absolutely uncovered by electricity. I shall not deal any more with this unfortunate subject."

DR. V. K. JOHN :—" Is the hon. Member from South Kanara a Congressman? "

* THE HON. SRI M. BHAKTAVATSALAM :—" Sir, there were also criticisms against the proposed levy of a tax on tobacco. Of course, opposition is to be expected from those who may have to bear this tax and also from others. I know the Whip of the Opposition is vitally interested in this question. But still, I feel, Sir, that he can afford to pay the sales tax which he may have to pay in future in addition to the cost of the cigarette. But, if he cannot afford, if he thinks he cannot afford to pay the extra amount, I do not cross swords with him but I would suggest to him that he could reduce the consumption of tobacco, which would be in the interests of his own health. (Laughter.) Sir, I would particularly refer to the people in the villages who may also be affected by this levy. There are poor persons working in the factories who smoke. They can afford to pay this little extra tax as compared with the villagers whose economic status is poorer and whose

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standard of living also is lower. The factory workers can afford to waste a little by way of smoking and they need not mind this extra tax. But taking the villagers into account, hon. Members know that they also consume betel. Now the tax on betel is removed and a tax on tobacco is levied. So, there is no profit or loss to them." (Laughter.)

DR. V. K. JOHN :—" Are the Government against smoking? "

* THE HON. SRI M. BHAKTAVATSALAM :—" The Government have not expressed any opinion on that. Therefore, Sir, I do not think there will be any serious opposition to this proposal to levy sales tax on tobacco.

" Sir, the hon. the Leader of the Opposition referred to the delay in the publication of Administration Reports. He made a suggestion with regard to this matter and we will certainly consider it. I do feel, Sir, that this delay should be avoided. There is no meaning in issuing Administration Reports dealing with activities of Departments which have taken place several years back. They serve no purpose. We will certainly consider the suggestion that without taking time to review the reports they might be issued to hon. Members without review.

" Several hon. Members referred to the need for small irrigation schemes. As hon. Members are aware, there is increased provision in the Budget for small irrigation schemes. It is the anxiety of the Government to do their very best during the Budget year to spend all the amount allotted in a useful way.

" The hon. the Leader of the Opposition referred also to the circulation of tour programmes of officials to the Members of the Legislature. I may tell him, Sir, that some Members want it. If, however, hon. Members would not mind going without the programmes, the Government would at once accept the suggestion of the hon. Member opposite to discontinue the practice of circulating these among the Members of the Legislature.

" Then, Sir, the hon. the Leader of the Opposition and the Deputy Leader of the Opposition referred to the officials' time being wasted during the tours of Ministers. I would tell them that whenever the Ministers go on tour, if the Collector is in his headquarters he sees them. But the officers who are attending to the subject which is held by the Minister concerned, of course when the Minister goes on tour, in order to explain to the people in order to take measures for implementing representations made, the officers do accompany the Minister concerned. There is no unnecessary attendance of any officers or the Police on the Ministers. This much I can assure. Whatever the administrative necessity requires, the officers are asked to attend to. I would put it to them that extra attention and precaution need not be taken by the Police and the officers on the Ministers concerned. We have recently cut down also the scale of expenditure on the Police attendance on Ministers."

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p.m.

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1947-ம் வருஷத்திலே நான் ஒரு தீர்மானத்தையும் கொண்டு வந்தேன். அவர்கள் அடிக்கடி மத்தியின் பேரால், ஜாதியின் பேரால் இருக்கக்கூடா தென்று கனம் நிதி மந்திரி அவர்கள் சொல்லுகிறார்கள். அவர் சொன் னதை நான் அப்படியே வரவேற்கிறேன். அப்படியே ஆளிக்கிறேன். என் னுடைய கொள்கையும் அதுதான். நான் உண்மையான ஒரு காங்கிரஸ் காரன் என்ற முறையில் காங்கிரஸினுடைய திட்டங்களை வற்புறுத்தவேண்டிய வன். காங்கிரஸ் என்ன கூறியிருக்கிறது? கீழ் உள்ளவர்களை உயர்த்த வேண்டும் என்றுதான் காங்கிரஸ் வற்புறுத்தி வந்திருக்கிறது. 'ஜாதி கள் இல்லையடி பாப்பா குல தாழ்ச்சி உயர்த்தி சொல்லல் பாவம்' என்று பாரதியார் கூறியிருக்கிறார். உயர்த்தவன் தாழ்ந்தவன் என்று கூறுவது கூடாது. ஜாதி, இனம் ஆகியவகளை கூறிக்கொண்டு எப்பொழுதும் சலுகை கேட்கக்கூடாது. மனிதனை மனிதனாக மதிக்கவேண்டும். ஆனால், சிறு பான்மையினர்களான ஒரு கூட்டத்தார் படித்திருக்கிறார்கள். நிறைய உத்தியோகத்திலிருக்கிறார்கள். ஆனால் இப்பொழுது படித்து பட்டம்பெற்ற பிற்பட்ட இனத்தவர்கள் நிறைய இருந்தும் அவர்களுக்கு சரியானபடி உத்தியோகங்கள் வழங்கப்படுவதில்லை, ஒருவன் மூன்று வேலை சாப்பிடு கிறான். இன்னொருவன் மூன்று நாளாக பட்டினிதின்னான். இவர்களில் யாருக்கு உணவு கொடுப்பது. பசி எப்பக்காரனுக்கா? அல்லது புனி வப்பக் காரனுக்கா? நிறைய சாப்பிட்டவனுக்கா? அல்லது சாப்பிடாதவனுக்கா? இதைத்தான் எல்லோரும் சிந்தித்துப் பார்க்கவேண்டும். சாப்பிட்டவர்கள் கொஞ்சம் குறைத்துக்கொண்டு சாப்பிடாதவர்கள் விஷயத்தில் அக்கவா காட்டப்படும் என்றுதான் நான் சொல்லுகிறேன். இது ஜாதியின் பேரால் அல்ல. ஜாதி துவேஷத்தின் வெறுப்பினாலே கேட்கவில்லை. மனித தர்மத்தின் பேரால், ஜீவகாருண்ய தன்மையின் பேரால் காங்கிரஸினுடைய திட்டத்தின் பேரால் நான் கேட்கிறேன். காந்தியேயும் இதைத்தான் வற்புறுத்தியிருக்கி றார். ஆகையால், அரசாங்கத்தார் என்ன செய்யவேண்டும். பொருளா தாரத்திலும், கல்வியிலும், அரசாங்க உத்தியோகத்திலும் பின்னடைந்த மக்களுக்கு உதவிபுரிய முன்வரவேண்டும். பின்னடைந்தவர்களென்று எங் களைக் கூறுகிறார்கள். நாங்கள் பின்னடையவில்லை. பின்தங்கியவர்களு மல்ல. எங்களைப் பின்னடையும்படி முற்பட்ட இனத்தவர்கள் செய்துவிட் டார்கள். இவர்களை முன்னேற்றம் அடையும்படியாக செய்யவேண்டியது அரசாங்கத்தினுடைய கடைமையாகும். காங்கிரஸ் ஆட்சியினுடைய பொறுப் பும் அதுதான் என்று நான் கூறுகிறேன். ஆகையால், உத்தியோகங்களில் இருக்கக்கூடியவர்கள் கொஞ்சம் விலகிக்கொடுங்கள். கைகூப்பி வணக் கத்தொடு கேட்கின்றேன். முஸ்லீம்களிலும் ஏழ்மை நிலையில் உள்ளவர் கள் இருக்கிறார்கள். லப்பை (சாயபு) என்பவர்கள் கல்வியிலும், பொரு ளாதாரத்திலும் பிற்பட்ட நிலையில் இருக்கிறார்கள். எந்தவிதமான உத்தி யோகத்திலும் இல்லாமல் இருக்கிறார்கள். அவர்களையும் உயர்த்துங்கள் என்று தான் நான் கூறுகிறேன். பிற்பட்ட நிலையிலுள்ள அனைவரையும் மற்றவர்க ளோடு சரிசமமாக நடுநிலைமைக்கு கொண்டுவந்துவிடுங்கள். அதுதான் நியாய மானதாகும். அதேமாதிரி மலையாளிகளையும் நான் கேட்டுக்கொள்கிறேன். மலையாளிகள் எல்லோரும் எங்குபார்த்தாலும் நிறைந்திருக்கிறார்கள். சிறிய வருகிறார்கள். அதற்காக நான் சந்தோஷம் அடைகிறேன். நான் பூரிப்ப டைகிறேன். ஆனால், அதே நேரத்தில் கொஞ்ச நாளைக்கு எல்லா வகை களிலும் பின்னடைந்து இருப்பவர்களுக்காக விட்டுக்கொடுங்கள்.

8 p.m. "மலையாளிகளிலும் ரொம்ப கீழ்ப்பட்ட நிலையில் இருப்பவர்களும் இருந்துவருகிறார்கள்; அவர்களுக்கும் சில உத்தியோகங்கள் கொடுங்கள். அப்படி செய்து அவர்களையும் உயர்த்துங்கள் என்று கேட்கிறேன். இதில் ஏதாவது துவேஷமிருக்கிறதா? மத துவேஷமோ, ஜாதி துவேஷமோ, வெறுப்போ இதில் இருக்கிறதா என்று நான் கேட்கிறேன். ஆகையால் னுகிறேன்.

"கல்வி கற்கும் மாணவர்களுக்கு மார்க்கு வாங்கும் விஷயத்தில் ஹரிஜனங்களுக்கு என்ன சலுகை காட்டப்படுகின்றதோ அதே சலுகை பிற்பட்ட

[2nd March 1955] [Sri A. Subramanyam]

வகுப்பினர்களுக்கும் காட்டப்போகிறார்களென்று அறிகிறேன். இதை நான் முழுமனதுடன் வறவேற்கிறேன். கண்டிப்பாக அதைச் செய்யவேண்டும். அப்படி செய்தால்தான் பிற்பட்ட இனத்தவர்களின் மாணவர்கள் அதிக மாக முன்னுக்கு வர முடியும். ஒரு சமயம் இச் சட்ட சபையில் கனம் டாக்டர் லக்ஷ்மணசாமி முதலியார் பேசும்போது 'மார்க்குக் அடிகம் வாங்கினவர்கள் மட்டும் புத்திசாலிகள் என்று நினைத்துவிடவேண்டாம்.' என்று சொன்னார்கள். அது முற்றிலும் உண்மை. பி.எ., பி. எல். படித்தவர்கள் 200 பேர்கள் இருப்பதாக வைத்துக்கொள்ளுங்கள். அவர் கள் அத்தனை பேர்களில் குறைந்த மார்க்குக் வாங்கினவர்கள் அதிக மாகவும், அதிக மார்க்குக் வாங்கினவர்கள் மிகக் குறைவாகவும் பெற்று தேறியிருக்கின்றார்கள். சட்ட பரீட்சையின்போதில் பொதுவாக யாவரும் தேறி யிருக்கின்றார்கள். அவர்கள் யாவரும் தங்கள் ஜில்லாக்களுக்குச் சென்று வக்கீல்கள் என்று போர்டு போடுவதாக வைத்துக்கொள்வோம். இந்த 200 பேர்களில் நல்ல சம்பாத்தியம் உள்ள வக்கீல்கள் எத்தனைப் பேர்கள் இருப்பார்களென்று பார்த்தால் 4 பேர்கள்தான் இருப்பார்கள். மற்ற வக்கீல்கள் குமஸ்தாக்களை வைத்துக்கொண்டு சம்பளம் கொடுக்கக்கூடிய நிலையில் கூட இருக்கமாட்டார்கள். ஆனால் அநேக வக்கீல்களுக்குப் போது மான வருமானம் கூட கிடைப்பது அரிதாக இருக்கும். நிறைய வரு மாணம் பெறுகிறவர்கள் கெட்டிக்கார பெரிய வக்கீல்களாயிருப்பார்கள். அநேக மாக குறைந்த மார்க்குக் வாங்கினவர்களே கெட்டிக்காரர்களாக இருப் பார்கள். ஆகவே மார்க்கைவிட அனுபவம், தேர்ச்சி, திறமை இவைகளை யும் கவனிக்கவேண்டியிருக்கிறது. குறிப்பிட்ட மார்க்குக் வாங்கியிருந் தால்தான் சர்வீஸ் கமிஷன் பரீட்சைக்கு மாணவர்கள் ஆஜராகலாம் என்ற முறை நியாயமாக இருக்கமுடியாது. ஹரிஜனங்களுக்கு உள்ள மார்க்கு வசதி பிற்பட்ட வகுப்பினர்களுக்கும் இருக்க வேண்டியது அவசியம். இந்த அரசாங்கம் இதைச் செய்ய வேண்டுமென்று கேட்டுக்கொள்ளுகிறேன்.

"ஹரிஜனங்களுக்கு உள்ள சலுகைகள் 10 வருஷ காலங்களில் எடுபட்டுப் போய்விடும். அதை நான் ஒப்புக்கொள்கிறேன். அதே மாதிரி பிற்பட்ட இனத்தவர்களுக்கும் 10 வருட காலம் சலுகைகள் கொடுக்கப்படவேண்டும். இது சம்பந்தமாக நான் ஒரு யோசனை சொல்ல விரும்புகிறேன். அதாவது முற்பட்ட இனத்தவர்கள், பிற்பட்ட இனத்தவர்கள், ஹரிஜனங்கள் என்று மூன்று பிரிவாகப் பிரித்து விடுங்கள். ஜாதி வேண்டாம், மதம் வேண்டாம். கிருஸ்தவர்கள், மகமதி யர்கள் என்று பாகுபாடு வேண்டாம். முற்பட்ட இனத்தவர்கள் யார் என்று கேட்டால் பிராமணர், முதலியார், ரெட்டியார், நாயுடு, கம்முவார், சைவப் பிள்ளையார்கள், மலையாளிகள், முஸ்லிம்கள், கிருஸ்தவர்கள் என்று வைத்துக்கொள்வோம். பிற்பட்ட இனத்தவர்கள் யார் என்று குறிப்பிடும் போது வன்னியர், கள்ளர், மறவர், அகமுடியார், செங்குந்தர், தேவாங்கர், செளராஷ்டிரர், ஆசாரி, பரதவர், வண்ணார், மருத்துவர் போன்ற பிற்பட்ட இனத்தவர்கள் ஜாயிதாவில் கொடுக்கப்பட்டுள்ள 141 இனங்களுக்கு மேற் பட்ட அத்தனை இனங்களையும், பிற்பட்டவர்களென்று வைத்துவிடுவோம். ஹரிஜனங்கள் செட்டியூல்டு வகுப்பினர்கள் போன்றவர்களை மூன்றாவது பிரி வாக சேர்த்துக்கொள்ளலாம்.

"ஜனத்தொகை விகிதாசாரத்தை பார்க்கும்போது 20 சதவிகிதத் திற்குமேல் முற்பட்டவர்களின் எண்ணிக்கை இருக்க முடியாது. பிற்பட்ட இனத்தவர்கள் ஹரிஜனங்கள், செட்டியூல்டு வகுப்பினர்கள் என்பட 80 சத விகிதம் இருந்து வருகிறார்களென்றால் இது மிகையாகாது. இந்த கணக் கின் உண்மையைப்பற்றி நான் சாலஞ்சு பண்ண முடியும். சென்ஸஸ் கணக்கை வைத்துப்பாருங்கள். இந்த ராஜ்யத்தின் ஜனத்தொகையானது சற்றேறக்குறைய மூன்று கோடியில் 2½ கோடிக்கு மேல் பிற்பட்ட இனத்த வர்கள் இருக்கிறார்களென்று நான் உறுதியாக மறுமுறையும் கூறுகிறேன். ஆகவே, ஜனத்தொகை விகிதாசாரப்படி பிற்பட்ட இனத்தவர்களுக்கு 80 சதவிகிதம் உத்தியோகங்கள் கல்வி ஆகிய எல்லா வகைகளிலும் சலுகை பெறவேண்டும். ஆனால் இப்பொழுது 25 சதவிகிதம்தான் வழங்கப்படு

[3rd March 1955]

DR. A. LAKSHMANASWAMI MUDALIYAR :—“ Sir, may I suggest to the Hon. the Leader of the House that in view of the very serious allegations that were made by the two hon. Members from the West Coast and in view of the grave misapprehension that must have been caused there on account of these statements, a Press note be issued giving all the details that he has just now furnished to the House? I am sorry that neither of them is here. But I myself felt that there was something seriously wrong on the part of the Government to have neglected these two districts. I am sorry I too had such an impression and when I hear the facts and figures given by the Hon. the leader of the House I feel they ought to be published in a Press note in the languages of these two districts and circulated to the people.

DR. V. K. JOHN :—“ Then other districts may complain. (Laughter.)

* THE HON. SRI M. BHAKTAVATSALAM :—“ I am glad that the hon. the Leader of the Opposition has come out with his appreciation of what we have done. We will certainly consider the valuable suggestion he has given. But the hon. Member from South Kanara did say that when he saw the villages of Tamilnad supplied with electricity he was feeling jealous. This is not fair, Sir. I would like to tell the House that, though I had been in charge of electricity for a long time, my own taluk which is only within fifteen miles from the City, saw electricity for the first time only a few days ago. There is another taluk in the southern end of the Chingleput district—Madurantakam—which has not yet seen and which does not know what electricity is. There are then other districts like Ramanathapuram and North Arcot which always complain that there are several areas which are absolutely uncovered by electricity. I shall not deal any more with this unfortunate subject.”

DR. V. K. JOHN :—“ Is the hon. Member from South Kanara a Congressman? ”

* THE HON. SRI M. BHAKTAVATSALAM :—“ Sir, there were also criticisms against the proposed levy of a tax on tobacco. Of course, opposition is to be expected from those who may have to bear this tax and also from others. I know the Whip of the Opposition is vitally interested in this question. But still, I feel, Sir, that he can afford to pay the sales tax which he may have to pay in future in addition to the cost of the cigarette. But, if he cannot afford, if he thinks he cannot afford to pay the extra amount, I do not cross swords with him but I would suggest to him that he could reduce the consumption of tobacco, which would be in the interests of his own health. (Laughter.) Sir, I would particularly refer to the people in the villages who may also be affected by this levy. There are poor persons working in the factories who smoke. They can afford to pay this little extra tax as compared with the villagers whose economic status is poorer and whose

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standard of living also is lower. The factory workers can afford to waste a little by way of smoking and they need not mind this extra tax. But taking the villagers into account, hon. Members know that they also consume betel. Now the tax on betel is removed and a tax on tobacco is levied. So, there is no profit or loss to them.” (Laughter.)

DR. V. K. JOHN :—“ Are the Government against smoking? ”

* THE HON. SRI M. BHAKTAVATSALAM :—“ The Government have not expressed any opinion on that. Therefore, Sir, I do not think there will be any serious opposition to this proposal to levy sales tax on tobacco.

“ Sir, the hon. the Leader of the Opposition referred to the delay in the publication of Administration Reports. He made a suggestion with regard to this matter and we will certainly consider it. I do feel, Sir, that this delay should be avoided. There is no meaning in issuing Administration Reports dealing with activities of Departments which have taken place several years back. They serve no purpose. We will certainly consider the suggestion that without taking time to review the reports they might be issued to hon. Members without review.

“ Several hon. Members referred to the need for small irrigation schemes. As hon. Members are aware, there is increased provision in the Budget for small irrigation schemes. It is the anxiety of the Government to do their very best during the Budget year to spend all the amount allotted in a useful way.

“ The hon. the Leader of the Opposition referred also to the circulation of tour programmes of officials to the Members of the Legislature. I may tell him, Sir, that some Members want it. If, however, hon. Members would not mind going without the programmes, the Government would at once accept the suggestion of the hon. Member opposite to discontinue the practice of circulating these among the Members of the Legislature.

“ Then, Sir, the hon. the Leader of the Opposition and the Deputy Leader of the Opposition referred to the officials' time being wasted during the tours of Ministers. I would tell them that whenever the Ministers go on tour, if the Collector is in his headquarters he sees them. But the officers who are attending to the subject which is held by the Minister concerned, of course when the Minister goes on tour, in order to explain to the people in order to take measures for implementing representations made, the officers do accompany the Minister concerned. There is no unnecessary attendance of any officers or the Police on the Ministers. This much I can assure. Whatever the administrative necessity requires, the officers are asked to attend to. I would put it to them that extra attention and precaution need not be taken by the Police and the officers on the Ministers concerned. We have recently cut down also the scale of expenditure on the Police attendance on Ministers.”

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MR. CHAIRMAN :—" I have reduced the time-limit for each hon. Member to ten minutes."

* SRI ALEXANDER GNANAMUTTU :—" I am so happy to note the presence of the Chief Minister, who is perhaps a few inches taller to-day on account of the several victories he has won for his party."

" After the survey made by the Deputy Leader of the Opposition and after the very elaborate and interesting survey of the budget by the Leader of the Opposition, I feel rather diffident to speak this afternoon. I feel a bit nervous. I shall be extremely brief since you, Sir, have given me only seven minutes for my observations. Along with the galaxy of speakers who have taken part in the budget discussion during the last few days, permit me to add my tribute, along with the many tributes paid already by several hon. Members on both sides, to the Finance Minister on his presenting a very good budget, even though a deficit one. I wish with my friend Mr. T. M. Narayanaswami Pillai that the budget deficit could have been left uncovered. On the whole the budget, as has been presented is a ' rosy ' budget indicating the shape of things to come. When one hears of the vast progress made in irrigation schemes, the progress made in Community Projects and in the National Extension Schemes, the progress made in rural electrification and rural water-supply, the great advance made in elementary education by the starting of a large number of schools last year and the starting of a few hundred more during the coming year—it looks as if we are taking our people along the Primrose path to that much longed-for paradise, the Welfare State."

" Sir, tribute was paid and rightly too to the Minister for Education for the very bold and welcome step he has taken in giving free education to all poor students up to the middle school stage, viz., up to III Form. I feel that he could have gone a step further and have offered the same concession to poor students right up to the VI Form. What I am not able to understand is what the Hon. the Minister for Education has said on page 10 of his Budget speech, viz. :—

' A student will be considered poor for the purpose of this exemption if his parent or guardian draws an annual income less than Rs. 1,200 per annum.'

It is rather unfortunate that the Education Minister has completely ignored the fact that there are thousands of parents who even though they earn more than Rs. 1,200 annually, are definitely poor."

THE HON. SRI C. SUBRAMANIAM :—" What has been stated in the Budget, viz., with regard to those who are ' poor ', it is a principle in the Madras Educational Rules even now in existence."

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* SRI ALEXANDER GNANAMUTTU :—" Even parents who do not come under this group and who earn more than Rs. 1,200 annually, and who have a large number of children, often find it difficult to educate their children."

SRI K. BALASUBRAMANYA AYYAR :—" Let there be family planning." (Laughter.)

* SRI ALEXANDER GNANAMUTTU :—" I venture to suggest therefore that this concession should be given to poor students up to the VI Form and to the children of those parents who have more than six children."

MR. CHAIRMAN :—" Why the figure six? " (Laughter.)

* SRI ALEXANDER GNANAMUTTU :—" I thought that may be a safe limit. (Laughter.) I speak as a teacher. I am in charge of an institution. Incidentally I produce children a good many too (laughter) and so I find it extremely difficult to give them the education they deserve. So, I say that those children (particularly of those parents who have more than six) should be given exemption from paying any school fee up to the VI Form."

" A tribute was paid to the Minister for Education by several Members of this House because for the first time he has presented a Tamil version of the Budget speech. Some hon. Members further emphasized the need for adopting Tamil as the official language of the State. I entirely agree with the suggestion made and I do hope that sooner or later, Tamil will become the official language of the State and even my Friend Dr. John is game for it now. But, Sir, the Minister for Education, as was pointed out, went a step further and had suggested on an occasion at some other place that Tamil should immediately become the medium of instruction in the colleges. I feel that a note of caution ought to be struck at this juncture. The learned Leader of the Opposition, our revered Vice-Chancellor of the Madras University, yesterday gave a very detailed account of the honest attempts made by this University not to-day but thirteen years ago regarding the introduction of the vernacular as the medium of instruction in the colleges. As early as 1943 such an attempt was made in some colleges. (Sri K. Balasubramania Ayyar: ' Why say vernacular? ') Out of a total of 60 colleges, only three colleges opted for Tamil. They were the Government College in Coimbatore, the Municipal College in Salem and the third, an aided institution in Tiruchirappalli. What happened? These three colleges, after a short time, one after two years, the other after four years and the last after six years, gave up this instruction in Tamil on account of the practical difficulties that they experienced. All that I want to say this afternoon regarding this is that so far as the educational policy of Government with regard to colleges is concerned, it should be a ' go-slow policy '. I would advocate a healthy conversation on the part of Government particularly when they try to tinker with education."

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"The Minister for Finance has stated on page 10 of his Budget speech as follows:—

"With a view to foster a better sense of discipline amongst the youth, we propose to expand the National Cadet Corps and provision is being made for training another 100 troops in schools in the Budget year, at a cost of about Rs. 5 lakhs."

6 p.m. I welcome this suggestion. But may I ask the Minister for Finance why he has totally ignored the extension of the National Cadet Corps in the colleges? Many representations have been made during the last few months to the Minister for Education, to the Vice-Chancellor of the University, to the Government and to the Military authorities to help a few colleges in the matter of the extension of the National Cadet Corps. Speaking on behalf of the six colleges round about Tirunelveli, I wonder, Sir, why we are kept waiting for such a long time. Year after year we have been clamouring for a National Cadet Corps, but the Government are ignoring our request totally. Personally (to foster discipline) I feel that we must have this National Cadet Corps more in our colleges than in high schools.

"Almost every hon. Member of this House will be in agreement with the Minister for Finance when he justified an additional tax, particularly to meet the colossal items of expenditure on account of the various welfare schemes that have been mooted in this State just a few years ago. The proposals, however, permit me to say, Sir, have hit one community hard. I refer to the lower middle class and the poorer classes. Two annas surcharge in the rupee on land revenue and the levy of sales tax on tobacco and its derivatives are definitely burdensome. Just a few years ago, the Government deprived the poor man, with all their puritanical fervour and 'kill-joy-zeal' of his health-giving toddy. (Laughter.) To-day they are attempting to deprive him of his three-pie cigarette by imposing this five per cent tax on the sales turnover. Frankly speaking, two things which give solace and comfort to a man, after a hard day's work, are a pot of fresh-drawn toddy and a whiff of smoke. Here perhaps the greatest Prime Minister Winston Churchill will bear me out when I say that the two things which raise a man to the heights of eloquence and poetry, are his mug of drink and his cigarette or cheroot. The Government are depriving this comfort to the poor man by imposing this turnover tax on tobacco and all its derivatives. May I ask, Sir, whether the revenue that is going to be derived from this tax is not tainted income? Doctors will say that smoking is dangerous and that it brings about cancer. Why not the Government then, in their puritanical zeal, issue an order saying that smoking, chewing tobacco, and that the use of tobacco in any form, is prohibited? (Dr. V. K. John: 'Does not the Hon. the Chief Minister smoke'?)

"Sir, in another part of the Finance Minister's speech, reference has been made to the tardy progress in urban water-supply. Twice on the floor of this House I have raised this point, and I have also referred to schemes relating to Tirunelveli, Melapalayam and Palayamcottai. These schemes have been kept in cold storage

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for quite a long time. In the case of Palayamcottai, even after the scheme had been taken up two years ago, it looks as if it will take another two years for its completion. I refer to the snail-slow progress of the execution of the scheme by the Government. They would do well to look into this and expedite it.

"The hon. Member Dr. V. K. John referred to Rs. 485 lakhs or so being set apart for Police. I do not at all say anything against this big Budget commitment. But what I feel is that people in the mofussil must get better Police bandobust. Living in Tirunelveli, I can say with authority that many thefts, many burglaries and many daylight robberies are taking place every day. There is panic both in Palayamcottai and in Tirunelveli. I hope and trust that adequate Police bandobust would be given to the people. Even the Members of the Assembly and Council are not spared by these thieves and robbers. Only very recently a poor Member of the Legislative Council from Palayamcottai lost all his pedigreed birds, none of which has since been recovered.

"Yesterday, the Leader of the Opposition referred to the overcrowding in hospitals, not in Madras but in the mofussil. Particularly during his recent tour of the South, he must have seen such overcrowding in the mofussil hospitals. But may I ask, Sir, what about the A-1 hospital in the City? Yesterday I happened to visit a patient on the top-floor of the General Hospital. He is a paying patient. I was surprised to know from him of the utter lack of water-supply in the General Hospital, and how during certain hours of the day, he could not get even a drop of water from the tap.

"One word about the general administration. Reference was made yesterday by the Leader of the Opposition regarding law's delays. But I am not going to refer to law's delays, but I am referring particularly to the delays on the part of the Government in coming to final conclusions and decisions. I would invite the attention of the Government to the defalcation case in Mangalore. This has been hanging fire for months on end. Judgment on this has already been given. I would like to invite the attention of the Members of this House to the manner in which so many Deputy Collectors and other officers are kept in suspense regarding their salary. Some have retired twelve months ago. But they have not received a pie as their pension. This is a serious matter which requires looking into immediately. I hope and trust that the Minister for Revenue will look into this.

"I have nothing more to add. With these observations, commend the Budget."

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clamouring for so many things on the floor of this House and elsewhere. The Hon. the Minister for Finance could not himself pay for all these schemes. Several hon. Members have been clamouring for certain schemes to be started in their own districts. These must be paid for. Therefore it is that the Hon. Finance Minister had to impose new taxes. Of course, various criticisms have been levelled against the imposition of new taxes. After all, certain taxes have to be imposed to meet the new demands that we are making. Two kinds of criticisms have been levelled in this regard. One is that various other Part A States which have also prepared deficit budgets, have not proposed the imposition of a new tax. The other criticism is that the Taxation Enquiry Commission's conclusions have not yet been published and the Government should have waited for their conclusions and recommendations before launching on new taxation measures. I do not know whether it is wise for us to follow the example of other States. Why should we slavishly imitate the other States with regard to the imposition of taxes? As for the conclusions of the Taxation Enquiry Commission, I do not think their views will in any way alter the attitude of our Government. Moreover, from what has appeared in the Press, I find that the Taxation Enquiry Commission have stated that States must widen the field of taxation and must not prepare deficit budgets at all. This is what our Finance Minister has been doing and has done. He has already widened the field of taxation by imposing new taxes. For example, take the tax on tobacco. Some of my friends here have been anxious to see that this tax was not imposed as they think that it will hit many people. I am myself in the habit of smoking. When I read about this tax, I did not think that it is going to affect me so much. It may be that some people may be affected. But, people who smoke in moderation need not be afraid of this tax. I only buy cigars which are very cheap, 3 pies per cigar. I smoke one or two cigars every day. So, this tax will not affect me. The same may not be the case in the case of those who are heavy smokers. All the same, there is no other possibility or way of meeting the additional expenditure. We make ever so many demands. We want good water-supply; we want that there must be free and compulsory education. Our Friend coming from Tirunelveli just now said that education must be made free and compulsory to all poor students up to the VI Form. All these will certainly mean more expenditure for the Government. How are they to meet this expenditure? In my opinion this budget is a frank, full and fearless budget. It has put all the cards on the table. We can examine them and find out what should be done. There has been no such thing as favouritism on the part of the Hon. the Minister for Finance. Certain hon. Members have complained of certain things in their districts. Well, so far as I am concerned, I belong to the district of Madras. It may be possible for me to complain about many things that are lacking in the City of Madras. The Hon. Finance Minister will have to keep in view the interests of all the districts in the State so that he may do justice as far as possible to all the districts, within the limited resources available.

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" Sir, as I went through the detailed expenditure side, I came across the enormous expenditure on Police. Even here, my Friend hailing from Tirunelveli said that the people of that district are now subjected to various kinds of depradations, robberies, burglaries and dacoities and so on, and therefore more Police force should be stationed in that district. In that case, the Police expenditure will have to be increased further. I do not know whether we are going in the path of the Welfare State or in the path of the Police State. I do not see any reason why expenditure under this head should have increased from what it was in previous years. It may be that the employment of more and more Police force is an indication of our prosperity. In this connexion, I am reminded of what Lord Macaulay said in one of his essays. He said that there were 10,000 pick-pockets in London. It is no doubt a deplorable fact. But at the same time, it is gratifying to see that London is able to support 10,000 pick-pockets and therefore London must be a very prosperous City. Otherwise how can it support 10,000 pick-pockets? In the same way, the employment of more and more Police force is an indication of the State's prosperity. Otherwise, the State Government would not have come forward to incur such large expenditure on maintaining more and more Police forces whom they employ in putting down offences against property. It means that the people have acquired a good deal of property and the Police are called upon to protect the owners of these properties. Whatever it is, the more the demand is made on the Government, the more the expenditure of the Government will be.

" Hon. Members have requested the Government to extend electricity to the rural parts and provide other amenities also in the rural parts. They have also requested for irrigation facilities. A demand has also been made that a good deal of these works should be handed over to the municipalities and local boards. At the same time, a criticism has been made that the municipalities and the local boards are incompetent, they do not have proper leadership and all that. Well, is it the contention of the hon. Member who made that criticism that the Hon. the Finance Minister must produce good leaders? Is the Hon. Finance Minister to provide some money in the budget for the purpose of training leaders in various fields to manage these local bodies? It seems to me that we cannot call upon the Hon. Finance Minister to do it. It is impossible. If we want to establish a Welfare State, the people of the State should somehow or other come up to the level and shoulder responsibilities. They must also be prepared to pay some of the taxes that are being imposed from time to time.

" Land revenue is one of the sources for the Government to fall back on. We say that the purchasing power of the common man must be raised. How can this be done? I find from the budget that the development of cottage industries is engaging the attention of the Government. But I find that the expenditure on industries has gone down from what it was last year. How can we develop cottage industries? How can we make the people prosperous? Perhaps these are problems which great industrialists

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and financiers may be able to manage and tackle. So far as we are concerned, we must be able to help the Government by giving some constructive suggestions.

5-20 p.m. "We have not got either the financial or the industrial genius for doing all these things. They must be left to people who are tested in these fields. They alone can deal with industrial and commercial problems.

"Now with regard to the unemployment problem in which I am vitally interested, there has only been much of talk about putting an end to unemployment. From the figures that have been published, I find that unemployment has been on the increase of late. It has not gone down. How it is going to be tackled, I do not know.

"Then, Sir, whatever the criticism that we may offer, it seems to me that there is no way out of these taxes unless we cut down the various schemes such as the Community Projects, National Extension Service, Rural Water-supply, etc. Then only we shall be able to decrease our expenditure. Otherwise, it is not possible to cut down our expenditure. We must only embark upon fresh taxation. There are no other means. There is no gold mine from which the Government can extract gold and meet all these items of expenditure, recurring and non-recurring. This is the only kind of Budget that could have been produced by our Finance Minister. We say in Tamil that the quantity and quality of a 'paniyaram' depend upon the flour of wheat or rice that we get. Out of the thing he had, he has produced this financial statement. He deserves our congratulations.

"Somebody said that we were now marching towards the promised goal of a Welfare State. I hope that in the next one or two years, we will be in the promised land flowing with milk and honey when the Hon. Minister can say it is no longer necessary to resort to new taxation measures and everything is all right. I once again wish to point out that I do not propose to indulge in any criticism of the Budget proposals. It is quite possible for one to go into details and say that detailed information about departments is not furnished and that expenditure on particular departments should be cut down. But if we undertake to implement such suggestions, we will be adding to the number of unemployed persons in the country and the difficulties of the lower middle class will only increase. I have nothing more to say than wish that the taxation measures had been avoided by cutting down expenditure on the various development schemes adumbrated in the Budget. The Budget as it is, is modest, reasonable and fair to all parties concerned."

* SRI V. BASHYAM AYYANGAR :—"Mr. Chairman, Sir, I wish to associate myself with the felicitations conveyed to the Government on making primary and lower secondary education free. I think it is a very wise decision of the Government to extend free education to all poor boys and girls instead of only to a few, treating poverty as the criterion for granting exemption from

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payment of school fees. The Government have rightly come to the decision that all poor boys irrespective of caste, creed or community should be given exemption from payment of fees up to III form. In this connexion, I also commend the action of the Government in opening more schools to provide education for the children who will now be flocking to the schools. One suggestion I would like to make here. The Hon. the Minister for Finance has said: 'Meanwhile we are accelerating the conversion of existing schools into multi-purpose ones, with improvements to libraries and facilities for craft training'. I would lay emphasis on this matter. I think it is necessary that more elementary schools should be converted into basic schools. Otherwise, the concession which has been granted will only increase the number of the educated unemployed boys. The progress of basic education has not been as fast as it ought to be and I hope that the Government will pay more attention to that aspect of the matter, and convert more ordinary schools into basic schools.

"Sir, going through the rural improvement schemes adumbrated by the Government, I find that it is the intention of the Government to devote more attention to village uplift work under the Second Five-Year Plan. They have made provision for rural electrification and on the side of irrigation they intend to lay the main emphasis on minor irrigation projects wherever water is available and also on renovation of the existing tanks. Belonging as I do to the district of Chingleput, which is a dry district and to which the Hon. the Leader of the House also belongs, I would lay emphasis on the necessity to effect repairs to all the existing tanks because in the Chingleput district there are very few irrigation sources and it seems to me this district has been very much neglected all these years. I also attach great importance to the proposal to extend the National Extension Service to the whole State early in the next Plan period. As it is, only a few districts have got the advantage of Community Projects and the National Extension Service schemes. I hope that the other districts which have not had the benefit of these schemes will get them very soon.

"Sir, I also welcome the proposal to set up industrial co-operatives under Government supervision and the encouragement promised to the handloom industry in the Budget proposals. I especially welcome the idea of the Government to open small-scale and cottage industries in the villages. Now the greatest disadvantage from which the villages are suffering is the disappearance of cottage industries which once flourished in them and which were very useful also. Now they have disappeared and it is high time that the Government paid special attention to the revival of cottage industries. Of course, the Hon. the Finance Minister's reference to this subject in his speech is encouraging and I feel that he should have a small advisory committee to take the necessary steps in this regard to see that all these cottage industries are revived and made to flourish as before.

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"Next, Sir, I would crave your indulgence to make a brief reference to the City Improvement Trust. It is a body which was created about seven years ago and it has been working for the improvement of the City.

(At this stage, Sri T. G. Krishnamoorthi occupied the Chair.)

5-30
p.m.

"I may say as a member of the Trust Board that it has done a very valuable service in the City. Out of 21 improvement schemes proposed by the Trust, 13 have been sanctioned by Government. Nine sanctioned schemes are under execution and the Trust has also cleared five big slums and rehabilitated about 1,000 families in planning lay-outs, by providing roads, lights and water-supply. It has also provided about 700 house-plots, for the middle class people, in the different parts of the City. Out of it 400 plots have already been sold and on those plots, buildings are constructed. The Trust has also constructed 227 small houses and big bungalows under its scheme, which fetches an annual income of Rs. 75,000. The Trust has leased out 685 small plots and about 250 very small plots are to be leased out by 1st April 1955 to poor class people on nominal rates which would fetch an annual income of Rs. 25,000. About 150 street lights and 14 public conveniences have been provided in these plots. Five miles of new roads have been laid by the Trust under this scheme. The Trust has planted 700 avenue trees and has constructed 207 culverts.

"These are facts which one could gather from the annual reports of the Trust issued every year and I might say that for a body which has been in existence only for 6 or 7 years, the work turned out so far has been creditable indeed. Of course in Calcutta, Bombay and other places there are such Improvement Trusts; but they had been working for a long period and have done much greater work. But considering the short period that this Trust has been in existence I should submit to Government that the work which it has turned out is not negligible at all. The Trust was created at the instance of the Madras Corporation which was unable to tackle all the problems of City Improvement which confronted them. The Trust has been attending to those problems for which it was started. Last year a question was raised about the continuance of the City Improvement Trust. The Government went into the question fully and they recently gave their final decision."

"A Press Note issued by Government states:

"The question whether to continue the City Improvement trust or not had been engaging the attention of Government for some years. Government have carefully examined the case in all its aspects in consultation with the authorities concerned and have decided that the question of winding up the City Improvement Trust should be dropped for several years to come."

It was a good decision that the Government took. After all the Trust Board consists of nine honorary members who attend the meetings without being paid any travelling allowance or any other fee. They are there to offer their advice and guidance free. The

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present Commissioner is a very efficient officer and he is doing his work with great enthusiasm and vigour. If the work entrusted to the City Improvement Trust under the Act has to be carried out, Government has to come to its help; it is provided under the Statute. The Statute provides that the Government and the Madras Corporation should give financial help to the City Improvement Trust. There is an express provision under the Act that the Government and the Corporation should each give 2½ lakhs of rupees from their finances for the City Improvement Trust. The City Improvement Trust cannot do its work without financial aid. It now transpires that the Government propose to discontinue that grant of Rs. 2½ lakhs. The City Improvement Trust has begun the work on many schemes which have been sanctioned and many schemes are being pushed through. If the Government were to stop their contribution there must be some other arrangement by which the City Improvement Trust may be able to carry its work. The Government promised sufficient help, but I find in the Budget they have provided only Rs. 1,17,000 as loan and a grant of Rs. 28,900 to the City Improvement Trust. With this financial help it will be impossible for the City Improvement Trust to continue the good work it has been doing, as the annual expenditure of the Establishment alone comes to about one lakh of rupees. When Government say they will stop giving Rs. 2½ lakhs, the Corporation also say they will stop their contribution of Rs. 2½ lakhs. If the Government do not propose to come to the help of the City Improvement Trust, it is better that the Trust is wound up altogether. As it is there are nine persons who devote their time and energy to give advice and a lot of useful and good work is being done. I trust that Government will devote their attention to this question and render the necessary financial assistance to the Trust and thus allow it to carry on the good work which it has all along been doing.

"Lastly, Sir, I shall refer to the social welfare work that is being carried on by Government. Yesterday, my hon. Colleague, Mrs. Mary Clubwala Jadhav made an eloquent appeal for support to voluntary agencies which are doing good work in the field of social work. She has done very good work in the field. As a matter of fact very large number of persons not only in Madras City but in the mufassal, both men and women, are now coming forward to help and render social service and it is up to Government to take advantage of the voluntary help that is forthcoming and to help and to try to canalise the activities to the best extent possible; especially in the matter of destitute children and delinquent children, a good deal of work is being done and the Madras School of Social Work is a pioneer institution which requires special encouragement and help by the Government because it provides welfare workers in the field of social service. I would strongly urge on the Government the necessity to encourage voluntary social service agencies, especially the efficient out of them."

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In this connexion, I also wish to refer to the other welfare work carried on among the Harijans. I am glad that the Harijan port folio is now held by the Hon. Sri Parameswaran, who has had already experience in this subject. I have no doubt that under his care, the amelioration of the conditions of Harijans will go on at a rapid pace. I am afraid that the tempo of the Harijan welfare work is not getting as vigorous as possible. I think there is room for improving the work of the Harijan Welfare Department. As regards the subsidised hostels, I would make a suggestion to the Government. Many of these hostels are not working properly. I suggest to the Government to take over all these hostels and run them themselves. This arrangement will ensure better administration and produce better results. Of course, it is very difficult for the Harijan Minister to satisfy all the needs of the Harijans, but the Hon. Sri Parameswaran, with his experience, is able to carry on his work efficiently. There is much room for expediting the work of the Harijan Welfare Department to produce better results.

"I now come to the proposed levy of a surcharge of two annas in the rupee on land revenue. A very able defence has been put up by the Leader of the House justifying the imposition of this levy. But I must confess that I am not still convinced about the justness of this tax. Belonging as I do to a dry district, I know the conditions of the agricultural industry in such districts. Agriculture is there a deficit industry. To think of levying a surcharge at present will be to put a heavy burden on all those engaged in agriculture. I think the levy is not justified. But the Government, having made up their minds, I think nothing more can be said against it. I still hope that there will at any rate be some exemptions granted to poorer agriculturists. With these words, Sir, I welcome this Budget and congratulate the Government on having brought forward such a satisfactory Budget."

* Sri T. M. DAIVASIKHAMANI ACHARIAR:—"May I take this opportunity to congratulate you, as an older Member of this Council, on your occupying the Chair even temporarily? These are all days of young people and so, as an old man, I feel more than gratified in seeing you in that exalted position."

VICE-CHAIRMAN (Sri T. G. Krishnamoorthi):—"I thank the hon. Member for his congratulation."

SRI A. CHIDAMBARAM MUDALIAR:—"கனம் தலைவர் அவர்களே, 'தலைவர் அவர்களே' என்று நான் குறிப்பிடும்போது ஒரு வகையில் சந்தோஷப்படுவதென்பது இருக்கிறதே. என்னுடைய ஜில்லாவாசியாகிய சக அங்கத்தினர் ஸ்ரீ டி. ஜி. கிருஷ்ணமூர்த்தி அவர்கள் தலைமையில் பேசும் வாய்ப்பு எனக்குக் கிடைத்ததற்காக நன்றி."

"நான் இந்த பட்ஜெட்டில் பெரும்பாலான அம்சங்களை வரவேற்பதுடன் நிதி அமைச்சரால் வகுக்கப்பட்டுள்ள சில முற்போக்கான திட்டங்களை வெகுவாகப் பாராட்டவும் செய்கிறேன்."

"வாக்கு சுதந்திரம் அளிக்கப்பட்டுள்ள ஜனநாயக அமைப்பில் இயங்கும் சட்டசபைகளில், பரஸ்பரம் அபிப்பிராயங்கள் கூறப்படுவதற்கு

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தாராளமான சமசந்தர்ப்பங்கள் அளிக்கப்பட்டிருப்பதால், எப்போதும் குறை கூறுவாரே இல்லாதபடியான பட்ஜெட்டைத் தயாரிப்பது என்பது இயலாதது தான்.

"எங்குபார்த்தாலும் வசதிகள் தேவை என்ற கோஷம். மோட்டார் வசதி, ரயில் வசதி, தபால் வசதி, தந்தி வசதி, கல்வி, சுகாதாரம், மின்சாரம், பொழுது போக்கு இன்னும் என்ன வசதிகள் உண்டோ, எல்லாம் தேவை. பல குறைகளிலும் வசதிபெற்று வாழ்க்கைத்தரம் பெரிதும் உயர்வேண்டும். வரி விதிப்பு மட்டிலும் உயர்க்கூடாது, வரி விதிப்பு பெருக்கக்கூடாது."

"இந்த மாதிரியான முரண்பட்ட கோரிக்கைகள் பொதுவாக எங்கும் பரவலாக சமர்ப்பிக்கப்படுகின்றன. இதனால், இப்படிப் பொதுப்படையான, திட்டமற்ற ஆக்கமற்ற, முரண்பட்ட கூச்சல்கள் எழுவதைக்கொண்டு, குறிப்பாக கூறப்படும் குறைபாடுகளில் உள்ள நியாயமான அம்சங்களை அலட்சியம் செய்து விடக்கூடாது."

"வசதி தேவை என்பவர்கள் எங்கும்தான் உள்ளனர். கிராமங்களுக்கு சுகல் வசதிகளும் அளிக்கப்படவேண்டும். நகரங்களுக்கோ, மேன்மேலும் இன்னும் அதிக வசதிகள் தேவை. கல்வியும் சுகாதாரமும், போக்குவரத்தும், மின்சாரமும் இதர இயந்திர சாதனங்களும், எல்லாமே உயர்ந்த ரகத்திலும், பரந்த அளவிலும் பலருக்கும் தேவை."

"ஆனால், இந்தக் கோரிக்கைகளைப் பூர்த்தி செய்வதில், ஏற்கனவே மிகவும் பின்தங்கிவிட்டவையாகவுள்ள கிராமங்களுக்கே முதலிடம் அளிக்க வேண்டும் என்பதை எவரும் மறுக்கமுடியாது."

"இதிலிருந்து, நாட்டின் செல்வ விறியோகத்திலும், கைத்தொழில் வளர்ச்சித்திறனிலும் ஈடுபட்டு வளர்ந்து பெருகிவரும் நகரங்களில் பல, கல்வியிலும் சுகாதார வசதிகளிலும், பின்தங்கி நிற்பதை அப்படியே விட்டுவிட்டால், அதன் பின் விளைவுகள் அபாயகரமானவையாகிவிடும். ஆனபடியால் அவற்றைப் புறக்கணித்தாலும் நாட்டில் நல்லாழிவுக்குப் பாதகமாகும்."

"ஆகையால், வசதிகள் அளிக்கப்படவேண்டும். வரிகளும் விதிக்கப் படவேண்டும். வரி செலுத்துவோர், தக்க அளவுக்கு வசதி பெறுமாறு பார்த்துக்கொள்ளவேண்டும் என்பதுதான் என் அபிப்பிராயம்."

"உதாரணமாக, ஏழாம் வகுப்புவரை இலவசக் கல்வி அளிப்பதானது மிகவும் பரந்த நன்மை தரத்தக்க சிறந்த திட்டமாகும். இதில் மாதம் இன்ன வருவாய் உள்ளவர்களுக்கு இந்த சில வசதி என்பது ஏன்? அந்த வருவாயுள்ளவரிடம் பெறவேண்டியதைப் பொதுவாக வரியாகப் பெற்றுவிடுவோமானால், ஒரு கட்டம் வரை கல்வி பயிலும் எல்லா மாணவர்களுக்கும் இலவசக் கல்வியென்ற பெரும் லட்சியத்தை எளிதில் எல்லோருக்கும் புரியக்கூடிய வண்ணம் அடையக்கூடும்ல்லவா?"

"கிராமங்களில் கோடை காலத்தில் அறியை குடி தண்ணீர் கிடைப்பது அரிதாகிவிடுவதால் குடி தண்ணீர் வசதி அத்தகைய கிராமங்களுக்கு நிச்சயமாகக் கிடைக்கச் செய்வதற்கான ஏற்பாடுகளைத் துரிதமாகச் செய்ய வேண்டும்."

"சில தாலுகா தலைநகரங்களிலே கூட பிரசவ விடுதிகள் அறவே இல்லை. கூடுமானால் ஒவ்வொரு பிராந்தியத்திலும் ஒரு பிரசவ விடுதியை அமைக்க ஏற்பாடு செய்தால் மிகவும் நலமாக இருக்கும். குறைந்த பட்சம் தாலுகா தலை நகரம் ஒவ்வொன்றிலும் ஒரு பிரசவ விடுதியை வது ஆரம்பிக்கவேண்டிய அவசியத்தை சர்க்காருக்கு வற்புறுத்திக்கொடுக்கக் கொள்கிறேன்."

"பாசன வசதி குறைந்ததால் பிசுதேசங்களில் கிராமந்திரங்களுக்கு விவாசயத்திற்கும், இதர சிறு குடிசைத் தொழில்களுக்கும் உதவத் தக்க முறையில் மின்சாரம் வழங்க அபிவிருத்தித் திட்டங்களின்கீழ் துரித ஏற்பாடுகள் செய்யப்படவேண்டும்."

[Sri A. Chidambara Mudaliar][3rd March 1955]

இதுகாலை உதவி, அபிவிருத்தித் துறைக்காக ஒதுக்கப்பட்டும், பயன்படுத்தப்படாது நிற்கும் தொகைகளை விநியோகித்து, கிராமங்கள் யேகமான முழு அதிகாரம் பெற்ற ஸ்தல அதிகாரிகளைக் குறுகிய காலத்துக் காவது நியமித்தும் கூட, அபிவிருத்தி வேலைகளை ஏற்றுக்கொள்ள ஆயத்தம் மாட்டாது கிராமங்களுக்காவது உடனடியாகப் பலன்கிட்டுமாறு உதவவேண்டும். பல கிராமங்களில் மனுக்கள் கூட பரிசீலனைக்கு எடுத்துக்கொள்ளப்படாமல் இருப்பதை நான் அறிவேன்.

“கிராமங்களைப் பொறுத்தவரையில் மேலும் சில வார்த்தைகள். விவசாயிகளுக்கு விதிக்கப்படும் சர்ச்சாஜ் விகிதம் இன்னும் சிறிதளவு அதிகப்படுத்தப்பட்டாலும் பரவாயில்லை, மிகச் சிறிய விவசாயி உட்பட சகலருக்கும் ரூபாய்க்கு இரண்டாறு வரி என்பது உகந்த முறையல்ல. ஓரளவுக்குட்பட்ட சிறு விவசாயிகளுக்காவது விலக்களிக்கப்படவேண்டும். விலை வாரிகளின் வீழ்ச்சியைத் தடுக்க இயலாது போகாமாயின், இந்த வரி விதிப்பையே முழுதுமாகக் கைவிடுதல் நலமாகும்.

“நகரங்களில் போக்குவரத்து முன்னிலும் பல மடங்கு அதிகரித்துள்ளதன் காரணமாக ரஸ்தா தேய்மானம் அதிகமாகி, ரஸ்தா பராமரிப்பு செலவுகள் நகரசபைக்குப் பெருகிவருவதால், அதைச் சரிக்கட்ட அரசாங்கம் அதிக ஈவு கொடுக்க வேண்டியதும் அவசியமாகும். சுகாதார வசதிகளும், ஜனப்பெருக்கத்திற்கேற்ப அதிகம் செய்துதர வேண்டியிருப்பதால், நகரங்களுக்கு, குடிதண்ணீர் ஏற்பாடு, சாக்கடைத் திட்டங்கள் ஆகியவைகளுக்காக நாராளமாக நிதி உதவி அளிக்க சர்க்கார் முன்வரவேண்டும்.

“நகரங்களில் ஏழாம் வகுப்புவரை கல்வி இலவசமாக போதிக்கப்படுவதின் மூலம் நகரங்கள் அதிகப் பளுவை ஏற்கவேண்டியவரும். இந்த மாதிரியாக ஏற்படும் உயிர்ப் பளுவை ஏற்க அரசாங்கம் மாணேஜ்மெண்டு பள்ளிகளுக்குக் கொடுப்பது போலவே அதிகம் மாணியம் கொடுத்துதவ வேண்டும்.

“இந்தச் சந்தர்ப்பத்தில் நான் பொதுவாக மதுரை நகரசபையைப் பற்றி ஓரளவு எடுத்துச் சொல்ல விரும்புகிறேன். மதுரை நகரத்தில் தண்ணீர் வசதி செய்து கொடுப்பதைப்பற்றி நான் சென்ற கூட்டத்திலும் குறிப்பிட்டிருந்தேன். தண்ணீர் கஷ்டம் அதிகரித்திருக்கிறது. இருபது வருஷங்களாகவே திட்டம் பரிசீலிக்கப்பட்டிருக்கிறது. இரண்டு வச ரூபாய் சர்க்கார் கொடுக்கவேண்டுமென்று கேட்கப்பட்டிருக்கிறது. அது எந்த நிலையில் இருக்கிறதென்பதைத் தெரிந்துகொள்ளமுடியவில்லை. புள்ளி விவரங்களோடு சர்க்காருக்கு திட்டம் சமர்ப்பிக்கப்பட்டிருக்கிறது. கடனே அல்லது மற்ற உதவியோ கொடுக்கப்பட்டிருக்கிறதா என்ற விவரம் இருக்கிறதாகத் தெரியவில்லை. அந்தத் திட்டம் விடப்பட்டதாகவே நினைக்க வேண்டியிருக்கிறது. ஆனால், ஒவ்வொரு சந்தர்ப்பத்திலும் மதுரை நகரத்திற்கு வந்த அமைச்சர்களுடைய கவனத்திற்குக் கொண்டுவரப்பட்டிருக்கிறது. சர்க்காரின் கவனத்தில் இருந்து வருகிறது. அதற்குப் போதிய நிதி ஒதுக்கப்பட்டு, இந்த வருஷத்தில் அது ஒரு நிலைக்கு வரும் என்று குறிப்பிட்டிருக்கிறார்கள். இது விஷயத்தைக் கவனித்து அதற்கு வேண்டிய வசதி செய்து தருமாறு அமைச்சர்களை நான் கேட்டுக்கொள்ளுகிறேன்.

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p.m.

“இந்த இனங்களுக்காக ஒதுக்குவதற்காக வேண்டிய நிதியை, சாதாரணமாக நகரங்களில் வசூலிக்கப்படும் வரிப் பணத்திலிருந்து பெற இயலாதாகையாலும், கிராம மக்கள் செலுத்தும், பொது வரி நிதியிலிருந்தும் கொடுக்க இயலாதாகையாலும், நகரங்களின் அபிவிருத்திக்குத் தேவைப்படும் நிதியை கிராமங்களில் வயலுக்கு அபிவிருத்தி வரி என்றிருப்பது போல், நகரங்களில் தொழில் மூலமும் அளவற்ற சொத்துக்கள் மூலமும் பெரும் லாபம் சம்பாதிக்கும் சிறு தொகையினரிடமிருந்து மூலமும் முயலலாம். இது சோஷலிசப் பாணி சமுதாய அமைப்பில் விதிக்கப்படும் வரி நிர்ணய முறையை அனுசரித்ததாகும். ஆதலால் நம் வட்சியத்தை அடைவதற்கு மேற்கொள்ளப்படும் இந்த முறையை யாரும் குறைகூற முடியாது.

3rd March 1955][Sri A. Chidambara Mudaliar]

“இந்த விதமாக தேவைக்கேற்ப வசதிகளும், சக்திக்கொத்த வரிப் பளுவும் என்ற அடிப்படையில் நமது பட்ஜெட்டை அமைத்து அமுலாக்கி நிர்வகிக்கும் திறமை நிச்சயமாக நம் முதலமைச்சருக்கும், அவர் தலைமை யில் அமையப்பெற்றிருக்கும் அனுபவம் வாய்ந்த மற்ற அமைச்சர்களுக்கும் முறையில் சீர்தூக்கிப் பார்த்து வேண்டுவன செய்யவேண்டுமென்று கேட்டுக் கொள்வதோடு, மக்களும், அதிகாரிகளும், பொதுஜன ஊழியர்களும் இவர் களுக்குப் போதுமான ஆதரவளித்து சமுதாய நல அபிவிருத்திக்கு உதவ வேண்டுமென்று கேட்டுக்கொண்டு என்னுடைய சிறுமுறையை முடித்துக்கொள்கிறேன்.”

* SRI P. P. UMMER KOYA :—“Mr. Chairman, the Budget presented before this House is very important in more respects than one. It is important as it covers the final year of the First Five-Year Plan. It is important as for the first time, a Tamil translation of the Budget speech of the Hon. the Minister for Finance has been placed before the House. It is important as it proposes to give exemption from the payment of school fees to all poor children up to the middle school stage. It is important as it gives top priority to irrigation and rural electrification schemes. It is important as it envisages new taxation measures in spite of falling prices. Sir, this is indeed a bold and colourful Budget. This Budget is an indication of our Government's determination to implement the First Five-Year Plan to the fullest extent possible. Though the progress of the Plan in the early stages has been very slow, our Government are going to complete it during the Budget year. They propose to spend about Rs. 25 crores for implementing the Plan in this State. Sir, it is true that the future of this State depends upon our ability and our enthusiasm in implementing the Plan. When the Plan was first initiated, there were criticisms from many quarters that within the five years we will never reach the target and the several schemes will not benefit the rural population and that the Plan will only obstruct the economic progress of the country. But what do we see to-day? We see a bright picture. This Plan is nearing completion. People are really enthusiastic about it. They give their utmost co-operation as they realise fully that the Plan is intended for bettering their condition. They are wholeheartedly behind the Government in all the nation-building activities. This is the time when we have to utilize all our resources for the implementation of the Plan. Sir, we may have to bear new burdens. We may have to tighten our belts. We may have to pay additional taxes. We may have to give up luxuries and even some of our comforts. Perhaps, this generation is destined to toil and suffer so that the future generation may live in peace, happiness and comfort. The Government cannot function without the co-operation of the people. So, there is no meaning in unnecessarily criticising the Government for their new taxation measures. Our requirements are many, but our funds and resources are meagre. Therefore the Government are compelled to bring forward new taxation measures so that the various schemes may be taken up for execution. As Members of this House, it is our responsibility to create confidence and enthusiasm

[Sri P. P. Ummer Koya] [3rd March 1955]

in the minds of the people and also to instil in their minds new hopes and visions. I would like to congratulate the Hon. the Finance Minister on his proposal to grant exemption to all poor children irrespective of caste or community, from the payment of school fees up to the middle school stage. However, I would like the Government to extend this concession to high school classes also in the case of backward community students. I wish the Government had also taken steps to provide free mid-day meals to all poor children attending schools. There is no meaning in imparting compulsory education to children who are ill-clad, ill-fed and ill-nourished. The future of the country depends on these starving children. It is the responsibility of the Government to feed them as well as to educate them. Primary education is the responsibility of the Government. So, the Government must take early steps to nationalize elementary schools. There is no meaning in still continuing the management system in the elementary schools in the State. It is out-dated and it must be put an end to. The future of the country rests on the growing children. Now, we are building up great traditions. We are making history. We are remoulding the destiny of the country. The future generation must be made fit and prepared to play their role in the years to come. It is only in the elementary school stage and by proper education, the character of the young growing children can be correctly moulded. While I am on this subject, I should like to refer to the condition of the teachers also. We know their condition has not yet improved. The Government have not done anything appreciably to improve their condition. Really, they could very much in the present as well as the future set-up. We are leaving our children in the hands of those ill-paid teachers and we expect those teachers to mould the character of our boys and girls on right lines. If they are not properly treated, if they are not satisfied, if they are not sufficiently remunerated, we do not know how they can perform their duties efficiently. They may even spoil our children. So, I request the Government to take early steps to enhance their salaries.

" Sir, regarding Prohibition, I would like to say a word about my district. There, illicit distillation has come to stay as a cottage industry, patronised and encouraged by those who are entrusted with the Prohibition work.

" Regarding local bodies, the Hon. Leader of the House in his speech, while initiating the Budget discussion, referred to local bodies as the weakest link in the administration. May I add that the district boards are the weakest, unnecessary and superfluous link in the administration? They are only debating societies. They have no power and no funds. They have to depend upon the Government for everything. I do not know why they should continue. Really, district boards are an anachronism in the present set-up. It is better if the Government consider the question of the abolition of district boards and decide on it at an early date and give more and more powers to panchayats and municipalities.

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" Sir, I would like to say a few words about the Laccadives, the most undeveloped area in this State. People in this far off island are living in a miserable condition. They have to depend on the mainland for their food and other essential articles. They come to the mainland for taking these, in their country craft depending upon the winds.

" Most of the time it is risky and dangerous to go in country 6 p.m. crafts from the mainland to the islands. During monsoon, they are completely shut off in their islands and no information is available about the people and their condition in the islands. So, it is high time that the Government took some measures to develop these islands and introduce regular communication between the islands and the mainland. Recently, His Excellency the Governor visited the islands and looked into the condition of the people. Moreover, there is the Krishnaswami Report and also there are reports of several officers who have investigated the condition of the people there. These are before the Government and they must take very early steps to improve the condition of the people and introduce regular communication between the mainland and the islands.

" Sir, the Tamil translation of the Budget speech of the Hon. the Finance Minister is welcome innovation. It must have immensely pleased Members like 'ganam' Annamalai Pillai. But I am sure he will not be satisfied till Tamil is made the official language of the State. I am afraid some of the Members of this House may not feel happy at all till all the non-Tamil-speaking people in this State are driven out of it. There is a move now to make Tamil the medium of instruction in the colleges. In spite of the warnings uttered by eminent leaders and educationists like our hon. the Leader of the Opposition, I am afraid it is going to happen and English will be replaced and Tamil made the medium of instruction in colleges. My only plea here is that in the case of all non-Tamil-speaking people, English must be allowed to be retained as medium of instruction in the colleges. Let us not bring in any kind of language Imperialism here. Communalism has already played havoc in this country. We have shed blood in the name of religion. To-day, we are talking of dividing the country on the basis of language. Sir, even if linguistic States are formed, there will be linguistic minorities in them. Thamizhagam, when it is formed, will have Malayalees and Kannadigas in it. So, it is the duty and the responsibility of the majority community to show tolerance and sympathy to the minorities. It is also the responsibility of the majority to protect the interests, languages and cultures of the minority. No minority whether linguistic or religious can be wiped out. If they are not treated properly, there will be trouble and eternal trouble.

" Sir, the hon. Member, Mr. M. P. Govinda Menon unfortunately is not here. He made some baseless charges against the Government and the Hon. the Leader of the House has replied to those charges. But I cannot help saying this. There is a feeling in Malabar that we are being neglected. We are a sensitive people

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though we are intelligent. Perhaps this feeling may be due to the fact that there is no Malayalee in the Cabinet. Some times we ourselves feel that we are treated like some intruders here. We are not intruders here. We form part of the State. As long as we form part of the State, we have every right to be here and plead for our cause. So, I would like the Chief Minister of the State and also the Leader of the House to consider the question of appointing a Malayalee as Minister at an early date so that this confusion, this disappointment and this feeling that we are being neglected may be removed. Mr. Govinda Menon charged that this Government were not doing anything to Malabar. He made all kinds of baseless charges in his usual way against the Government. We know the Government are doing so many things for us and we are grateful to the Government for it. But if in our anxiety or overenthusiasm we say that we are not satisfied, it is because much more remains to be done for Malabar. Anyhow, we Members coming from Malabar who belong to the Congress party are very grateful to the Government for what they are doing us and I would request the Government to show us more consideration, give us better treatment, take more interest in our affairs, and do everything possible for the development of our district. Thank you, Sir."

MR. CHAIRMAN :—" We sit till 6-30 p.m. Mr. E. H. Parameswaran."

* SRI E. H. PARAMESWARAN :—" Mr. Chairman, Sir, because my hon. Friend, Mr. Ummer Koya, referred to the supposed neglect of Malabar, let me begin with a reference to it. It is unfortunate that Mr. Govinda Menon should have said in this House that Malabar was persistently, systematically and deliberately neglected by the Government. As one belonging to the district of Malabar, let me say how unhappy I felt that a Member coming from Malabar should have made such unfounded allegations against the Government and should have given an opportunity to the Hon. the Leader of the House to refute the charges by cataloguing the various things which the Government have done for the district. When I heard the Leader of the House cataloguing these things, I felt very unhappy. I do not want any kind of discrimination to be made between district and district. Also when Mr. Narasappayya made reference to the conditions in the South Kanara district, I wanted to tell him that it was very unfortunate that educated persons of the Council should speak about their own districts. Let me remind hon. Members of the great dictum of Lord Macaulay here. When he stood for election to the Parliament from the constituency of Bristol he said: 'When a member is elected to the Parliament, he should cease to think of his particular constituency and consider himself the representative of the whole country.' I know that the Government have done so much for Malabar. There is the Malampuzha project; there is the Walayar project; there is the Mangalam project. And with regard to Education, I know that our leader Rajaji, when he was Chief Minister of the State said that he appreciated the great organisation of teachers

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in Malabar and the sincere way in which they were doing their work and instituted the system of direct payment of salaries to the teachers of Malabar. In the district of Malabar to-day, 15,000 teachers get their salaries by money order. Perhaps this is the only district which is given this special consideration. We have so many political divisions and I find both the hon. Members coming from the West Coast who levelled these charges are absent now. It is unfortunate.

" Sir, let me congratulate the Government on introducing a very progressive Budget and as the Leader of the Opposition said, we have now for the first time a change-over or a shifting of emphasis from the economy of the urban areas to that of the rural areas. We find that there is an anticipated revenue of 46 crores of rupees and an anticipated expenditure of 49 crores of rupees for 1955-56, leaving a deficit of three crores of rupees. It has been argued by many hon. Members here and also by many Members of the Assembly that this small deficit should have been left uncovered. As a student of economics, I can say, Sir, that according to the canons of public finance, huge deficits should not be left uncovered. The Taxation Enquiry Commission has also said in its valuable report that the Government should explore new avenues of taxation if they want to implement the development programmes of theirs. I, therefore, feel that the Government should not leave this deficit uncovered. If deficits are left uncovered, it will ultimately lead to economic chaos and ruin of the State. This State is maintaining credit all over India because our Hon. the Finance Minister is always very careful about our finances.

" I do not want to repeat once again the congratulations that have been showered upon the Hon. the Finance Minister and other Ministers with regard to several irrigation works that have been in progress. We have got the Lower Bhavani Project which has now been completed. Manimuthar and Malampuzha projects are about to be completed. The Mettur canals scheme is about to be completed and then we have the Walayar and Mangalam schemes. Besides we have started a few irrigation projects. We have got the Sathanur, the Krishnagiri and the Vaigai projects. All these new projects are being taken up. I would like to say that under the Community Projects also wonderful work has been done. Hon. Members who have not visited the community project areas may not know the psychological effect which these community Projects have on the villagers. They do not know the psychological effect for which these Community Projects have been responsible for. The man in the street, the common man, feels that he is now cared for by Government. I feel that Government should give greater publicity and propaganda with regard to these community project and other works. Two friends of mine returned, the one from Germany and the other from France and they told me people and students there in those countries asked them about the Malampuzha scheme, the Lignite project at Neiveli but these people were not able to give the necessary information because

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they were not fully aware of the details about the scheme which had not been publicised. Only the broad outlines have been published. Even we, hon. Members, do not know the exact details. I would make a respectful submission to Government that it would be worthwhile for Government to ask all members of the Legislative Assembly and the Council to make it a point to travel through these Community Project areas and Irrigation Project areas, by giving them railway passes. I do not think anything would be lost if the Government were to do so. If that is done, we may give publicity and enough publicity to the achievements of Government in this field. The Hon. Deputy Leader of the Opposition has asked what was the result achieved by these projects and whether the results achieved were commensurate with the money spent by Government. If only he had visited all these areas, he would not have asked that question. There has really been progress and achievement.

"Let me congratulate the Hon. the Finance Minister on the great advance he has made by making education free up to the III Form to all poor children irrespective of religion or community. Education up to the middle school stage has now been made free to all children, the income of whose parents falls below Rs. 1,200 annually. That also would lead to the establishment of a socialistic state of society.

"A committee has been appointed to go into the question of reform of elementary education. My hon. Friend referred to the slow progress made in respect of basic education. The Hon. Maulana Abdul Kalam Azad moved the resolution on 'basic education' at the Avadi Session of the Congress and the Hon. Finance Minister supported that resolution. It is rather unfortunate that we in this State have not progressed in the matter of basic education. Out of 120,000 schools in the State only 681 schools are basic schools. If all the schools in our State are to be converted into basic schools, I think it will take at least 50 years more.

"I wish the Government have done something for the teachers. My Friend Mr. G. Krishnamurthy has been constantly clamouring for a 'square deal' to the teachers. Before we think of reforming education, we should think of raising the economic status of the teacher and I feel very sorry that in spite of the promise made in 1952 and 1953 and in spite of the promise made even last year, nothing has been done in this Budget to ameliorate the condition of the elementary school teacher.

"Let me now come to the subject of 'secondary education'. I am sorry that the Hon. the Minister for Education is not here. We want that the recommendations of the Secondary Education Commission presided over by our great leader Dr. A. Lakshmanaswami Mudaliar should be implemented. For the first time we have had an All-India Secondary Education Commission presided by Dr. A. Lakshmanaswami Mudaliar. The recommendation of that commission has been accepted by the Central Advisory Board

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of Education and the Central Government and so I think it would be practicable for the State Government to implement its recommendations."

Mr. CHAIRMAN :—"The hon. Member's time is up."

* SRI E. H. PARAMESWARAN :—"The Tamilnad Congress Committee appointed a sub-committee to go into the grievances of teachers and after a good deal of scrutiny they have recommended that at least Rs. 50 should be given as basic salary for the lowest class elementary school teacher, that the secondary-grade teacher should get Rs. 70 and that a graduate should start on Rs. 100. I would like to know what this Government have done to implement the above recommendations of that committee.

"Since my time is short I would like to say one or two things; let it be made possible for the teachers in urban areas to get house rent allowance. The municipality teachers are getting house rent allowances. But the aided-school teachers are not getting the house rent allowance. The Madras Teachers Guild organized a deputation which waited on the Chief Minister and the Minister for Education and on the Director of Public Instruction. All of them promised to give the best consideration to the request. But nothing has been done till now. Let there be also no disparity between teacher and teacher, the one working at a Government school and the one working at an aided school, in the matter of salaries. We teachers feel that in spite of all handicaps, in spite of there being no increase in our salaries, we have held aloft the banner of education of our Madras State, generation after generation and we have told our brethren in the profession that they should be torch-bearers in the field of education and that they should concentrate on their work. But after all, Sir, the teacher is also a human being. Therefore I would request the Government to increase the salaries of teachers so that they may live happily and so that the present discontentment among their lot may be removed. I have great pleasure in congratulating the Finance Minister and Government on the very bold budget that has been presented to us. It is a budget which sees a year of progress made and I am sure we are heading towards our ideal of a Welfare State."

* SRI C. MARUDAVANAM PILLAI :—"Mr. Chairman, Sir, I wish to be brief on my remarks on the budget because what I have got to say has been covered more or less by my previous speakers. Now as one representing the local board constituency, I wish to say a few words about the remarks made by some hon. Members that the local boards were not functioning properly. It is not a fact. There might have been deviations. But these local boards have been doing their work according to the rules prescribed under law, from time to time. They are doing wonderful work for the benefit of the people. If there is any deficiency in the working of local boards, it is due to the apathy of the Government. They did not come to the help of the local boards in time but simply asked the local boards to get on with what they have got. They could not give

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us more grants by impressing upon the Central Government to allot more grants for road works in the local boards and towns. Therefore, to say that the local boards are not functioning properly is not justified. I agree with the Leader of the Opposition in his remarks that education should be completely taken away from the local boards, because in these days of democracy if secondary education is made free and if no lump-sum grant is made to the local boards under the head 'Education', the local boards will not find it possible to carry on their work regarding education. Therefore, I accept the suggestion that 'education' should be taken away from the local boards, and they should be left free to attend to the civic needs of the rural population very effectively. The Government have centralized all powers in Madras, and from here they are sanctioning grants. Mahatma Gandhi also has stated that Panchayat Raj should be established and full powers should be given to panchayats. He also said that more funds should be placed at their disposal. Then only the country will prosper. There is no use of blaming panchayats and local boards without affording them necessary finances to carry on their work. Of course there should be control over the affairs of the panchayats. If the Government want that panchayat boards and local boards should function effectively, they must give them all the facilities. If democracy should mean anything to us, we must see that panchayat boards and local boards are helped greatly. Then only we can say whether they are functioning properly or not. Without giving the opportunity and the facilities to the panchayats, how can we say that local bodies are not functioning properly? It is not fair on the part of the Members of this Hon. House to say that local boards are burdensome. The Government are considering the reorganisation of the local boards. I ask, Sir, what reorganization they are going to make. Are they going to abolish the district boards? Are they going to bring in taluk boards? Are they going to take away all the panchayats? Reorganisation can only be effected by giving more powers to the panchayats, municipalities, and district boards. Funds should be placed at their disposal to discharge their duties properly. That is my only humble appeal to the Government. The Government instead of wasting time on constituting committees should help the existing local boards by coming forward with liberal grants for all the works which they apply for. The Government should give more grants for starting secondary schools, elementary schools, and so on. I welcome the Government proposal to increase the number of elementary schools.

"I am glad to see that Government are allotting more funds under various heads, namely, electricity, irrigation, education, and public works. I doubt whether the allotments will be fully spent within the year, or whether these allotments are only lump-sum allotments in the budget. I hope the Government will take every possible step to spend all the allotted amounts under each head before the end of the budget year.

"Sir, I cannot congratulate the Government on their coming forward with a proposal to levy a surcharge of two annas in the

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rupee on land revenue. As a land-owner, I know the difficulties of the land-owners. I do not feel much for the well-to-do, but I sympathize with those who are paying a revenue of less than Rs. 25. Last year the Government came all on a sudden with a measure to tax all landowners above a certain limit. That tax came into force from 1st April of last year. We are yet to see how far that tax has affected the land-owners and what amount has actually been collected by that levy. We do not know whether the Government will collect the information this year. Before the current year's demand is collected, the Government have come forward with a proposal to levy a flat surcharge of two annas in the rupee on land revenue. I ask, Sir, whether this is fair to treat the land-owners in this manner. Is it fair to impose a surcharge without notice to the landowners? Is it fair to go on taxing only one kind of property? I do not mean to say that I plead for imposing taxes on other kinds of property. But I ask whether it is fair to go on levying taxes on landowners without examining the already existing taxes on land. Every year land revenue is being increased to cover the budget deficit. This is not reasonable. Landowners are voiceless people in these days of democracy, and they should not be taxed more and more year after year. It has been increased from four annas to eight annas and from eight annas to one rupee and so on. Instead of earmarking this Rs. 75 lakhs, to be derived from the levy of this surcharge, to local boards, the Government may as well amend the Local Boards Act by raising the land revenue cess from two annas to four annas and straightway hand over the money to the district boards instead of taking up the responsibility of collecting the surcharge first. I think the Government will reconsider their decision in the matter, because this will affect millions of land-owners in this State. Levying a surcharge on land year after year is not at all good. Therefore it is I appeal to the Government to reconsider their decision. After all the deficit is not a big one. In a budget of Rs. 47 crores receipts, and Rs. 48 crores expenditure, the deficit is not much. After all we are leaving a deficit of Rs. 116 lakhs uncovered. I ask, why not we leave the entire deficit of Rs. 3½ crores uncovered? I say this because in the allotment for expenditure amounting to Rs. 49 crores, there may be possible savings here and there. This saving will cover the probable deficit. Therefore, there will be no need for taxation at all.

"Now I want to refer to one or two things about district boards. Last year also I mentioned this. When the Panchayat Act was passed, a provision was made that 12½ per cent of the land revenue should be made over to the panchayats. I do not think, Sir, a single pie has so far been paid to the panchayats. What is the justification for the Government to withhold that contribution from the panchayats? How can the panchayats improve? I appeal to the Government to consider this question. With these words, Sir, I conclude."

MR. CHAIRMAN :—"The House will now adjourn and meet at 3 p.m. to-morrow."

The House then adjourned.

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APPENDIX.

[Vide answer to clause (c) (ii) of starred question No. 222 asked by Sri T. M. Daivasikhamani Achariar at the meeting of the Legislative Council held on 3rd March 1955, page 448 supra.]

Name and designation.	Age.	Date from which holding the post.	Qualification and experience.
(1)	(2)	(3)	(4)
1 Sri K. R. Sreedharulu, Gem Specialist.	58 years	13th July 1948	He was a Diamond Merchant, and was dealing with precious gems for about 35 years, having direct purchases from European travellers and Diamond Merchants from Antwerp and Amsterdam. He was having his own workshop for jewel manufacture. He was also appraising valuable jewels confiscated by Government through the Chief Presidency Magistrate and Commissioner of Police. The Courts used to summon him for giving expert advice. He was one of the experts selected for valuing the Kreetam of Thirumalai-Tirupathi Devasthanams, Tirupathi.
2 Sri K. Eswara Achary, Goldsmith Specialist.	55 years	1st October 1948	He has worked as a goldsmith for 40 years.
3 Sri S. Swaminatha Pathar, Sthapati.	33 years	3rd November 1948.	Before joining duty in this department, he was manufacturing gold and silver articles in the temples under the control of Dharmapuram Adheenam.

THE MADRAS LEGISLATIVE COUNCIL.

Friday, the 4th March 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.

SHORT NOTICE STARRED QUESTIONS.

MR. CHAIRMAN :—“ We have received answers to two short notice questions; let us take them up first. Question No. 222-A.”

Downward trend in the agricultural prices in this State.

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

(a) whether the Union Government has been apprised by this Government of the downward trend in the agricultural prices in this State at present; and

(b) whether any measure of relief to farmers in view of the present price of rice is under consideration and if so, the details thereof?

THE HON. SRI M. BHAKTAVATSALAM :—“ (a) The Government of India are aware of the fall in agricultural prices in the country at present. On 17th February 1955 we asked the Government of India as to the steps they proposed to take to avert a serious fall in prices and again on 22nd February 1955 we suggested certain measures to stabilise prices.

“ (b) The Government of India have stated that although there has been some decline in the price of rice in Madras State, the stage has not been reached when the Government should start making purchases as they propose to do in the case of coarse grains, viz., jowar, bajra and maize during the current khariff, year in order to give relief to cultivators. A fall in prices of paddy during the harvest season now is inevitable and there are already some signs of recovery. The Government are watching the prices and are considering the setting up of a small Ad hoc committee to review the prices every weeks. The Government have also suggested to the Government of India that the Reserve Bank of India should be requested to instruct the banks and co-operatives to issue crop loans liberally so that prices may be stabilised. They have also been asked not to release Civil Supplies buffer stocks except on a replacement basis.”

SRI T. PURUSHOTHAM :—“ Is it not a fact that the Government of India have announced a price support of Rs. 10 per maund in the case of wheat to safeguard the interests of wheat-growers? Will the Madras Government address the Government of India asking that the same concession may be extended in the case of rice also as a measure of relief? ”

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THE HON. SRI M. BHAKTAVATSALAM :—“ Sir, that may be considered when the price of rice also falls below a certain level. I may tell the hon. Member that there has yet been no steep fall in the price of rice.”

SRI V. CHAKKARAI CHETTY :—“ May I ask why the hon. Minister should feel that the fall in price is a calamity? Is it not good for the consumer? So far as I am concerned, it is a good thing. Because, the consumers will have to pay only a less amount for the rice that they purchase. Especially in the case of those poor people whose income is comparatively low, the fall in prices will benefit them. So, what is the harm if the prices fall?”

THE HON. SRI M. BHAKTAVATSALAM :—“ I have just now said that unless the prices fall below the economic level, the Government will not step in. Of course, fall in prices would benefit the consumer. But, I may tell the hon. Member that the producer also must be able to carry on. There is a limit to this fall called the economic level.”

DR. V. K. JOHN :—“ May I know whether it is not a fact that the main cause for the fall in prices of foodgrains is want of purchasing power in the public and poverty which is now on the increase in the State?”

THE HON. SRI M. BHAKTAVATSALAM :—“ Sir, that is the favourite theory of the hon. Deputy Leader of the Opposition. I do not deny that the purchasing power is low. I would like to tell him that this fall is nothing as compared with the very high prices that were prevailing in the days of control and procurement. There are other factors which have contributed to the fall in prices. There is a fall in the World price of rice. This is the harvest season and production has also increased in this State by more than four per cent compared to last year. These are the various factors that have contributed to the fall in prices. Further during the harvest season some of the poor middle class ryots have to meet some urgent demands. For this purpose they have to sell their foodgrains. But, the merchants also form themselves into a ring. On account of urgency and as they are not able to get credit facilities, they are compelled to sell the foodgrains. This is one of the reasons for the fall in prices.”

SRI MOHAMED RAZA KHAN :—“ Is it not incongruous on the part of the Government to show so much concern over the fall in prices on the one hand and on the other to levy a fresh tax on land?”

THE HON. SRI M. BHAKTAVATSALAM :—“ There is nothing incongruous about it, Sir. If the prices fall below the economic level, the Government have to step in and take necessary steps. They may even have to purchase the grains. So, that has nothing to do with our proposal to levy taxes on those who can and should bear the burden.”

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DR. V. K. JOHN :—“ May I know whether the Government have released the large quantity of rice, viz., 100,000 tons that they had stocked when decontrol was announced and whether there is any stock yet to be released?”

THE HON. SRI M. BHAKTAVATSALAM :—“ Sir, these stocks in the Madras State are being taken over by the Government of India. But mostly they have not been released for sale to the public.”

SRI MOHAMED RAZA KHAN :—“ Is it not a fact that for a long time these prices of agricultural products were at a very abnormal level? Why should not the Government in fairness allow the consumers to enjoy the benefit of reduced prices now? Why should the Government step in now at this stage to check the fall in prices?”

THE HON. SRI M. BHAKTAVATSALAM :—“ Sir, the consumers' point of view is there. I have already said that if prices do not fall below a certain level, it should not cause undue alarm. But at the same time Government have to carefully watch the situation. Already I know very rightly the agriculturists are feeling worried about it. If the prices should fall further—I have been told that a few weeks back it went to Rs. 9-8-0 or Rs. 10 per bag in Tanjore district, because the ryots had to sell their paddy for meeting some of their urgent requirements—that is a situation which we will have to carefully watch and avert.”

SRI T. PURUSHOTHAM :—“ May I presume that the Government will review the position if there should be further deterioration and will take up the matter with the Union Government for getting price support as has been done in the case of wheat-growers?”

THE HON. SRI M. BHAKTAVATSALAM :—“ Sir, we need not be particular about words and phrases like ‘price support’ and so on. I have already said that Government do purpose to appoint a Committee of Officers who will closely watch the prices week after week. We will take necessary steps either on our own initiative or in consultation with the Government of India.”

DR. V. K. JOHN :—“ May I know whether there is any idea to sell in this State the stocks of rice handed over to the Government of India and whether a major portion of the stocks is unfit for human consumption?”

THE HON. SRI M. BHAKTAVATSALAM :—“ Sir, the hon. Deputy leader of the Opposition need not worry about the quality of the stock that will be released for sale. If the quality is bad, people need not purchase it. There is plenty of rice available in the market. I have already stated that the stocks are being taken over by the Union Government.

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I have also said that if these stocks are to be released for sale, there must be corresponding replacement so as not to affect the prices of the agricultural products."

Award of scholarships for technical studies in Great Britain.

* 222-B Q.—DR. A. SREENIVASAN: Will the Hon. the Minister for Agriculture be pleased to state—

(a) whether it is a fact that the Director of Industries and Commerce has called for applications for two scholarships of the value of £400 each per annum for technical studies in Great Britain from candidates belonging to the districts of Malabar and South Kanara; and

(b) if so, what are the special reasons for restricting the grant of the scholarships to candidates from the above two districts?

THE HON. SRI M. BHAKTAVATSALAM:—“(a) At the instance of the Director of Industries and Commerce a notification has been issued by Government inviting applications from candidates belonging to Malabar and South Kanara districts for the award of two scholarships of the value of £400 each per annum for technical studies in United Kingdom.

“(b) The scholarship is being awarded from the income accruing from the residuary fund of the estate of the late Mr. M. J. Murphy, I.C.S., placed at the disposal of this Government for the award of scholarships to candidates belonging to Malabar and South Kanara districts only. In restricting the award of scholarships to candidates from the above two districts, the Government are only carrying out the express wishes of the donor.”

3-10 p.m. DR. A. SREENIVASAN:—“May I know the reason why the Director of Industries and Commerce could not furnish this information to the public?”

THE HON. SRI M. BHAKTAVATSALAM:—“If the hon. Member had asked the Director of Industries and Commerce for information, he would have furnished it. There is nothing wrong in the hon. Member asking him and the Director of Industries and Commerce furnishing the information.”

DR. A. SREENIVASAN:—“Why should the Government be a party to this type of discriminatory endowments?”

THE HON. SRI M. BHAKTAVATSALAM:—“There is nothing wrong about this kind of gifts and endowments for the benefit of people of particular areas.”

DR. V. K. JOHN:—“Will the Government consider the question of giving reasons in advertisements when similar occasions arise so that there may not be any jealousy between the several linguistic areas?”

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THE HON. SRI M. BHAKTAVATSALAM:—“I do not think it is necessary.”

STARRED QUESTIONS.

Implementation of the recommendations of the Hotel Sanitation Committee.

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

(a) who is the officer responsible for providing typical technical designs for implementing the recommendations of the Hotel Sanitation Committee;

(b) whether there are any instances where the Minister for Health has called upon the Director of Public Health to furnish type designs; if so, whether the Director of Public Health is technically qualified for the purpose; and

(c) the function of the Sanitary Engineer in the matter of providing typical engineering designs?

THE HON. SRI A. B. SHETTY:—“(a) No officer is responsible for providing typical technical designs according to the recommendations of the Hotel Sanitation Committee. The local bodies will advise the intending builders to build canteens and restaurants according to the designs recommended by the Committee.

“(b) No, Sir, does not arise.

“(c) It is not the function of the Sanitary Engineer to provide typical designs for canteens and restaurants. Type designs are to be designed by the Standing Expert Committee, of which the Sanitary Engineer is a member.”

DR. A. SREENIVASAN:—“Is the Hon. Minister satisfied with the type of designs for hotel buildings recommended by the Hotel Sanitation Committee?”

THE HON. SRI A. B. SHETTY:—“The Government have appointed a Standing Expert Committee for evolving proper types of designs.”

Waiver of recoveries from Maintenance Grants to Aided Elementary Schools.

* 224 Q.—SRI G. KRISHNAMOORTHY: Will the Hon. the Minister for Finance and Education be pleased to state whether any orders have been issued by the Government for the waiver of recoveries from maintenance grants to aided elementary schools in certain districts in the State for the years 1949 and 1950?

THE HON. SRI C. SUBRAMANIAM:—“The Government ordered the waiver of recoveries of maintenance grants in the following cases:—

(1) A grant of Rs. 405 paid in excess for 1949 to the management of the C.S.K. Sri Vidya Patasala Higher Elementary School, Papanasam.

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(2) Excess payment of grants made to certain aided elementary schools in the Tiruchirappalli district during 1949 due to some confusion in the understanding of orders.

(3) Excess payments made on wrong assessment in certain districts and in the Coimbatore Division during 1947-50 by including Teachers' Provident Fund as a reasonable item of expenditure for calculation of maintenance grant."

SRI G. KRISHNAMOORTHY :—" Am I to understand, Sir, that no waiver of recoveries was made in respect of grants for 1950 in Tiruchirappalli district? "

THE HON. SRI C. SUBRAMANIAM :—" Yes, Sir, as far as my information goes."

SRI G. KRISHNAMOORTHY :—" When a recovery of about 15,000 rupees was waived in 1949, may I know why a similar recovery in 1950 was not waived? "

THE HON. SRI C. SUBRAMANIAM :—" The hon. Member asked for information regarding waiver of recoveries. If he wants to know why certain recoveries were not waived, he must put a separate question relating to such items on which he requires information."

SRI G. KRISHNAMOORTHY :—" Sir, with reference to an unstarred question I put in this House, it was stated that a sum of Rs. 15,000 odd rupees was ordered to be recovered by the Government in the year 1950 in the case of the Tiruchirappalli district. May I know, Sir, why the same rule that governed the waiver in 1949 was not applied in the year 1950? "

THE HON. SRI C. SUBRAMANIAM :—" Each case is separately considered. Suppose in a particular year, there has been an excess payment; we waive it. Suppose it is repeated; it is not as if we should waive it again. We take into consideration the facts of each case and pass orders."

SRI G. KRISHNAMOORTHY :—" It is pointed out in the Audit Report for 1953 that a sum of Rs. 34,147 was waived. May I know whether the amounts waived in the year 1950 were also included in this? "

THE HON. SRI C. SUBRAMANIAM :—" I would like to see the Audit Report before I can answer the question. Now I am answering from the facts supplied to me."

SRI G. KRISHNAMOORTHY :—" May I know whether these recoveries were in respect of the management's contribution to the Provident Fund alone or in respect of the actual salaries over and above the teaching grants which are said to be admissible for the purpose of calculating the grants? "

THE HON. SRI C. SUBRAMANIAM :—" According to the rules only certain items are taken into consideration for the purpose of granting waiver of recoveries. If there is any

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excess payment in respect of any item or if there is a wrong payment we order recovery of the excess grant made. But in certain hard cases, we consider the position and order waiver of the recovery."

Pracharak Diploma Qualification for Hindi Pandits.

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

(a) whether it is a fact that Hindi Pandits who are mere holders of the Visharad degree of the Dakshina Bharath Hindi Prachar Sabha are required to obtain the Pracharak Diploma to make themselves fully qualified teachers; and

(b) if so, the need for such a step in the light of the answer to unstarred Legislative Council Question No. 3 given on 2nd December 1954?

THE HON. SRI C. SUBRAMANIAM :—" (a) & (b) A Hindi teacher should possess a qualification in Hindi a minimum general educational qualification and a training qualification. The Visharad Diploma of the Dakshina Bharat Hindi Prachar Sabha or its equivalent is only a qualification in Hindi while the Pracharak Diploma awarded by the Sabha is reckoned both as a Hindi qualification and as a training qualification. The answer to Question No. 3, dated 2nd December 1954 gives only equivalents of Hindi qualification and not the other qualifications."

SRI G. KRISHNAMOORTHY :—" Am I to understand, Sir, that the Government will be satisfied if a Hindi teacher possesses besides the Hindi qualification some training as higher grade or secondary grade or pandit's training? "

THE HON. SRI C. SUBRAMANIAM :—" No, Sir. We have prescribed the qualifications. The candidates must possess both the ordinary qualification and the training qualification in Hindi."

SRI G. KRISHNAMOORTHY :—" Sir, is there not a departmental order that any teacher's training qualification will do for the purpose of appointment as Hindi Pandit? I have already expressed my opinion in the House that this Pracharak diploma training is not a mere training but a combined general and training course, something like M.A. combined with training. Will the Government, therefore, start a separate training course for these pandits as they have got for other language pandits? "

THE HON. SRI C. SUBRAMANIAM :—" I have already said, Sir, that the Pracharak Diploma training not only enables the candidate to acquire a knowledge of Hindi but also serves as training for appointment as teacher. It contains both the things. The suggestion of the hon. Member that separate training courses should be started will however be considered."

Termination of the services of Hindi Pandits in High schools in Tiruchirappalli district. [4th March 1955]

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

(a) the number of Hindi Pandits sent out of the various High schools in the Tiruchirappalli district in July and August 1954;

(b) the number of such Pandits with a service of over two years in the same school; and

(c) the reasons given by the Agencies for such termination of service?

THE HON. SRI C. SUBRAMANIAM:—“(a) 7, Sir.

“(b) 6, Sir.

“(c) All the seven teachers did not possess the prescribed qualifications.”

SRI G. KRISHNAMOORTHY:—“Sir, is it a fact that the seven teachers who were sent out were from the District Board schools?”

THE HON. SRI C. SUBRAMANIAM:—“That is correct, Sir.”

SRI G. KRISHNAMOORTHY:—“May I know Sir, why these teachers were sent out in the middle of the year when they could not get employment anywhere else and without sufficient notice?”

THE HON. SRI C. SUBRAMANIAM:—“I have no idea. It is a District Board School. We do not know whether they were sent out in the middle of the academic year or at the end of it. They had been employed on a temporary basis till properly qualified pandits were available.”

SRI G. KRISHNAMOORTHY:—“As there are sufficient provisions in the rules—which are also applicable to the District Board schools—which enable the management to depute the pandits for the Pracharak Diploma training and not throw them out of service, will the Government issue instructions to the local bodies and aided schools to see to it that such persons are sent for training and not removed from service because trained men are available?”

THE HON. SRI C. SUBRAMANIAM:—“The District Boards should have a certain amount of autonomy. They should be able to decide what they could do in such cases. We have prescribed the qualifications and it should be left to the District Boards whether to send the teachers for training or to recruit already trained candidates.”

Progress of the Manimuthar Project.

* 227 Q.—SRI T. PURUSHOTHAM: Will the Hon. the Minister for Public Works be pleased to lay on the table of the House a detailed statement showing the progress of the Manimuthar Project and the expenditure incurred thereon so far?

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THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI:—“A statement* is placed on the table of the House.”

SRI T. PURUSHOTHAM:—“May I know the target date for completion of this work?”

THE HON. RAJA SHANMUGA RAJESWARA SETHUPATHI:—“I have not got the date here. It is expected to last for 3½ years. We slowed it down last year just for one year.”

SRI T. PURUSHOTHAM:—“Will the Government enlighten us as to whether the promised amount of public contribution has been received?”

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI:—“There is no contribution but it is only a loan.”

DR. V. K. JOHN:—“May I know whether Government have prepared a costing to find out what benefit or what return they would be getting on their investment on this project?” 3-20 p.m.

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI:—“I have not got the figures regarding the return that is expected. But if the hon. Member were to see the statement, he will see the areas and places that will be benefited by this project.”

DR. V. K. JOHN:—“I want to know what Government will get by way of return.”

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI:—“I have not got the figures. But if a separate question is put, I will give the answer.”

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

II.—ANNOUNCEMENTS BY THE HON. CHAIRMAN.

MR. CHAIRMAN:—“(1) I have to announce to the House that the South Kanara Cultivating Tenants Protection (Amendment) Bill, 1955 (L.A. Bill No. 3 of 1955), which was passed by the Madras Legislature on the 17th February 1955, received the assent of the President on the 26th February 1955 and has been published as Act No. II of 1955 in Part IV-B of the Fort St. George Gazette, dated the 2nd March 1955.

“(2) I have also to report to the House that a meeting of the Business Advisory Committee was held at 2-30 p.m. today and it was decided to take up and finish the consideration of the Madras Plantations Agricultural Income-Tax Bill, 1954 (L.A. Bill No. 30 of 1954) and the Madras General Sales Tax (Amendment) Bill,

* Printed as Appendix on pages 549-550 infra.

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1955 (L.A. Bill No. 4 of 1955), on the 17th and 18th March 1955. It was also decided to transact non-official business after the presentation of the Supplementary Statement of Expenditure on the 19th March."

* SRI T. PURUSHOTHAM :—" May I request the Hon. the Finance Minister to give the House an opportunity to discuss the recommendations of the Taxation Enquiry Commission in so far as it relates to State and local finances and also supply copies of the report to hon. Members? "

* THE HON. SRI C. SUBRAMANIAM :—" I myself am yet to receive a copy of the Commission's report and I will have to study it and the department will have to scrutinize and examine these proposals. I do not think any useful purpose could be served by our discussing the subject now. Certainly we will give an opportunity to hon. Members to discuss the proposals at the appropriate time."

* DR. V. K. JOHN :—" May I suggest that when the Government get a copy of the report in English, it may be translated in the three languages of Tamil, Malayalam and Kanarese and distributed to the Members of the Assembly and Council who do not know English? "

* THE HON. SRI C. SUBRAMANIAM :—" I am sure the language papers will attempt a translation of the Commission's report and if necessary we shall have it circulated amongst Members, if any Member is interested in Tamil, Malayalam or Kanarese translation of the Commission's report."

* DR. V. K. JOHN :—" May I know when approximately we could discuss the recommendations of the Taxation Enquiry Commission? "

* THE HON. SRI C. SUBRAMANIAM :—" During the next session, Sir."

MR. CHAIRMAN :—" We will now take up the general discussion on the Budget."

III. —GENERAL DISCUSSION ON THE BUDGET FOR THE YEAR 1955-56 (LAST DAY).

*SRI O. P. RAMASWAMI REDDIAR :—" கனம் தலைவர் அவர்களே, இந்த ஆண்டு வரவு செலவுத் திட்டத்தை தமிழிலே மொழி பெயர்த்துக்கொடுத்ததற்காக நிதி மந்திரி அவர்களைப் பாராட்டுகிறேன்."

" வரவு செலவுத் திட்டத்தில் கேள்பு நல அரசாங்கம் என்று சொல்லக் கூடிய முறையிலே அந்தந்தத் துறையிலே பல திட்டங்கள் தயாரிக்கப் பட்டிருக்கின்றன. ஆனால் வரி விதிக்கும் கொள்கை சம்பந்தப்பட்ட வரையில், எவ்வளவு தூரம் விவசாயி வரிப்பளுவைத் தாங்குவான் என்பதைக் கவனிக்காமலே, போட்டா போட்டி போட்டுக்கொண்டு, மத்திய அரசாங்கமும் மாகாண அரசாங்கமும், வரிகளை நேர்முகமாகவும், மறைமுகமாகவும் விதித்துக்கொண்டு வருகிறார்கள் என்பதை கனம் அமைச்சர் அவர்கள் கவனித்தார்களோ, இல்லையோ என்று சந்தேகிக்க வேண்டியிருக்கிறது. நமது மாகாணத்தில் விவசாயம் எப்படி நடக்கிறது என்பதைப் பார்ப்போம். நமது மாகாணத்தில் 10-ல் ஒரு பங்கு தான் ஜீவ நதிகள் உள்ள இடங்களாக இருக்கின்றன. மற்ற இடமெல்லாம் காடாரம்பம். மழையே இல்லாத

4th March 1955] [Sri O. P. Ramaswami Reddiar]

என்பதை நாம் மறந்து விடக்கூடாது. மொத்த பஞ்சப் பிரதேசங்கள் என்பதை நாம் மறந்து விடக்கூடாது. மொத்த நிலப் பரப்பில் எவ்வளவு நிலம் ஜல வசதியுள்ளது, விவசாயத்தை ஆரம் பித்தால் பலன் தரக்கூடிய நிலையில் எவ்வளவு ஏக்கர் நிலம் இருக்கிறது என்பதைப் பார்க்கும் பொழுது, சுமார் 15 லட்சம் ஏக்கர் தான், விவசாயம் செய்தால் பயன் தரக்கூடிய நிலையிலிருக்கிறது என்பதை நாம் மறந்துவிடக்கூடாது. சென்ற ஒன்பது வருட காலமாக விவசாயி எவ்வளவு கஷ்டப்பட்டான், விவசாயம் செய்வதில் அவனுக்கு எவ்வளவு தொல்லை, கனிலிருந்தன என்பதை நாம் கவனிக்க வேண்டும். இந்த நிலையிலே, சென்ற ஒரு வருஷமாக மழை பெய்தது என்ற உடனேயே, 'சர்சார்ஜ் வரி, அபிவிருத்தி வரி' என்று பல துறைகளில் வரிகள் விதிக்கப்பட்டிருக்கின்றன. மத்திய அரசாங்கத்தை எடுத்துக்கொண்டால், 'கமெர்ஷியல் கிராபிள் வரி' (அதாவது வியாபாரப் பொருள்கள் மீது வரி) போட்டிருக்கிறார்கள். முக்கியமாகப் பருத்தி, கடலைக் கொட்டை, புகையிலை, இந்த மாதிரிப் பொருள்களின் மீது வரி விதிக்கப்பட்டிருக்கிறது. கடலைக்கு மாதிரிப் பொருள்களின் மீது வரி விதிக்கப்பட்டிருக்கிறது. ஆனால், ஏற்றுடன் ஒன்றுக்கு ரூ. 300 வரி. அதன் விலையே ரூ. 200. ஆனால், ஏற்றுடன் ஒன்றுக்கு ரூ. 300. விலை குறைவாக யிருக்கும்போது ஏற்றுமதியாளர்கள் மதி வரி ரூ. 300. விலை குறைவாக யிருக்கும்போது ஏற்றுமதியாளர்கள் விவசாயிகளிடத்திலிருந்து வாங்குகிறார்கள். பிறகு விலையை ஏற்றுவதும் குறைப்பதும் இருக்கிறது. விவசாயிகளின் நிலையை ஆராயாமலேயே குறைப்பதுமாக இருக்கிறது. அவனுக்குக் கொடுத்திருக்கிறதே என்பதைத் தான் வரி விதிக்கும் கொள்கை அனுஷ்டிக்கப்பட்டு வருகிறது என்பதைத் தான் சுட்டிக்காட்ட விரும்புகிறேன். பால் கொடுக்கும் பசுவின் மடியை அறுத்து விடுவது வியாபாரம் என்பதை நாம் உணர வேண்டும். அந்தத் துறை விலை விவசாயிக்கு எவ்வளவு வருவாய் வருகிறது என்பதைப் பார்க்க வேண்டும். சாதாரணமாக அவனுக்கு ஒரு வருடத்திலே ரூ. 250 கிடைக்கிறது. ஒரு 'பாக்டரி' யில் வேலை செய்யும் தொழிலாளிக்கு ரூ. 1,200 கிடைக்கிறது என்பதை நாம் ஞாபகத்தில் வைத்துக்கொள்ள வேண்டும், இந்த வருவாயைக் கொண்டு ஒரு சாதாரண விவசாயி அவனது குடும்பத்தை நடத்த முடியுமா? இந்த வருவாயில் ஒரு பகுதியை நேர்முகமாகவும், மறைமுகமாகவும் வரிகள் போட்டு வாங்கி விடுகிறோம். நம்மைப் போல்தான் அவனும் 'ஸ்டாம்பு' கட்டண வரி செலுத்த வேண்டிய மைப்போல்தான் அவனும் 'ஸ்டாம்பு' கட்டண வரி செலுத்த வேண்டியிருக்கிறது. ஒவ்வொரு இனத்திலேயும் அவன் எவ்வளவு கொடுக்கிறான் என்பதற்கு என்னிடம் புள்ளி விவரங்களிருக்கின்றன. இப்படிப் பல துறைகளிலும் வரி கொடுத்து விட்டால், ஜீவனம் செய்வதற்கு என்ன துறைகளிலும் வரி கொடுத்து விட்டால், ஜீவனம் செய்வதற்கு என்ன துறைகளிலும் இருக்கிறது? இந்தக் குறைந்த வருவாயில் அவனை அண்டி 'மார்ஜின்' இருக்கிறார்கள் என்பதையும். நாம் யோசிக்க வேண்டும். எத்தனை பேர்கள் வாழ்கிறார்கள் என்பதையும். நாம் யோசிக்க வேண்டும். ஒரே வருஷத்தில் எத்தனையோ வரிகள் அவன் மீது போட்டாய் விட்டது. ஜனங்களுக்கு செளகரியம் செய்ய வேண்டுமானால் ஓரளவுக்கு வரி போட வேண்டும் என்பது வாஸ்தவம்தான். ஆனால் ஒரே துறையில் நாம் ஏன் வரிகளைப் போட்டுக்கொண்டே போகவேண்டும்?

" விற்பனை வரியை எடுத்துக்கொண்டால், இன்னும் அதிகமாக வசூலிப்பதற்கு இடமிருக்கிறது. இப்பொழுது அந்த வரி சரியாக வசூலிக்கப் படுவதில்லை. அதேக வியாபாரிகள் கணக்கே வைத்துக்கொள்வதில்லை, அதிகமான வருவாயை இதிலிருந்து எதிர்பார்க்கலாம். திறமையாக அதிகமான எடுத்துக்கொண்டால் இன்னும் அதிகம் வசூல் செய்ய நடவடிக்கைகளை எடுத்துக்கொண்டால் இன்னும் அதிகம் வசூல் செய்யலாம். எந்தத் துறையிலே அதிகமாக வரி போட்டால் கேள்வி முறை இல்லையோ, அந்தத் துறையிலேயே மேலும் மேலும் வரி போடப்படுகிறது. தேனீ எவ்வாறு புஷ்பத்தைக் கசக்காமல் தேனை எடுத்துக்கொள்கிறதோ, அந்த மாதிரிதான் வரி விதிப்புமிருக்க வேண்டும். பல துறைகளிலே, அந்த மாதிரிதான் ஒரு பக்கமும், மாகாண அரசாங்கம் மற்றொரு பக்க மத்திய அரசாங்கம் ஒரு பக்கமும், மாகாண அரசாங்கம் மற்றொரு பக்க மும் விவசாயிகளின் மேல் அதிகமாக வரிச் சமையை ஏற்றிக்கொண்டே போனால், விவசாயம் சரியாக நடக்குமா என்பதை அரசாங்கம் கவனிக்க வேண்டும். இன்னொரு பயமும் இருக்கிறது. அது தான் நிலத்திற்கு 'லீலிங்' விதிப்பது. விவசாயி தினசரி வாழ்க்கையை நடத்தக்கூடிய நிலையிலே இருக்கிறானே என்பதை யோசிக்க வேண்டும். நான் அரசாங்கத் துறை கூறுவதாக எடுத்துக்கொள்ளக் கூடாது. எல்லோருக்கும்

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p.m.

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பாவலாக வரும் முறையிலே, ஒரே துறையில்
கும்படி யில்லாமல் வரி விதிப்பு இருக்க வேண்டும்.

“ அமைச்சர்கள் எல்லாம் நன்றாகப் பல துறைகளிலும் வேலை செய்ய வேண்டுமென்ற ஆர்வத்துடன் வேலை செய்கிறார்கள். ஒவ்வொரு நாளும் ஜனங்களுக்குச் சேவை செய்யவேண்டுமென்ற நோக்கத்துடன் பல திட்டங்களை வகுத்து அதற்காக சர்க்கார் பணம் ஒதுக்குகிறார்கள். அந்தப் பணம் சாதாரண ஜனங்களைத்தான் போய் ஒதுக்குகிறாயா மூலம் போய் போகிறது, எவ்வளவு தூரம் அது அமைச்சர்களுக்குப் பயன் படுகிறது என்பதைக் கொள்ளாம் கவனிக்கத்தக்கது என்பது உண்மை. இதில் எவ்வளவு ரொபப் இருக்கிறது. எப்படி ஒரு பெரிய செய்கிறதோ, அதே போல் அமைச்சர்களுள்ள எல்லாம் வேலை செய்தால்தான் பலன் ஏற்படும். அமைச்சர்கள் அங்கங்கே பிரகிருர்கள், பொது மக்கள் எவ்வாறு இருக்கிறார்கள், சாதக பாதகங்கள் எவ்வாறு இருக்கின்றன என்ற பாகுபாட்டை எல்லாம் உணர்ந்து, நாம் எவ்வளவு கஷ்டப்பட்டு வேலை செய்தாலும்கூட வேலை வேண்டாம். பார்க்கும் அளவுக்கு நடக்காது என்பது எனக்குத் தெரியும். இருந்தாலும் இவைகளையெல்லாம் சொல்கிறேன்.

“ கல்விக்காக அதிகப் பணம் செலவழிக்க வேண்டியிருக்கிறது. அதிகமான தொகையைச் செலவிட வேண்டும் என்பதை நான் ஒத்துக்கொள்கிறேன். சென்ற வருஷம் 2,800 புது ஆரம்ப பள்ளிகளை திறந்திருக்கிறார்கள். அதிக ஆசிரியர்களுக்கு வேலையும் கொடுப்பட்டிருக்கிறது. நான் சென்ற கூட்டத்தின் சொன்ன அதே விஷயத்தை இப்பொழுதும் பேச வேண்டியிருக்கிறது. நாம் எவ்வளவு தூரம் பணம் செலவழித்தாலும் அதற்குத் தகுந்த அளவு பலன் ஏற்படுவதில்லை என்று நான் குறிப்பிட்டேன். அவையெதான் நான் இப்பொழுது திருப்பிச் சொல்ல வேண்டியதாக இருக்கிறது. குறிப்பாக, ஆரம்ப கல்வியை எடுத்துக்கொள்வோம். கல்வி அமைச்சரும் அதைப்பற்றி சில இடங்களில் பேசும்பொழுது சொல்லியிருக்கிறார். அவர்கள் இன்னும் தொந்தரவான வேலைகளை வைத்துக்கொண்டிருப்பதால் கல்வி விஷயத்திலே அவர் அதிகமாக வேலை செய்ய முடியவில்லை என்று எனக்குத் தெரியும். ஆகையால் மற்ற அமைச்சர்கள் கல்வி அமைச்சருக்குக் கொஞ்சம் ‘ரிலீப்’ கொடுக்க வேண்டும். கல்விக்காக ஒதுக்கப்பட்டிருக்கும் மொத்தச் செலவில் கால் பாகம் ஆகும். அதாவது பத்து கோடி ரூபாய்க்குமேல் செலவிடப்படுகிறது. அதிலும் ஆரம்ப கல்விக்காக அதிகமாகப் பணம் செலவழிக்கப் படுகிறது.

“ ஸ்தல ஸ்தாபனங்கள், ஜில்லா போர்டு பள்ளிக்கூடங்கள் என்ன முறையில் நடக்கின்றன என்பதை எல்லோரும் அறிவார்கள். அந்தப் பள்ளிக்கூடங்களைப் பார்த்தாலே தெரியும், எவ்வளவு மோசமாக நடக்கிறது என்று. ஜில்லா போர்டாரிடம் கல்வி விஷயத்தை இன்னும் விட்டிருக்கவேண்டுமா என்பதையும் சர்க்கார் யோசிக்க வேண்டும். பள்ளிக்கூடங்களை ஜில்லா போர்டார் சரியாக நடத்தவேமாட்டார்கள். முனிசிபாலிட்டியாரிடம் பள்ளிக்கூடங்களை விடவேண்டாமென்று நான் சொல்லவில்லை. ஆனால், ஜில்லா போர்டாரிடமிருந்து பள்ளிக்கூட நிர்வாகத்தை எடுத்து விடவேண்டும். ஜில்லா போர்டுகளே வேண்டுமா என்பதையும் சர்க்கார் யோசிக்கவேண்டும். ஸ்தலத்தில் ஆட்கள் சரியாக இல்லாததால் நமக்கு ஜில்லா போர்டு வேண்டியிருக்கிறது. ஆனால், பஞ்சாயத்து முறையில் எல்லாக் கிராமங்களும் நடைபெற்று பஞ்சாயத்துத் தலைவர்கள் நன்றாக வேலை செய்தால் பஞ்சாயத்துகளிடம் அதை ஒப்படைத்துவிடலாம். அதையும் கொஞ்சம்யோசித்துச் செய்ய வேண்டியிருக்கிறது. ஏனென்றால், பஞ்சாயத்து போர்டு போன்ற ஸ்தாபனங்களிலும் அமிப்பிராய பேதங்களும்

4th March 1955] [Sri O. P. Ramaswami Reddiar]

சச்சரவுகளும் கட்சிகளும் ஏற்படுகின்றன. அரசாங்கத்தில் எப்படி இருக்கிறதோ, ஜில்லாக்களில் எப்படி இருக்கிறதோ, அதேமாதிரிதான் கிராமப் பஞ்சாயத்துக்களிலும் போட்டியும் நெருக்கடியும் இருக்கின்றன. இன்பஞ்சாயத்துக்களிலும் போட்டியும் நெருக்கடியும் இருக்கின்றன. (ஒரு கனம் அங்கத்தினர் : அரசாங்கத்திலும் சண்டை இருக்கிறதா ?) இல்லாமலா கத்தினார் : அரசாங்கத்திலும் ? சண்டை என்றால் அடித்துக்கொள்வது இவ்வளவு பேர் பேசுகின்றீர்கள் ? சண்டை என்றால் அடித்துக்கொள்வது என்பதல்ல. அபிப்பிராயங்களைச் சொல்லி சரியாக நடக்க வேண்டுமென் பதற்காக அவரவர்களுடைய யோசனைகளைச் சொல்ல வில்லையென்றால் அரபாங்கம் நன்றாக நடக்க முடியாது. அமைச்சர்கள் பல துறைகளில் கவனம் செலுத்தும்போது ஒரு துறையில் என்ன நடக்கிறது என்று தெரிந்தும் செலுத்தும்போது ஒரு துறையில் இருப்பதால் எல்லா அங்கத்தினர்களும் கொள்ள முடியாத நிலையில் இருப்பதால் எல்லா அங்கத்தினர்களும் அமைச்சர்களுடைய கவனத்திற்கு அவரவர்களுடைய யோசனைகளைச் சொல்ல வேண்டியிருக்கிறது. அந்த முறையிலேதான் நான் சில விஷயங்களைச் சொல்லித்தான் ஆகவேண்டியிருக்கிறது. கல்வித் துறையில் அமைச்சர் இன்னும் அதிகமாக நேரத்தை ஒதுக்கி அதற்குச் செலவழிக்கும்படியான முறையில் அவர்களுக்கு நிலைமை அமைச்சரும் மற்ற சக மந்திரிகளும் தகுந்த ஏற்பாடுகளைச் செய்வார்கள் என்று நினைக்கிறேன். கல்வியில் முன்னேற்றம் அடையாவிட்டால் நாட்டின் முன்னேற்றம் தடைப்பட்டுவிடும்.

“ சென்ற வருஷம் 2,800 ஆரம்ப பள்ளிக்கூடங்கள் ஆரம்பிக்கப்பட்டன. இப்பொழுதிருக்கும்படியான கல்வி, முறையில் எத்தனை பள்ளிகளை ஆரம்பித்தும் என்ன பிரயோஜனம் என்பதை அவர்களே உணர்வார்கள். காங்கிரஸின் கொள்கைகள்கூட வேறு விதமான தொழில் கல்வியும் ஆதாரக் கல்வியும் புகுத்தப்பட்டவேண்டும் என்பது. காங்கிரஸ் அரசாங்கமே அது விஷயத்தில் நேர்வாயமான முறையில் நடந்துகொள்ள வேண்டுமென்று மனது இருந்தாலுங்கூட பலதுறைகளில் அதைச் சரியாகச் செய்யமுடியாத மனது இருந்தாலுங்கூட பலதுறைகளில் அதைச் சரியாகச் செய்யமுடியாத நிலைமை ஏற்பட்டிருக்கிறது. 2,800 பள்ளிக்கூடங்களைப் புதிதாக ஸ்தாபிப்பதைவிட 500 பள்ளிக்கூடங்களை நல்ல முறையில், மக்களுக்கும் பயனுள்ள முறையில், அளிக்கும் கல்வியானது வாழ்க்கைக்கு வழிகாட்டியாக இருக்கக்கூடிய முறையில் அமைக்க வேண்டும். நல்ல முறையில் இல்லாவிடக்கூடிய முறையில் அமைக்க வேண்டும். நல்ல முறையில் பிரயோஜனம் ஏற்படால் ஜனங்களிடமிருந்து வரிப்பணத்தை வாங்கியும் பிரயோஜனம் ஏற்படாது. ஏதோ செய்தோம் என்ற முறையில் அதிகமான பள்ளிக்கூடப்பாது. திறந்தாலும்கூட பிரயோஜனம் இல்லை. அது மாதிரிமல்ல. களைத் திறந்தாலும்கூட பிரயோஜனம் இல்லை. செய்திருக்கிறோம் என்று பாரக் எவ்வளவு தூரம் நமது அரசாங்கத்திலே செய்திருக்கிறோம் என்று பாரக்கும் போது பல துறைகளில் ஆரம்பித்திருக்கிறார்கள். நமது அரசாங்கமும் மத்திய அரசாங்கமும் முதலிலே காந்திஜி வகுத்த திட்டங்களின் கழும் மத்திய அரசாங்கமும் செய்துவந்தன. ஆனால், கொஞ்சங் கொஞ்ச அடிப்படியில் காரியங்களைச் செய்துவந்தன. ஆனால், கொஞ்சங் கொஞ்சமாக விட்டுக்கொண்டே வந்தோம். இப்பொழுது மத்திய சர்க்கார் வற்புறுத்தும்படியான முறையில் நாம் நடந்துகொள்ளவேண்டியிருக்கிறது.

“ குறிப்பாக கதர் அபிவிருத்தித் திட்டத்தை எடுத்துக்கொண்டால் அரசாங்க ஊழியர்கள் கதர் உடுத்த வேண்டுமென்று நான் அரசாங்கத்தில் இருந்தபோது சட்டம் போட்டேன். அத்திட்டத்தை ஏன் எடுத்தார்கள் இருந்தபோது தெரியவில்லை. யாரேனும் கிளர்ச்சி செய்தார்களா? இல்லை; என்பது தெரியவில்லை. எதிர்க்கட்சிக்காரர்களோ கிளர்ச்சி செய்ததாகவும் அதற்காக ஜனங்களோ எதிர்க்கட்சி அத்திட்டத்தை எடுத்தார்கள் என்பது தெரியவில்லை. அரசாங்க உபயோகத்திற்கு சாதாரண கைத் தறித் துணிகளை வாங்கவேண்டுமென்று போட்டார்கள். கைத்தறியை ஆதரிக்கவேண்டாமென்று நான் சொல்ல வில்லை. கதரும் கைத்தறித் துணிகளையும்தான் பயிர்த்தொழிலில் ஈடுபட்டிருக்கும் மாதங்களைத் தானே? விவசாயிகள் பயிர்த்தொழிலில் ஈடுபட்டிருக்கும் மாதங்களைத் தவிர மற்ற மாதங்களில் வீணாகக் காலம் கடத்தும் அந்தக் காலத்திற்கு அவர்களுக்கு ஏதாவது வேலை கொடுக்க வேண்டுமென்ற முறையில்தான் அவர்களுக்கு ஏதாவது வேலை கொடுக்கும், விவசாயம் அல்லாத மற்ற அத்திட்டம் தயாரிக்கப்பட்டது. விவசாயிகள் கதர் அபிவிருத்தியில் ஈடுபட்டால் அவர்களிடையே வேலை கிடைக்கும், விவசாயம் அல்லாத மற்ற காலங்களில், நெசவாளர்களுக்கு வேலை கொடுப்பது என்பது மட்டுமல்ல

[Sri O. P. Ramaswami Reddiar] [4th March 1955]

பிரச்சனை. விவசாயிகளுக்கு வேலை இல்லாதபோது வேலை கொடுத்து அதிலிருந்து கைத்தறி செய்ய வேண்டும். அதை எடுத்தார்கள். அதைப்பற்றி அரசாங்கத்திற்குத் தெரியப்படுத்தினேன். 'ஆனால் நேர்மாராக ஒட்டக்கூத்தன் ! டிட்டுக்கு இரட்டைத் தாழ்ப்பாள்' என்று பதில் வந்தது. அதையும் கவனிப்பார்கள் என்று நினைக்கிறேன்.

“ ஆயுர்வேத வைத்தியசாலைகளை எடுத்துக்கொள்ளுங்கள். ஆயுர்வேத பாடசாலைகளை ஏற்படுத்தி அதில் நம்நாட்டு வைத்திய முறைகளாகிய சித்த வைத்தியம், ஆயுர்வேதம், யுனானி ஆகிய முறைகளை நன்றாகப் பயன்படுத்த வேண்டும். நம்நாட்டு வைத்திய முறைகளில் அப்பாடசாலையில் காலேஜ் ஏற்படுத்தி பயிற்சி கொடுக்கவேண்டுமென்ற திட்டத்தை நான் ஆரம்பித்தேன். 100 படுக்கைகள் இருந்த பாடசாலையில் 400 படுக்கைகளைப் போடும்படி ஏற்படுத்தினேன். மூலிகைகளை உற்பத்தி செய்வதற்கு இருபது ஏக்கரா நிலங்களை ஏற்பாடு செய்தேன். அந்த மூலிகைகள் உற்பத்தி விஷயம் என்ன ஆயிற்று என்பது தெரியவில்லை. நான் இருந்த போது ஆரம்பித்தார்கள், இப்பொழுது அதை விட்டுவிட்டார்கள் என்று நினைக்கிறேன். எதற்காக நான் இதைச் சொல்கிறேன் என்றால் மத்திய கனின் கவனத்திற்கு அனேக விஷயங்கள் அதிகாரிகளால் கொண்டுவரப்படாமலிருக்கலாம். அதுனால் அனேக விஷயங்கள் சரியாக நடக்கவில்லை. கொள்கை இருக்கிறது, மனம் இருக்கிறது, எண்ணம் இருக்கிறது. ஆனால் அவர்கள் போடும் திட்டங்கள் என்ன முறையில் நடக்கின்றன என்று கவனக்குறைவால் விட்டுவிடப்படுகின்றன. அப்போதைக்கப்போது காங்கிரஸ் அரசாங்கமே மாறும்போது அதே காங்கிரஸ்காரர்கள் மேலும் அரசாங்கம் நடத்த வரும்போது என் கொள்கைகள் மாற்றப்படவேண்டும்? காங்கிரஸ் மாறிவிட்டதா அல்லது அவர்கள் மாறிவிட்டார்களா? காங்கிரஸின் பேரால் அரசாங்கம் நடக்கும்போது காங்கிரஸ் கொள்கைக்கு மாறாக எப்படி நடத்துவது என்பது தெரியவில்லை. அப்படி சில விஷயங்கள் நடந்துகொண்டு வருகிறது. ஆயுர்வேத பயிற்சி ஸ்தலத்தை இன்னும் நன்றாக செய்வதற்கு தகுந்த முறையில் கவனம் செலுத்த வேண்டும். ஆயுர்வேத பயிற்சி ஸ்தலத்திற்கு 'அலோபதிக் கலர்' கொடுத்து அதை ஒழிக்க வேண்டிய நிலையில் காரியங்கள் போய்க்கொண்டிருக்கின்றன என்பதையும் அரசாங்கத்தார் ஞாபகத்தில் வைத்துக்கொண்டு ஆவன செய்யவேண்டும்.

“ நமது சுகாதார மந்திரி இப்பொழுது இங்கே இல்லை. அவர்கள் ரொம்ப நாட்களாக அரசாங்கத்தில் இருக்கிறார். யார் இருந்தாலும் யார் போனாலும் அவர் மட்டும் இருந்துகொண்டேயிருக்கிறார். ஆகையால், சுகாதார இலாகா விஷயமாக அவருக்கு நிறைந்த அனுபவம் உண்டு. ஒவ்வொரு தாலுகா தலை நகர ஆஸ்பத்திரியிலும் ஒரு மருத்துவ வார்டும், சிக் சம்ரட்சண வார்டும், ஆபரேஷன் தியேட்டரும் இருக்க வேண்டுமென்பதற்காக வருஷத்திலே இருபது லட்ச ரூபாய் செலவு செய்ய வேண்டுமென்று திட்டமிட்டோம். இந்த ராஜ்யத்திலுள்ள எல்லா தாலுகா தலை நகர ஆஸ்பத்திரியும் அந்த முறையில் திருத்தியமைக்க வேண்டுமென்று திட்டமிட்டு, அவ்வகையில் தொடர்ந்து சில வருஷங்கள் நடந்துவந்தது. ஆனால், அதன் பிறகு விட்டுவிட்டார்கள். என்னுடைய வில்லை.

“ ஒவ்வொரு தாலுகாவிலும் 400, 600 சதுர மைல்களுக்கு ஒரு ஆஸ்பத்திரிதான் இருக்கிறது. அதாவது நான்கு லட்சம் ஜனங்களுக்கு ஒரு ஆஸ்பத்திரி என்பதையும் மறந்துவிடக்கூடாது. வசதி இல்லாத ஆஸ்பத்திரிகள் அநேகம் இருக்கின்றன. ஜில்லா தலைமை ஆஸ்பத்திரியில் அதிக படுக்கைகள் மற்றும் இதர வசதிகளைச் செய்யவேண்டுமென்றால் 25 முதல் 50 லட்சம் ரூபாய் வரையில் தேவையாக இருக்கும். ஆனால் ராஜ்யம் பூராவும் இவ்வகையில் செலவழிக்கக்கூடிய ரூபாய் ஒரு கோடி தான். வருஷத்திலே பத்து முதல் இருபது ஆஸ்பத்திரிகளை இவ்வகையில் சீர்படுத்தலாம். ஆகவே, ஐந்தாண்டுத் திட்டத்தில் அதைச் சரியான முறையிலே செய்தால் நன்றாக இருக்கும்.

4th March 1955] [Sri O. P. Ramaswami Reddiar]

“ அநேக ஆஸ்பத்திரிகளில் டாக்டர்கள் இல்லை. டாக்டர்கள் இருக்கிற ஆஸ்பத்திரிகளிலும் நோயாளிகள் அனைவருக்கும் சிகிச்சைக்கு வேண்டிய மருந்துகள் கிடையாது. அதையும் அரசாங்கத்தார் கவனத்தில் எடுத்துக் கொள்ளவேண்டும். டாக்டர் செலவு ரூ. 1,500, மருந்து செலவும் ரூ. 1,200. மருந்துக்குச் செலவிடும் பணம் போதாது. என்னென்றால், அங்கே அதிகமாக நோயாளிகள் சிகிச்சைக்கு வருகிறார்கள். மருந்து வகைகளுக்காக குறைந்த பட்சம் ரூ. 4,000, அல்லது ரூ. 5,000 வரையில் செலவிடாத்தான் ஜனங்களுக்கு அவசியம் என்றாலும், அதே சமயத்தில் ஏற்கெனவே இருக்கிற ஆஸ்பத்திரிகளில் வரும் நோயாளியத்தில் ஏற்கெனவே இருக்கிற வகைகள் இருக்கும்படி செய்ய வேண்டிய களுக்குத் தேவையான மருந்து வகைகள் இருக்கும்படி ஆஸ்பத்திரிகள் ஏற்பாடு செய்து மிக மிக அவசியமாகும். இருக்கும் ஆஸ்பத்திரிகள் ஏற்பாடு செய்வதற்கு ஏற்பாடு செய்துவிட்டு, புதிய ஆஸ்பத்திரிகள் எங்கெங்கெல்லாம் திறக்கப்படவேண்டுமோ அந்த வகையில் காரியங்களைச் செய்யலாம்.

“ கிராமங்களுக்கு டாக்டர்கள் செல்வது இல்லை என்ற குறை இருந்தது. அதற்கு என்ன செய்யவேண்டும்? அதற்கு தகுந்த முறை யிலே ஏதாவது செய்தால் தான் டாக்டர்கள் ஊதியம் போதவில்லை கள். கிராமங்களுக்குப் போகும் டாக்டர்களுக்கு ஊதியம் கொடுக்கப்படவேண்டுமென் கள். கிராமங்களுக்கு அதிகமான ஊதியம் கொடுக்கப்படவேண்டும். அவர்களுக்கு அதிகமான ஊதியம் கொடுக்க யென்றும், அவர்களுக்கு அதிகமான ஊதியம் கொடுக்க யென்றும் சொல்லப்படுகிறது. அவர்களுக்கு அதிகமான ஊதியம் கொடுக்க யென்றும் சொல்லப்படுகிறது. அது மாதிரமல்ல. டாக்டர்கள் ஒரு விஷ யத்தை முக்கியமாக கவனத்தில் வைத்துக்கொள்ள வேண்டும். வைத் தியக் கல்லூரியிலிருந்து டாக்டர் பட்டம் பெற்று வரும் டாக்டர்கள் அர சாங்கத்தாரின் பணத்தைக் கொண்டுதான் பாஸ் செய்திருக்கிறார்கள் என் பதையும் அவர்கள் மறந்து விடக்கூடாது. டாக்டர் படிப்பு படிப்பவர்கள் தாங்கள் ஓரளவு பணம் செலவு செய்து கொண்டாலும், அரசாங்கம் செலவு செய்யும் தொகைக்கு அது ஒரு சிறு அளவு கூட கிடையாது என்றுதான் சொல்ல வேண்டும். வைத்தியக் கல்லூரிக்காக அரசாங்கம் ஏராளமான பணத்தைச் செலவழிக்கிறார்கள். என்பதை அவர்கள் சாங்கத்திற்குக் கட்டமைப்பட்டவர்களாக இருக்கிறார்கள், என்பதை அவர்கள் மறந்துவிடக்கூடாது. டாக்டர்கள் எல்லோருமே நகரங்களிலேயே தங்கி பண வருவாயை அதிகமாக்கிக்கொள்ளவேண்டுமென்று நினைக்கிறார்கள், அப்படி நினைக்கும்பொழுது சாதாரண கிராம ஏழைகளை அவர்கள் மறந்து விடுகிறார்கள். சாதாரண ஏழை மக்களின் வரிப் பணத்திலிருந்து தான் வைத்தியக்கல்லூரி நடக்கிறது என்பதை அவர்கள் மறந்துவிடுகிறார்கள். வைத்தியக் கல்லூரி ஆரம்பிக்க வேண்டுமென்றால் இரண்டு கோடி ரூபாய் தேவைப்படும். ஆஸ்பத்திரிகளில் ஆயிரம் படுக்கைகள் வேண்டும். வரிப்பணத்தி லிருந்து சர்க்கார் வைத்தியக் கல்லூரிக்கு ஏராளமான பணத்தைச் செல விடுவதிலிருந்து இவர்கள் படிக்கிறார்கள். வருவாய் கிடைக்கவில்லை என்று நினைக்கிறார்களேயொழிய ஜனங்களுக்குத் தொண்டு செய்யவேண்டு மென்ற எண்ணத்தை மறந்துவிடுகிறார்கள். இவ்விஷயங்களையெல்லாம் அரசாங்கம் கவனத்தில் எடுத்துக்கொண்டு, டாக்டர்கள் கிராமங்களுக்குப் போய் கிராம மக்களுக்கு வைத்திய வசதி செய்வதற்கு ஒரு ஏற்பாடு செய்ய வேண்டும். ஒவ்வொரு டாக்டரும் வைத்திய படிப்பு முடிந்தவுடனே சில வருஷ காலம் கிராமங்களில் போய் வேலை செய்ய வேண்டுமென்று ஒரு நியதியை அரசாங்கம் ஏற்படுத்தவேண்டும். அப்படி அவர்கள் செய்யா விட்டால், சர்க்கார் செலவு செய்த பணத்தைத் திருப்பிக்கொடுக்கவேண்டு மென்று சொல்லிவிடவேண்டும். இம்மாதிரி ஏதாவது செய்தாலொழிய டாக்டர்கள் கிராமங்களுக்குப் போகமாட்டார்கள். அதற்கு ஏதாவது தக்க ஏற்பாடு செய்தாக வேண்டும். இல்லாவிட்டால் ஒன்றும் காரியம் நடக்காது. ஏனென்றால் வைத்திய சிகிச்சை இல்லாமல் காத்துக்கொண்டிருக்கவேண்டியவர்கள் வைத்திய சிகிச்சை இல்லாமல் காத்துக்கொண்டிருப்பவர்கள் கஷ்டப்பட்டுக் கொண்டு இருக்க வேண்டியவர்தான். ஒரு பக்கம் பஞ்சம், இன்னொரு

[Sri O. P. Ramaswami Reddiar] [4th March 1955]

பக்கம் பிணி, அறியாமை, செயலின்மை, சக்தியின்மை, ஆதிரைகள் இருக்கின்றன. மாடுக்காக அரசாங்கம் நடைபெறவேண்டுமே? பலவிதமான கருக்காகத்தான் அரசாங்கம் இருக்கிறதென்பதையும் நாம் மறந்துவிடக் கூடாது.

“அடுத்தபடியாக நீர்ப்பாசன வசதியை எடுத்துக் கொள்வோம். நமது மராமத்து இலாகா அமைச்சர் ஏற்கெனவே சொன்னார், பாலாறு நீர்ப்பாசன திட்டத்தை பரிசீலிக்க ஆரம்பித்து விட்டார்கள். அதாவது நாம் கேட்டால் சம்பிரதாயத்துக்குப் பதில் அதன் அடிப்படையில் கவனித்துச் செலவழிப்பது போற்றத் தக்கது. அதன் பெயரிலேயே கிருஷ்ணாபிரி ‘ரிசெர்வாயர்’ கட்டுகிறார்கள். சாதக்காரர் ‘ரிசெர்வாயர்’ கட்டுகிறார்கள். கீழே தென் ஆற்காடு ஜில்லாவிலே 65,000 ஏக்கர் சாகுபடி ஆகிறது. திருக்கோயிலூர் அணைக்கு மூலம் 35,000 ஏக்கர் சாகுபடி யாகும் என்று சொல்லப் படுகிறது. அதன் கீழ் ‘Open head channels, Madras State’ என்று ஒரு புலகம் போட்டிருக்கிறார்கள். ‘Open head channels’ கீழ் எவ்வளவு ஏக்கர்கள் இருக்கின்றன, எவ்வளவு ஜலம் சப்ளை ‘அஷ்பூரன்ஸ்’ இருக்கிறது என்று சொல்லப்பட வில்லை. ராமநாதபுரம் ஜில்லாவில் வகை ‘ரிசெர்வாயர்’ ஆம் அதே நிலைமை தான் ஏற்பட்டிருக்கிறது. அங்கே ஜலங்கள் கூக்குரல் போட டார்கள். அதற்குப் பிறகு நீர்ப்பாசன விஷயமாக ‘அஷ்பூரன்ஸ்’ கொடுக்க வேண்டியிருந்தது. தென் ஆற்காடு ஜில்லாவைப் பொறுத்த வரையில் எவ்வளவு ஜலம் வருகிறது, எவ்வளவு மேலே அணைக்கட்டில் தேக்கப் படுகிறது, எவ்வளவு ஜலம் நதியிலே விடப்படுகிறது என்ற தகவல்கள் கொடுக்க வேண்டும். எல்லா வெள்ளத்துறையுமே தேக்கிவிட் டால், பிறகு நதியிலே வருகிற ஜலம் மணலிலே போய்விடும். ‘right flank,’ ‘left flank’ சாலைகள் வெட்டி, அந்த இரண்டு சாலைகளையும் ‘interconnect’ பண்ண வேண்டும். நதியிலே போதிய ஜலம் வராததால், இந்த மாதிரி சாலைகள் வெட்ட வேண்டும். அப்படிச் செய்யாவிட்டால் 35,000 ஏக்கருக்கு ஜல வசதி யிருக்காது. நான் இதைப்பற்றியெல்லாம் எழுதிக் கேட்டேன். சம்பிரதாயமாக ஒரு பதில் கிடைக்கிறதே ஆகிய, நான் கேட்ட விளக்கங்களுக்குப் பதில் இல்லை. ஒரு குமாஸ்தா எழுதி வைப்பதை, ‘ஸெரட்டரி’ கை யெழுத்துப் போட்டு அனுப்பிவிடுகிறார். எதற்காகக் கேட்கிறார்கள் என்பதைப் பற்றி அவர்கள் யோசிப்பதில்லை. இதையெல்லாம் கவனித்து, 35,000 ஏக்கருக்கு ஜல வசதி கிடைக்கும்படி செய்யவேண்டுவது தவிர அதற்கு அமைச்சர் அஷ்பூரன்சும் கொடுக்கவேண்டும். ஸ்டேட்மென்டு மூலியமாக ஒரு போகம் விளையக்கூடியது எவ்வளவு ஏக்கர், இரண்டு போகம் விளையக்கூடியது எவ்வளவு என்பதற்கெல்லாம் விபரங்கள் கேட் டிருந்தேன். அதற்குப் பதில் இல்லை. நான் யாரையும் குறை கூறுவதாக எண்ணக் கூடாது. பல வேலைத் தொந்திரவினால் அரசாங்க ஊழியர்கள் இவற்றைக் கவனிப்பதில்லையோ, அல்லது அலட்சியத்தினாலோ தெரிய வில்லை. இவற்றை எல்லாம் கவனித்துத் தகுந்த முறையில் அரசாங்கத் தை நடத்த வேண்டுமென்று கேட்டுக்கொள்கிறேன்.

“மறுபடியும், பால் கொடுக்கும் பசுவின் மடியை அறுக்கக் கூடாது என்பதை ஞாபகப்படுத்துகிறேன். விவசாயிகளின் மீது அதிக வரிச்சுமை யை சுமத்தினால், அவர்களால் அதிக உற்பத்தி செய்ய முடியாது. ஏழைகளை அதிகத் தொந்தரவுக்குள்ளாக்கக்கூடாது. எந்தெந்தத்துறையிலும் யார் யாருக்கு எவ்வளவு வருவாய் கிடைக்கிறது, அவர்களிடமிருந்து எவ்வளவு வரி மூலம் வாங்கப்படுகிறது என்று கணக்கெடுத்துப் பார்த்தால், விவசாயிகளிடமிருந்து நான் அதிகமாக வரி வாங்கப்படுகிறது என்பதை சர்க்கார் உணர்வார்கள்.

“அமைச்சர்களில் சிலர் இளைஞர்கள். அவர்கள் நன்றாக வேலை செய்யவேண்டும். ஊழல்களை யெல்லாம் நீக்கவேண்டுமென்று கேட்டுக்

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கொள்கிறேன். நமது விவசாய அமைச்சர் சமுதாய அபிவிருத்தித் திட்டங்களை நிறைவேற்றுவதில் உற்சாகத்துடன் நன்றாக வேலை செய்துகொண்டு வருகிறார்.

“முன் காலத்திலே ‘Well-subsidy Scheme’ நடந்தது. பலகிணறுகள் வெட்டப்பட்டன. 100-க்கு 98-ல் நன்றாக வேலை நடந்தது. ஏதோ ஒன்றிரண்டு சரியாக நடக்கவில்லை. இந்த மாதிரித் திட்டங்களிலே ‘எஸ்டிமேட்’ சரியாகப் போடுவதில்லை. நாம் ஒரு வேலையைச் செய்வதற்கு 1,000 ரூபாய் செலவானால், அதே வேலையை சர்க்கார் செய்வதற்கு 4,000 ரூபாய் ஆகிறது. இந்தப் பணத்தில் நான்கு திட்டங்கள் செய்யலாம். நான் அரசாங்கத்தைக் குறை சொல்லவில்லை.

“இப்பொழுது கிராம மக்களுக்கு அரசாங்கத்திலிருந்து கடன்கள் வழங்கப்படுகின்றன. இந்த விஷயத்தில் அதிகாரிகள் சரியாக நடந்து கொள்வதில்லை. இதைக் கவனிக்க வேண்டும். ஜனங்களுக்கு எவ்வளவு தூரம் நன்மை செய்யமுடியுமோ அதையெல்லாம் செய்யவேண்டுமென்று கேட்டுக் கொண்டு, அதற்குத் தகுந்த ஆற்றல் அமைச்சர்களுக்கெல்லாம் கொடுக்க வேண்டுமென்று இறைவனைப் பிரார்த்திக்கிறேன்.”

* SRMATHI S. MANJUBASHINI:—“Mr. Chairman, Sir, 3-50 P.m. distinguished persons from both sides of the House, experienced in parliamentary debates have spoken in praise of the Budget and made many valuable suggestions. Sir, many progressive measures are envisaged in the Budget, extension of electricity, development of industries, communications and roads, medical relief and many more. The best of them all is the measure introduced for providing free education to poor children up to the III Form. This is a very bold and courageous step which has been taken and it has also been very rightly welcomed by all Members of the House. I am glad that the Government realise the importance of children and have given them the top place in their priority list of beneficial schemes. It is not for me to dwell at length on these various items of expenditure provided in the Budget. I shall confine myself only to the problem of children in the State. The development of the child is the most important responsibility of the State and therefore the problem of the children should be tackled in a big way. The physical and mental development of the child should take precedence over all other measures. Sir, the problem of destitute children in the State is a very vast one. During the last year, I visited several States; also other fellow workers travelled widely studying this problem in a very special way. We collected information and data about the destitute children in the State. So, Sir, I feel I can speak with some authority on the question of destitution of children. Sir, the incidence of destitution is highest in three States in India, viz., Bengal, Madras or Travancore-Cochin. I will not deal with either Bengal or Travancore-Cochin but will confine my remarks to our State. Madras is the State with which we are concerned and I shall appeal to the Members of the Cabinet to do something for solving the problem of the child. Sir, if you see the Remand Homes in other States and collect data as to how many children are there in the Remand Homes, you will find that a large number of children are from the Madras State. The certified schools in the State are full and overflowing in many parts of

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the State. If you go into the history of the delinquents, you will find they are not delinquents but destitutes who have been driven to the necessity of committing offences owing to their poverty-stricken condition. Then, take the hospitals. I have visited many hospitals and I find that it is not disease that has brought the children to the hospital but lack of vitamins. It is mal-nutrition and deficiency of vitamins in food that have brought them to the hospital. Every doctor who is in charge of the Children's Department tells us that with a week or two of feeding the children with nutritious food, they have been found fit to be sent home but that then again, within another two or three weeks, the children are back into the hospital to undergo the same kind of treatment. Surely, we in this State must do something about it very urgently and very soon. To my mind, this is more important than even the Community Projects and other development schemes because if you build the child of to-day into a strong citizen, he will occupy these seats perhaps ten years hence. They must be fed first and then education given to them. Feeding must take priority over even education. Can we not make a beginning somewhere to solve this problem? Is it not possible to give at least one meal to the school-going children? Our Government, I understand, have been giving serious thought to this question. I understand that there are about 29 lakhs of children attending elementary schools for whom the Government propose to give free education hereafter. I understand that the cost of feeding these children attending elementary schools may come to 179 lakhs of rupees. Surely, is it too much to ask the Government to invest this money on the children of the State? If we invest this on the children, we will get very good results in a year or two. If we feed the children and if they are assured of one meal, it will solve a lot of other problems also. Will it not be a much bigger project than even the Neiveli Project of which we are so much proud? If we look into the future, we will see that once we introduce this measure, there will be a less number of children in the orphanages and the certified schools and the hospitals. In other countries, they have introduced such measures and have reaped good harvest. Why not we do it now? The poor man and woman in our State will have abundant faith in us, and it will be in keeping with the traditions of this great country of ours. I thank you, Sir, for giving me the opportunity to speak."

SRI T. G. KRISHNAMOORTHY:—"Mr. Chairman, Sir, after reading the Finance Minister's speech on the Budget, I felt highly elated. Though I did not want to add to the burden of praise he has already received from very eminent speakers on both sides of the House, still, reading through the speech and glancing through the Budget over and over again, I thought I should also add my share of encomium for what he has achieved. About the surcharge on land revenue which is now sought to be levied, I felt in the same way as the hon. Member, Mr. O. P. Ramaswami Reddiar was feeling. But considering the future benefits that the

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Hon. the Finance Minister is promising to the people of the State, I thought we could allow him to levy this tax. Somebody once remarked: The man who invented the pill was indeed a clever man but the fellow who invented the sugarcoating on it was a real genius'. Our Finance Minister has very effectively sugar-coated the bitter pill of taxation measures he has proposed in his Budget speech. He conjures up before us a picture of the future in which people will be getting a plethora of all their needs. In 4 p.m. fact people will be fed, clad and housed. Everything they need will be there. The present bitterness about taxation measures proposed disturbs it a bit. When I heard Mr. O. P. Ramaswami Reddiar speaking about the surcharge on land revenue, I was wondering (of course he does not oppose all taxation measures as such; he says that taxation is necessary for the Government to carry on but all the same he against this particular measure) at what happened in people when they laid down office. I was wondering whether they got wiser after they dismounted from the saddle or they got wiser and then dismounted from the saddle. If it was the latter, I do not want our present Finance Minister to grow wiser at all. Let him remain in the saddle, impose taxation and carry on the welfare work of the State. Of course reading his speech and seeing the budget provision, we have a happy picture of the future. But we cannot ever be completely unmindful of the present too. There is public suffering even now; and what are we going to do to alleviate the sufferings of the different sections of our people? Dr. V. K. John says we are now collecting four times as much tax as we were collecting in 1939. But let me say to Dr. John that he is doing the same thing now. I would like to ask Mr. John whether he is not collecting Rs. 400 for a case now, for which same case he would have collected only Rs. 100 in 1939? Things are like that. (Dr. V. K. John: 'May I enquire whether there is Senior Government and Junior Government? We have among lawyers, the Senior and Junior category. The Senior charges more fee') I do not mean all lawyers. I mean only Dr. John and his cases alone. (Laughter.) (An hon. Member: 'He has become a senior lawyer now.')

"I say Government have got to fulfil their obligations to the people. To fulfil those obligations, for the sake of the welfare activities aimed at the benefit of the community as a whole, Government have got to explore new avenues of taxation. I do grant, to replenish deficit, Government have to willy-nilly seek new sources of taxation. So far as the land revenue is concerned, it was fixed somewhere in 1919. I believe, during the British period. Since then the value of the land has gone up; the value of the commodity produced has also gone up. But the land tax structure was never revised after 1919. In all parts of the State even now it remains the same. Long before the increase in prices of agricultural products, some increase in land tax was justified. If agricultural prices are falling, the Central Government at the centre and the State Government at the provincial level will take appropriate action to arrest a steep fall in the prices. Even at the

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present level of prices, I think the land tax can be increased and when the contemplated increase is 2 annas in the rupee and the collection from that increased tax is going to be handed over to the local bodies, I do think that it is only a justifiable step and that the ryots will not protest against it. So this tax does not strike me as though it would put a burden on the agriculturist.

"It has been brought to my notice that ordinary constables while they are escorting prisoners are expected to spend from their pockets and then submit travelling allowance bills and get the money back. But it sometimes takes a month or two to get the money back. I would like to suggest that instead of adopting this method and making these poor constables undergo so much trouble, Government can introduce the system of advancing money to them which they could spend, and account for later. After spending the money required for the purpose, they could of course afterwards produce vouchers and remit the balance, if any, back to the treasury. Because this seems to be a grievance amongst the Police force and considering the low salary we are paying them, I think we could give them this concession at least.

"Sri O. P. Ramaswami Reddiar was of course speaking about the regional or zonal hospitals. Our hospitals are now overcrowded. Government have of course their schemes for expansion of hospitals and their bed strength. But in the meanwhile something has got to be done so far as T. B. Sanatoria are concerned. I came to know recently that in T.B. hospitals they keep a priority list. That is if a man is seriously afflicted, he gets first priority. I think it is something like that. Many of the T.B. patients are not able to get admission. Only serious cases get admission. Of course moneyed men afflicted with T.B. somehow manage to get in. I asked the District Medical Officer, Madurai, whether it was necessary that the patient should get himself sufficiently fit to die for getting admission to the T.B. hospital. What happens is when a man gets that T.B. infection, he is not admitted. He is asked to wait. In the meantime, the infection develops and becomes serious. Many a person when his condition is serious and then when he is admitted, never returns to his home at all. If the concerned person is rich, his body is brought home; otherwise it is cremated there itself. That is what is happening in 90 per cent of the cases. Therefore I would suggest that the rules of admission to T.B. hospitals and sanatoria should be altered and early stages of T.B. be attended to, so that even in the early stages the patients may be properly cured and the infection not allowed to develop. I hope Government would take necessary action to rectify the serious discrepancy (viz., the priority list business) in the rules of admission to T.B. sanatoria and hospitals.

"Government should carry on their local development works, community project works and national extension schemes very vigorously. Regarding local development works, the villagers are

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asked to contribute 25 per cent, the local bodies 25 per cent and then the Government contribute the remaining half, viz., 50 per cent. There are areas in Madurai like Dindigul and Palani which taluks have been having complete drought for the past eight years. Therefore the villagers there are not only not able to contribute anything to the local development works, but they cannot contribute their labour also because they have to work and earn to maintain themselves. That is their position. I would request Government, if the people cannot find their share, to liberalize the rules and say that the local development works will be carried on in the areas just like famine relief works and no contribution therefore either by way of money or by way of labour will be asked for from the villagers. If that is done, I think Dr. John's cherished purchasing power also could come to the villagers. I do not know what exactly Dr. John means by purchasing power. Is it a commodity which can be imported by Government and then distributed amongst the people? I do not think it is anything like that. It is a thing which people acquire only as a result of the combined productivity of the nation. The nation as a whole engages in profitable production. Commodities are produced, markets are found for such commodities, foreign exchange is got, money flows into the country, the wealth of the country increases, and naturally the people in the country acquire purchasing power. We cannot provide people with purchasing power by inflation—by printing currency notes at the Nasik Press. That is impossible. So, it is only by Government undertaking developmental work in private as well as in public sectors and by building up industries and stepping up production, the purchasing power of the people can be increased. The taxation measures have nothing to do with purchasing power. Eminent economists have written that the so-called taxable limit is a myth and that such a thing does not exist at all. The Government must levy taxes and raise revenue and carry on their work. The Government have taken up for execution the Periyar Hydro-Electric Scheme in Periyakulam taluk of Madurai district. They have taken up the Vaigai river scheme also in the same taluk. Under the Five-Year Plan, they are going to spend about Rs. 15 to 16 crores in that particular taluk of Madurai district. What is going to happen there? Agricultural labour is going to become scarce. People from other taluks will rush to this place. The purchasing power of the people will go up tremendously. So people should give loans to Government. The Government should not hesitate to borrow. I am told that there is a debt of Rs. 92 crores. The Madras Government can afford to carry very comfortably a debt load of nearly Rs. 250 crores. This is my impression. Let the Government borrow and let Dr. John lend whatever he saves. Dr. John can lend if only he wants to.

"Now, the Neiveli Project is to be executed by the Government of India. Let the Government push through the Salem Iron industry scheme.

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"Dr. John was speaking about private enterprise being entrusted with the execution of the irrigation works and other public works. We do not find private enterprise rushing in for taking up this Neiveli Project, Salem Iron Project, etc. In fact, in our country, private capital is shy. I do not know if any capital formation is taking place at all. We are in a peculiar stage where hereafter no private capitalist is going to come in at all."

Dr. V. K. JOHN :—"May I ask what is the reason for private capital not coming forward to take up these industries?"

SRI T. G. KRISHNAMOORTHY :—"Of course the private company, ostensibly advised by lawyers like Dr. John, is afraid that ultimately there may be socialization and it may lose its money. Even if it does not contribute anything for the public industrial development, ultimately what will happen when socialization comes to stay in the country? But that is a different question. Private capital formation is not also there, because the trend of world events shows that we have reached a stage, every country has reached a stage, wherein it is only the Government that can undertake major schemes of industry. Private capital also, as our revered Prime Minister says time and again, can be allowed to play its part, and the part that can be played by private capital has to be limited in the future so much so the State has the responsibility to undertake and build up all industries. Agriculture is overcrowded. It is a saying which everybody knows in our country—especially our Communist friends know this—that Russia wants more population whereas we want more land. We can see the difference between a Communist State and Capitalist State. Dr. John says, 'Look at America'. Of course I have not seen America or Russia, nor is there any possibility of my seeing. But I see my own country. What is our problem here? Our problem is landless man and the problem in Russia is manless land. We have too many men without sufficient land and they have too much of land without men. Even if all the cultivable waste land in this country is to be brought under cultivation, still they would not be sufficient for the agriculturists in India. So the country has now to be industrialized. Any major industry can be taken up only by the Government. The Government therefore require money for carrying out the industrial projects. They want money for irrigation works, electricity projects, and for carrying on the day-to-day administration also. They require money for capitalizing industries. We are marching towards the goal where everything will be State-managed. The Government will be the State Manager of the people. This is a Welfare State. We are the trustees of the people. The whole responsibility to look after the people has devolved upon the Government. It is easy to criticize the Government. So long as we are outside the Government, we can talk anything we please. But once we are saddled with office, we will have to think twice before expressing what we feel. In these circumstances, the Finance Minister has produced a budget, the best of its kind for the State. As all elders have congratulated him,

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I should also like to congratulate him. I know Dr. John, in whatever he says, is not very serious. He speaks in a sporting manner. He just wants to egg on people to further co-operation. He wants to just apply in a gentle manner the goad. But sometimes, the horse in the race course may retract, if it is whipped."

Dr. V. K. JOHN :—"Sir, is it in order for an hon. Member to say that another hon. Member is not very serious about what he says?"

MR. CHAIRMAN :—"Perfectly in order."

SRI T. G. KRISHNAMOORTHY :—"Assisted by the criticisms and advice from the Leader of the Opposition and hon. Members like Sri O. P. Ramaswami Reddiar, I am sure our Government will carry out their work very effectively and complete their First five-Year Plan and march on victoriously towards the goal of initiating and successfully completing the Second Five-Year Plan also. The Government need not be deterred by criticisms of their taxation measures. Because George Bernard Shaw said once, 'If any Municipal Councillor were to come and tell you that once you put him in office he will reduce the tax, just take him to be a fool'. What does this mean? The tax that is paid to the municipality comes back to the people. Everybody who pays the tax gets it back in an indirect form. Therefore if anybody says that once he is elected to the Municipal Council, he would reduce the taxes, it is silly. The Government need not be afraid of imposing fresh taxes at all so long as there is the promise that they propose to spend the money on the people and successfully implement the plans and produce results. Electricity has produced immense results. A few years ago, people were apathetic to electricity. Now everywhere there is great demand for it. Wherever Ministers go, petitions are given to them asking for the supply of electricity. Thousands of petitions have been presented asking for the supply of electricity to villages. There is no loss in this electricity supply. Electricity helps people engaged in agriculture and industries, big and small. People have come to realize that electricity is an undertaking by which Government are making a profit. The Government will get more profit from the supply of electricity. The percentage of profit to the Government in this regard will be much more than the profit that an industrialist is getting on the capital that he has invested. That is why I suggested sometime ago that the electricity charges can be reduced a bit. When once these undertakings begin to yield profits, the Government will get more and more money which they can spend on big projects for the benefit of the entire State. At the end of the Second Five-Year Plan, I think Dr. John will be here, or perhaps he will be in the Parliament or somewhere else. Wherever he may be, he will see that the Government will progressively be reducing the taxes, once the irrigation projects, the electricity projects and other projects that they have started begin to yield

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dividends. Just as the Central Government are deriving income from the railways, we will also be deriving some income from the various projects that we have started and it will be time then to gradually and progressively reduce the taxes. When this promise for a better future, bright future and brilliant future is held out before us by the Hon. the Minister for Finance, I do not think that we should in any way criticize him unduly for the small taxation measures that he has introduced. We should only support him and praise him for the budget that he has presented."

SRI MOHAMED RAZA KHAN :—" Sir, may I know how is it that the hon. Member, who presided over a meeting in Madurai a few months back, criticized the Government very, very vehemently on their taxation policy? "

SRI T. G. KRISHNAMOORTHY :—" Sir, the hon. Member is completely mistaken. If he has cared to read my speech in the conference over which I presided, he will find that I made exactly the same speech there as I have just now made here. I asked those people to wait for ten years by which time the Government will be able to reduce their taxes as they will be getting plenty of money from the various projects started by them."

* **THE HON. SRI A. B. SHETTY :—**" Mr. Chairman, the time allotted for general discussion of the budget gives an occasion for many hon. Members to make a survey of the broad field of governmental action in several departments. They can survey anything from Peru to China. Medical and health matters have not loomed large in the budget speech of my Hon. Colleague. Naturally, our attention is focussed on the new taxation proposals and on the many schemes which are being implemented under the Five-Year Plan Schemes for increased agricultural production and industrial output by means of irrigation, power development and so on. This Plan which is intended for the economic development of the country, I may say, has a bearing on the improvement of public health. Because, public health is not merely a matter of the extension of medical services or the creation of more doctors or the dispensing of more medicines. It depends to a large extent on good housing, proper sanitation, adequate nutrition, improvement of environmental sanitation and such other matters which are the elementary requirements that are conducive to healthful living. Sir, in this budget, among social service, education gets a lion's share, viz., about 10½ crores of rupees. The departments of Medicine and Public Health get 4 crores of rupees. Yet I do not grudge it. Because, I concede that all the schemes undertaken for the educational progress and the economic development of the country are conducive to the improvement of public health. Sir, the Planning Commission have said that additional efforts must be concentrated on preventive work and that more attention should be given to rural areas. It is in accordance with this policy adumbrated by the

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Planning Commission that we have taken several measures of late. I may mention for instance the malaria control programme, the extension of it under the national malaria control programme of the Government of India, the undertaking of mass B.C.G. Vaccination programme, the accelerated programme for rural water-supply on which we propose to spend more than a crore of rupees, the health centres that we have started in the community project areas and which Government are contemplating to start under the National Extension Service schemes, etc. These are all measures which will help to promote health. Sir, rural medical relief work has been a great problem. So many suggestions have been made on different occasions by different people. There are many difficulties. There are many problems connected with it and we have not been able to do anything very satisfactory in this direction. Many of our rural dispensaries of modern medicine have had to be converted into dispensaries of indigenous medicine and as many as 73 of the rural dispensaries are to-day remaining closed for want of medical practitioners even of a comparatively low status such as B class practitioners. I am grateful to the hon. Members who have made very valuable suggestions and helpful criticisms.

" Sir, I must say that the hon. Leader of the Opposition has made a very valuable contribution to the debate. He is always well-intentioned, his criticisms are always very reasonable. He has offered co-operation to the Government in regard to medical and public health matters by participating in the work of various Committees and by taking prominent part in the several conferences that we have held. I must offer my tribute of praise to him for all the co-operation he has given to us. He has spoken about overcrowding in the hospitals. I do admit that there is overcrowding in our hospitals not only in the city, but also in the mufassal. In connection with this, we had a Conference of the Deans and the Superintendents of the City Hospitals and the Director of Medical Services and at that Conference we decided that the extra number of patients to be admitted to hospitals should not exceed 25 per cent over and above the sanctioned bed strength. As the hon. Leader of the Opposition himself said it is very difficult to restrict admission in that way. There is popular clamour and great pressure is being brought upon the various Superintendents of hospitals. They find it rather difficult to resist such pressure. If they resist, complaints are made against them. On account of such pressure and even on humanitarian considerations in most places a large number of patients much in excess of the sanctioned bed strength have to be admitted. On the day Dr. Lakshmanaswami Mudaliyar spoke, I told the Director of Medical Services that we have to send a circular to all the District Medical Officers and also the Superintendents of hospitals that they should as far as possible restrict this admission. Sir, the suggestion made by the hon. Leader of the Opposition for opening a hospital for chronic cases

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and patients in the convalescent stage is no doubt a very good one. It has been under the consideration of the Government for a fairly long time and I hope we will be able to give further consideration to it provided funds permit. It is not a question of providing for such patients in the City alone. This is the problem all over the State and if we are to start similar hospitals in district centres also, it would cost a good bit of money.

"Then, the Leader of the Opposition spoke about medical education. He is always insisting on high standards—and very rightly so—being also the Vice-Chancellor of the University of Madras. Hon. Members are well aware of the new college that has been opened in Madurai. We are trying to raise the standard of work in our hospitals in several ways. This year, we have started short courses of training in Surgery, in Anaesthesia, in Radiology and in Pathology, taking four people at a time for each of these courses and training them for four months and six months. Two of these courses have recently been started at the Stanley Medical College also. Then, we are continuing the refresher courses—which were conducted at eight places last year. Revised courses extending to slightly longer periods are being conducted this year in five of the district centres, different from those where they were held last year. A quarterly medical bulletin is being published and the second edition of it is just out. It gives very useful information to our medical men about the new methods of treatment and the new techniques that have come into use in our teaching hospitals. We are sending people for higher training abroad, not many but a few only. We are providing for blood transfusion services in two of the district headquarters hospitals. We shall then have blood banks in all district headquarters hospitals except one. We are providing for deep X-ray sets at Tanjore and Madurai and a very powerful X-ray set at the Barnard Institute of Radiology in Madras. We have been thinking of improving the District Hospital laboratories because laboratory work is very important now for correct diagnosis and providing for training technicians. We have applied for help to the Centre and whether the Centre comes forward to help us or not, the proposal will soon go to the Finance Department and I hope that my Hon. Colleague will be good enough to accept this proposal. This scheme is very important for diagnostic work and for improving the standard of our work in the hospitals.

"The hon. the Leader of the Opposition spoke about the non-clinical teaching staff in our Medical Colleges. Sir, in 1952, there was a committee appointed, presided over by the present Leader of the Opposition himself, which went into the question, considered all aspects of the matter and recommended higher scales of pay for the non-clinical teaching staff. Another recommendation of that committee was the extension of the retirement

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age to 60 years in respect of these professors. In the case of the existing incumbents of the professors' post, we have said that we shall re-employ them up to the age of 60 years year after year provided they are found physically fit. I am sorry we have had to allow non-clinical men to do private practice also. It may be a retrograde step. We have taken this measure as a temporary one because there was so much discontent among these people. Only very few people are willing to get into the non-clinical line. Clinical work offers the lure of private practice and better prospects in the matter of promotion also. The Leader of the Opposition knows that at the recent annual meeting of the Central Council of Health at Trivandrum, it was resolved to request the Central Government to constitute an All-India cadre for the non-clinical teaching staff and to give financial aid to give them better scales of pay. It is expected that the Government of India will give due consideration to this request.

"Sir, the hon. the Leader of the Opposition and also the hon. Gentleman, Dr. Srinivasan, spoke about the Kasturbai Medical College. Sir, the reconstruction of the Headquarters Hospital at Mangalore was taken up in the year 1950, that is long before this college was thought of. It was taken up as part of a programme to reconstruct all district headquarters hospitals. Recently, the Headquarters Hospitals at Tiruchirapalli and at Kozhikode have been reconstructed at a very huge expenditure. This is the third hospital to be taken up. The reconstruction of the two hospitals at Mangalore providing for about 500 beds and also the great and insistent demand for medical education on the part of the people in that area prompted a private agency—the Academy of General Education at Udipi to think of starting a college by private enterprise. The Karnataka University gave affiliation to the college with the approval and sanction of the Government of Bombay."

DR. A. SREENIVASAN :—"On a point of information, Sir, I would like to know whether there is any reciprocity between the Karnataka University and the University of Madras."

* THE HON. SRI A. B. SHETTY :—"Sir, this is a matter about which I cannot say anything at present. The Madras Government were consulted and they acceded to the request of the Bombay Government. The Karnataka University has sent four Commissions to supervise the various stages of development of this college. The Indian Medical Council sent its Inspectors who visited this college at the time of the first University examination. This college has given admission to 25 students belonging to this State last year and 42 students this year. The Government have agreed to provide facilities for clinical training at the Mangalore hospital and to give capitation grants for students of our State at the rate of Rs. 300 during the non-clinical course per year and at Rs. 600 during each year of the clinical course subject to a

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maximum of Rs. 20,000. Hon. Members may know that the Central Minister for Health, Rajkumari Amrit Kaur visited this college and opened the Physiology block on the 30th January of this year. The question was asked—'what about recognition to this college'. Sir, this is a matter for the Karnataka University and the Indian Medical Council to examine. It may be hoped that recognition will be given when the time is ripe for it.

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"The hon. Lady Member, Mrs. Chubwala Jadhav with her usual charm and grace paid her compliments and at the same time made her usual demands on behalf of social workers. She asked for more allotment of funds for hospital extensions, pleaded for better amenities for nurses, for increased capitation grants for leprosy patients and for greater help to the T.B. clinics and sanatoria. I need hardly say that these very reasonable demands of hers will always be kept in view by Government. We are very thankful to the Guild of service of which she is the chief inspirer and to the Stella Mary College for sending as many as ten volunteers every day to supervise the distribution of food in the General Hospital. She wants Indian preparations to be provided to the patients. She may know that recently 'Iddli and Sambar' have been substituted for bread and butter in many of our hospitals. The patients like it very much. Incidentally it also saves money for the Government which money I hope will be allowed to be diverted for other useful purposes at our hospitals.

"Two hon. Members of this House, Dr. A. Sreenivasan and Sri K. Balasubramania Iyer have spoken about the comparative merit of the indigenous system of medicine. Their views differ fundamentally. Sri K. Balasubramania Iyer is running a school of Ayurveda. He has much faith in the indigenous system. He is an advocate of 'Shuddha Ayurveda'. Dr. A. Sreenivasan being a practitioner of modern medicine does not take kindly to Ayurveda and he indulged in cheap gibes at the long-bearded Ayurvedic Pandits. It has been the policy of this State Government as well as the Central Government to encourage the indigenous system of medicine, because such work is in accordance with popular sentiments and it is expected to make medical relief accessible to the people in the villages. We may particularly claim that the Government college and hospital of Indigenous Medicine we have in the city is the best of its kind in the whole of India. People who have visited it have paid compliments to it. The other day the Director of Health Services, Punjab who came here to inspect the teaching work in this college on behalf of the Central Council of Health has expressed that this is really the best college. We are asked as to why modern medicine is taught today at this college. Teaching of modern medicine in this college is not anything new. It has been there from the very beginning. In fact that was the recommendation of the Usman Committee. The Chopra Committee and the Pandit Committee also recommended likewise. We have now made the teaching

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of modern medicine more practical and useful. Students of this college are allowed to spend their time in the wards of their district headquarters hospital every year during the vacation time. The teaching course has been revised and reduced to 4½ years and one year of house-surgeonship has been made compulsory for every student. The teaching staff of this college are being absorbed in the Madras Medical Service for the expenditure on which Rs. 25,800 has been provided for in the Budget. The present idea is that practitioners of Indigenous system of Medicine and students of the Indigenous College of Medicine must have a basic qualification in modern scientific medicine and it is in accordance with this idea that the curriculum has been revised and sufficient knowledge of modern medicine is given to the graduates of this college.

"The hon. Member Dr. A. Sreenivasan spoke against the use of mechanical filters about which he has been carrying on some correspondence with the Chief Minister. Various experts have gone into this question on several occasions. The suitability of micromesh strainer which he is advocating and the need for installing mechanical filters have been examined and experiments made on various methods of filtration. A committee was appointed by the Governments and as far back as 1938 that Committee recommended the installation of rapid mechanical filters. Subsequently there have been conferences of experts, viz., the Sanitary Engineer, Director, King Institute, Water Analyst, King Institute, the Director of Public Health and engineers to discuss this matter in 1949, 1951 and 1953. The impurities of the Red Hills water are not merely suspended impurities. This water contains organic matter mostly in a colloidal form in a dissolved state. Our slow sand filters are not able to arrest the organic matter which is in the dissolved state with the result that this matter gets into the distribution system and gives rise to the bad and nauseating odour of Hydrogen-sulphide. The great bulk of the organic matter is in the form of colloids and it is only a minor portion of it that is in the form of suspended impurities. We are told that the micromesh strainer will not be useful for pre-straining of the raw-water before it gets into the slow sand filter. That is the expert opinion. That is the information supplied by the company which has a patent for this appliance. This company, Messrs. Glenfield and Kennedy, London have declined to give any guarantee regarding the successful functioning of the micromesh strainer for treating our Madras raw water. We are told that rapid mechanical filters are used extensively for urban water supplies in all advanced countries. In our country rapid mechanical filters have now been installed in many of the big cities like Nagpur, Hyderabad, Bangalore and Lucknow. In our own State mechanical filters have been set up in several of the municipal towns here as well as in some towns which have now gone over to Andhra State. In Calcutta where they were having slow sand filters, they have set up rapid mechanical filters

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in 1953 for the additional water requirements of the city. I am told that in no other place in our State this micromesh strainer is in use. In sanctioning the proposal of the Corporation for the provision of mechanical filters for the 10 million gallons of water-supply to the city daily, Government have not therefore done anything wrong. Government have acted on the advice of experts who are entitled to advise in a matter like this. It is rather unfair to say that certain commercial interests were at work and that they were pulling the strings.

"Dr. Sreenivasan spoke about the vaccine lymph. I do not know what makes him doubt the potency of the vaccine lymph prepared at the King Institute, Guindy. In answering a question the other day, I said that every batch of vaccine lymph was tested according to international standards, and that it was certified to be safe and potent before it was issued. Experiments were made in 1951 on monkeys, and it was found that the immunity given by this lymph was quite satisfactory. This view has been confirmed by the vaccine institute at Belgaum. This is a matter which is more suitable for discussion by a committee of experts rather than on the floor of this House. The only result of throwing doubts on the genuineness or purity or efficacy of our vaccine lymph will be to make the people have a wrong impression about our vaccine lymph.

"The hon. Member has also trotted out the theory that sandfly is not the vector for kala-azar. It may be that experts differ. But according to the officer who does research in this line at the school of Tropical Medicine, Calcutta, sandflies have been found to be the vector for kala-azar. As a result of laboratory experiments and epidemiological data collected in this matter, this was the finding here and elsewhere.

"Then he spoke about the Sanitary Engineering department. The Sanitary Engineering branch was reorganized in the year 1949 and the entire work of investigation, design, and execution was given to the Sanitary Engineer and his staff. Recently we have taken up an accelerated programme of water-supply and drainage. So the proposals made from time to time about the separation of the Sanitary Engineering Branch and its being reconstituted into an independent unit were considered by a committee of Secretaries, and it has now been proposed with a view to expediting the execution of water-works that in regard to schemes costing up to Rs. 10 lakhs the Sanitary Engineer should correspond with the Government direct. As regards schemes costing above Rs. 10 lakhs, the decision is that his proposals should be submitted to the Government through the Chief Engineer. I do not understand why the hon. Gentleman thinks or suspects that there is some personal factor in the decision arrived at. It is a decision arrived at by the Secretaries and the Minister had no hand in it.

"Our much respected leader Sri Omandur Reddiar, I understand, spoke about the provincialization of taluk headquarters

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hospitals. It is true that our district boards, on account of the deficit budgets they are having, are not able to find sufficient money for these hospitals. We have provincialized as many as 75 taluk headquarters hospitals and municipal hospitals and about 25 remain to be provincialized. No proposals for provincialization have been taken up this year because the money allotted for this purpose in the Five-Year Plan has been exhausted, and there is no money available for provincializing any more hospitals. I hope very soon we shall be able to take over more of these hospitals and improve them.

"My hon. Friend Sri T. G. Krishnamoorthi spoke about admission of patients to the Tuberculosis Sanatorium. It is true that particularly at the Tambaram Sanatorium there is a long waiting list. There are more than a thousand people in the list. It is only the other day we had a small conference in my room at which the Director of Medical Services, the present Superintendent of the Tuberculosis Sanatorium, and Dr. Vasudeva Rao were present. They made certain proposals to be considered by the Director of Medical Services. We shall try to see how we can reduce the number in the waiting list and admit patients who require immediate hospitalization, as early as possible.

"I may say, in conclusion, that the Government are trying to do their best with the resources at their disposal in men and money. We expect the hon. Members of this House as well as the public to give their support and co-operation to all the measures that the Government undertake and carry out."

MR. CHAIRMAN :—"Only ten minutes for each speaker hereafter."

*SRIMATHI R. S. SUBBALAKSHMI :—"கனம் தலைவர் அவர்களே, கனம் அங்கத்தினர்கள் எல்லோருக்கும் எனது பணிவான வணக்கம். மதிப்புடன்கூடிய நவரத்னங்களைப்போல், மதிப்புடன்கூடிய சுப்ரமணியம் மணி என்று சொல்லக்கூடிய ஸ்ரீ லி. சுப்ரமணியம், நம் ராஜ்ய நிதி மந்திரி, நல்ல ஒரு மதி மந்திரி, கல்வி மந்திரி அழகாசுரம்முடைய மாகாணத்துத் தேவைகளையெல்லாம் ஆழ்ந்து ஆலோசித்து அதற்குத்தகுந்தபடியாக நாமெல்லோரும் வரவேற்கக்கூடிய ஒரு வரவு செலவுத் திட்டத்தை இச்சபை முன் சமர்ப்பித்திருப்பதை நாமெல்லோரும் வரவேற்கின்றோம். அதற்காக அவரை நாம் மிகவும் பாராட்டுகின்றோம்.

"முதலாவதாக கல்வி இலாக்காவுக்காக மொத்த வரவில் 25 சதவிகிதம் கல்விக்காக ஒதுக்கியிருப்பது உசிதமானதே. நம்முடைய ராஜ்யத்திற்கு நல்ல அறிவுள்ள மக்கள் நிரம்பத் தேவை. அதற்குத்தக கல்வித்துறையில் ஆரம்பப் பாடசாலையிலிருந்து கல்லூரி வரைக்கும் கல்விக்காக கோடிக்கணக்கான பணம் ஒதுக்கி வைத்திருப்பது நாம் எல்லோரும் அறிந்து திருப்தியுடன்கூட வரவேற்கத்தகுந்த ஒரு விஷயமாகும்.

‘அறிவுடையா ரெல்லா முடையா ரறிவிலா
ரென்னுடைய ரேனு மிஸ்’

என்பது திருக்குறள். நல்ல அறிவுடைய மக்கள், நல்ல ஆற்றல், ஆத்ம சத்தி, நல்ல ஞானம் ஆகிய எல்லாம் பொருந்திய மக்கள்தான் இந்தியா வினுடைய சுதந்திரத்தைக் காப்பாற்றுவதற்கும் இந்தியாவின் முன்னேற்ற

[Srimathi R. S. Subbalakshmi] [4th March 1955]

றத்திற்குப் பாடுபடுவதற்கும் தேவையாக இருக்கிறார்கள். ஆக, அப்படி அறிவை வளம்படுத்தும் தகுந்தவடி அறிவும் பாடசாலைகள் வழங்குவதற்கு நிதியை ஒதுக்கிவைத்திருப்பது மிகவும் புகழத்தக்க ஒரு விஷயமாகும்.

“ஆரம்பப் பாடசாலைகள் சம்பந்தமாக நான் முன்பு விஷயங்களைச் சொல்ல விற்றிருக்கிறேன். முதலாவதாக இந்த ஓர் அறிவியலைக் கொண்ட பாடசாலைகள் கொஞ்சங்கூட உருப்பாடு என்பது என்னவென்று என்பதை நமது சகோதரர் ஸ்ரீ ராமசாமி ரெட்டியார் சொன்னார், பொருட்பாடசாலைகளில் 70 முதல் 80 குழந்தைகளை ஒரே ஓர் உபாத்தியாயத்தில் பாடமரிப்பில் விட்டால் ஒரேயாக நடைபெறும் என்று என்னுடைய தோன்ற விலை. விட்டிலேயே ஓர் ஓர் நான்கு குழந்தைகளை வைத்துக்கொண்டு—விஷயம்தான் அவர்களுடைய விஷயப்பாடு இருக்கிறது—பாடமரிப்பது பெற்றோர்களுக்கு சம்பளம் இருக்கிறது. அப்படி மிகுந்திருப்போது 70 அல்லது 80 குழந்தைகளை ஒரே ஓர் உபாத்தியாயம் ஓர் பாடசாலையில் வைத்துக்கொண்டு நடத்துவது என்பது நிர்மாப சிரமமான காரியம், அது நன்றாக ஒரேயாக நடக்குமென்று தோன்றவில்லை. ஐந்து அல்லது யுடைய பாடசாலைக்கு இரண்டு உபாத்தியாயர்களாவது இருக்கவேண்டும். அதில் ஒருவர் உபாத்தியாய இருப்பது நல்லது. நான்மேல் குறைந்தோடு கூட, அன்பையும், அறவண்பையும் எதிர்பார்க்கும் ஒரு வயது குழந்தைகளுக்கு ஒரு பெண் உபாத்தியாய இருந்தால் நன்றாக இருக்கும். இந்தக் காலத்தில் எத்தனையோ பெண்கள்கூட தங்களுடைய அழகத்தை வேண்டிய ஊதியத்தைச் சம்பாதிக்கும்படியான நிலைப்பையில் இருக்கிறார்கள். பெண்களுக்குத் தகுதியான உத்தியோகம் என்னவென்றால் ஓர் உபாத்தியைத் தொழில், நர்சிங் தொழில், டாக்டர் தொழில் இவைகள்தாம் ரொம்ப மக்கியமான தொழில்களாகும். கிராமப் பாடசாலைகளிலும் மற்ற நடுத்தரப் பாடசாலைகளிலும், உயர்தரப் பாடசாலைகளிலும் கூட ஸ்திரி உபாத்தியைகளை மிகுதியாக ஏற்படுத்தினால் அது இனிதும் தக்கதாக இருக்குமென்று நான் நினைக்கிறேன்.

“இரண்டாவதாக, அநேகம் மெம்பர்கள் அடிக்கடி சொல்வதுபோல் உபாத்தியாயர்களுடைய ஊதியத்தை இன்னும் கொஞ்சம் உயர்த்த வேண்டியது நிர்மாபவும் அவசியம். சாதாரணமாக படிப்பு குறைவாகவுள்ள ஒரு தபால்காரன், போஸ்ட்மான் இவர்களுக்குக்கூட ஊதியம் அதிகமாக இருக்கிறது. ஆனால், நல்ல அறிவோடு கூடிய சற்று உயர்தர படிப்பைப் படித்து உபாத்தியாயர்களாக வருபவர்களுக்கு ஊதியத்தை உயர்த்துவது நிர்மாப அவசியம் என்பதை நமது கருணை கவர்ன் மெண்டாருக்குத் தெரிவித்துக்கொள்கிறேன்.

“பணம் உடையவர்களை எல்லோரும் பின்பற்றுவார்கள். பணம் இல்லாமல் அறிவு மாத்திரம் இருந்தால் போதாது, கல்விச் செல்வத்தோடு பொருட் செல்வமும் சேர்ந்து இருப்பவர்களுக்குத்தான் அந்தஸ்தும் தரமும் மதிப்பும் உயர்வாக இருக்கும். சாதாரண குழந்தைகள்கூட கொஞ்சம் ஏழை உபாத்தியாயர்களாக இருந்தால் அவர்களுக்கு அவ்வளவாக மதிப்பு கொடுக்கமாட்டார்கள். உபாத்தியாயர்களுடைய தரத்தையும் அந்தஸ்தையும் உயர்த்தவேண்டியது ரொம்ப அவசியம் என்பதை நான் வணக்கமாகத் தெரிவித்துக்கொள்கிறேன்.

“மூன்றாவதாக கிராமங்களிலிருக்கும் ஆரம்பப் பாடசாலைகளில் வசதிகள் போதவே போதாது. கிராமங்களில் ஒரே அரையில் பக்கம் பக்கமாக ஐந்து வகுப்புகளை வைத்து, ஒருவர் போடும் இறைச்சலும் சத்தமும் மற்ற வகுப்புகளுக்கு இடைஞ்சலாக குழந்தைகள் பாடத்தைக் கவனிக்க முடியாத நிலையில்தான் கட்டம் இருக்கும். மண் தரை; அதுவும் சமமாகக்கூட இல்லாமல் ஏற்றத்தாழ்வுடன் கூடியதாக மேடுள்ளங்கள் நிறைந்ததாக இருக்கும். அப்படிப்பட்ட சூழ்நிலையில் கையைக் கட்டிக் கொண்டு உட்கார்ந்து உபாத்தியாயர்களின் கையில் இருக்கும் தடிக்கம்பைக் கண்டு பயந்துகொண்டு இருக்கும் சூழ்நிலையில் குழந்தைகள்

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4th March 1955]

என்னத்தைப் படிப்பார்கள், எந்த விதத்தில் குழந்தைகளுடைய அறிவு அபிவிருத்தியாகும் என்பதை நாம் யோசிக்கவேண்டும்.

“ஆக, ஸ்ரீமான் ராமசாமி ரெட்டியார் சொன்னமாதிரி, பாடசாலைகளின் எண்ணிக்கையைக் குறைத்தாலும் பரவாயில்லை. ஆனால், நல்லதொரு சூழ்நிலையையும் சுற்றுவட்டத்தையும் அமைத்து நல்ல உபாத்தியாயர்களை மிகுதியாகப் போட்டு ஐந்து வகுப்புகளுக்கு இரண்டு உபாத்தியாயர்களாவது இருக்கும்படியான வசதியைச் செய்யவேண்டியது அவசியம்.

“அடுத்தபடியாக பூஜ்யர் வினோபா பாவே ஆங்காங்கு சென்று பூமி 5 p.m. தானே இயக்கத்தைச் செய்கின்றார். அப்படிப்பட்ட பூமியில் கொஞ்சம் நஞ்சை, கொஞ்சம் புஞ்சை நிலம் கிராமங்களிலுள்ள பாடசாலைகளுக்கும் கொடுக்கச் செய்தால் குழந்தைகள் ஆதாரக் கல்விமுறையில் பயிலுவதற்கு வசதி ஏற்படும். அந்த பூமியிலிருந்து அவர்கள் நல்ல தானியங்களையும், காய்கறிகளையும் பயிரிட்டுக்கொண்டு, ஏழை மாணவர்கள் ஒரு வேளை ஆகாரம் அங்கே சமையல் பண்ணி சாப்பிட முடியும். அதே நிலங்களில் பருத்தி விளைவிப்போமானால் அதிலிருந்து கிடைக்கும் பஞ்சைக்கொண்டு நூல் நூற்று, அவர்களுக்கு வேண்டிய உடைகளை அவர்களே தயாரித்துக் கொள்ளவும் முடியும். அவர்களுடைய ‘Basic needs’ ஆதாரமான, முக்கியமான தேவைகளான உணவு, உடை முதலியவற்றை அவர்களே தயாரித்துக்கொள்ளும்படியான பழக்கத்தை ஏற்படுத்திக் கொள்ளமுடியும்.

“அடுத்தபடியாக 8-வது வகுப்பு வரை ஏழை மாணவர்களுக்கு இலவசக் கல்வி கொடுக்கும் திட்டம் மிகவும் வரவேற்கத்தக்கது. அதே போல் உயர்தரப் பாடசாலைகளில் எஸ்.எஸ்.எல்.ஸி. வரைக்கும் சம்பளம் கொடுப்பது ஐந்தாறு குழந்தைகளையுடைய பெற்றோர்களுக்கு சிரமமாக இருக்கும். அதற்குக்கூட சலுகை அளித்தால் நன்றாக இருக்கும்.

“இப்பொழுது ஆங்கிலத்தில் எல்லாப் பாடங்களும் போதிக்கப்படுவது கிடையாது. அதனால் எஸ்.எஸ்.எல்.ஸி. வரையில் படித்த மாணவர்கள் கூட ஆங்கிலத்தில் தங்குதடையில்லாமல் பேசும்படியான பழக்கம் ஏற்படுவது கிடையாது. என் பக்கத்தில் இருக்கும் ஒரு அங்கத்தினர் எவ்வளவு அழகாக ஆங்கிலத்தில் இப்போது சொற்பழிவாற்றினார்? அவர் மெட்ரிகுலேஷன் கூட படித்தது கிடையாது. ஆனாலும் அந்தக் காலத்தில் பாடசாலைகளிலே கூட படித்தது கிடையாது. ஆங்கிலத்திலேயே போதிக்கப்பட்டு வந்ததினால் எங்க எல்லாப் பாடங்களும் ஆங்கிலத்தில் பேசும் பழக்கம் அதிகமான அளவுக்கு எங்கெல்லாம் ஆங்கிலத்தில் பேசும் பழக்கம் அதிகமான அளவுக்கு இருந்துவந்தது. ஆனால், இந்தக் காலத்தில் எஸ்.எஸ்.எல்.ஸி. படித்து இருந்துவந்தது. சகோதரியார் பேசினதில் பத்திலொரு படித்த ஒரு மாணவன்கூட நமது சகோதரியார் பேசவே தெரியாது. ஆகையால் பங்குக்கூட நன்றாகத் தங்குதடையில்லாமல் பேசவே தெரியாது. ஆனால், இந்தப் பழக்கம் மார்க்குகளையே வாங்கவேண்டுமென்ற முறை வைத்துக்கொண்டிருப்பது சற்று தவறு. சென்ற வருஷம் எஸ்.எஸ்.எல்.ஸி. தேறின ஒரு பெண் எல்லாப் பாடங்களிலும் நல்ல மார்க்குகள் வாங்கி ஆங்கிலத்தில் 35 மார்க்குகள் வாங்கவேண்டியதற்குப் பதிலாக 34 மார்க்குகள்தான் வாங்கியிருக்கிறாள். ஒரு மார்க்கு குறைவினால் செகண்டரி டிரெயினிங் வகுப்பில் சேரமுடியாமல் ஹையர் எலிமென்டரி வகுப்பில் சேரும்படி வகுப்பில் சேரமுடியாமல் ஆங்கிலத்தில் இந்த மார்க்குகள் விதித்தை ஏற்பட்டது. ஆகவே ஆங்கிலத்தில் இந்த மார்க்குகள் விதித்தை குறைவாகக் வேண்டுமென்று கேட்டுக்கொள்கிறேன். எல்லாப் பாடங்களும் ஆங்கிலத்தில் போதிக்கப்படுவதில்லை ஆதலால் ஆங்கிலத்தில் மாணவர்களுக்குப் பழக்கம் போதாமல், வேண்டிய மார்க்குகள் வாங்க முடியவில்லை.

“இன்னும், செகண்டரி கல்விக் கமிஷன்’ சிபாரிசு செய்துள்ளபடி, எஸ்.எஸ்.எல்.ஸி. படித்தவர்கள் மேலும் ஒரு வருஷம் கூடப்படிக்க வேண்டுமென்று சொல்லி, அதில் தேர்ச்சி பெற்றவர்கள்தான் கல்லூரிப் படிப்புக்குப் போகலாம் என்று சொல்வது அவ்வளவு உசிதமாக எனக்குத் தோன்றவில்லை. ஏனென்றால், எஸ்.எஸ்.எல்.ஸி. வரை படிப்பதென்பது ஒரு எல்லை. அதோடு நிறுத்திவிட்டு, வேலையைத் தேடிக்கொண்டு

[Srimathi R. S. Subbalakshmi] [4th March 1955]

பெரும்பாலான பள்ளிகளிலும், அமைச்சரவை 100-க்கு 10 பெர்தான் கல்லறியப் படிப்பதும் பொருத்தமாகும். காலேஜ் படிப்பை இன்னும் ஒரு வகுப்பை சேர்த்து, College entrance வகுப்பு அமைத்து காலேஜ் Preparatory வகுப்பு என்று ஒன்று ஏற்படுத்தி, காலேஜில் சேர் விரும்புகிறவர்களுக்கு அங்கிலைத்திட்டமே எண்ணப் பாடங்களையும் கற்பித்து, அந்த வகுப்புக் கட்டியில் பரீட்சை வைத்து, அந்த மூலம் காலேஜில் அந்த இடத்தில் நிரந்தரம் செய்து கொடுத்தே ஆகிய, இன்னும், எப்போத இன்னும் ஒரு வகுப்பும் நீடித்து, அவர்களுடைய தகுதியை அங்கே தீர்மானிப்பது என்பது முடியாத காரியமென்று எவ்வளவு தோன்றுகிறது. ஆகவே, இந்த செஷனில் கல்வி அமைச்சர் சொன்னதோடு மட்டுமே, அதாவது எவ்வளவு படிப்பை வேண்டும் ஒரு வகுப்பும் நீடிப்பது என்பது, உத்தரவு எப்போது அமரக்கூடும் தயவு செய்து சிவனியக்கொண்டிருப்பது கேட்டுக்கொள்கிறேன்.

“காலேஜில் சேர்ந்து படிக்க இயலாதவர்கள், விட்டியோ படித்து, இடைநிமிடியே அல்லது B.A. பரீட்சைக்குப் போவதற்கு விரும்புகிறார் நமது ஸர்வகலாசாலை அதிகாரிகள் அப்பாதிர் பிளாஸ்ட், ஆனால் வீட்டிலேயே படித்து பரீட்சைக்குப் போகக்கூடாது என்று தடை செய்கிறார்கள். அதிலும், ஒரு சகோதரி ‘பெண்ணாசிரியை தங்கியே அவமானம் செய்ததாக’ சொன்னார்கள். இது நிரூபிக்காத ஒரு விஷயம். ஏனென்றால், இந்தக் காலத்தில் எத்தனையோ பெருமக்கள் காலேஜில் சேர்ந்து படிக்க விரும்பும் இருந்தாலும், காலேஜில் அடமிஷன் படிக்க விரும்பினால், இந்த ஸர்வகலாசாலைக்குப் போவானேன்; இதர ஸர்வகலாசாலைகளுக்கு ஏன் போகக்கூடாது என்று கேட்கிறார்கள். இது அவ்வளவு உசிதம் அல்ல. எத்தனையோ அறிவோடு கூடிய பெண்கள், ஆகவே, நம்முடைய ஸர்வகலாசாலை, பிளாஸ்ட் பாய் பரீட்சைக்குப் போவதற்கு அனுமதி கொடுக்கவேண்டுமென்று நமது சகோதரர் ஸ்ரீ எட்சுமணஸ்வாமி முதலியவரைக் கேட்டுக்கொள்கிறேன்.

“ஆங்கில பாஷை கட்டாயம் அவசியம்தான். நமது தேசம் பிற தேசங்களுடன் தலை குக்கி நிற்கவேண்டுமானால், பிற தேசத்தில் நடக்கும் விஷயங்களை நாம் தெரிந்து கொள்ள வேண்டுமானால், ஆங்கில பாஷை ஒரு சிலராவது அமைப்பது படிப்பதற்கு வேண்டிய வசதி யுனிவர்ஸிட்டி கொள்கிறேன்.”

(At this stage Dr. A. Sreenivasan was seen crossing between the Chair and the Member who was speaking.)

MR. CHAIRMAN :—“The hon. Member should not cross between the Chair and the hon. Member who is speaking.”

DR. A. SREENIVASAN :—“I am sorry, Sir.”

SRIMATHI R. S. SUBBALAKSHMI :—“ஒவ்வொரு ஐந்து வருஷத் திட்டத்திலும் குடிசைத் தொழில்கள் நிரம்ப இருக்க வேண்டும். அதன் மூலமாக ஒவ்வொருவரும் ஏதோ சிறிதளவு ஊதியம் சம்பாதிக்கவேண்டுமென்று சொல்லுகிறார்கள். அந்தக் காலங்களில் கிராமங்களிலுள்ளவர்கள் அவர்களது தேவைகளை அவர்களே ஓரளவு பூர்த்தி செய்துகொண்டு வந்தார்கள். அப்பொழுது கிராமங்கள் சுயிற்சமாக யிருந்த காலம். வயல்களிலிருந்து வேண்டிய தானியங்கள் வந்து விடும். ஒவ்வொரு கிராமத்திலும் ஒரு எண்ணெய் ஆட்டம் செக்கு

[4th March 1955] [Srimathi R. S. Subbalakshmi]

இருக்கும். வயல்களில் என் பயிரிட்டு வருஷத்துக்கு வேண்டிய எண்ணெய் ஆட்டி வைத்துக் கொள்வார்கள். ஒவ்வொரு வீட்டிலும் பசு, எருமை யிருக்கும். வேண்டிய பால், தயிர், வெண்ணெய் கிடைக்கும். தோட்டங்களிலிருந்து பசுமையான காய்கறிகள் கிடைக்கும். அது மட்டுமல்ல. ஒழிந்த நேரங்களில் பெண்கள் நூல் நூற்பார்கள். தென்னை ஒலைகளைக் கொண்டு கூடை முடைதல், தென்னம் ஈர்க்குளைக் கொண்டு துடைப்பம் செய்தல், இந்த மாதிரி சிறியதொழில்களை அந்தக் காலத்தில் செய்து வந்தார்கள். இப்பவும் செட்டிநாட்டில், செல்வக் குடும்பங்களில் கூட ஒலைகளைக் கொண்டு உறுதியான கூடைகளைத் தயாரிப்பது ஒரு சிறிய குடிசைத் தொழிலாக யிருந்து வருகிறது. இப்படியாக அந்தக் காலத்தில் கிராம சுய தேவையை அவர்களே பூர்த்தி செய்து கொண்டார்கள். இப்பொழுது நிலைமை அப்படியில்லை. மாறி யிருக்கிறது.

“ஐந்தாண்டுத் திட்டங்களை நிறைவேற்ற நிறையப் பணம் வேண்டி யிருக்கிறது. அந்தப் பணத்தை சர்க்கார் எங்கேயிருந்து சம்பாதிப்பார்கள்? வரி-போடத்தானே வேண்டும். சென்ற நான்கு நாட்களாக இந்த பட்ஜெட் விவாதத்தின்போது பேசிய அங்கத்தினர்கள் இந்த இரண்டரை வரி விதிப்பை ஆட்சேபித்திருக்கிறார்கள். விவசாயிகளின் நிலைமை ரொம்ப பவும் மோசமாக யிருக்கிறது என்பது கிராமங்களிலுள்ளவர்களுக்குத்தான் நன்றாகத் தெரியும்.

“உழுதுண்டு வாழ்வாரே வாழ்வார்மற் றெல்லாத் தொழுதுண்டு பின்செல்பவர்”

என்று அந்தக் காலத்தில் திருவள்ளுவர் சொல்லியிருக்கிறார். ஆனால், அதே திருவள்ளுவர் இப்போதுருக்கிற நிலைமையைப் பார்த்தால்,

“உழுதுண்டு வாழ்வதில் பயனில்லை, மற்று தொழுதுண்டு செல்வதே மேல்”

என்று பாடலாம். இப்பொழுது விவசாயிகளுக்கு வரிப்பளுகூட அதிகமாகத் தோன்றவில்லை. ஆனால் வட்டிப் பளுதான் ரொம்பவும் ஜாஸ்தியாக யிருக்கிறது. சென்ற நான்கு நாட்களாக ஒவ்வொரு அங்கத்தினரும் இதைப் பற்றி பேசியிருக்கிறார்கள். மார்வாடிகள், லேவாதேவிக்காரர்கள், எல்லோரும் ஏழை மக்களிடத்திலிருந்து மாதம் ரூபாய்க்கு இரண்டரை வீதம் வட்டி வாங்குகிறார்கள். கணக்குப் பார்த்தால் 100 ரூபாய்க்கு வருஷத்தில் ரூ. 150 வட்டியாகக் கொடுக்க வேண்டியிருக்கிறது. ஆகவே வரி பளுவைக் காட்டிலும், வட்டியினால் ஏற்படும் பளுவினால்தான் ஏழை மக்கள் ரொம்பவும் பாதிக்கப்படுகிறார்கள். நமது காருணிய சர்க்கார் இதற்கு ஒரு சட்டம் கொண்டு வரக்கூடாதா? வட்டிக்குப் பணம் கொடுக்கும்போது, குறிப்பிட்ட வட்டிதான் வாங்கலாம், அதற்குமேல் வாங்கினால் இன்ன தண்டனை விதிக்கப்படும் என்று சட்டம் செய்தால், வட்டிப்பளு குறைந்துவிடும். விவசாயிகளுக்கு எளிதாக யிருக்கும்.

“அரசாங்கத்தோடு நாமெல்லோரும் ஒத்துழைக்கவேண்டும். நம்முடைய நாட்டின் முன்னேற்றத்துக்கும், பிற நாட்டினருடன் நமது நாட்டு மக்களும் சரிசமமாக தலைதாக்கி நிற்பதுடன் அவர்களுக்கும் ஒரு வழிகாட்டியாக இருப்பதற்கு நமது தலைவர்களுடன் ஒத்துழைத்து, இந்தியாவின் மேன்மைக்குப் பாடுபடும்படியான சக்தியையும், புத்தியையும் கடவுள் நமக்குக் கொடுக்க வேண்டுமென்று வேண்டிக்கொள்கிறேன். இவ்வளவு நேரம் எனக்குப் பேச சந்தர்ப்பம் கொடுத்த தலைவருக்கு என்னுடைய மனமார்ந்த வந்தனத்தைத் தெரிவித்துக்கொண்டு எனது பேச்சை முடித்துக்கொள்கிறேன்.”

* SRI M. ETHIRAJULU :—“கனம் தலைவர் அவர்களே, 1955-56-ம் வருஷத்திய வாஷு செலவுத்திட்டத்தைப்பற்றி நான் சில வார்த்தைகள் சொல்ல விரும்புகிறேன். வரவு செலவுத் திட்டம் சோஷலிசப் பாணியில் சமுதாயத்தை அமைக்கும் நோக்கத்தை அடிப்படையாகக் கொண்டிருக்கிறது என்பதை யாரும் மறுக்கமுடியாது. ஒரு நாட்டின்

[Sri M. Ethirajulu]

[4th March 1955]

முன்னேற்றத்திற்குத் தேவையான கிராம முன்னேற்றம், நகர முன்னேற்றம், பிற்பட்ட இனத்தவர்களைக் குழந்தைகளுக்குக் கல்வி வசதி ஆகிய இனங்களுக்கு இத்திட்டத்தில் பணம் ஒதுக்கப்பட்டிருக்கிறது.

“48 கோடி ரூபாய் வருவாய்; ஆனால் 49½ கோடி ரூபாய் செலவு ஆகவே, 1½ கோடி ரூபாய் தகனம் விழுகிறது. 150 வருஷ வெள்ளையர் ஆட்சியில் சென்னை பாஜயத்திற்காக அவர்கள் செலவு செய்தது நீர்ப்பாசனத்திற்காக 20 கோடி ரூபாய் என்று கணக்கிலிருந்து புலப்படுகிறது. அதே வகையில் மின்சாரத்திற்கு அவர்கள் செலவு செய்தது 9 கோடி ரூபாய்தான். ஆனால், இவ்வருஷ பட்ஜெட்டைப் பார்த்தால் மின்சாரத்திற்கு 11 கோடி ரூபாயும், நீர்ப்பாசனத்திற்காக 7 கோடி ரூபாயும் ஒதுக்கியிருப்பதைப் பார்க்கப்போது இந்த பட்ஜெட் சோஷலிச அடிப்படையில் வகுக்கப்பட்டிருக்கிறது என்பதை யாரும் மறுக்கவாடியாது என்று சொல்லிக்கொள்ள விவரம் இன்னும்.

“அப்பேர்ப்பட்ட ஒரு பட்ஜெட் நமது தலைவர் ஸ்ரீ காமராஜ் அவர்கள் காலத்தில் அனுப்பப்பட்ட நமது விவசாய மந்திரி அவர்கள், அதற்கு அறிவுச்சுபாய்த்திகளும் நிதி மந்திரி ஸ்ரீ சுப்பாமனியம் அவர்களும் இன்னும் பல அமைச்சர்களும் சேர்ந்து அரசாங்க வரவு செலவை சோஷலிச அமைப்பிலே திட்டம் தீட்டவேண்டுமென்று நினைத்து அந்த அடிப்படையிலே இந்த பட்ஜெட்டைக் கொண்டுவந்திருக்கிறார்கள் என்பதைப் பார்க்கும் போது எதிர்க்கட்சிக்காரர்கள் ஏதோ ஒரு வகையில் இந்த பட்ஜெட் பிரயோசனமில்லை என்றுவும் கூறிச் சார்பில் அவர்கள் சொல்ல முன்வரவில்லை. இன்னும் நாம் பார்க்கும்போது மிக மிக அதிகியாவியவமான வரவு செலவுத் திட்டம் என்பதை நான் மிழ்ச்சியுடன் தெரிவித்துக்கொள்ளுகிறேன்.

“நகரங்களுக்கு குடிநீர் வசதி, சாக்கடைத் திட்டத்திற்காக நமது மத்திய சர்க்கார் கடனாக 2½ கோடி ரூபாய் ஒதுக்கியிருக்கிறார்கள். பம்பாயிலிருந்து குளிரூண்ட வண்டி போடு போடுவதற்கு சுமார் மூன்று கோடி ரூபாய் ஒதுக்கியும், அந்தச் செலவை மத்திய சர்க்கார் கொடுப்பதாகவும் ஒப்புக்கொண்டிருக்கிறார்கள். அதற்குப்பிறகு, தார் ரோடு போடவேண்டுமென்று 1½ கோடி ரூபாய் ஒதுக்கியிருக்கிறார்கள். ஐந்தாண்டுத் திட்டத்தில் 6 கோடியே 40 லட்ச ரூபாய் ஒதுக்கியும் ஐந்து கோடி 56 லட்ச ரூபாய்தான் இதுவரை செலவு செய்யப்பட்டிருக்கிறது. மீதியை இந்த இரண்டு வருஷத்திலும் செலவு செய்யப்பட்டிருக்கிறது. முன் வந்திருக்கிறது. இரண்டாவது ஐந்தாண்டுத் திட்டத்தில் இன்னும் பல திட்டங்களைப் போட்டிருக்கிறார்கள். ஒவ்வொரு நகர முன்னேற்றத்திற்கும் 10 முதல் 15 கோடி ரூபாய் வரையில் செலவு செய்யவேண்டுமென்று இந்த பட்ஜெட்டிலே குறிப்பிடப்பட்டிருக்கிறது. கிராம முன்னேற்றத்தில் ஒரு வருஷத்திற்கு நாலாயிரம் கிராமங்களுக்கு குடிநீர் வசதி ஏற்படுத்தவேண்டுமென்று 70 லட்ச ரூபாய்போக 60 லட்ச ரூபாய் மத்திய சர்க்கார் தரக்கூடிய தொகையும் ஒதுக்கப்பட்டிருக்கிறது. அதுமாதிரியே லாமல் ஏற்கனவே திறக்கப்பட்ட 2,800 ஆரம்பப்பள்ளிகளைத் தவிர, இந்த வருஷத்தில் 1,500 புதிய பள்ளிகளைத் திறப்பதினால், அநேக ஆசிரியர்களை நியமிப்பதினால் ஓரளவு வேலையில்லாத திண்டாட்டம் ஏழுகிறது என்று நிதி மந்திரி கூறியிருக்கிறார். ஏரி, குளங்கள் ஆகியவைகளெல்லாம் கிராமத்திற்கு மிக மிக அவசியம் என்ற முறையில் 1½ கோடி ரூபாய் ஒதுக்கியிருக்கிறார்கள். இம்மாதிரி முன்னேற்றமான முறையில் சோஷலிச அடிப்படையில் நாட்டைக் கொண்டு செலுத்துவதற்காக தீட்டப்பட்டு இந்த வரவு செலவுத் திட்டம் கொண்டுவந்திருப்பதைப் பார்க்கும்போது யாவரும் அதைப்போற்றத்தான் முடியுமேதவிர உதவாக்கரைத் திட்டம் என்று யாரும் சொல்லமுடியாது, சொன்னாலும் அதை ஒப்புக்கொள்ள முடியாது.

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p.m.

“அதுமட்டுமல்ல. ஐந்தாண்டுத் திட்டத்தில் கீழ் பவானித்திட்டம் முடிவு அடைந்துவிட்டது. இன்னும் இந்த ஆண்டில் மணிமுத்தாறு, மேட்டூர் கால்வாய் திட்டங்கள் பூர்த்தியாய்விடும் என்று சொல்லப்படுகிறது. அமராவதி, வைகை, சாத்தனூர், கிருஷ்ணகிரி ஆகிய புதிய திட்டங்கள் அனைத்தும் வேலை தொடங்கிவிட்டது என்று சொல்லப்படுகிறது. இம்முறையில்

[4th March 1955]

[Sri M. Ethirajulu]

இந்த பட்ஜெட்டை நல்லமுறையில் தீட்டிய நமது அறிவுச்சுடர் நிதி மந்திரி அவர்களை நான் மிக மிகப் பாராட்டுகின்றேன். அதேசந்தர்ப்பத்தில் இரண்டொரு விஷயங்களை மட்டும் அரசாங்கத்தின் கவனத்திற்குக் கொண்டுவர விரும்புகிறேன்.

“நீர்ப்பாசனத்திற்காக அந்நிய ஆட்சி 150 வருஷ காலத்தில் 20 கோடி ரூபாய்தான் செலவு செய்துகொண்டிருந்தார்கள், 9 கோடி ரூபாய் தான் மின்சாரத்திற்கு செலவு செய்துகொண்டிருந்தார்கள் என்பது வெளிப்படையாகத் தெரிந்த விஷயம். நிலவரியிலும், எல்லா தண்ணீர்த் தீர்வைகளிலும் ரூபாய்க்கு இரண்டணு வீதம் அதிகப்படி கட்டணம் (சர்சார்ஜ்) விதிக்க உத்தேசிக்கப்படுவதினால் 75 லட்ச ரூபாய் சர்க்காருக்குத் (சர்சார்ஜ்) விதிக்க உத்தேசிக்கப்படுவதினால் 75 லட்ச ரூபாய் போக கிடைக்குமென்று சொல்லப்படுகிறது. அதில் 25 லட்ச ரூபாய் போக மீதத்தை ஸ்தல ஸ்தாபனங்களுக்குக் கொடுக்கவேண்டுமென்று சொல்லு கிறார்கள். நான் கேட்டுக்கொள்கிறேன்; மீதி ரூபாயை ஸ்தல ஸ்தாபனங் களுக்குக் கொடுக்கும்போது அவர்களுக்கு வேண்டிய ஒரு திட்டத்தையும் கட்டுக்கொள்கிறேன். ஸ்தல ஸ்தாபனங்கள் கவனிப்பது கிடையாது. சர்க்கார் ஒரு உத்தரவு போடவேண்டும்.

“இன்றைக்கு 50 ஆயிரம் மக்களுக்குமேல் இருக்கக்கூடிய இடங்களில் வேலையற்றவர்களுக்கு ஏதாவது வசதி செய்துதரவேண்டுமென்று குறிப் பிடப்பட்டிருக்கிறது. ஸ்தல ஸ்தாபனங்கள் கவனிப்பது கிடையாது. சர்க்கார் ஒரு உத்தரவு போடவேண்டும்.

“கவர்னர் மானிகைக்குப் போகும்போது சைதாப்பேட்டை ஆற்றங் கரையில் பல சலவைத் தொழிலாளர்கள் வெய்யிலில் காய்ந்து கொண் டிருக்கிறார்கள். அந்தப் பரிதாபமான நிலைமையைக் கவர்னர் பார்த்து 50 ஆயிரம் மக்களுக்கு மேற்பட்ட இடத்தில் டோபிகானா கட்டவேண்டு மென்று சர்க்கார் உத்தரவிருந்தும் இந்த சர்க்கார் கவனிக்கவில்லை என்று மனம் கலங்கி தம்முடைய சொந்த பணத்தைக்கொண்டாவது தங்குமிடம் கட்டவேண்டுமென்று நினைத்து தங்களுடைய சம்பளத்திலிருந்து பணத்தை கட்டவேண்டுமென்று நினைத்து தொழிலாளருக்கு தங்குமிடம் கட்டிக் கொடுத்திருக்கின்றார். இந்த நாட்டிலுள்ள பணக்காரர்கள் அம்மாதிரி செய்ய திருக்கின்றார். இந்த தொழிலாளர்கள் இந்த நாட்டிலுள்ள எல் லோருக்கும் உழைத்துக்கொண்டு வருகிறார்கள். அவர்கள் பரும கஷ்டத்தை யாரும் கவனிப்பதில்லை. பணக்காரர்கள் கவர்னர் செய்த பேருத வியைப்போல் பின்பற்றவேண்டும் என்னமுறையில் அவர் செய்திருப்பது எல்லோருக்கும் வழிகாட்டியாக இருக்கிறது. தன் உழைப்பைக்கொண்டு சம்பாதித்த பணத்திலிருந்து சலவைத் தொழிலாளர்களுக்கு தங்குமிடம் கட்டிக் கொடுத்திருக்கிறார்கள் என்னும்போது, ஏன் சலவைத் தொழிலாளர்கள் விஷயத்தில் சர்க்கார் வாளா இருக்கவேண்டும்? டோபிகானா கட்டித்தரவேண்டுமென்று நிதி மந்திரி அவர்களைக் கேட்டுக்கொள்கிறேன். ஸ்தல ஸ்தாபனங்களுக்கு, ஜில்லா போர்டுகளுக்கு, முனிசிபாலிட்டி களுக்கு சர்க்கார் பணம் ஒதுக்கும்போது சுகாதாரமான முறையில் அந்தந்த இடங்களில் டோபிகானா கட்டித்தரவேண்டுமென்று கட்டாயப்படுத்த வேண்டும. அந்தமுறையில் ஒரு உத்தரவு பிறப்பிக்கவேண்டும். ஒவ்வொரு பொதுமக்களின் துணியையும் சலவை செய்யவேண்டியிருக்கும் வீடு இல்லாத சலவைத் தொழிலாளர்களுக்கு வீடு கட்டித்தர உத்தரவிடும்படி கேட்டுக்கொள்கிறேன்.

“நிலவரி அடிப்படையில் ரூபாய்க்கு இரண்டணு சர்சார்ஜ் போட உத்தேசிக்கப்படுகிறது. வரி போடாமல் எந்தக்காரியமும் செய்யமுடியாது. இன்னொரு வரி போடலாமென்று நான் சர்க்காருக்கு யோசனை சொல்கிறேன். ஆதி காலத்தில் ஆசாரி, தச்சர், குயவர், வண்ணார், நாட்டியக்காரி ஆகியவர்கள் பேரால் பல மானியங்கள் கொடுக்கப்பட்டிருந்தது. அந்த மானியங்களையெல்லாம் சில நிலச்சுவர் தார்கள், நிலப்பிரபுக்கள் இவர்களெல்லாம் பிடுங்கி வைத்துக்கொண்டிருக்கிறார்கள். சிலபேர்கள் அதை வைத்துப் பராமரிக்கமுடியாமல் விட்டுவிட்டார்கள். சில பேர் குறைந்த விலைக்கு வாங்கிக்கொண்டார்கள். அந்த நிலங்களையெல்லாம் நிலச்சுவர்தார்கள் கையில் இருக்கின்றன.

[Sri T. V. Devaraja Mudaliar] [4th March 1955]

“இந்த வாய் செலவுத் திட்டத்திலுள்ள சில குற்றங்களுக்கோப் பற்றி சில அங்கத்தினர்கள் எடுத்துச் சொல்லப்படுக்கிறார்கள். அதை எல்லாம் கனம் நிதி அமைச்சர் கவனித்து ஆவன செய்வார்களா என்று நமது கேள்வி.

“இந்த சபையில் பேச என்னக்கு வாய்ப்பு அளித்ததற்கு தலைவரவர்கள்ளுக்கு என்ன நன்றியைத் தொகுத்தது கொள்கிறோன். சிறிய குற்றங்குறைகளில்லாத மனிதனாக, சிறு குற்றங்குறைகளற்ற சக்தி நூலாள், சிறு குற்றங்குறை இல்லாத பொருளா உடையாது. ஆகவே, சபை முன்வந்திருக்கும் 1955-56 வரையிலுள்ள இடத்தில் இருக்கும் சிறு குற்றங்குறைகளை எடுத்துறிந்து விட்டு, அதில் இருக்கும் சபைய சத்தை, நல்ல அடங்குமை எடுத்துக் கொண்டு இந்த சபையிலுள்ள உறுப்பினர்களுக்கும், கீழ் சபையிலுள்ள உறுப்பினர்களுக்கும், மாகாணத்தில் உள்ள மக்களுக்கும் அரசாங்கத்துடன் ஒத்துழைத்து இந்த ஐந்தாண்டுத் திட்டங்கள் நல் வழியில் நிறைவேற்றப் படவேண்டும். நாட்டில் சுபிட்சம் நல்ல வேண்டுகோளாக எல்லாம் வல்ல ஆளுவனே பிழார்த்தித்துக்கொண்டு, என் உரையை முடித்துக் கொள்கிறேன்.”

(At this stage the Deputy Chairman occupied the Chair.)

* SRI S. P. SIVASUBRAMANYA NADAR :—“ Mr. Deputy Chairman, Sir, it is unfortunate that I should get only five minutes' time at the end of the discussion while my colleagues enjoyed the privilege of speaking for a much longer time. However, I congratulate the Hon. Minister on his far-sighted and far-reaching budget which he has presented this year. This budget is a departure from the stereotyped budget which we used to have in previous years. We have made remarkable advance in education, rural electricity supply, renovation of tanks, improvement of water-supply, improvement of hospitals, national highways, and so on. I shall mention only one or two points now.

“ Many of the big tanks in our district are now silted up and their capacity has been reduced by one-half. The Public Works Department authorities say that there is no way of disposing of the silt when it is removed from the tanks, because they have to store up the silt in the adjoining land. If this is allowed to continue, in the course of some years, all tanks will become silted up and there will be no capacity for any tank. Therefore, some way out of this difficulty must be found and the silt in the tanks must be cleared. Then only silt will not accumulate in tanks and the capacity of the tanks also will not be encroached upon.

“ As regards supply of electricity to villages, I say that the minimum current charges for agricultural operations are prohibitive. The ryot is not in a position to pay this charge. He has also no need for electric power supply throughout the year. He uses it only when there is dearth of water-supply. But the levy of a compulsory minimum charge stands in the way of the poor agriculturists making full use of the electricity supplied.

“ As regards urban water-supply, some of the municipalities have enjoyed hitherto contributions from the Government—about 50 per cent. But now the Government have changed their policy, and they require the municipalities to stand on their own legs. The municipalities who had their water-supply works carried out

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earlier had the benefit of the Government grant while the municipalities that are yet to get their water-supply are placed in a disadvantageous position. This aspect has to be looked into.

As regards Harijan welfare, I may point out that there are numerous cheris within municipal limits, and the Harijan Welfare Fund is not used to their advantage. These Harijans live in isolated places within paddy fields in municipal limits. The municipalities are reluctant to acquire the costly paddy fields for constructing pathways to these cheris. If we approach the Harijan Welfare Officer, he says 'The Fund is intended only for the rural population. You must look to the municipality concerned for this'. It is rather too costly to acquire valuable nanja lands for constructing a pathway or road way. At the same time, however, these Harijans are paying the municipal tax. But they enjoy no amenity at all. This aspect of the question must be looked into by the Minister for Harijan Welfare. Some provision should be made to help these poor Harijans within municipal areas.

“ With these words, I thank the Hon. Deputy Chairman for giving me this opportunity to speak.”

SRI K. GOPALAN :—“ Mr. Deputy Chairman, Sir,

DR. V. K. JOHN :—“ Speak in Malayalam.”

Dr. V. K. JAIN :—“ May I know the necessity to speak in Malayalam? Sir, I congratulate the Hon. the Finance Minister on the most progressive and realistic pattern he has adopted in formulating the budget proposals for the year 1955-56. Most of the salient features of the budget have been dealt with by competent Members, and I do not intend to review them. The provision made for implementing the First Five-Year Plan is the outstanding feature of this budget. At the time when the First Five-Year Plan was formulated, there were ardent critics who predicted that this would be nothing short of a paper plan, but the budget before us exemplifies the fact that we are prepared to implement it in full. Extension of electricity to rural areas and water-supply to rural areas are included in this plan. Yet, there are critics still doubting the utility of such developmental schemes. ‘By extending electricity and introducing certain minor and major irrigation schemes,’ the question is asked, ‘after all what is attained by the people in general?’ Reference was also made to the purchasing power of the people. May I ask, the Deputy Leader of the Opposition who posed the issue, how can the question of improving the purchasing power of the people be treated separately? The purchasing power of the people in general is to be enhanced. For that the theory of *laissez-faire* is not to be adopted. The purchasing power of the people can be enhanced by increasing the national wealth. This can only be done by increasing production. This rural welfare scheme,

[Sri K. Gopalan]

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5.40 P.m. electricity scheme, and irrigation scheme will result in increased production. By increased production we also intend to spread national wealth in an equitable manner. Therefore we are glad that our dreams about the Five-Year Plan are coming true. The achievement of a Welfare State is within our reach. Sir, the educational facilities provided in the budget are also quite welcome. In this connexion, I would like to mention that adult education scheme as well as the library movement must receive more attention at the hands of the Government. The proposed grant to local bodies is also a progressive move in the right direction. I would also request the Government to consider the possibilities of assisting municipalities in eradicating the social malady of the beggar problem.

"Coming to the problems of Malabar, I would also like to mention certain points. Because, unfortunately, certain references were made by Mr. Govinda Menon which have been ably refuted by the Hon. the Leader of the House. As for communications and other matters I should think that our district has been amply provided for. In the fields of electricity and medicine I would request the Government to pay more attention. In the last year's budget certain provisions were made in respect of certain works. But these works were not carried out. There is a feeling in that district that the Government are not paying sufficient attention to the problems of that district. The people think that though the Government may make some provision in the budget for certain works, they do not take steps to carry out those works. For example, in the last year's budget there was a provision of Rs. 3 lakhs for extending electricity schemes to certain places in that district. Those schemes were not put into execution. No mention of these schemes has been made in this year's budget also. There was also a provision of Rs. 1 lakh for the Brennen College, Tellicherry. This has also not been mentioned in the current year's Budget. Again, there was a provision in the last year's budget for extending the Women and Children Hospital at Kozhikode. This has also not been carried out. In this budget, we see some schemes for Malabar. My fervent request to the Government is that they may carry out all these schemes."

* THE HON. SRI C. SUBRAMANIAM:—"Mr. Deputy Chairman, I feel almost overwhelmed by the touching reference made by many of the hon. Members sitting on either side of the House.

(At this stage Mr. Chairman resumed the Chair.)

"I only wish that I should deserve all that they have been pleased to say about me. I know when elders like Dr. Lakshmanaswamy Mudaliar, Sri O. P. Ramaswamy Reddiar, Dr. John and others have a good word to say about me, they do so in a spirit of encouraging me to do better, to strive better and harder. I may assure this House that I shall always keep in mind the interest of the State as a whole and try to discharge my duties to the

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best of my ability. With the good wishes and co-operation of this House, I am sure it will be possible to achieve much better things so that our State may progress from step to step towards the ideal which we have placed before ourselves.

"Sir, the budget proposals had received in my view a support which I did not expect in the first instance in view of the taxation proposals contained in the budget. I propose to deal with the budget estimates on the expenditure side first and then to deal with the revenue side towards the end. With regard to expenditure, I do agree with Dr. John that we are now incurring expenditure which is four times more than what we were incurring prior to War. Dr. John wanted that private enterprise should be given greater scope and Governmental activity should be restricted. Since he has touched the fundamental aspect of Governmental administration, I think it is necessary to deal with that aspect at least in a very brief manner. Sir, it is true that some people feel that Government interference so to say should be the least and Governmental activity should be restricted to the minimum possible and private enterprise should be given the greatest scope. Dr. John subscribes to that theory to the fullest extent possible and he tries to get inspiration and support for this theory from America where conditions are completely different. He quoted the speech of the President of the United States of America and various other American authorities for the purpose of impressing upon us that the purchasing power of the people should not be curtailed by any taxation measure. First, we have got to decide whether it is necessary for the Government to undertake all the activities which we are now undertaking and then decide how to get the resources for those things. For example, take education now. We are spending a sum of Rs. 10½ crores out of the moneys which we have collected by way of taxes from the people. Is it the contention of the hon. Deputy Leader of the Opposition that this activity should be restricted and should be left completely to private enterprise? If that be so, I have absolutely no doubt and I am sure that the hon. Leader of the Opposition will agree with me that we could not have seen so much of expansion in the educational field as we see now. If it is a question of imparting education to a select few, to a privileged few, then perhaps it could have been left completely to private enterprise and to those who are in a position to impart that education. Then the Government can stand aside and see how best this education is imparted to the privileged few. That is not our intention, Sir."

DR. V. K. JOHN:—"May I interrupt to inform the Hon. the Minister for Finance that I did not at all refer to nation-building activities like expansion of education?"

* THE HON. SRI C. SUBRAMANIAM:—"Sir, I am glad that the hon. Deputy Leader of the Opposition agrees with me that so far as education is concerned the Government have to

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undertake that activity. Then I shall come to the next item, Public Health and Medicine. In the case of this department also, I think the hon. Deputy Leader of the Opposition will agree with me that the Government will have to enlarge their activities rather than restrict them. I am stating these things in the order of preference. Then I come to Police. This certainly cannot be left in the hands of the private agencies. The Government have to manage it. Then, take agriculture, veterinary and every other department. If we go through all these activities, ultimately we will find that wherever revenue expenditure is involved as against capital expenditure, I suppose the hon. Deputy Leader of the Opposition will agree with me that the Government have got to incur that expenditure. If anything, we will have to enlarge our activities in all these spheres. If that be so, Sir, then we have to find the means and resources for it. I shall come to this a little later in my speech.

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"Then, with reference to capital expenditure, Dr. John referred to irrigation and said that in America private agencies constructed big irrigation projects and that they were quite profitable. Citing this example of America, he posed the question, why this question should not be left to private enterprise in our country also. I would like to know from him, Sir, who would have undertaken the construction of the Lower Bhavani Project which provides facilities for cultivation of a large number of acres of land. Which private agency would have come forward to undertake this work? Sir, I have absolutely no doubt that we would have had to wait for centuries together before any person came forward to take up this and other works. The case of America is completely different. America is rich in natural resources. She has a limited population. She has abundant scope for exploiting her natural resources to the best advantage of the people. They may also be profitable there. But here it is not so. It all depends upon the return one might get. India is an over-populated country with her natural resources very restricted and limited. If private enterprise is prepared to enter this field, I have no objection. But it is guided by the profit motive. When that is so, will it be possible for anybody to undertake any kind of schemes when the return is just 1 per cent or 2 per cent and in certain cases just half per cent? It is utterly impossible for private enterprise to enter this field. Then, shall we say, simply because the return is one per cent and half per cent, the projects shall not be undertaken and our natural resources shall not be harnessed for the benefit of the people? I am afraid this is the position to which Dr. John will be driven if he happens to be in charge of the administration of the State. Whatever resources are available, they have to be harnessed to the best advantage of the people. Let us take electricity. We have been able to supply electricity to a large number of villages and to a large number of industries. We have been able to supply electricity for working pump-sets. I would like to know whether we would have been able to do this had we left it to private agencies to do it as we did

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before we got our freedom. How many private firms and private undertakings would have worked to extend the supply of electricity to these villages? I am sure it could not have been extended to the level that we were able to do. Then take roads. No private agency would have come forward to survey backward and mountainous tracts and put up roads. It is the Government alone that have done all this. So, I am at a loss to know whether private enterprise could have done better than the Government in respect of the activities I have just now referred to. They would never have come into the field at all. If we had taken the counsel of Dr. John and kept aloof, we would not have made any progress at all in these spheres. It is because the Government took up these things with a spirit of adventure that we see so much progress has been made in our State and that it has been possible for me to present this Budget. After all, the present Budget was not made in one year. It is not as if a miracle had happened. I have been able to present this Budget because of the strivings and experience of the previous Governments in finding the money necessary to carry out the schemes of development. That is why I see that the Budget is acceptable at least on the expenditure side to hon. Members. Therefore, if we are to be congratulated on the Budget on the expenditure side, it is not because of the work done during this year but it is because of the work done during the past four or five years.

"Then, Sir, I agree with my revered friend, Mr. Ramaswami Reddiar, that when we undertake such activities and spend large sums of money, it is necessary to see that the money is not used in a way which is likely to lead to waste. He advised us that we should have proper check and supervision at all levels. I entirely agree with him. But it is one thing to say that we should have check at all levels but another to have a really effective check. In spite of the best efforts, we have found that there is a certain amount of waste in expenditure. I admit it. But that is inevitable. When we undertake large-scale activities spread over the whole State, waste becomes inevitable. It is not only in Governmental activity. It is so in the case of private enterprise also. We see only the successful enterprises and we do not see those which have completely failed and led to serious losses. We forget all about them. We have got before us only a few instances where enterprises have succeeded. As far as the Government are concerned, it is the same thing. Where we have succeeded is completely forgotten. Where we have failed, that fact is placed before everybody and the Government are accused that this is the result of Governmental interference and so on. In private enterprise, it is purely a personal responsibility and if the man fails it is his own loss. If he succeeds, it is his own gain. But we are concerned with a community as a whole and, therefore, the Government have to take care to see that there is absolutely no waste and that there is absolutely no failure. But human institutions being what they are, we cannot guarantee success in every effort that we make. There is bound to be failure and that is

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why sometimes, we see failures here and there. We do, however, agree that it should be the effort of every Government to minimise waste as far as possible. We also hope to do our best to see that whatever money is expended is expended to the best advantage of the community as a whole. So, Sir, if we take Budget on the expenditure side as a whole, who will realize that all the items of expenditure that we have proposed are essential for the life of the community. When that is so, it is necessary to find the necessary resources for meeting those items of expenditure. And wherefrom are we to get the money except from the people? Next comes the other question, 'Who are in a position to pay this and who are not in a position to pay it?' It is the task of the administrators from time to time to find out who are in a position to pay and 'apply the needle and suck out the blood,' if the hon. the Deputy Leader of the Opposition would allow me to use that phrase. Without these blood banks, persons who need blood transfusion cannot be given blood. Sir, I am not quite happy about taxation proposals. When they are criticised and when Members say that every time I move the Budget, I come up with fresh proposals of taxation, I do not feel quite happy. Any Finance Minister, for that matter, when he is formulating his Budget proposals, is torn between two conflicting courses. One is trying to be popular by saying 'let me not tax'. I could have left the deficit uncovered hoping that something good would turn up. Thereby I could have gained the popularity of people saying: 'See, here is Finance Minister who had presented a deficit Budget without any proposal for taxation'. I could have done that. But the Finance Minister has got the duty—and I think it is the duty of every Finance Minister—that when he proposes items of expenditure and when there is deficit, he should not also refuse to expose the possibilities of covering up the deficit. It is this second duty of the Finance Minister that attracted me than the first one of saying 'let me not tax'. That is why especially when I put forward Budget proposals, I have always tried my best, in spite of the fact that I am likely to become unpopular for the time being, to balance the Budget as far as I can. I am sure that even though I may be unpopular for the time being, people would realize in the long run that but for these taxes, the State would have gone to dogs and that the State's credit would have been completely shattered. Therefore in spite of the unpopularity which these taxation proposals may bring in their wake, I have always taken the course to be unpopular for the present (which of course the people will hail as 'popular' in the long run) and to pursue the path of duty. That is the lesson the great leader has taught me under whom I have learnt something of administration and therefore I am sure hon. Members would agree with me that it is inevitable, to stabilise the finances of the State, these fresh taxation proposals will have to be made and that without them it would not be possible for us to carry on. The Deputy Leader of the Opposition and many other hon. Members pointed out that several other States in spite

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of their having greater deficit than that of ours have not chosen to come forward with fresh taxation proposals. Sir, it is easy to follow a precedent like this. If the deficit is going to remain the same, the deficit would have been left uncovered. But the deficit is not going to remain the same; it is not going to be as is contemplated in the Budget. Very many fresh schemes have got to be taken up during the Budget year. I have estimated the deficit would be Rs. 3½ crores nearly. But it is not going to be the same. Very many schemes will have to be taken up during the coming year. If we are to progress and if we have to go on progressively adding to our welfare activities, it is necessary at least that a portion of this deficit should be covered and that is why I have come forward with these taxation proposals. I am glad that the Hon. Leader of the House intervening in the debate justified the imposition of the taxation proposals which we have proposed.

"It was said that this taxation, I mean the increase in land revenue, would be a great burden to the agriculturists. The Deputy Leader of the Opposition pointed out that within the last two or three years the agriculturists only had been hit by our taxation measures and when this additional tax is imposed on him, the agriculturist cannot bear the burden of it. Sir, I would like to know what are all the taxes we have proposed during the last two or three years which would hit the ordinary agriculturist. First of all, we had the surcharge on large holdings, that is on persons who paid Rs. 500 and more. Only on those large holdings the surcharge had been levied. The surcharge was not levied at the lower level at all. The ordinary agriculturist has not at all been touched. Next we had the betterment levy. That is only with reference to those schemes, which have increased the productive capacity of the land. And even there the levy will not come into effect immediately. It will come into effect only two years after the completion of all the works in the project; it will come into effect only after two years after the project is said to have been completed in the technical sense of the term. For instance we have the Lower Bhavani Project and it has not yet been technically declared that all the works have been completed. Only two years after we declare that the project has been completed, the betterment levy would be collected. It is not going to come into effect immediately. It will take some time. Even the process of working it out would take a few years. Therefore whenever we pass a law, the members should realise that it is not going to contribute to the coffers of the State, to the State Exchequer immediately. It will take a few years and to that extent people will not be asked to pay.

"I shall now come to the Plantations Agricultural Income-tax Bill which has been passed by the other House. We have gone into the economics of the plantation industry. I have absolutely no doubt that the planters would be able to bear this agricultural income-tax we have proposed and especially when we have reduced

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the tax from 10½ annas a rupee to 5½ annas. We have concentrated only on the big fishes and ordinary planters have been given concessions, which hon. Members are aware of.

“ Let me now come to land tax. When was it fixed? It was fixed long, long ago on the basis half net basis. It is a half net tax now? I may say it is not even 1/20th or 1/25th of what is got from the land. Ever since the resettlement of land revenue was given up as early as 1938, there has been a phenomenal increase in the prices of agricultural products. While there has been thus an increase in the prices of agricultural products, the land revenue has remained the same as it was in 1938. When such is the case, is it anything wrong if Government now claim some addition to the land revenue and that too for the purpose of developmental activity? After all when Government take something by way of revenue, it is not for the purpose of meeting any private expenses of the Ministers but it is for the purpose of meeting the various needs of the community as a whole. Especially when the land revenue has not been touched (it has remained as it was in 1938) for two decades and when in these two decades the prices of agricultural products have risen to astronomical heights, four or five times of what they were in 1938, will it be too much if we ask the peasants to pay two annas in the rupee more on his land revenue? I do realise the difficulty of the agriculturist especially when we ask him to pay extra tax. For the past five or six years there has been drought and he has suffered. But during the last year and this year, conditions have changed, and I do hope that these good seasonal conditions would continue. I do hope that the ordinary peasant would not mind paying this extra tax we ask especially during these times when there has been good harvest. Take the case of the ordinary agriculturist who possesses, say, five acres of dry land. What do we ask of him now? He is paying Rs. 5 as land revenue. We ask him to pay two annas in the rupee more. That is we ask him to pay ten annas more, and that too for the purpose of benefiting the community. Is it too much? Will this demand on him to pay annas ten more be a great burden to him? Of course it is possible to exaggerate things to say that there has been drought conditions, there has been famine all along, that he has suffered a lot and therefore he should not be burdened any more. I do agree that there has been a continuous run of bad seasons and that the agriculturists have suffered. But conditions have completely changed since the last two years. I do hope that these good seasonal conditions we are having now will continue. Let hon. Members see with reference to which year we are proposing this surcharge. It is with reference to the next fasli year. This we have proposed in the hope that the forthcoming season would be normal, in the hope that prices would not further tumble down creating a crisis in the agricultural sector. If prices do tumble down to such a level or if again, God forbid, our monsoon fails, Government would not come with a heavy hand on the agriculturists and we would not say ‘ we have proposed this tax and at

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all events we would collect it’. We will not do such a harsh thing. Only in the hope that the season would be normal and that the agricultural prices would stabilise at a particular level and because for the past two decades our land revenue has not been touched at all, we have now come forward with this increase of two annas in the rupee in the case of land revenue. Not having touched the land revenue for the past two decades, and the peasants having had good seasonal conditions during the last year or two, if I now call upon the peasantry to pay this extra tax of two annas in the rupee on land revenue (which represents only one by twentieth or one by thirtieth of what they get from the land) and they pay and that too for the benefit of the community as a whole, is there any case to plead that we are placing a very heavy burden on the peasantry, an unbearable burden on the peasantry? I say such a plea is intended only to make political capital out of the situation. But thinking politicians and administrators who are interested in the welfare of the State as such, if only they are called upon to think a little and advise us properly they would sympathise with the Government rather than criticise them. They would definitely sympathise with us and would agree with this proposal that we should impose a tax like the one we have now proposed to levy, on the agriculturists.

“ If a major portion of this will be got from persons who are in the lower income group my justification is that we are not touching persons who have been taxed over and over again. Then it was pointed out that these very same persons were paying sales tax and other taxes. It is not correct. The rural population especially are not called upon to pay the sales tax either on food-grains or on other articles except in a very small way. Except persons who go to town for the purpose of purchasing some luxury articles perhaps, others do not pay any tax. Because, as far as food requirements are concerned, everyone in the village will get all that he requires in his own village. Even when a labourer goes to a paddy shop to purchase paddy, that shop does not pay tax when it is a petty shop in a village. The shops on the higher level only pay the tax. Therefore, it is wrong to say that this tax will increase the tax already existing. If hon. Members take an objective view and an unprejudiced view of things, they will see that I am justified in bringing in this surcharge of two annas in the rupee on land revenue.

“ As far as the tax on tobacco is concerned, it needs no justification from me. I need not justify it, because tobacco cannot be said to be an essential article. And because of this tax, if there is less production and less use of this commodity, I will be happy about it. This is the view of the Government also. Therefore the tax on tobacco justifies itself. These are the two taxation proposals I have made, and for this I have been almost torn to pieces, not here but in another place, and I was told that in trying to tax the poor peasants I had gone against the so-called socialistic pattern of society which was adumbrated in the Avadi Congress session. Sir, it is not necessary for me to justify this

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proposal any further. I am sure when we bring in a Bill for the levy of this tax, it can be further considered. I may tell hon. Members, particularly the Leader of the Opposition, that I do not have a closed mind in any of these matters. I am always open to conviction. If a case should be made out at the time of the next session when this Bill will be brought forward that, considering the price level and the monsoon condition, this levy of a surcharge is not justified, the Government will be always be prepared to reconsider their decision.

"I shall now deal with certain points touched upon with reference to education, which portfolio, I happen to hold. I do agree completely with Sri O. P. Ramaswami Reddiar that I should devote a little more time to education. But unfortunately with other portfolios added on, it has not been possible for me to devote as much time as I would like to, to this very important portfolio and the important problems facing the country. But with the co-operation of the Hon. the Leader of the Opposition and other Members and the Educational authorities concerned, I think I am justified if I make a claim that I have not failed in discharging my duties even as far as this portfolio is concerned. With greater co-operation I hope to do better. In the coming years especially, we will have to take decisions—very important decisions—in regard to education in its varied stages, namely, elementary education, secondary education, and University education. Perhaps this will affect our entire educational scheme for some decades to come. In that task, I am sure the experience and the wisdom of the hon. the Leader of the Opposition will be available to me. I may assure this House and him that I will always be prepared to be guided by him in all these matters. With reference to elementary education, very many suggestions have been made. One suggestion was that elementary education should be nationalized, and that private agencies should not have any part to play in this sphere. This matter has been referred to a committee under the Chairmanship of Dr. Alagappa Chettiar. The Committee is going into all the problems, and I am sure when the recommendations of that committee are available, we will be able to take a decision. But one aspect of the question I want to emphasise here. If elementary schools should function efficiently and well, it is necessary for the parents in the locality to take some interest in these schools. Supervision by an outside authority, situated away from the location of the school, can never be effective. Therefore, unless the people are prepared to take an active interest in the running of the elementary schools in their locality, it will be almost impossible to remedy the various defects which have been pointed out by hon. Members. Whether it is a single-teacher school or a two-teacher school or a basic school or a non-basic school, unless the community in the locality is also prepared to take an interest in it, it will almost be impossible to remedy the defects. I hope this point will be taken into consideration by the Elementary Education Committee and that proposals will be made to see that elementary schools are really useful to the people. It is not merely a question of opening more and more

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schools and satisfying ourselves that we have covered all the villages. But we have to see that the schools in the villages are really useful to the children of the locality. That should be our aim. I do agree that mere expansion quantitatively is not good. Perhaps it will be harmful also if there is no quality. In solving this problem, the co-operation of the Members of this House, and of the public is very essential. Unless their co-operation comes in a sufficient measure, however much the Education Minister may try, however much the Government may try, and however much the Vice-Chancellor of the University may take interest in improving the standard of education, it will not be possible for us to effect any improvement. I am hoping that co-operation from the public will be forthcoming in view of the importance of the problem.

"With reference to secondary education, we have amidst us the Chairman of that Commission who has made very useful suggestions for the reorganization of the secondary education. With reference to one point, I am still unable to see light. We have appointed a committee with Dr. Lakshmanaswami Mudaliyar himself as the Chairman to advise the Government on the ways and means to implement the recommendations of the Secondary Education Commission particularly with reference to the number of years to be adopted for the secondary school course, I am unable to see what the final decision of the Secondary Education Commission is. What is the final decision of the Central Advisory Board? I hear conflicting views. They say that the course should be for 11 years. We are already having the 11-year course in our State. In the North they have only ten years for completion of the course, and they want to increase it to 11 years. Because in the North they want to increase the duration of the course from 10 years to 11 years, should we, as a matter of course, increase the duration of the course here from 11 to 12 years, is a thing which we have to take into consideration. If it is not merely a question of increasing the number of years but increasing the cost also, we will have to find the necessary resources. We have to consider not only our State resources but the resources of the students also to undergo this longer course. All these things will have to be taken into consideration when we have the recommendations of the Implementation Committee that we have appointed. It may be possible to implement the recommendation of the Secondary Education Commission with the assistance of the Central Government.

"Sir, University education is also linked with the other question, viz., whether it should be a three years' course with one year pre-University course, whether the one-year course should be in the secondary school or in the college itself. So far as the year 1955-56 is concerned, it will be a very eventful year as far as education in our State is concerned. In the building up of the nation, education has to play a very great part. Therefore the decisions which we will be taking with reference to the various schemes in the educational field will be very important decisions and I hope we will be taking correct decisions which will benefit the future generation as a

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whole. As for Mr. Krishnamurthi's eloquent plea on behalf of the elementary school teachers and his remark that the Government have not cared for them and nothing has been done for them and all that, I do agree that nothing has been mentioned about them in my speech. But I may inform the hon. Member that they are not out of my mind. I would counsel a little patience. If only he waits for a short period—it may not be a long period—I am sure the recommendations of the Committee that we have appointed will be received by us. Apart from their recommendations, I am hoping to do something to the elementary school teachers which would go some way in meeting their 'demands.'

"Then there is another important question, viz., the medium of instruction to which reference was made by the hon. Leader of the Opposition. He read out a report of my speech on the subject. I may tell him that every word of it has been correctly reported and that truly reflects my feeling. Now, we have introduced regional language as the medium of instruction in the secondary schools. As soon as the students take up University courses in colleges, they have to switch over to the English medium. This creates a lot of difficulties for the students which I am sure the hon. Leader of the Opposition also would have realised and seen for himself. It is necessary for us to take a decision in the matter. If we think that English is so important that we cannot give it up for another 25 years to come, the only wise course will be to revert to the English medium of instruction in the High Schools also. But to continue the regional language medium in the Secondary Schools and to say that we will have English medium in the Colleges will mean the creation of difficulties for our students. I have seen students in the first and second-year University classes sitting with blank faces when they are taught in the English medium. They are not able to follow what is taught in English. Nor are they able to express themselves properly in English. Thus, it is a heavy burden on them. If to-day the educational standard is going down, it is merely because of the problem of the medium of instruction and the problem of language. I am not for a moment prepared to admit that our children, our boys and girls have become less intelligent now, and that the past generation was much more intelligent and that is why those people were able to keep up the required standard. In my view, essentially it is a problem of the medium of instruction and that leads to all the other problems. Once the student is unable to follow what is being taught in the classes, then there is indiscipline, he is not interested to pursue his studies to the extent we would like him to do. The whole thing becomes a great burden to him. This leads to indiscipline and makes the students take things easy. This also leads to so many other undesirable developments which we are witnessing now, in the student world. It is not merely the problem of keeping the English language. I do realize that English language has played a very great part in building up the nation and in awakening the consciousness of the educated sections of the country. I do realize it is a good thing to study that language. But how then are we

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going to solve this problem? This is my main difficulty which I would request the Vice-Chancellor of the Madras University to consider and give a solution. Can we now go back at this stage to the English medium in the secondary schools? I am afraid it will be almost impossible. If that be so, the only course is to see that we change the medium of instruction in the University courses also. Sir, the hon. Leader of the Opposition was pleased to place before this House the various steps which the University took for the purpose of introducing regional languages as the medium of instruction. I am afraid the very steps which they took led to the failure of their attempt. There has been a widespread belief—even now that belief is there—that to know English, to speak in English, to read in English and to think in English is the best form of education and that it is better than talking in the regional language, reading in the regional language, writing in the regional language and thinking in the regional language. This is due to our slavery, political slavery for centuries together. But that is changing. In 1947-49, this feeling was much more pronounced. Therefore, when the adoption of the regional language as the medium of instruction was left to the option of the Colleges at that time, only a few Colleges came forward to adopt it. When all the other Colleges were adopting English as the medium of instruction naturally the students of the few Colleges where the regional language was adopted as the medium of instruction felt that they were getting an inferior type of education and so they began to protest against it. Under those circumstances, it is a surprise that they had to revert to the English medium. If we are very serious of introducing the regional language, it has got to be done in all the institutions. There should be no question of option being left to the various institutions. In spite of the difficulties, people still think that they must learn English if it is possible. Therefore, we have to get over all these difficulties. I am sure that all these aspects will be taken into consideration by not only the Vice-Chancellor of the University but also the Inter-University Board. I hope and trust that they will be able to take a correct decision in this matter, which will be beneficial to our boys and girls who take up University courses. Sir, as I said, this is the main difficulty which is facing me. That is why I had to speak a little bit firmly and say that if this difficulty was not solved, the Government would have to interfere in the matter. Because, we cannot simply be seeing our boys undergoing all these difficulties which will lead to all sorts of undesirable developments in the educational institutions. Sir, I always believe in the autonomy of the Universities. I am sure the Vice-Chancellor will agree with me when I say that I have never interfered with their administration in any way whatsoever. I have given them full autonomy in the field. I will be the last person to interfere with the affairs of the Universities. But, when such a fundamental problem faces us, the Government will be failing in their duty if they do not intervene and solve this problem if it cannot be solved otherwise. It is in this spirit that I have made my speech to which the hon. Leader of the Opposition made a reference and I am sure it will not be misunderstood by the Vice-Chancellor.

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"Sir, with reference to various other matters, such as the industrial development of the State, the suggestion that we must have some heavy industries located in this State and all that, nobody will disagree with the view that we must try to see that some of the heavy industries are located in the southern part of the country. In this connexion I would like to tell hon. Members that the Neiveli Project holds out very great prospects for us. Even in respect of this Project, criticisms have been made that the Centre is taking it over. Sir, it is not a question of the Centre taking it over or the State running it. After all, they cannot take away the coal from that area. That is not the point. It is a question of finding out the necessary capital for the purpose of exploiting it. It will not be possible for the State Government to find 60 crores of rupees. It will be very difficult to raise that sum. We cannot afford to take the risk in this matter. That is why we asked the Central Government to come in and help us. They have agreed to come in. I may take this opportunity to assure hon. Members that if at any stage we are prepared to take it over, it will be handed over to us at book value provided we are also prepared to take the liability involved in it.

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"Sir, I do not think I need weary the House with further details. Many of the points made in this House were very ably met by my senior Colleagues who were pleased to intervene in the debate. They have made my task lighter and easier in answering the various points raised by hon. Members. I am really grateful to the various hon. Members who made a very useful contribution to the debate. I may assure you, Sir, and the House that I have been greatly benefited by it and I shall try my best to see that the various points raised by them are properly examined and if found practicable are duly implemented. I thank you, Sir, for having given me this opportunity to speak and I also thank the House for having given me a patient hearing." (Cheers.)

MR. CHAIRMAN :—"I adjourn the House to meet at 3 p.m. on Thursday, the 17th March 1955."

The House then adjourned to meet at 3 p.m. on Thursday, the 17th March 1955.

CV—PAPER LAID ON THE TABLE OF THE HOUSE.

Statement showing the Resolutions passed by the House Committee during the fifth, sixth and seventh Sessions of the Madras Legislative Council under the Constitution of India and the action taken thereon.

4th March 1955]

APPENDIX.

[Vide answer to starred question No. 227 asked by Sri T. Parusothaman at the meeting of the Legislative Council held on 4th March 1955, page 503 supra.]

MANIMUTHAR PROJECT.

Progress of work.

(1) (a) *Headworks—Masonry dam.*—The excavation for the foundation for the masonry dam has been completed in almost all the 14 blocks. The masonry in the blocks has been built to various height ranging from 20 feet to 60 feet. About 40 per cent of the masonry work has been completed.

Earth dam.—Earth dam has been formed for a length of about 1,500 feet from the left flank, partly up to tank-bund level and partly below tank-bund level. In the other reaches cut-off trench for earth dam has been excavated and filled with impervious soil, and the formation of earth-dam work here is in progress. Roughly 25 per cent of the total earth dam work has been done.

Buildings.—The following buildings have been constructed against the total number of buildings contemplated :—

Description of buildings.	Total number of buildings to be built up.	Actually built.
(1)	(2)	(3)
1 Residential buildings	48	400
2 Non-residential buildings	44	40
3 Labour huts	426	426
4 Other miscellaneous buildings.	1	1

Electrical installation.—Street lights to the colony have been provided and the completed buildings electrified.

Water-supply.—Given to all completed buildings and street taps provided wherever necessary.

Machinery.—Machinery required for general construction and formation of earth dam except a few items has been acquired and put on the work.

Roads.—A road from Kalladaikurichi railway station to the dam site to facilitate the conveyance of materials has already been formed. A diversion road to replace the portion of 2½ miles of existing Manjulai Estate road which will be submerged has been formed.

(b) *Canals.*—Excavation is in progress throughout the entire length of 28½ miles of Manimuthar Main canal. So far 27 million cubic feet of earthwork which is about 50 per cent of the total excavation has been done.

Eight cross drainage works including one major aqueduct of 12 spans of 20 feet are in progress. Two bridge works are also in progress.

The alignment of the biggest distributary in the canal system has been finalized for the first six miles and the alignment of the rest of this distributary for about 10 miles is under investigation.

(2) Expenditure incurred up to November 1954 is Rs. 2,21.07 lakhs.

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THE MADRAS LEGISLATIVE COUNCIL.

Thursday, the 17th March 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

Declaration of 21st January 1955 as a public holiday

* 228 Q.—SRI V. GURUNANDAN ROW: Will the Hon. the Chief Minister be pleased to state the reason for declaring 21st January 1955 as a public holiday in the City of Madras?

THE HON. SRI M. BHAKTAVATSALAM (on behalf of the Hon. the Chief Minister):—"21st January 1955 was declared a public holiday in the City of Madras as the lower paid staff in the City offices would have found it difficult to reach their offices in time on that day, due to the heavy rush of traffic on account of the commencement of the open session of the Indian National Congress at Avadi and also due to the dislocation of traffic in the morning of that day on account of the visit of Marshall Tito to the City and his State drive through the City."

SRI V. GURUNANDAN ROW:—"Sir, may I ask whether any representations were made to Government to have it declared as a holiday?"

THE HON. SRI M. BHAKTAVATSALAM:—"I do not think, Sir, that the Government had any representation like that."

SRI V. GURUNANDAN ROW:—"Is it the policy of the Government, Sir, to assist people to go to a political conference by declaring a holiday for that purpose?"

THE HON. SRI M. BHAKTAVATSALAM:—"In view of that holiday, Saturday, the 19th March 1955, which would otherwise be a holiday, being the penultimate Saturday of the month, has been declared to be a working day for the City Government offices. I do not think that there is any such policy pursued by the Government that they should declare holidays as they please. But I may remind the hon. Member that such holidays are declared even for cricket matches."

SRI V. GURUNANDAN ROW:—"Is it not a fact, Sir, that the declaration of a holiday on the 21st January 1955 assisted

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people in going to this political conference of a political party, even though they may be the ruling party? Is it not for a political purpose that this holiday was declared?"

THE HON. SRI M. BHAKTAVATSALAM :—" The holiday might have assisted people in going to the Congress session. Even without a holiday thousands of people would have attended and the hon. Member could not have helped it. But that was not with that idea the Government declared a holiday."

SRI V. GURUNANDAN ROW :—" Did the Government servants attend the Congress session?"

THE HON. SRI M. BHAKTAVATSALAM :—" Sir, the Government did not take any action in order to enable Government servants to attend the Congress session. But I cannot say that no Government servants attended the Congress session."

SRI MOHAMED RAZA KHAN :—" Sir, I want to know which of the two statements of the Leader of the House is correct. When a holiday was declared for cricket matches, was it to enable the officials to have a chance to go and see the match, or was it purely to regulate the traffic in the City?"

THE HON. SRI M. BHAKTAVATSALAM :—" The answer I gave to the original question is an answer to this question also so far as it relates to the Government action in declaring a holiday."

SRI MOHAMED RAZA KHAN :—" Sir, would it not have been better to have issued a statement that this holiday was given just to regulate the traffic to the Avadi Congress session? Otherwise, apart from the fact whether it is right or wrong, there will be room for people to say that this holiday was given by Government to enable Government servants to attend the Congress session."

THE HON. SRI M. BHAKTAVATSALAM :—" I do not think there was any room for such feeling. But if certain people have all kinds of feelings, the Government cannot help in the matter."

SRI V. GURUNANDAN ROW :—" Sir, is there any principle on which public holidays are declared?"

THE HON. SRI M. BHAKTAVATSALAM :—" Sir, there is no particular principle involved. I have instanced the case of Government declaring a holiday for the purpose of enabling people to attend cricket tournaments."

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SRI V. GURUNANDAN ROW :—" If another political party should hold a conference, will Government declare a holiday for people to attend that conference?"

THE HON. SRI M. BHAKTAVATSALAM :—" If that situation arises, the Government will examine and see whether there would be justification for declaring a holiday."

SRI K. BHASHYAM :—" Is it not a fact, Sir, that in these cases, where a large number of people are expected to attend a particular conference or show, the Government examine the case and declare holidays for the citizens of Madras to attend it?"

THE HON. SRI M. BHAKTAVATSALAM :—" The Government need not declare a holiday as such for the purpose of affording convenience to the citizens."

SRI K. BHASHYAM :—" Is it not a fact, Sir, that the holiday was compensated for by making another holiday a working day?"

THE HON. SRI M. BHAKTAVATSALAM :—" Yes, Sir. That was exactly so. I just now mentioned that the 19th of March 1955 (Penultimate Saturday of March 1955) would be a working day in lieu of that holiday."

Laying of underground drainage pipes for Avadi Session

* 229 Q.—SRI V. GURUNANDAN ROW : Will the Hon. the Minister for Health be pleased to state—

(a) whether underground drainage pipes were laid at Avadi for the Indian National Congress Session by Government;

(b) if so, the total length to which the underground drainage pipes were laid;

(c) the cost involved in laying the underground drainage pipes; and

(d) whether the Indian National Congress contributed any amount to the Government towards the cost of laying such underground drainage pipes and, if so, how much?

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

" (b) to (d) Do not arise."

SRI V. GURUNANDAN ROW :—" Sir, are the Government aware that additional pipe lines were laid at all at Avadi?"

THE HON. SRI A. B. SHETTY :—" The Congress authorities at Avadi made their own arrangements with Messrs. Gannon Dunkerley & Co., Ltd., for additional sewer lines to connect them with the existing line in the Avadi Malayan Emigration Depot area."

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DR. A. SREENIVASAN :—“ Did Government servants take part in the preparations that were made for the Congress Session at Avadi? ”

THE HON. SRI A. B. SHETTY :—“ The Sanitary Engineering staff supervised the work there.”

Railway projects included in the Second Five-Year Plan

* 230 Q.—SRI V. V. RAMASWAMI : Will the Hon. the Minister for Agriculture be pleased to state the railway projects in this State recommended to the Central Government for inclusion in the Second Five-Year Plan?

THE HON. SRI M. BHAKTAVATSALAM :—“ The following railway projects were recommended to the Government of India, for inclusion in the Second Five-Year Plan :—

- (1) Theni-Gudalur Section.
- (2) Neyveli-Vridhachalam-Salem (Broad Gauge) Line.
- (3) Salem-Bangalore Line.
- (4) Chinnasalem-Chingleput Line.
- (5) Mangalore-Hassan Line.
- (6) Tirunelveli-Cape Camorin Line.
- (7) Salem-Tiruchirappalli Line.
- (8) Manamadurai-Tuticorin Line.
- (9) Tanjore-Pattukkottai Line.
- (10) Conjeevaram-Vellore Line.
- (11) Satyamangalam-Chamrajnagar Line.
- (12) Tellicherry-Mysore Line.
- (13) Kollengode-Trichur Line.
- (14) Electrification of Tamharam-Villupuram Section, if it is not feasible to take up all at once the electrification of the entire Tamharam-Tiruchirappalli Section.”

SRI V. V. RAMASWAMI :—“ மேற்கொண்டு புதியதாக பாதைகள் போடுவதுபற்றி சர்க்காருக்கு ஏதாவது மகஜர் வந்திருக்கிறதா? மானு மதுரை-கழுதி மார்க்கம், விளாத்திகுளம்-தூத்துக்குடி போன்ற பாதை போன்ற மார்க்கங்களை மாற்றியமைப்பதுபற்றி அரசாங்கம் ஏதாவது கவனிக்குமா? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ மேற்கொண்டு எத்தனையோ ரெயில்வே பாதைகள் போடவேண்டுமென்று கேட்டிருக்கிறார்கள். ஆனால் இந்த இரண்டாவது ஐந்தாண்டுத் திட்டத்திலே இந்தியா மொத்தத்திற்கும் சுமார் 2,000 மைல் தூரம்தான் புதியதாக பாதை போடுவதாகத் திட்டமிடப்பட்டுள்ளது. ஆகையால் நமக்கு அதிகமாகக்கிடக்காது. இப்போது நான் சொன்ன பதின் மூன்றிலேயே சாதாரணமாக இரண்டு மூன்றைத்தான் நாம் எதிர்பார்க்கலாம். ஆகவே கனம் அங்கத்தினர் அவர்கள் எதிர்பார்க்குமா? மானு மதுரை-கழுதி, விளாத்திகுளம்-தூத்துக்குடி போன்ற எப்படி மாற்றியமைக்க வேண்டுமென்பதை விவரமாக எழுதியனுப்பினால், அதையும் பரிசீலனை செய்து, மத்திய அரசாங்கத்திற்கு அனுப்புவதாக இருந்தால் அனுப்பிவைக்கலாம்.”

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SRI V. V. RAMASWAMI :—“ இப்போது சொல்லப்பட்ட புதிய பாதைகளிலே எதற்கு முதற்சந்தானம் (Priority) கொடுக்கலாம் என்பதுபற்றி நமது மாகாண சர்க்கார் மத்திய சர்க்காருக்கு சிபார்சு செய்திருக்கிறார்கள்? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ மாகாண சர்க்கார் சிபார்சை அனுப்பிவிட்டது. அந்த வரிசைக்கிரமத்தில் பார்த்தால் தேனீ-கூடலூர் பாதையை முதலில் அமைத்தால், பெரியாறுத் திட்டம் எடுத்துக்கொள்ள வசதியாக இருக்குமென்று கூறப்பட்டுள்ளது. ஆனால் மத்திய அரசாங்கம்தான் இதுபற்றி கடைசியிலே முடிவு செய்யவேண்டும்.”

Stock of rice with the Government

* 231 Q.—SRI A. GAJAPATHY NAYAGAR : Will the Hon. the Minister for Agriculture be pleased to state—

(a) the quantity of rice at present in stock with the Government and its value;

(b) whether the Government propose to sell this rice to the Central Government; if so, how much and for what price;

(c) what the Government propose to do with the remaining stock on hand;

(d) whether the Government have ascertained the anticipated yield of paddy for this year and, if so, whether it will satisfy the dietary needs of the province; and

(e) how much this Government contribute to the stock with the Government of India?

THE HON. SRI M. BHAKTAVATSALAM :—“ (a) There was a stock of 75,343 tons of rice held on Government account in the State as on 29th January 1955. The value of the stock is estimated at about Rs. 3.73 crores (roundly).

“(b) The Government decided at the time of decontrol in July 1954 to surrender a quantity of 110,000 tons of rice to the Government of India. Out of the above, a quantity of about 55,000 tons has been handed over to the Government of India already and the balance will be delivered to the Government of India shortly. In addition to the above, it is proposed to deliver to the Government of India the surplus balance stock of about 8,900 tons of rice also. The question of the price to be charged for the above quantity is under correspondence with the Government of India and a decision is likely to be taken shortly.

“(c) There may not be any balance stock with the Government. The question of its disposal does not therefore arise.

“(d) According to rough estimates, the anticipated yield for the fasli year 1954-55 may be about 31 lakhs of tons in terms of rice. The requirements of rice for the entire rice-eating population of this State (according to the census of 1951) for one year, on the basis of 16 oz. per adult per day, may be

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estimated at about 33.23 lakhs of tons. There may thus be a theoretical deficit of about 2.23 lakhs of tons of rice in this State during the fasli year 1954-55.

“(e) No, Sir.”

3-10 p.m. SRI A. GAJAPATHY NAYAGAR :—“ இப்போதுள்ள கையிருப்பு அரிசியில், கைக்குத்தல் அரிசி எவ்வளவு இருக்குமென்று கணம் மந்திரி அவர்கள் சொல்வார்களா ? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ அதைப் பற்றிய விவரம் இல்லை. ”

SRI A. GAJAPATHY NAYAGAR :—“ கைக்குத்தல் அரிசியைப் பயன்படுத்துவதால் ஏழை மக்களுக்கு வேலை கிடைக்கும் என்பதைச் சர்க்கார் அறிவார்கள். ஆகவே கைக்குத்தல் அரிசியை உடனடியாக நடைமுறைக்குக் கொண்டுவர அரசாங்கம் ஏதாவது யோசனை செய்வார்களா ? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ அதைப்பற்றி அரசாங்கம் கவனித்துக் கொண்டதான் இருக்கிறது. ஆனால் சில கிராமங்களிலே நான் பார்த்ததைக் கூற விரும்புகிறேன். ஏழை மக்கள் அரிசியைக் குத்துவதற்குத் தயாராக இல்லை. அவர்களுக்குக் கிடைக்கின்ற மூன்று, நான்கு படி அரிசியைக்கூட, பக்கத்திலே இருக்கும்படியான மில்களுக்கு கொண்டுபோய்தான் பணம் கொடுத்து அரைத்துக்கொண்டு வருகின்றனர். ஆகவே கணம் அங்கத்தினர் அவர்கள் இதைத் தடுத்து, மாற்றியமைப்பதற்கு கிராமங்களிலும் இதுபற்றி பிரசாரம் செய்யவேண்டுமென்று கேட்டுக்கொள்கிறேன். ”

SRI A. GAJAPATHY NAYAGAR :—“ கைக்குத்தல் அரிசியை அதிகரிப்பதற்காக அரசாங்கம் ஏதாவது திட்டம் செய்திருக்கிறார்களா ? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ இதைப்பற்றி ஆராய் மத்திய அரசாங்கத்திலே ஒரு கமிட்டி நியமிக்கப்பட்டிருக்கிறது. அவர்கள் பரிசீலனை செய்து கொண்டிருக்கிறார்கள். இனிமேல் புதியதாக ரைஸ் மில்கள் ஏற்படாதவாறு தடுக்கலாமா என்பது பற்றி நமது அரசாங்கம் யோசனை செய்துகொண்டிருக்கிறது. ”

SRI MOHAMED RAZA KHAN :—“ At what price the Government of Madras were surrendering their rice to the Central Government? Is it at the purchase price? How much the Madras Government stand to lose because of the fall in prices? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ That has yet to be settled. So, I cannot say now what will be the exact price that will be settled. ”

SRI K. BALASUBRAMANYA AYYAR :—“ What will be the estimated loss? I have put this question because we have seen a report in the Press that the loss will be to the extent of Rs. 45 crores. ”

THE HON. SRI M. BHAKTAVATSALAM :—“ That is for the Government of India. Whatever be the loss, it is yet to be settled who will bear the loss and at what proportion. ”

SRI V.V. RAMASWAMI :—“ நெல்லை இயந்திரம் மூலமாகக் குத்தலாமா? அல்லது கைக்குத்தல் மூலமாகக் குத்தலாமா? என்ற பிரச்சனையை ஆராய்வதற்கு மத்திய அரசாங்கம் ஒரு கமிட்டியை ஏற்படுத்தி இருப்பதாக கணம் மந்திரி அவர்கள் கூறினார்கள். இதுபற்றி நம்முடைய

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அரசாங்கம் மத்திய அரசாங்கத்திற்கு தன்னுடைய அபிப்பிராயத்தை ஏதாவது சொல்லி இருக்கின்றார்களா? அப்படி சொல்லியிருந்தால், என்ன அபிப்பிராயம் கூறப்பட்டது என்பதைச் சொல்ல முடியுமா? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ இந்த அரசாங்கம் தன்னுடைய அபிப்பிராயத்தை தெரிவித்திருக்கிறது. பொதுவாக கைக்குத்தல் அரிசிக்கு ஏற்பாடு செய்யவேண்டுமென்ற யோசனையையே வரவேற்பதாகத் தன்னுடைய அபிப்பிராயத்தைச் சொல்லியிருக்கின்றது. ”

SRI MOHAMED RAZA KHAN :—“ What was the reason for surrendering the rice stock to the Government of India? Was it because the Madras Government were not able to sell it in the local markets? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ Sir, it is not a question of the Madras Government's not being able to sell the rice. At the time when decontrol was announced, Government found that there was no need for their catering rice through fair price shops as there was no demand. So, this Government offered to surrender their stocks to the Government of India and they have taken the stocks. ”

Subsidy for handloom weavers

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

(a) the total amount of subsidy set apart for the handloom weavers in the State during the year 1953-54; and

(b) the amount of subsidy granted to the handloom weavers in the South Arcot district during the above period?

THE HON. SRI M. BHAKTAVATSALAM :—“ (a) No amount was set apart from the Cess Fund for direct disbursement to weavers as subsidy. A sum of Rs. 47,12,783 was allotted to this State from the Cess Fund as grant for the development of and assistance to the handloom industry. ”

“(b) A subsidy of Rs. 3,068-13-0 was paid to the weavers' co-operative societies in South Arcot district up to 31st March 1954 towards recoupment of rebate allowed by them to the consumers of their handloom cloth. ”

Sale of handloom clothes in Foreign countries

* 233 Q.—SRI M. ETHIRAJULU : Will the Hon. the Minister for Agriculture be pleased to state whether the Government have taken any and, if so, what steps to popularize the sale of handloom clothes in foreign countries like Singapore, Ceylon, Indonesia, Aden, etc.? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ The Government of India have sanctioned a scheme for the development of markets for handloom cloth in the Middle East and the Far-East Countries. Under the Scheme, the Madras State Handloom Weavers' Co-operative Society has appointed four Handloom Cloth Marketing Officers with headquarters at

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Bagdad, Colombo, Rangoon and Singapore and these officers have been entrusted with the work of developing markets for Indian handloom cloth in the Middle-East and the Far-East countries. As the Government of Indonesia have imposed a ban on the import of Indian handloom cloth, with a view to help their own industry, it is not possible to popularize the sale of Indian handloom cloth in that country. To encourage exports of handloom cloth from this country, the Government of India have removed the export duty on handloom cloth."

SRI T. PURUSHOTHAM :—" Sir, is there any proposal to open a handloom emporium in East Africa where there is a large demand for handloom lunghis? "

THE HON. SRI M. BHAKTAVATSALAM :—" I would like to have notice, Sir. As I see the present position, I think it is very difficult to get our handloom lunghis sold in other countries."

SRI M. ETHIRAJULU :—" அப்படி நியமிக்கப்பட்ட மாதச் சம்பளம் எவ்வளவு என்று சொல்ல முடியுமா? " ஆபீசர்களுக்கு

THE HON. SRI M. BHAKTAVATSALAM :—" அதற்கு தனி கேள்வி வேண்டும்."

SRI MOHAMED RAZA KHAN :—" May I know whether the marketing officers are appointed by the handloom co-operative societies or whether they have to get the approval of the Government of Madras for these appointments? "

THE HON. SRI M. BHAKTAVATSALAM :—" I do believe that those appointments should have the approval of the Government of Madras."

SRI V. V. RAMASWAMI :—" இந்தச் சமயத்தில் மாகாண கைத் தறித்தொழிற் சங்கத்தில் ஏராளமான சர்க்குகள் தேங்கிக் கிடக்கின்றன. அதனால் அந்தச் சங்கத்தில் பணம் முடையாக இருக்கிறது. ஆகவே சர்க்கிரம் இவைகளை விற்பனை செய்வதற்கான நடவடிக்கைகளை சர்க்கார் செய்வார்களா? "

THE HON. SRI M. BHAKTAVATSALAM :—" அதைப்பற்றி சர்க்கார் கவனித்துக் கொண்டதான் இருக்கிறது. இதற்காகத்தான் இந்த மாதம் 20-ஆம் தேதி முதல் 26-ஆம் தேதிவரை கைத்தறி வாரம் கொண்டாடப்பட இருக்கின்றது. அதோடு இப்போது கொடுக்கப்பட்டு வரும் ஒன்றரை அண ரிபேட்டை இரண்டணவாகவும், கூட்டுறவு சங்கங்களிலே கொடுக்கப்படும் ஒரு அண ரிபேட்டை இரண்டண வாகவும் செய்திருக்கிறோம். ஆனால் கைத்தறிக்காரர்கள் தேவை என்ன என்பதை கவனியாது, அவர்களுக்குத் தோன்றியவாறு பலரகத் துணிகளை உற்பத்தி செய்வதால்தான் அப்படியே சர்க்குகள் தேங்கிக் கிடப்பதாகப் புலப்படுகிறது. அதைப் பற்றியும் கைத்தறிக்காரர்களுக்கு சொல்லப்பட்டு வருகிறது."

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Allotment of oil-engines to Agriculturists in South Arcot district

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

(a) the number of oil-engines allotted to agriculturists in South Arcot district during the years 1952-53 and 1953-54;

(b) the maximum and minimum periods for which the oil-engines were allotted; and

(c) the total amount of hire charges paid by the above agriculturists in 1952-53 and 1953-54?

THE HON. SRI M. BHAKTAVATSALAM :—

	1952-53.	1953-54.
" (a) 52		49
(b) Maximum period 425 days	..	273 days.
Minimum period 3 days	..	2 days.
(c) Rs. 32,124		Rs. 13,794."

SRI M. ETHIRAJULU :—" இந்த ஜில்லாவிற்கு கொடுக்கப்பட்ட என்ஜின்களை தாலுக்கா வாரியாக விவசாயிகள் வாங்கிக்கொண்டு போகின்றார்கள். அப்படி வாங்கிக்கொண்டு போனபின்னர், ஏதாவது ரிப்பேர் ஏற்பட்டால் மறுபடியும் ஜில்லாவிற்கு கொண்டுவந்தால்தான், ரிப்பேர் செய்து கொடுக்க முடியுமென்று ஒரு நிபந்தனை சர்க்காரில் இருக்கிறது. அது விவசாயிகளுக்கு மிகவும் கஷ்டத்தை கொடுப்பதால், தாலுக்காவிலேயே உள்ள டெமான்ஸ்ரேட்டர் ஆபீசிலேயே மெக்கானிக்ஸ் ஒருவரை நியமித்து, ரிப்பேர் செய்துகொடுக்க சர்க்கார் உத்தர விடுவார்களா? "

THE HON. SRI M. BHAKTAVATSALAM :—" அது சாத்தியப் படுமென்று எனக்குத் தோன்றவில்லை. இருந்தாலும் அதைப்பற்றி கவனிக்கிறேன்."

School of Arts and Crafts at Kumbakonam

* 235 Q.—SRI T. M. DAIVASIKHAMANI ACHARIAR : Will the Hon. the Minister for Agriculture be pleased to state—

(a) whether the School of Arts and Crafts at Kumbakonam is maintained by the municipality or Government or by both;

(b) if not maintained by Government, whether the Government have any proposal to bring the above institution entirely under the control of the Government for the benefit of Tanjore and Tiruchirappalli districts;

(c) whether it is at present administered by the Director of Public Instruction or the Director of Industries;

(d) what are the crafts and arts taught in that school apart from Drawing and Painting;

(e) how many inspections of the school were made by the authorities during the year 1953-54; and

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(f) whether the teachers therein are eligible for pension or provident fund?

THE HON. SRI M. BHAKTAVATSALAM :—“(a) The School of Arts and Crafts at Kumbakonam is maintained by the Municipality.

“(b) The School has been doing very good work and as such, there is no need for Government to take it over and run it as a Government Institution. In fact, this School is already catering to the need of Tanjore and Tiruchirappalli districts;

“(c) The School is administered by the Kumbakonam Municipality, subject to the general control and supervision of the Industries Department, it being an institution recognized and aided by the Industries Department.

“(d) Apart from Drawing and Painting, the following arts and crafts are taught in the School :—

- (1) Design,
- (2) Engraving,
- (3) Enamelling, and
- (4) Weaving.

“(e) The School was inspected by the Officers of the Industries Department twice during the year 1953-54.

“(f) The teachers are not eligible for pension. It is not known whether they are entitled to Provident Fund under the rules applicable to employees of local bodies.”

SRI T. PURUSHOTHAM :—“Is there any proposal to open an Arts and Crafts School or Institute in any other district, Sir?”

THE HON. SRI M. BHAKTAVATSALAM :—“There is no such proposal, Sir.”

Re-employment of retired Gazetted Officers in this State

* 236 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 showing the retired gazetted officers in this State who are under re-employment as on 1st November 1954 and the date of expiry of their term; and

(b) to state what steps have been taken by the Government to replace them by regular men in service?

THE HON. SRI C. SUBRAMANIAM :—“(a) A list containing the information is placed on the table of the House.

“(b) Steps are usually taken, wherever possible, to replace the re-employed officers whether by direct recruitment of candidates or by promoting junior men if found suitable, or by training suitable persons as understudies who will replace re-employed officers after their term is over.”

(a) Printed as Appendix I on pages 604-606 *infra*.

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SRI T. PURUSHOTHAM :—“Apart from the question of medical and engineering officers, will the Government take steps to advertise the various other posts and get regular men posted instead of re-employing retired officers?”

THE HON. SRI C. SUBRAMANIAM :—“Most of them are soon retiring, Sir. I am sure other persons will be promoted or direct recruitment will be made. I do not think any useful purpose will be served now by advertising.”

SRI K. BALASUBRAMANYA AYYAR :—“Is it the Government's policy not to employ retired district judges on Tribunals?” 3-20 p.m.

THE HON. SRI C. SUBRAMANIAM :—“That is the policy.”

SRI K. BHASHYAM :—“In view of the fact that there are a number of persons employed in technical services, will the Government consider the desirability of raising the age of retirement in the case of technical services?”

THE HON. SRI C. SUBRAMANIAM :—“In respect of non-clinical posts in the Medical Service, the matter is under consideration. But as far as other services are concerned, I am afraid it will not be possible to raise the age of retirement.”

DR. A. SREENIVASAN :—“Does not the re-employment of superannuated men bar the prospects and chances of promotion of men in regular service?”

THE HON. SRI C. SUBRAMANIAM :—“It is only when there are no men in regular service that re-employment is made.”

DR. A. SREENIVASAN :—“Is it not a fact that in very many cases, superannuated people were re-employed without any advertisement appearing in the newspapers? When appointments are made in this way, how do the Government come to the conclusion that there are no proper people?”

THE HON. SRI C. SUBRAMANIAM :—“After all, in service we know the personnel available. That way we come to the conclusion that men are not available and make re-employment of retired men.”

DR. A. SREENIVASAN :—“When these superannuated people are re-employed for short periods of one year at a time, does it not amount to placing them or putting them in incubation of slavery for such periods?”

THE HON. SRI C. SUBRAMANIAM :—“It is easy to coin phrases. But this has worked very well in certain departments.”

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*Party representation in Select Committees of the
Legislature*

* 237 Q.—SRI A. GAJAPATHY NAYAGAR: Will the Hon. the Minister for Finance and Education be pleased to state—

(a) what steps the Government take to ensure that the parties in the Opposition get fair representation in the Select Committees appointed to consider Government Bills introduced in the Legislature; and

(b) whether it is the policy of the Government to take in members of their own party in Committees in order to ensure an even policy, i.e., full co-operation?

THE HON. SRI C. SUBRAMANIAM:—“(a) & (b) Members of Select Committees are selected by the Whips or Leaders of Parties in consultation with one another and so that the various parties in the House are properly represented.”

Speeches reported in English and Tamil in the Legislature

* 238 Q.—SRI A. GAJAPATHY NAYAGAR: Will the Hon. the Minister for Finance and Education be pleased to state how many speeches in English and Tamil were recorded by the departmental reporters commencing from the last Budget Session up to the last meeting of the Legislative Council and the Legislative Assembly?

THE HON. SRI C. SUBRAMANIAM:—“From the last Budget Session up to the end of the meeting of the Legislative Council in August 1954, 332 speeches in English and 34 speeches in Tamil were recorded by the departmental reporters. During the same period, 596 speeches in English and 515 speeches in Tamil were recorded by them in the Assembly. This excludes the questions portion of the proceedings, the speeches and interruptions by the Presiding Officers.”

SRI A. GAJAPATHY NAYAGAR:—“ஆங்கிலத்திலே சுருக்கெழுத் தாளர்கள் எத்தனை பேர்? தமிழிலே சுருக்கெழுத் தாளர்கள் எத்தனை பேர்? என்பதை கனம் அமைச்சர் அவர்கள் சொல்வாரா?”

THE HON. SRI C. SUBRAMANIAM:—“The sanctioned strength of the reporting staff of the Legislature Secretariat is 12 English Reporters and four Tamil and one Malayalam Reporters. Of the twelve English Reporters six are qualified in reporting Tamil speeches also.”

SRI A. GAJAPATHY NAYAGAR:—“தமிழ்ப் பேச்சு பேசுவார்கள் அதிகமாக இருப்பதினாலே, தமிழ்ச் சுருக்கெழுத்தாளர்களை அதிகமாக ஏற்படுத்துவதற்கு கனம் அமைச்சர் அவர்கள் ஏற்பாடு செய்வார்களா?”

THE HON. SRI C. SUBRAMANIAM:—“அவ்வாறு ஏற்படுத்துவதற்கு ஏற்பாடுகள் செய்து வருகின்றோம்.”

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SRI MOHAMED RAZA KHAN:—“May I know how many speeches were made in English and how many in Tamil by my friend Mr. A. Gajapathy Nayagar?”

THE HON. SRI C. SUBRAMANIAM:—“I should take separate steps for it.”

SRI T. PURUSHOTHAM:—“May I know what has happened to the proposal to install the tape recording machine in the Council chamber?”

THE HON. SRI C. SUBRAMANIAM:—“I have not seen the proposal at all.”

Translation of works of English Authors and Tamil Classics

* 239 Q.—SRI V. V. RAMASWAMI: Will the Hon. the Minister for Finance and Education be pleased to state whether there is any scheme for encouraging translation of works of English authors into Tamil and translation of Tamil classics into other languages and, if so, what it is?”

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

SRI V. V. RAMASWAMI:—“தமிழில் இருக்கின்ற இலக்கியங்களை பிற மொழிகளில் குறிப்பாக, ஆங்கிலத்திலே மொழி பெயர்த்து உலகமெங்கும் பரப்புவதற்கு ஏதாவது ஒரு சங்கம் முன்வந்தால், அரசாங்கத்தார் அதற்கு ஆதரவு அளிப்பார்களா என்று அறிய விரும்புகின்றேன்?”

THE HON. SRI C. SUBRAMANIAM:—“அது மாதிரியாக யாராவது முன் வந்தால் அந்த விஷயம் பரிசீலிக்கப்படும்.”

SRI K. BHASHYAM:—“Is there any necessity for translating English works into Tamil when we have got very good, very nice, rich and ennobling literature in the Tamil language?”

THE HON. SRI C. SUBRAMANIAM:—“That is a matter of opinion. Some people might think that there are certain things in English which are not available in Tamil.”

Formation of a new Alangulam-Nagalkulam Irrigation Channel in Tenkasi taluk.

* 240 Q.—SRI V. V. RAMASWAMI: Will the Hon. the Minister for Public Works be pleased to state whether any petition was presented to the Government in June 1954 and subsequently to the Collector of Tirunelveli regarding formation of a new Alangulam-Nagalkulam irrigation channel in Tenkasi taluk, Tirunelveli district, and, if so, the action taken thereon?

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI:—“Yes, a petition was presented to Government by the hon. Member in June 1954. Information is not available whether a similar petition was received by the Collector subsequently. A report on the petition of June 1954 was called for from the Collector and it is awaited.”

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SRI V. V. RAMASWAMI :—“ சீக்கிரம் ரிப்போர்ட்டை வாங்கி, அதற்கு வேண்டிய நடவடிக்கைகளை எடுப்பதற்கு அரசாங்கம் முன்வருமா ? ”

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI :—“ ரிப்போர்ட் கேட்டிருக்கிறோம். அதற்குப் பிறகு வேண்டிய நடவடிக்கைகள் எடுப்பது பற்றி ஆலோசிக்கப்படும். ”

Diversion of buses run by private operators in the mufassal for Avadi Session.

* 241 Q.—SRI V. GURUNANDAN ROW : Will the Hon. the Minister for Religious Endowments and Transport be pleased to state whether any of the buses run by private operators in the mufassal were diverted from their usual routes in connection with the Avadi Session of the Indian National Congress and, if so, how many and from which districts?

THE HON. SRI B. PARAMESWARAN :—“ 203 buses run by private operators in the mufassal were diverted from their usual routes to provide transport facilities between Madras and Avadi in connexion with the All-India Congress Session held at Avadi in January 1955. The buses were diverted from routes in Salem, Tanjore, North Arcot, Tiruchirappalli, Tirunelveli, Madurai, Ramanathapuram, Coimbatore and South Arcot districts. ”

SRI V. GURUNANDAN ROW :—“ Was it done by Government orders? ”

THE HON. SRI B. PARAMESWARAN :—“ No, Sir. The Transport Commissioner took the initiative. There was no need for Government orders. ”

SRI V. GURUNANDAN ROW :—“ Is it not necessary when buses are taken off the road, the Regional Transport Authority should be consulted and permission obtained before buses are taken off the road. ”

THE HON. SRI B. PARAMESWARAN :—“ Temporary permits and short-term licences were given. ”

SRI V. GURUNANDAN ROW :—“ Were they given by the respective Regional Transport Authorities or did the Government themselves move in the matter? ”

THE HON. SRI B. PARAMESWARAN :—“ When I say ‘ Government ’, it includes the Regional Transport Authority, the Transport Commissioner and everybody else. ”

SRI MOHAMED RAZA KHAN :—“ Is it not a fact that many people came from different districts to Madras City for the purpose of seeing the Avadi Session and that, therefore, the Transport authorities had to see that all available buses were made available to them so that the visiting public might not be inconvenienced? ”

THE HON. SRI B. PARAMESWARAN :—“ Exactly so. ”

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SRI K. BHASHYAM :—“ Is it not a fact that only spare buses were brought here so as not to interfere with the ordinary traffic in the mufassal? ”

THE HON. SRI B. PARAMESWARAN :—“ Spare buses were utilized wherever available and normal traffic was not in any way interfered with. The arrangement was not at all detrimental to the interests of the travelling public. ”

Number of Municipalities in this State

* 242 Q.—SRI V. V. RAMASWAMI : Will the Hon. the Minister for Local Administration be pleased to state—

(a) the total number of municipalities in the State and the number of first-grade and second-grade municipalities;

(b) when the term of the present municipal councils expires; and

(c) whether some of them have requested the Government to extend their term?

THE HON. SRI S. S. RAMASWAMI PADAYATCHI :—“ (a) The total number of municipalities in the State is 61. The number of first-grade municipalities is 14 and that of second grade, is 18. ”

“ (b) The term of office of the present municipal councillors will expire on the noon of 1st November 1955. ”

“ (c) Yes, Sir. ”

SRI S. P. SIVASUBRAMANYA NADAR :—“ Is there any proposal to extend the term of the present members? ”

THE HON. SRI S. S. RAMASWAMI PADAYATCHI :—“ No, Sir. ”

SRI V. V. RAMASWAMI :—“ சென்ற ஆண்டிலே ஜில்லா போர்டுத் தேர்தல்கள் நடந்திருக்கின்றன. இந்த ஆண்டு இறுதியிலும் நகர மன்ற ஆட்சித் தேர்தல்கள் நடைபெற இருக்கின்றன. அடுத்த ஆண்டிலேயும் பொதுத் தேர்தல் நடைபெறலாம். இப்படி ஒவ்வொரு ஆண்டிலும், ஏதாவது தேர்தல்கள் நடந்தகொண்டிருப்பதால் மக்களிடையே ஒரு விதமான விருப்பு வெறுப்பும், குழப்பங்களும் ஏற்படுகின்றன. ஆகவே எல்லாத் தேர்தல்களையும் ஒரே ஆண்டிலேயே வைப்பதற்கு சர்க்கார் ஆலோசிப்பார்களா ? ”

THE HON. SRI S. S. RAMASWAMI PADAYATCHI :—“ ஒரே ஆண்டில் வைத்தால் ஒரே குழப்பமாக இருக்கும். ஆகையால் அவ்வப்போது வைத்துக்கொள்வதே நல்லது இருக்கின்றன. ”

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SRI MOHAMED RAZA KHAN:—“ May I know when elections are likely to be held to these municipalities? ”

THE HON. SRI S. S. RAMASWAMI PADAYATCHI:—
“ Between August and October 1955.”

SRI V. V. RAMASWAMI:—“இந்த செகண்டரி கிரேடு நகராட்சி மன்றங்களில் அண்மையில் எத்தனை நகராட்சி மன்றங்கள் மாறுதலைந்து, முதல் கிரேடு நகராட்சி மன்றங்களாக இருக்கின்றன என்று கனம் மந்திரி அவர்கள் கூறுவாரா? ” சுவதற்கு

THE HON. SRI S. S. RAMASWAMI PADAYATCHI:—“ The hon. Member must put a separate question.”

UNSTARRED QUESTIONS

Starting of Ceramic, Glass, Plastic and Vulcanite factories in the State

16 Q.—SRI T. M. DAIVASIKHAMANI ACHARIAR: Will the Hon. the Minister for Agriculture be pleased to state whether the Government have any proposal to start Ceramic, Glass, Plastic and Vulcanite factories in the State and if so, where?

A.—The Government have under consideration the question of setting up ceramic units at Neyveli. They have also a proposal to start a sheet glass factory in the State. But the details have not been worked out and no decision has been taken in regard to its location. The Government have no proposal to start plastic and vulcanite factories.

Marine and fresh water Aquarium in Madras

17 Q.—SRI T. M. DAIVASIKHAMANI ACHARIAR: Will the Hon. the Minister for Agriculture be pleased to state—

(a) whether the Government propose to build a Marine and fresh water Aquarium in Madras, if so, where and at what cost; and

(b) whether the plans and estimates of the same are ready?

A.—(a) Proposals for opening a Marine Aquarium in Marina Beach are under investigation. The site for the Aquarium has not yet been finally decided and the cost of the buildings, etc., also has not yet been estimated.

(b) The answer is in the negative.

Increase in the sales tax on shop made jewellery

18 Q.—SRI T. M. DAIVASIKHAMANI ACHARIAR: Will the Hon. the Minister for Land Revenue be pleased to state—

(a) whether the Government have revoked their decision to increase the sales tax on shop made jewellery from 9 pies to Re. 0-1-3;

[17th March 1955]

(b) if so, the reasons therefor;

(c) the estimated approximate income thereby to the State annually;

(d) the annual average income to Government from the sales tax levied on betel leaves;

(e) whether the Government received any representations from jewellery workers and their associations protesting against the abolition of the increased sales tax on shop made jewellery; and

(f) if so, whether the Government will be pleased to place them on the table of the House?

A.—(a) The Government had originally decided to levy an additional sales tax of 6 pies per rupee on articles made of gold or silver, but subsequently agreed to delete the above articles from the Bill at the time of its discussion in the Legislative Assembly. No decision was however taken by the Government to increase the sales tax on shop made jewellery from 9 pies to one anna three pies.

(b) Does not arise.

(c) Does not arise.

(d) Rs. 1.45 lakhs.

(e) The Government received some representations protesting against the dropping of the proposed levy of additional sales tax on articles made of gold or silver at the rate of 6 pies per rupee.

(f) The Government consider that no useful purpose will be served by placing the representations on the table of the House.

Service conditions of employees in the Government Transport.

19 Q.—SRI V. GURUNANDAN ROW: Will the Hon. the Minister for Religious Endowments and Transport be pleased to state—

(a) the classes of employees and their conditions of service in the Government Transport in the City of Madras;

(b) whether the employees of Government Transport are governed by the Factories Act or by the Madras Shops and Establishments Act;

(c) how many of the employees of the Transport department are permanent and how many of them are temporary;

(d) what is the maximum period of service of employees who are still temporary; and

(e) whether any class of employees like conductors, etc., have no weekly holidays or annual leave facilities?

[17th March 1955]

A.—(a) As regards classes of employees, a statement * is laid on the table of the House.

All the posts in the Transport department are temporary and are continued from year to year. The question of framing service rules regulating the conditions of service of the employees in the Transport department is under the consideration of the Government.

(b) The technical workers of the Government Transport department alone are governed by the Factories Act. The Madras Shops and Establishments Act has not been made applicable to the Transport department.

(c) All the employees of the Transport department are temporary.

(d) About 7 years and 9 months in some cases.

(e) Excepting the daily paid staff among the traffic and technical (work-charged) establishment who are not allowed leave or holiday with wages, all the staff on the monthly paid category enjoy weekly holidays, annual leave facilities, etc.

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

II.—ANNOUNCEMENT BY THE HON. CHAIRMAN. ACTS ASSENTED TO BY THE GOVERNOR.

MR. CHAIRMAN :—“ I have to announce to the House that the Madras Irrigation (Levy of Betterment Contribution) Bill, 1954 (L.A. Bill No. 26 of 1954), which was passed by the Madras Legislature on the 17th February 1955 received the assent of the Governor on the 4th March 1955 and has been published as Act No. III of 1955 in Part IV-B of the Fort St. George Gazette, dated the 16th March 1955.

“ I have also to announce to the House that the Madras City Municipal (Amendment) Bill, 1955 (L.A. Bill No. 1 of 1955), which was passed by the Madras Legislature on the 8th February 1955 received the assent of the Governor on the 4th March 1955 and has been published as Act No. IV of 1955 in Part IV-B of the Fort St. George Gazette, dated the 16th March 1955.”

III.—GOVERNMENT MOTIONS.

(1) ELECTION OF NINE MEMBERS TO THE COMMITTEE OF PRIVILEGES.

* THE HON. SRI M. BHAKTAVATSALAM :—“ Sir, I move—
“ That, with reference to Rule 154 of the Madras Council Rules, this Council do proceed on a date to be fixed by the Hon. Chairman to elect nine members to be members of the Committee of Privileges for the financial year 1955-56.”

* Printed as Appendix II on pages 606-607 infra.

[17th March 1955]

ELECTION OF NINE MEMBERS TO THE COMMITTEE OF PRIVILEGES

MR. CHAIRMAN :—“ The question is—

“ That, with reference to Rule 154 of the Madras Council Rules, this Council do proceed on a date to be fixed by the Hon. Chairman to elect nine members to be members of the Committee of Privileges for the financial year 1955-56.”

The motion was carried.

MR. CHAIRMAN :—“ I have to inform the House that, in accordance with the Regulations framed by me for the holding of elections according to the principle of proportional representation by means of the single transferable vote, I fix 5 p.m. on Thursday, the 24th March 1955 as the time within which nomination of candidates for election to the Committee of Privileges should reach the Secretary. There will be an election between 12 noon and 2 p.m. on Tuesday, the 29th March 1955, if the number of candidates nominated exceeds nine.”

(2) ELECTION OF SIX MEMBERS TO THE HOUSE COMMITTEE.

* THE HON. SRI M. BHAKTAVATSALAM :—“ Sir, I move—

“ That, with reference to Rule 171 of the Madras Council Rules, this Council do proceed on a date to be fixed by the Hon. Chairman to elect six members to be members of the House Committee for the financial year 1955-56.”

MR. CHAIRMAN :—“ The question is—

“ That, with reference to Rule 171 of the Madras Council Rules, this Council do proceed on a date to be fixed by the Hon. Chairman to elect six members to be members of the House Committee for the financial year 1955-56.”

The motion was carried.

MR. CHAIRMAN :—“ I have to inform the House that in accordance with the Regulations framed by me for the holding of elections according to the principle of proportional representation by means of the single transferable vote, I fix 5 p.m. on Saturday, the 19th March 1955 as the time within which nomination of candidates for election to the House Committee should reach the Secretary. There will be an election between 12 noon and 2 p.m. on Thursday, the 24th March 1955, if the number of candidates nominated exceeds six.

“ We will now continue the discussion on the Madras Plantations and Agricultural Income-tax Bill, 1954.”

IV.—GOVERNMENT BILL. [17th March 1955]

THE MADRAS PLANTATIONS AGRICULTURAL INCOME-TAX BILL,
1954—cont.

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,—

‘ Add the following at the end of the proviso :—

‘ and the rules so framed should be approved by the resolution of each House of the Legislature.’ ”

It has been stated in the proviso that if no method of accounting has been regularly employed by the assessee, or if the method employed is such that, in the opinion of the Agricultural Income-tax Officer, the agricultural income cannot properly be deducted therefrom, then the computation shall be made upon such basis and in such manner as may be prescribed. ‘ Prescribed ’ means prescribed by rules. So I wish to add that the rules so prescribed should be approved by the resolution of each House of the Legislature. I want that the rules framed from time to time should be approved by each House of the Legislature. That is why I have given notice of my amendment which says that the rules so framed should be approved by the resolution of each House of the Legislature. The rules framed by Government should not become effective without the approval of each House. That is my point. So I think my amendment which seeks to add the words at the end of the proviso, viz., ‘ and the rules so framed should be approved by the resolution of each House of the Legislature ’, may be accepted.

“ Whenever rules are framed, I want them to be placed before the House and they should become effective after each House passes a resolution approving of the same.”

* DR. V. K. JOHN :—“ I second the amendment moved by Sri K. Balasubramanya Ayyar.”

* THE HON. SRI M. A. MANICKAVELU NAICKER :—
“ Under Clause 61 (3) there is already a provision for placing all the rules framed by Government under the Act before the Legislative Assembly for its approval. Therefore, I do not think the amendment of Sri K. Balasubramanya Ayyar is necessary.”

MR. CHAIRMAN :—“ Is Sri K. Balasubramanya Ayyar pressing his amendment? ”

* SRI K. BALASUBRAMANYA AYYAR :—“ No, Sir.”

With the permission of the House, the amendment of Sri K. Balasubramanya Ayyar was withdrawn.
Clause 7 was put and carried.

17th March 1955]

Clause 8.

MR. CHAIRMAN :—“ Motion moved—

‘ That clause 8 do stand part of the Bill.’ ”

* SRI K. BHASHYAM :—“ Sir, I have to move my amendment with some hesitation. What I want to say is not for opposing the Government idea as regards assessment of tax but to help them to make it better. Under Clause 8, the Court of Wards and the Administrator-General come in. They are persons who are in possession of properties not on their own behalf but on behalf of other persons. Therefore, the tax shall be levied not upon them but upon the *estate* that is vested in their hands. But from the present wording it looks as though the Court of Wards and the Administrator-General are made personally liable. I think it is not the intention of Government. But from the wording, it looks as though the Court of Wards and the Administrator-General are made *personally* liable for the tax.

“ It is said under Clause 8 (1) (a), ‘ In the case of agricultural income taxable under this Act which the Court of Wards, Administrator-General or Official Trustee, etc. . . is entitled to receive on behalf of any person the tax shall be levied upon and recoverable from the Court of Wards, Administrator-General, etc. . . ’ It looks as though the Court of Wards or the Administrator-General is *personally* made liable for the tax, in case the agricultural income-tax is not paid. Either the Court of Wards or the Administrator-General could be taxed only on the *estates* which they hold on behalf of other persons; they cannot be made liable personally to pay the tax. I hope what I had said would be taken note of by Government. If the concerned person whose estates are under the control of the Court of Wards or the Administrator-General does not pay the necessary income-tax, then it is the business of the Court to make the person pay the tax prescribed. The Court of Wards or the Administrator-General cannot be made *personally* liable to pay the tax.

“ Under Clause 2 (q) it is defined that a ‘ person ’ means any individual or association of individuals, owning or holding property for himself or for any other, or partly for his own benefit and partly for another, either as owner, trustee, receiver, common manager, administrator or executor or in any capacity recognized by law and includes a *Hindu Mithakshara family*, an *Aliyasanthana family* or branch, etc. Therefore, according to the definition of a ‘ person ’ under Clause 2 (q) it includes a Hindu family also. Again under Clause 3 (3) it is said—

‘ In the case of persons holding property as tenants-in-common and deriving agricultural income, the tax shall be assessed at the rate applicable to the agricultural income of each tenant-in-common.’ ”

[Sri K. Bhashyam] [17th March 1955]

Again under Clause 8, sub-clause 2 (a), it is said—

“If a person holds plantations partly for his own benefit and partly for the benefit of others or wholly for the benefit of others, agricultural income-tax shall be assessed on the total agricultural income derived from such plantations at the rate which would be applicable if such a person had held the plantations exclusively for his own benefit.”

There is thus inconsistency and ambiguity in these three clauses I have quoted. I want the Government to make the meaning clear. That is why I have said that I have to move my amendment with some hesitation. Let the Government say what their opinion is. May be as I have thought they would have meant well. I would request them to explain their viewpoints before my amendment is accepted or rejected. Let them say clearly who are liable to pay the tax and who are not.”

* SRI V. K. JOHN :—“On a point of order, Sir, I want to know whether a member is entitled to make a speech on an amendment without actually moving it.”

* SRI K. BHASHYAM :—“From their nodding their head, I can find out whether they are in agreement with my amendment or not.”

MR. CHAIRMAN :—“Is the hon. Member, Mr. Bhashyam, moving his amendment?”

* SRI K. BHASHYAM :—“Not moving, Sir.”

MR. CHAIRMAN :—“Then I will put Clause 8 to the vote of the House.”

Clause 8 was put and carried.

Clause 9.

MR. CHAIRMAN :—“Motion moved—

‘That clause 9 do stand part of the Bill.’”

* SRI K. BHASHYAM :—“Sir, I move the amendment standing in my name, namely—

‘In sub-clause (1) in line 3, after the words “by virtue of a” and before the word “settlement”, insert the word “revocable” and omit the words “whether revocable or not” occurring after the word “disposition”.’

Sir, I feel some ambiguity in this Clause 9. I do not know whether any good sense could be made out of this Clause. Of course it is said for this Agricultural Income-tax Bill, the relevant sections of the Indian Income Tax Act have been closely followed. I do not quite understand whether this clause follows closely the relevant section under the Indian Income Tax Act. If they have adopted the Indian Income Tax Act wholesale, then this clause should hit benami transactions or transactions which are sham. But what have they done here in this clause?

[Sri K. Bhashyam] 17th March 1955]

“They have adopted wholesale sections of the Indian Income Tax Act. What is happening is this. Evidently it means that this section is intended to hit benami or sham transactions, which are not real. I will read the section to make it clear and the section reads—

‘In computing the total agricultural income of an assessee, all agricultural income arising to any person by virtue of a settlement or disposition, whether revocable or not, and whether effected before or after the commencement of this Act, from assets remaining the property of the settlor or disponent shall be deemed to be the agricultural income of the settlor or disponent, etc., etc.’

What does the word ‘remaining’ mean is not made clear. However, it is clear that the Government do not want to recognize all settlements or transactions including benami or sham transactions. It will be quite good if it is said in plain language as a matter of fact that it is the intention of the Government. The clause as it stands does not make the intention of the Government clear. That is why I have moved my amendment, Sir.”

The amendment was duly seconded.

* THE HON. SRI M. A. MANICKAVELU NAICKER :—“Sir, I submit under the general law, in the absence of power of revocation, it is understood that it is irrevocable and we have also followed closely the language of section 16 (1) (c) of the Indian Income-tax Act. I admit that it is likely to be interpreted differently also. Some of the defects or difficulties which the hon. Member has pointed out will be borne in mind and suitable action will be taken.”

* SRI K. BHASHYAM :—“Sir, I am glad that the Government are relenting a little. However, I would like to point out that in respect of these matters Government should take proper advice in drafting these Bills. With reference to the Income Tax Act itself, even there, sections have been found to be defective and cases have arisen where ambiguities have been pointed out. Therefore, to take sections wholesale from that Act and incorporate them in this legislation is rather not good. That is what I would point out to the Government. I do not press my amendment.”

The amendment was, by leave of the House, withdrawn.

Clause 9 was put and carried.

Clause 10.

MR. CHAIRMAN :—“Dr. V. K. John's amendment is included in Sri K. Balasubramanya Ayyar's amendment.”

* SRI K. BALASUBRAMANYA AYYAR :—“Mr. Chairman, Sir, I move the amendment standing in my name, namely,—

‘Add the following new sub-clause after sub-clause (d):—

“(e) Any sums paid by an assessee to effect an insurance on the life of the assessee or the life of the wife or the husband of the assessee or in respect of deferred annuity

[Sri M. Ethirajulu]

[4th March 1955]

அவைகளுக்கு தீர்வை ஏக்கராவுக்கு இரண்டு ரூபாய்க்குமேல் இல்லை. அதேபக்கத்தில் 12 ரூபாய் முதல் 16 ரூபாய் வரையில் நிலைத் தீர்வை வசூலிக்கப்படுகிறது. அந்த நிலங்களைக் கணக்கெடுத்து, அதன் மீது வரி விதித்தால் வருஷமொன்றுக்கு ஒரு கோடி ரூபாய்க்குமேல் சர்க்காருக்கு வருமானம் வரும் என்பதில் சந்தேகம் இருக்கமுடியாது. நிதி மந்திரி அவர்கள் சீக்கிரத்தில் இதற்கான ஒரு சட்டத்தைக் கொண்டுவந்து, அந்த வருமானத்தையும் சர்க்கார் பெறுவதற்கு, செதிசெய்து கொள்ளவேண்டுமென்று சொல்லிக்கொள்ள விரும்புகிறேன்.

“அடுத்தபடியாக, பிற்பட்ட இனத்தினங்கள் நல்ல விவசாயத்தில் சர்க்கார் மிக மிக சிறத்தை எடுத்துக்கொள்ளவேண்டும். ஒரு கோடியே பத்து லட்ச ரூபாய்தான் பிற்பட்ட இனத்தவர்களுக்காக ஒதுக்கப்பட்டிருக்கிறது. 11 லட்ச ரூபாய்தான் பிற்பட்ட இனத்தவர்களின் இலவசக் கல்விக்காக ஒதுக்கப்பட்டிருக்கிறது. இதுபோதாது. பிற்பட்ட இனத்தவர்கள் எத்தனையோ பேர்கள் கஷ்டப்படுகிறார்கள். நான்கள் ஒரு ஜாதியைப் பற்றி மாடும் சொல்ல வில்லை. காந்தியப்பாதையில் வந்தவர்களாகிய இந்தச் சர்க்கார் யார் யார் பிற்பட்டவர்களாக இருக்கிறார்களோ அவர்களுடைய நிலைமையை முன்னோக்குக் கொண்டு வருவதற்குப் பாடுபடவேண்டும். காந்தியப் பாதையில் வந்தவர்கள் நீங்கள், காந்தியின்கூடவே நீங்கள் சிறை சென்றிருக்கிறீர்கள். அந்த வழியில் பண்பாடு அடைந்திருக்கிறீர்கள். பிற்பட்டவர்கள் எவ்வளவு பேர்கள் என்று கணக்கெடுக்கும்படி கேட்டுக்கொள்கிறேன். உத்தியோகத்தில், முன்னேறியிருக்கிறார்கள் என்பதைப் பார்க்கவேண்டும். அவர்கள் நிலையை உயர்த்துவதற்கு உங்கள் கையில் இருக்கிறது. எல்லாத் துறைகளிலும் பிற்பட்டவர்களின் விநியோகத்தைக் கணக்கெடுத்து, அவர்களுக்குப் போதிய சலுகையை அளித்து அவர்களை கூடிய சீக்கிரம் முன்னோக்குக் கொண்டு வரப் பாடுபடுவெண்டுமென்று உங்களைக் கேட்டுக்கொள்கிறேன்.

“பிற்பட்ட வகுப்பினரின் நிலை நன்றைக்கு நாள் மோசமாகி வருகிறது. அவர்களுக்கு வேண்டிய சலுகைகளைக் கொடுக்குபடி, காந்தியப் பாதையில் வந்த நமது அருமைத் தலைவர் ஸ்ரீ காமராஜ் அவர்களையும், இந்தச் சபையின் தலைவர் கனம் விவசாய மந்திரி அவர்களையும், அறிவுச்சுடர் நிதி மந்திரி அவர்களையும் கேட்டுக்கொள்கிறேன். நாள் ஒரு குறிப்பிட்ட ஜாதியைப் பற்றிப் பேச முன் வரவில்லை. பிற்பட்ட வகுப்பினரின் நிலையை உயர்த்த வேண்டுமானால், அது காமராஜ் மந்திரி சபையினால்தான் முடியும் தவிர, வேறு மந்திரி சபையால் முடியாது. ஆகவே, அவர்களை முன்னோக்குக் கொண்டு வரத் தக்க நடவடிக்கைகளை எடுக்க வேண்டுமென்று நமது சர்க்காரை மன்றாடித் கேட்டுக்கொள்கிறேன்.

“அடுத்தபடியாக, கரும்பு விவசாயத் தொழிலாளிகளின் நிலைமை மிகவும் கேவலமாயிருக்கிறது. நான் ஆற்காடு ஜில்லாவிலே 12,000 ஏக்கர் வரை சாகுபடி செய்கிறார்கள். 22,000 டன் முதல் 26,000 டன் வரை சர்க்கரை உற்பத்தி செய்யப்படுகிறது. கிட்டத்தட்ட 6½ கோடி ரூபாய் வரை விற்பனை எல்லாம் நடந்து வருகிறது. கரும்பு உற்பத்தியாளருக்குக் குறைந்த பட்ச நியாய விலை கிடைக்கும்படி செய்ய வேண்டியது சர்க்கார் கடமை என்பதை சர்க்கார் உணரவேண்டும்.

“இந்த 1954-55-ம் வருஷத்தில் சப்ளை செய்யக்கூடிய கரும்புக்கு மணங்கு ஒன்றுக்கு ரூ. 1-7-0 விலை நிர்ணயித்து சர்க்கரை அதிக பட்ச லாபத்தில் 54 சத விதிகம் கொடுக்கவேண்டும் என சர்க்கார் உத்திரவிட்டிருக்கிறார்கள். கண்டிரோல் காலத்தில் 69 முதல் 64 சத விதிகம் வரை கிடைத்திருக்கிறது. அவர்கள் உற்பத்தி செலவு பார்க்கப் போனால் ஒரு ஏக்கருக்கு 30 டன் விளைவுக்கு சுமார் ரூ. 1,400 வரை ஆகிறது. இதைப் பார்த்து நன்றாகப் பரிசீலனை செய்து விலை நிர்ணயித் தால்தான் ஷேயர்களுடைய குறைகளை சர்க்கார் கவனித்ததாகத் தெரியும். சென்ற வருஷத்தில் ஆலை முதலாளி ஒரு formula ஒன்று கொண்டு வந்து அதன்படி கிடைக்கும் லாபந்தான் விவசாயிகளுக்கு கொடுக்க முடியும் என்று சொன்னபொழுது, விவசாயிகள் ஒப்புக்கொள்ளவில்லை. இதைப் பற்றி சர்க்காருக்கு தெரிவித்தபொழுது, ஆலை முதலாளிகள்

4th March 1955]

[Sri M. Ethirajulu]

formula படிதான் ஒப்புக்கொள்ள வேண்டுமென சர்க்காரும் கை விரித்து விட்டார்கள். மற்ற பிரதேசமான பம்பாய், உத்தரப் பிரதேசங் களில் விவசாயிகளுக்கு 60 சத விதிகம் கொடுக்கப்படுகிறது.

“மேலும், Central Sugarcane கமிட்டியில் விவசாயிகளுக்கென நிய மிக்கும் மெம்பர் ஆலை முதலாளிகளின் சார்பாக இருப்பதாகத் தெரிய வருகிறது. ஆகவே, விவசாயிகளின் கஷ்டத்தை நன்றாக உணர்ந்து அந்தத் தொழிலிலே மிகவும் பண்பாடு உள்ளவராகவும், ஏழைகளின் குறைகளை தெரிந்தவர்களாகவும் நியமிக்கும்படியும் கரும்பு உற்பத்தி செலவுக்குச் சமமாக விலை நிர்ணயித்து தென்னாற்காடு ஜில்லா கரும்பு விவசாயிகளின் நிலையை உடனடியாகக் கவனிக்ரும்படி கனம் விவசாய மந்திரி ஸ்ரீ பத்த வதஸலம் அவர்களைக் கேட்டுக்கொள்கிறேன்.”

* SRI T. V. DEVARAJA MUDALIAR :—“கனம் தலைவர் அவர்களே, நான் முதன் முதலாக இந்த சபையில் பேச முன் வந்திருக்கிறேன். 5-30 p.m.
கனம் குறைகளை நீக்கிவிட்டு, கனம் அமைச்சர் அவர்களும், குற்றம் அங்கத்தினர் அவர்களும் ஆதரவு கொடுக்க வேண்டுமென்று கனம் அங்கத்தினர் அவர்களும் ஆதரவு கொடுக்க வேண்டுமென்று கேட்டுக்கொள்கிறேன்.

“சித்திரமும் கைப் பழக்கம், செந்தமிழும் நாப்பழக்கம், என்று சொல்வதற்கொப்ப, இந்த 1955-56-ம் ஆண்டு வரவு செலவுத் திட்டத்தை, பழக்கத்தை ஒட்டி, நமது நிதி அமைச்சர் அவர்கள் நல்ல முறையில் தயாரித்திருக்கிறார்கள். இந்த ஐந்தாண்டுத் திட்டங்கள் எல்லாம் நல்ல முறையில் நிறைவேற்றப்பட்டால், நம் கண்கண்ட கடவுள் காந்தி மகான் சொன்னதுபோல், நம் நாடு ‘பச்சைப் பச்சேல்’ என்று இருக்கும் என்று நினைக்கிறேன்.

“முதன் முதலாக இந்த ஆண்டு வரவு செலவுத் திட்டத்தை தமிழில் மொழி பெயர்த்துக் கொடுத்திருக்கிறார்கள். இதற்காக கனம் நிதி அமைச்சர் அவர்களுக்கு எனது நன்றியைத் தெரிவித்துக்கொள் கிறேன். இது தாய் பாஷையின் பேரில் அவருக்கு இருக்கும் பற்றுதலை நன்கு எடுத்துக் காட்டுகிறது. ‘தாய்க்கு மிஞ்சின கோயிலுமில்லை; நன்கு எடுத்துக் காட்டுகிறது. ‘தாய்க்கு மிஞ்சின கோயிலுமில்லை; தமிழுக்கு மிஞ்சின மொழியு மில்லை’ என்ற கருத்திற்கிணங்க, அவ் வாறு செய்திருப்பது மிகவும் பாராட்டத் தக்கது. அரசாங்க நடவடிக்கை களும் தமிழிலேயே இருக்கவேண்டும். அதைப் பொது மக்கள் ஆவ லுடன் எதிர்பார்க்கிறார்கள் என்பதைச் சொல்ல ஆசைப்படுகிறேன். ஆவடி காங்கிரஸ் மகாநாட்டில் நமது மாபெரும் தலைவர் கனம் ராஜாஜி அவர்கள் தமிழிலேயே பேசியிருக்கிறார்கள். தமிழ் மாகாணத்திலுள்ள மக்களில் 100-க்கு 75 பேருக்கு வேறு பாஷை தெரியாததால், ஆவடி மகாநாட்டில் அவர்கள் தமிழில் பேசினார்கள். தமிழை ஆட்சி மொழி ஆக்க வேண்டுமென்று நமது தலைவர் ஸ்ரீ காமராஜ் அவர்களையும், மற்ற அமைச்சர்களையும் கேட்டுக்கொள்கிறேன். தமிழ் மொழியிலிருந்துதான் மற்ற பாஷைகள் பிரிந்ததாக சரித்திர நூல்கள் கூறுகின்றன. அதற்கு அத்தாட்சியுமிருக்கிறது. ஒரு உதாரணம் வேண்டுமானால் சொல்லுகிறேன். ‘அம்மா’ என்ற பதத்திலுள்ள கடைசி எழுத்தையும், ‘தாயே’ என்ற பதத்திலுள்ள முதல் எழுத்தையும் சேர்த்துத் தான் ‘மாதா’ என்று சமஸ்கிருதத்தில் வட நாட்டார் சொல்லுகிறார்கள். ஆங்கிலேயர் மதர், என்று சொல்கிறார்கள். ஆங்கில பாஷையிலும் கூட அதே மாதிரி கில சொற்களை எடுத்துக் கொண்டிருக்கிறார்கள். தமிழில் இருக்கும் ‘அம்மா’ என்ற சொல் ஆடு மாடுகளுக்குக் கூட தெரிவிக்கிறது. வேறு பாஷையிலுள்ள சொல்லை எந்த மிருகமாவது தெரிவிக்கிறதா தெரிந்து கொண்டிருக்கிறதா என்பதைநாம் யோசித்துப் பார்க்க வேண் டும். எல்லா மிருகங்களும் ‘அம்மா’ என்று தான் கூப்பிடுகின்றன. தமிழில்தான் பல அரிய நூல்களும், ஆராய்ச்சிகளும், விஞ்ஞானங்களு மிருக்கின்றன. எல்லா மாகாணங்களிலும் அந்தந்த மாகாண தாய் பாஷையில் தான் அரசாங்க நடவடிக்கைகளை நடத்த வேண்டுமென்று வலியுறுத்தி வருகிறார்கள். அந்நிய நாடுகளிலும் கூட அவ்வாறுதான் நடத்துகிறார்கள். ஆகவே, தமிழையே அரசாங்க மொழி ஆக்க வேண்டு மென்று மன்றாடிக் கேட்டுக்கொள்கிறேன்.

[Sri K. Balasubramanya Ayyar] [17th March 1955]

on the life of the assessee or on the life of the wife or husband of the assessee or as a contribution to any Provident Fund, to which the Provident Fund Act of 1925 applies.

"(f) Such portion, if any, of the earned income of the assessee included in his total agricultural income as is directed by the Annual Act of the State Legislature fixing the rate or rates of taxes for any year to be deducted in making the assessment for the year.

"(g) Any sums paid as donation to any institution or Fund which is established in the State for a charitable purpose as defined in this Act and is approved by the State Government for the purpose of this section, provided that the total of the sums so paid is not less than Rs. 250.

"(h) Compulsory capital expenditure as provided for by any Act for the time being in force.

"(i) Any sums paid into a reserve fund provided for the purpose of any loss due to the fluctuations in the market prices or the yield."

Exemption in respect of insurance premia is also found in the Indian Income-tax Act, where moneys paid towards insurance premia are not taxed and therefore it is I have suggested the inclusion of that provision also here. Wherever insurance is effected on the life of the assessee or his wife, that principle should be followed. That is the first amendment.

"The second is, according to section 15 (a) of the Indian Income-tax Act, a portion of the income is fixed as earned income of the assessee and that also should be deducted in making the assessment for the year. This principle is embodied in the Income-tax Act. I move that that principle also be made a part of the Agricultural Income-tax Act.

"The third point is, any sums paid as donations to any institution or fund which is established in the State for a charitable purpose as defined in this Act and is approved by the State Government for the purpose of this section, provided that the total of the sums so paid is not less than Rs. 250 should be exempted from tax. This is also a well-known principle accepted under the Indian Income-tax Act. Some of these principles are accepted already under the Income-tax Act as principles to be followed so far as the assessment of the tax is concerned. Those principles should also be introduced in this legislation.

"Another point to which I wish to refer is capital expenditure incurred by assessee as provided for by any Act for the time being in force. I have in mind, Sir, the Plantation Labour Act of 1951 by which large capital expenditure is imposed on the assessee for providing various amenities to the labourers such as housing accommodation, medical and educational facilities and so on. Therefore, such compulsory capital expenditure also may be deducted from the assessment.

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"The last point is, any sums paid into a reserve fund provided for the purpose of any loss due to the fluctuation in the market prices or the yield should also be exempted from assessment. All these marketable produce are liable to very serious fluctuations as we all know by experience and therefore, if any agricultural company or assessee provides for any reserve fund to meet this loss, bona fide and not for the sake of escaping assessment of income-tax, such sums should also be deducted from the assessment.

"All these principles have been accepted under the Indian Income-tax Act, viz., insurance on the life of the assessee and his wife, any portion of the earned income which is fixed for the purpose of deduction from the assessment, any sums paid for charitable purposes recognized by the State, any capital expenditure imposed on the assessee by legislation and also any sums which may be allotted to a reserve fund specially provided for the purpose of meeting any loss due to fluctuations in the yield or market price should all be exempted from assessment. Therefore, I urge that these principles may be incorporated in Clause 10 of this Bill."

* DR. V. K. JOHN :—"Sir, I strongly second this amendment and I would request you to allow me to move my amendment also which deals with earned income. Of course, I know no amendment will get through this House."

MR. CHAIRMAN :—"Are you seconding Sri Balasubramanya Ayyar's amendment?"

* DR. V. K. JOHN :—"Yes, Sir. I am seconding Sri Balasubramanya Ayyar's amendment as it covers my amendment also. The hon. Member Sri Balasubramanya Ayyar has explained that most of these principles are found in the Indian Income-tax Act and there is no reason known to anybody why this Plantations Income-tax Act should not follow closely the provisions of the Indian Income-tax Act. Regarding insurance, Sir, it is an accepted policy of every civilized Government to encourage insurance and therefore, they make a provision that the insurance premia paid will be deducted from the total income for the purpose of assessment of income-tax. It is not incorporated in this Bill. I hope the Hon. Minister for Revenue who moved this Bill and who, I must admit, appears to be reasonable and understands and appreciates the reason behind the amendments moved from this side, will consider bringing in new amendments, even though the Bill may be passed into law now. In this House no amendment will be accepted, because the Bill has to be referred back to the Assembly. But I appeal to the Government to go into this again and see whether there is any principle in the amendments we have moved.

"Then, coming to earned income, I know that the Taxation Enquiry Commission has made some suggestions in regard to exemption of earned income. But those suggestions have not been accepted still, though they admit the necessity for giving

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certain income groups exemption for earned income. This was introduced in 1945 in the Indian Income-tax Act by incorporating Clause 15-A. This is also found in the Coorg Act recently passed. Why should we not have this provision in the Bill under discussion? This will encourage the persons who spend their time and labour on this business. The Bill should make a distinction between the income of a person without effort, e.g., dividend, and the income of a person who toils everyday to get that income. This allowance is given to encourage people to put in their efforts to earn their income. I do not see why this beneficent provision in the Indian Income-tax Act should not be incorporated in the Bill.

"Regarding the other amendment dealing with donation to any institution or fund which is established in the State for a charitable purpose, I have to say that donations are exempted in the Indian Income-tax Act. I do not know the reason why we should not encourage donation to such charitable institutions which are accepted by the Government for this purpose. Even here they show such miserliness. Is the share of the shareholder to be saddled exclusively with this burden? When somebody wants to give some donation, why should the Government also take a share in it? The principle that is enunciated in the Indian Income-tax Act is not followed here.

"Then there is the question of exempting compulsory capital expenditure. There are many items of compulsory expenditure. I ask the Government whether the share of the shareholder is to be burdened with this expenditure? Would not the Government exempt this capital expenditure? After all there are two persons who share the income of a plantation, namely, the shareholder or the proprietor and the Government. The Government take their share of the income and the shareholder takes his share of the income. Why should the Government ask the shareholder to bear the whole burden? It is necessary that this compulsory capital expenditure should be exempted. I ask the Hon. Minister to kindly consider the equity and justice behind this amendment.

"Sir, it is the practice of every plantation to make a reserve fund for the purpose of offsetting losses in years when there will be no crop at all. For a period of four or five years there may be a bumper crop. For some years there may not be any crop at all. Therefore some amount is reserved to offset losses by almost every plantation. By not making provision for exempting any sums paid into a reserve fund, the Government will only be discouraging the industry. They will be throwing a heavy burden on the shareholder alone. I do not think that this Bill will encourage the plantation industry at all. If the Government do not encourage this industry, they themselves will suffer on account of diminishing returns. The amendments that have been moved are all for the purpose of helping the Government in the long run. Next year the Government may take a large amount from these plantations, but

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after that year, will the Government get the same amount if the industry is not encouraged? I, therefore, very fervently appeal to the Mover of this Bill to consider this question, after the Bill is passed into law, and see whether the industry should not be encouraged, and whether they should not follow the provisions in the Indian income-tax. Not accepting the amendments suggested here would mean not encouraging the industry. Not only will the Government be not encouraging the industry, but they will be ruining the industry, the labourer, the shareholder, and also themselves by diminishing returns. As I pointed out earlier, the increase in the revenue of the Government depends on the increased economic strength of the people. Therefore, whenever the Government pass a measure, they should apply the test whether that measure will in the long run increase the economic strength of the people. The Government should collect revenue from the people not by taking away everything from the people and getting diminishing returns thereby. This test must be very rigidly applied. If we apply this test, we will find, after this Bill is passed into law, that we are only discouraging the industry and that in the long run the Government themselves will suffer. The Government are ruining the industry by this taxation measure and they will repent, but they will repent when it is too late. Once the plantations are neglected, it will be very difficult to bring them back into life. Therefore it is I say that they should not be neglected. The industry must be encouraged in every way possible. I suggest very seriously and I also appeal to the Government to reconsider this Bill in the light of the amendments moved in this House, and particularly in the light of the provisions contained in the Indian Income-tax Act. The Government should closely follow the provisions contained in the Indian Income-tax Act. If they do not follow, we must know the reason why they do not follow those provisions. There is no reason why this Bill should not make provision for those allowances which the Indian Income Tax Act provides for."

* SRI K. BHASHYAM :—"Sir, I sympathise with the Mover of the amendment in trying to get these various items exempted from the total income for purposes of the levy of the tax. These are allowed in the Indian Income Tax Act, and these have been found to be quite satisfactory by the people also. However, I would like to make one observation. If there is a person who pays not only income-tax but also the Plantations Agricultural Income-tax, and if he has got the benefit of these deductions at the time of his paying the income-tax, I think he ought not to be allowed any further deductions from his income. This must be made quite clear. If at all there is any desire on the part of the Government to accept this amendment or to take steps for accepting this amendment . . ."

* DR. V. K. JOHN :—"Is there any logic in it?"

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* SRI K. BHASHYAM :—“ If, as a matter of fact, there is one who pays not only income-tax but also the Plantations Agricultural Income-tax, and he has had the benefit of these deductions when he paid the income-tax, why should he have this benefit for a second time? I do not see any logic here. If the Mover of the amendment would make it clear that the advantage of these deductions would not be availed of twice, the Government may consider the acceptance of the amendment. If the Government do not accept the amendment now but at least think of amending this legislation suitably later, they must bear in mind the suggestion I made.”

* THE HON. SRI M. A. MANICKAVELU NAICKER :—“ Sir, in opposing the amendment, I wish to state that already provision has been made in the Bill for deducting certain categories of income from the amount liable for Agricultural Income-tax Act. We have provided for four categories of income. Now the hon. Member Sri K. Balasubramanya Ayyar wants to add five more items to the already existing four. I appreciate the object with which these amendments have been tabled. But as the Hon. the Deputy Leader of the Opposition has said, at this stage it will be difficult to accept the amendments *in toto*. Further, my hon. Friend Sri Bhashyam has also pointed out another difficulty, viz., that there should not be a double deduction. This has also to be gone into. I am very glad to note that the hon. Deputy Leader of the Opposition is in a more reasonable frame of mind to-day. Not only that. When he talks in a calm manner he drives home his point better than when he is in a ferment. So, if he wants to succeed in getting his amendments carried and if he wants to succeed in other matters, it is better he talks as he does to-day. In fact, I was able to follow him closely and it appealed to me. I cannot say the same thing when he talks in his usual manner.”

* DR. V. K. JOHN :—“ Am I succeeding to-day, Sir? ”
(Laughter.)

* THE HON. SRI M. A. MANICKAVELU NAICKER :—“ No, Sir. This question was answered by the hon. Deputy Leader of the Opposition himself. He has himself, understanding the situation, said that his amendment will not be accepted. Apart from that, all these questions will be borne in mind when an amending Bill is thought of. At that time all these points will be considered, Sir.”

* SRI K. BALASUBRAMANYA AYYAR :—“ If any deduction has already been given for the purpose of life insurance, the question of applying for it a second time does not at all arise. No Income-tax Officer will allow such a double deduction. The present Bill under consideration relates to agricultural income. If already deduction in respect of this item has been given, there is no need for my amendment. In case, there was no deduction made in respect of this item, there will be difficulty if we do not

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provide for a specific provision. All of us on this side, including the hon. Deputy Leader of the Opposition, are reasonable. I hope the Hon. Minister will also be reasonable and will be able to accept the amendment.”

MR. CHAIRMAN :—“ The question is—

“ Add the following new sub-clauses after sub-clause (d) :—

“(e) Any sums paid by an assessee to effect an insurance on the life of the assessee or the life of the wife or the husband of the assessee or in respect of deferred annuity on the life of the assessee or on the life of the wife or husband of the assessee or as a contribution to any Provident Fund, to which the Provident Fund Act of 1925 applies.

“(f) Such portion, if any, of the earned income of the assessee included in his total agricultural income as is directed by the Annual Act of the State Legislature fixing the rate or rates of taxes for any year to be deducted in making the assessment for the year.

“(g) Any sums paid as donation to any institution or fund which is established in the State for a charitable purpose as defined in this Act and is approved by the State Government for the purpose of this section provided that the total of the sums so paid is not less than Rs. 250.

“(h) Compulsory capital expenditure as provided for any Act for the time being in force.

“(i) Any sums paid into a reserve fund provided for the purpose of any loss due to the fluctuations in the market prices or the yield.”

The amendment was put and lost.

MR. CHAIRMAN :—“ Dr. V. K. John's amendment is now out of order.”

Clause 10 was put and carried.

Clause 11.

MR. CHAIRMAN :—“ Motion moved—

“ That clause 11 do stand part of the Bill.”

* SRI K. BALASUBRAMANYA AYYAR :—“ Sir, I move the amendment standing in my name, viz.—

“ In sub-clause (1), omit the words beginning with “ if the non-resident person ” and ending with “ generally liable for the tax ”.”

This is a very important amendment so far as I could see. A non-resident assessee is liable to pay tax. This is all right. But, this clause 11 tries to impose the liability on both the resident person

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who is recognized to be an agent and a non-resident person. It is said in this clause that 'if the non-resident person has an agent in the State, such person and the agent shall be jointly and severally liable for the tax.' There are agents recognised for income-tax purposes. But the agents according to the Indian Contract Act are different. If persons who are in the business and who are capable of attending to the business and submitting accounts, etc., are employed as agents, I can understand. But still, I think it is not fair to make the agents also jointly and severally liable to pay the tax. In the original Bill there was a provision under clause 60, which said, 'every person deducting, retaining or paying any tax in pursuance of this Act in respect of any agricultural income belonging to any other person is hereby indemnified for the deduction, retention or payment thereof.' This provision is not found in the present Bill. In the absence of any such provision for reimbursement, the agents will be hit very hard if they are made liable to pay the tax jointly and severally with the non-residents. To remove this difficulty only I have moved my amendment, Sir."

MR. CHAIRMAN :—"What about the other amendment which the hon. Member has given notice of to the same clause?"

* SRI K. BALASUBRAMANYA AYYAR :—"Sir, it is a consequential amendment. If the amendment that I have just now moved falls through, the other amendment will also fall through. My submission to you, Sir, is that an agent for the purposes of the Income-tax Act is a person who represents the principal only for certain limited purposes. He may not be an agent for all legal purposes. For instance, we cannot consider him as an agent under the Indian Contract Act. In the absence of a provision indemnifying the agent in respect of the payments that he makes on behalf of a non-resident assessee, it will be most unfair and unjust to make the agent personally liable for the payment of the tax. When any notice or any other document is served on the agent, he may transmit it to the non-resident. Suppose he pays the tax on behalf of the non-resident. There must be a provision enabling the agent to recover it from the non-resident. In the absence of such a provision, the agent should not be made liable to pay the tax jointly and severally with the non-resident. Therefore it is I have moved my amendment, Sir."

* DR. V. K. JOHN :—"I second the amendment, Sir."

* SRI K. BHASHYAM :—"Sir, there is some difficulty in accepting the amendment moved by the hon. Member Sri Balasubramanya Ayyar. I want some clarification. Suppose there is a non-resident owner of a plantation and he has here an agent; suppose this agent who is working for the non-resident owner sends money to the owner from time to time and the owner also receives the same. In such cases, practically there will be nothing left in this State to enable the Government to proceed against, in case there were some arrears. What can the Government do in such

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cases? It may be said that the Government may attach the plantations. But, I must point out that the tax amount that may be due will be only Rs. 100 or so. The plantations will be worth about Rs. 10,000 and more. It will be very difficult to attach the property worth Rs. 10,000 in respect of arrears of Rs. 100. Plantations are not like other properties like houses half of which or portions of which can be sold. Therefore, I feel that it will be difficult to accept the amendment of Sri Balasubramanya Ayyar as it is worded at present without a suitable proviso to enable the Government to collect the arrears from the agents. The agent who is managing the property on behalf of his non-resident principal must keep some cash with him here to pay the tax due to the Government. If he sends all the income to the non-resident principal who may reside elsewhere, there will be some difficulty for the Government in collecting their taxes. When the agent is made liable to pay the tax, he will take care to see that enough money is left in his hands for the purpose of paying the various taxes. As pointed out by Sri Balasubramanya Ayyar, there must be a provision for indemnifying the agent in respect of the payments that he makes on behalf of his principal. There must be some provision to enable the agent to recover the amounts back from the non-resident principal. Of course, it may be said that even in the general law, there is some such provision. But, I would like to point out that it is better that we provide for it even in this Bill. Though the agent is ordinarily entitled to recover the amounts that he might have paid on behalf of the principal, from the principal, to make the position clear we may introduce a specific provision in this Bill itself. In the original Bill there was provision for indemnifying the agent in respect of the payments that he has made on behalf of the non-resident person. This provision is not found in the present Bill. If this indemnity clause could be re-introduced in some form or other, the agent will be protected against all liability when the non-resident principal defaults in paying the tax. I hope this will also meet the point raised by my learned Friend Sri Balasubramanya Ayyar. So far as the amendment moved by him is concerned, I am afraid there will be difficulty in accepting it without some sort of a proviso making it possible for the Government to realize their taxes from the agent who is on the spot."

* THE HON. SRI M. A. MANICKAVELU NAICKER :—"This 4-10 provision applies to cases where there is a non-resident who has some plantation in the State. He resides in another place and has got an agent here to look after the plantations. The wording of the provision is quite clear."

"A person who is residing outside the State and who is in receipt of agricultural income from a plantation in the State shall be liable to pay tax on such income."

Only in such cases, the question of joint and several liability arises. I also submit, Sir, that the phraseology 'joint and several liability' is a very well-known phraseology and its implications also are clear. There is no difficulty in interpreting it.

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"As regards the other point raised by my Friend, Mr. Bhashyam, I shall add it to the things I have listed to be looked into in course of time."

* SRI K. BALASUBRAMANYA AYYAR :—"It is only because of the absence of a clause of indemnity in the Bill that I wanted to say that it would be hard if we made the agent personally liable. When we make him personally liable, we must provide him recourse to a personal suit for recovery of the amount from the non-resident owner. In the absence of such a clause, I am unable to appreciate the existing provision."

MR. CHAIRMAN :—"The question is—

'In sub-clause (1), omit the words beginning with "if the non-resident person", and ending with "severally liable for the tax".'

The amendment was lost.

Clause 11 was put and carried.

Clause 12.

MR. CHAIRMAN :—"Motion moved—

'That clause 12 do stand part of the Bill.'

* SRI K. BALASUBRAMANYA AYYAR :—"Sir, I move the amendment standing in my name, namely :—

'Omit the proviso.'

The proviso says—

'In the case of loss sustained before the commencement of this Act, this section shall apply only to such loss as was sustained in the previous year immediately before such commencement.'

This is rather hard. There will be carrying forward of losses in respect of the previous two or three years also and not necessarily the loss of the previous year alone. This provision will be very hard on those who incur losses in business. The proviso should not be there. It is not there even in the Indian Income-tax Act. There it allows carrying forward of losses up to a period of six years. This proviso is hard and it should go."

* DR. V. K. JOHN :—"I second the amendment."

* THE HON. SRI M. A. MANICKAVELU NAICKER :—"I must oppose the amendment, Sir, because it was thought necessary to limit it only to the previous year. Otherwise, there will be scope for manipulation."

* SRI K. BALASUBRAMANYA AYYAR :—"There cannot be any scope for manipulation because there is the well-known balance sheet system of accounting."

* THE HON. SRI M. A. MANICKAVELU NAICKER :—"What about individuals?"

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* SRI K. BALASUBRAMANYA AYYAR :—"Even in the case of individuals, their accounts are liable to scrutiny. Their accounts are not easily accepted. Further, in the case of individuals, there is no question of loss because in all such cases, only the income of the individual is assessed to income-tax. Ordinary losses incurred by individuals are not at all taken into account. In the case of businessmen, there is the well-known system of balance sheet and auditing. There cannot be mere carrying forward of losses, if there are no losses as such."

MR. CHAIRMAN :—"The question is—
'Omit the proviso.'

The amendment was lost.

Clause 12 was put and carried.

Clause 13.

* SRI K. BHASHYAM :—"Sir, I merely want to speak on this clause. Clause 10 (b) says that any dividend is exempted from assessment to agricultural income-tax. When we exempt a person receiving a dividend on any agricultural income of a company from the payment of this tax, I do not see any purpose in requiring the principal officer of a company to submit returns relating to payment of dividends to the Income-tax Officer. I am unable to see why there should be such a clause at all."

THE HON. SRI M. A. MANICKAVELU NAICKER :—"I too am not exactly able to see the necessity for it. But there being no amendment, let the clause be passed as it is."

Clause 13 was put and carried.

Clause 14.

* SRI K. BHASHYAM :—"Sir, I do not move my amendment but want to speak on the clause. It says that all authorities under the Act shall follow the orders and instructions issued by the Board of Revenue. This is not really correct or proper. It must be 'all lawful orders not inconsistent with the provisions of this Act'. The orders should be in conformity with the provisions of the Act and then only it would be much precise. Then only the necessary lead can be given to the Board to see that all orders are in conformity with the Act. It is with these remarks that I support the clause."

* THE HON. SRI M. A. MANICKAVELU NAICKER :—"I submit, Sir, that the Board of Revenue is a statutory body and I think it will issue only such orders as are consistent with the provisions of the Act. I do not see why the words 'lawful and not inconsistent with the provisions of the Act' should be there. I wonder why an eminent lawyer as my Friend should think that things will not be done justly and properly and that justice will be miscarried."

Clause 14 was put and carried.

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Clause 15.

MR. CHAIRMAN :—" Motion moved—
'That clause 15 do stand part of the Bill.' "

* SRI K. BALASUBRAMANYA AYYAR :—" Sir, I move the amendment standing in my name, namely—
'In sub-clause 3 (c), for the words "the point shall be found against the appellant which they are divided", substitute the following :—

"the point or points on which they are divided in their opinion shall be referred to the third Member and decided according to the view of the majority of the Members." "

It has become almost a pattern in all legislations to say that wherever there is a difference of opinion between two members, the decision shall be against the appellant. Sir, in respect of the Civil Procedure Code, so far as the High Court is concerned, if there is a difference of opinion between two Judges, the High Court says that the view of the senior Judge shall prevail. If the matter is, however, referred to a third Judge for decision, then the view of the majority prevails. We cannot say here that the point shall be found against the appellant. The law is not against the appellant. The law is in favour of justice, whether it is the appellant or the respondent. In the Sales Tax Act also, the same thing is said. The Legislature should not say that the point shall be found against the appellant. This is purely a question of legal procedure and it is for the courts to decide whether the point is to be found against the appellant or not. It is not right for the Legislature to say that. The Judges must find that out. We can only frame certain rules for the purpose of finding out whether the point should be found against the appellant or not. In substance it is all right. But to put in words specifically that if an appeal is heard by a Bench consisting of two members, and the members are divided in their opinions on any point, the point shall be found against the appellant, is not correct. How could the Legislature come in and say that it shall be found against the appellant? In fact the judgment is to be delivered by the Bench. How could the Legislature come in and stipulate that if the two judges are divided, then it shall be found against the appellant. I think there is no precedent for putting in a provision like this. So far as my experience as a lawyer goes, I have not seen any enactment wherein such a provision is stipulated. If there is any precedent, I will bow to it. But so far as I know there is no precedent."

* DR. V. K. JOHN :—" I second Mr. Balasubramanya Ayyar's amendment; at the same time I would like to say that I have myself given notice of a similar resolution. While I do not wish to use harsh words, I would ask the Hon. Mover of this Bill whether this will reflect credit on any civilized Government. I do not want to use harsh words."

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MR. CHAIRMAN :—" Moderate language should be used."

* DR. V. K. JOHN :—" Only unparliamentary language should not be used, Sir. It is a matter of opinion whether the language used is moderate or not."

"There is a provision in this Clause 15 which says that if an appeal is heard by a Bench consisting of two members, and the members are divided in their opinion on any point, then the point shall be found against the appellant. To say that if the two judges differ then the matter will not be referred to the third judge of the Tribunal but that it will go against the appellant is a thing which one could find in no other piece of legislation but only in the legislation which we passed last providing for an Appellate Tribunal in Sales-tax matters, when I strongly protested against such a provision. In the whole history of legislation either in this State or in any other State in India or in the Union Parliament or in Great Britain or in America, you will never find such a piece of legislation in which the Government says that if there are three members and if a case is heard by two members and if the two disagree, then the matter will not be referred to the third member but that the point will go against the appellant. Then 99 per cent of the cases will go against the assessee. Therefore I say this provision should not be there. I say this provision will be very oppressive. The Tribunals are constituted by Government. You have to infuse confidence in the public. The Government are not persons unconcerned with the appointment of members of the Tribunal. It is they who appoint the Members of the Tribunal. Therefore it is but just and proper that they should say that if a case is heard by two Members and if they disagree then the matter should be referred to the third Member and not disposed of against the appellant. I would appeal to the Hon. Mover of this Bill to consider, when this Bill is passed, whether it will reflect credit on our Government, which I consider and hope is a civilized Government and an advanced Government."

* SRI K. BHASHYAM :—" I am rather provoked to speak on this occasion because of some harsh words used by the Deputy Leader of the Opposition. In the first instance I would like the Government to accept the very reasonable request made by Sri K. Balasubramanya Ayyar. I should like to say that this amendment would be more proper if incorporated in the previous clause wherein Government have taken power to appoint the Tribunal consisting of two Members even. We ought to have stipulated that in all cases the Tribunal shall consist of three Members. Then this contingency would not arise at all. But we have passed that clause. Therefore I would like the Government to see to it that they appoint always three Members to the Tribunal."

"As regards the observation of the Deputy Leader of the Opposition, I would like to bring to his notice that there is a provision in the Civil Procedure Code wherein it is said that if two judges hear an appeal and if they disagree, then the lower Court's

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decree is confirmed. Therefore it is not uncivilized, when Government instead of saying that the lower Court's decree shall be confirmed, say that it will go against the appellant. Government could have simply said that the relevant portion of the Civil Procedure Code shall apply. They could have said it in the same words. Instead they have used the present wording. But all the same, it is not uncivilized as the Deputy Leader of the Opposition puts it. If only they have said that the relevant portion of the Civil Procedure Code shall apply in the event of the two judges disagreeing, then this criticism would not have been levelled. If the Government still persist that the present wording is to be retained, let them take care to see that no Tribunal of two Members is appointed; let them hereafter appoint only Tribunals consisting of three Members so that in case of difference of opinion between two Members, the matter could be referred to the third Member for disposal.

"Moreover the present wording of a later clause as it is, is confusing. The meaning is not clear. It is now said under Clause 15, sub-clause 3 (b) that when an appeal is heard by a Bench of two Members and the members are divided in their opinion on any point, *the point shall be found against the appellant* and the members shall, after delivering their separate opinions, pronounce a joint judgment announcing the *result of findings*, if any, on which they are agreed and of the findings recorded against the appellant on points on which they are divided. How could the two judges, when they disagree, give the result of their findings? If one judge, says 'yes', the other says 'No'. When such is the case, how could they jointly pronounce the result of their findings, when the finding of one is contrary to that of the other? That is why I say this present provision will put the judges in an embarrassing position. I think the wording is absolutely wrong. It is impossible for the two judges to act contrary to their conscience. When one says 'Yes' and the other says 'No', how could they give a joint judgment? This will place the judges in an embarrassing position and I do not think any judge would be prepared to accept the post. Therefore I would request the Hon. Minister to look into the matter again. If necessary an amendment could be brought so that the judges may know how to conduct themselves. Meanwhile the Government may also think of not appointing two persons as the Tribunal but always only three persons."

SRI V. CHAKKARAI CHETTY :—"I just want you, Sir, to explain to me what the expression 'civilized Government' means. Civilized Government means Government by civilized people. If it is said 'uncivilized Government' then it is a reflection upon the people because it is the people who choose the Government. Therefore if it said that ours is an 'uncivilized Government' then it is a reflection upon me, upon the speaker who used the word and upon others. Of course I want you to say whether Ministers in their personal capacity could be characterized as civilized or uncivilized. But I believe the Government is a civilized one. I believe we claim to be civilized people and therefore the Government the people have chosen should be a civilized one. It

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cannot be uncivilized. If it is so it will be a reflection upon Dr. John, me and others, for we would also then become uncivilized."

* THE HON. SRI M. A. MANICKAVELU NAICKER :—"Sir, 4-30 p.m.
the provision is based on the principle of majority. But I admit that the expression and the language are not quite happy. It could have been better, as it is in the Civil Procedure Code. Now, there is no difficulty when there is a Bench of three Members and when two have one view, as the majority opinion prevails. The difficulty arises only when there is a Bench of two, and that only happens in certain cases when all the three Members are not available. In order that the decision may not be delayed, it was amended that the Tribunal may also consist of two Members. So, only in such cases wherein they differ, the opinion of the judge of the lower Court will prevail. But it is said it will be found against the appellant. The simple meaning is this: If the opinion of the lower Court is upheld by another Member of the Tribunal consisting of two Members, then there is a majority of two. So, the majority rule is satisfied. That is, two opinions as against one. But the language of this clause is not quite good. That may be bettered, I admit.

"Then, coming to my friend, the hon. Deputy Leader of the Opposition, he can be calm only for a time and he cannot resist being in his usual form. There is no reason why he should invite all the civilization of the world to support his argument. It is unnecessary. In the High Court also when two judges differ in certain cases, the lower Court's judgment prevails. So, there is nothing extraordinary and nothing uncivilized about it. The hon. Deputy Leader of the Opposition has been subjected to such decision all these years. Only here in the Council he gets up and says 'we are uncivilized'. In the Court he cannot do that. Having conformed to that in the Court, he need not express himself so strongly as he has done here."

* DR. V. K. JOHN :—"I want to say one word, Sir. I would like the Government to accept Sri K. Bhashyam's suggestion to have three judges, so that this may not come into operation. But I want to say this. There is no judge from whom an appeal is filed to the Tribunal. It is only an Officer who is assessing and not a judge in the correct sense of the term from whose decision you are appealing to the Tribunal. You cannot introduce the Civil Procedure Code into that. Under the Civil Procedure Code there is a decision given by a judge, a District or a Subordinate Judge. Then it goes to two other judges. Here, there are no Judicial Officers except those who are Members of the Tribunal. Even there, they are quasi-judicial officers. They have not got the independence of judiciary which we have got under the Civil Procedure Code. Therefore, the analogy of the Civil Procedure Code, when you have not got a judge from whom an appeal lies, is not at all correct."

* THE HON. SRI M. A. MANICKAVELU NAICKER :—"He may be an Officer, Sir. But he acts with all the judicial paraphernalia that is necessary."

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* DR. V. K. JOHN :—" He cannot be independent."

MR. CHAIRMAN :—" The question is—

'In sub-clause 3 (c), for the words "the point shall be found against the appellant . . . which they are divided", substitute the following :—

"the point or points on which they are divided in their opinion shall be referred to the third Member and decided according to the view of the majority of the Members." . . .

The amendment was lost.

Clause 15 was put and carried.

Clauses 16 and 17 were put and carried.

Clause 18.

MR. CHAIRMAN :—" The amendment given notice of by Dr. V. K. John to this clause is a negative amendment and it is therefore, out of order. There is no objection however to the hon. Member opposing the clause."

* DR. V. K. JOHN :—" Sir, this is a very extraordinary provision. It was not in the original Bill and I would like the hon. Members of the House to know what Clause 18 is. Clause 18 provides for power to make provisional assessment in advance of regular assessment. Now, under this clause the Agricultural Income-tax Officer may, at any time after the receipt of a return made under section 16, proceed to make in a summary manner, a provisional assessment of the tax payable by the assessee. A partner of a firm or a firm can be assessed like that. Under sub-clause (4) there shall be no right of appeal against a provisional assessment made under sub-section (1). Then, Sir, there is a more extraordinary provision under Clause (5), viz., 'for the avoidance of doubt, it is hereby declared that the provisions of sections 40 and 41 apply in relation to any tax payable in pursuance of a provisional assessment', and Clauses 40 and 41 are penal clauses. Therefore, what the assessing Officer can do is, as soon as a return comes, in the same month he can say 'There is a provisional assessment of a lakh of rupees and pay it within a month'. And if it is not paid, there is penalty which may be perhaps double the amount. There is no appeal against this provisional assessment. There is such a taxation is? Why cannot you wait for the regular assessment? Why cannot you put in more Officers? Now, what will happen is, in every case there will be a return, there will be a provisional assessment, of perhaps double or three times the amount that is actually due, and then after two or three years regular assessment will be made and the excess will be returned. There is no provision even for payment of interest. A more oppressive provision taxation measure can never be imagined. It is not even found in the Indian Income-tax Act. I can find in the Indian Income-tax Act, section 18 (a) which provides for advance payment of tax. That is quite different. That is on the basis of the previous year's assessment, you take advance payment. Perhaps it is advantageous

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to many people to pay in advance, and you get two per cent interest on it. It is not oppressive at all. But section 18 (a) itself in the Indian Income-tax Act was introduced to check inflation in the year the hands of the people as a measure to check inflation in the year 1946. Of course, it is still there. Section 18 (a) of the Indian Income-tax Act is therefore absolutely different. This oppressive provision was not in the original Bill. The Government now wants this oppressive measure to be introduced. To-morrow you will ask for the return of assessment. It will be given. The day after there will be a provisional assessment of many times the amount that is actually due. No appeal lies against it. Penalty will have to be paid and the man will be ruined. Is this a taxation measure that will advance the interest of this industry? I do not know why this is introduced. There was no brain wave for the man who drafted this Bill introducing a provision like this. At the Select Committee stage where everything has to be rationalized, you have introduced a most irrational provision of a provisional assessment without an appeal and with a penalty attached to it. At the leisure of the Income-tax Officer, the final assessment will be made. He will not be in a hurry at all because he has already collected much more. I submit, Sir, that considering every other provision in this Bill, this is the worst that can be imagined and you should not provide for this oppressive measures of taxation."

* SRI K. BHASHYAM :—" I do not know what my friend the Deputy Leader of the Opposition is objecting to. Under the Indian Income-tax Act, you can make a provisional assessment on the basis of the previous year's income. What is done here is not on the basis of the previous year's income at all. It is on the basis of the return made by the person for the year concerned. The authorities take you at your word. You say 'My return shows Rs. 2,000'. They say 'All right, pay on it at once'."

"The wording of the clause is—

'The Agricultural Income-tax Officer may, at any time after the receipt of a 4-40 return made under section 16, proceed to make in a summary manner, a provisional p.m. assessment of the tax payable by the assessee, on the basis of his return and the accounts and documents, if any, accompanying it, after giving due effect to the allowance referred to in section 12.'

(Interruption by Sri K. Balasubramanya Ayyar.) The first point is that there should be no provisional assessment at all. The second point is that provisional assessment is made on the basis of the assessee's return and accounts. The Deputy Leader of the Opposition said that there was provision for advance assessment in the Indian Income-tax Act. There, the assessment is made on the basis of the previous year's income. My point is that it is certainly more in favour of the assessee to pay the provisional assessment made on the basis of his return of income. At the time when the accounts are examined and looked into, if it is found that the assessee has to pay much more than he has paid on the basis of the provisional assessment, he will have to pay more."

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* DR. V. K. JOHN :—" May I ask, Sir, why there should be a provision for the return of the excess collected? "

* SRI K. BHASHYAM :—" I am pointing out that the assessment is based on the return of income given by the assessee."

* DR. V. K. JOHN :—" Why make a refund of the amount collected, if the assessment is made on the basis of the return of income given by the assessee? "

* SRI K. BHASHYAM :—" After looking into the return of income and the documents accompanying it and examining it thoroughly, if it is found that the assessee has to pay much more, are not the Government to have power to collect the full amount? Are the Government to take the return of the assessee as Gospel truth? They can only take it as the basis for making a provisional assessment. In sub-clause (4) it is stated that there shall be no right to appeal against a provisional assessment under sub-section (1). No appeal is provided against the provisional assessment because the assessment is based on the return of the income given by the assessee himself. If the assessee should give the figure Rs. 10,000 as his income, the provisional assessment is made on this Rs. 10,000. What objection can there be to this provisional assessment? After making the provisional assessment under clause 18 on the basis of the return of income from the assessee, regular assessment will be made under clause 17, and if the assessee has to pay something more than that paid at the provisional assessment stage, the assessee will have to pay the balance. I do not understand the difficulty of hon. Members opposite. In fact this clause is much more favourable to assessee than the provisions in the Indian Income-tax Act. This is my view, Sir, and I think this clause as it is quite all right. I do not think any objection can be taken to it."

* SRI K. BALASUBRAMANYA AYYAR :—" Sir, may I say a word? The assessee sends a return of income and also the accounts and documents. When all the accounts are supplied, why there should be a provisional assessment, I cannot understand. Why not make the regular assessment, I ask. What is there which prevents the Government from making the regular assessment? "

* SRI K. BHASHYAM :—" Sir, there are two stages in the matter. The first stage is the stage of provisional assessment on the basis of the return sent by the assessee. The second stage comes when the accounts and documents are thoroughly examined and regular assessment made. The provisional assessment is made without any investigation or examination of the return sent by the assessee. Therefore, regular assessment is made after examining in detail the accounts and documents of the assessee."

* SRI K. BALASUBRAMANYA AYYAR :—" What is the reason for making only provisional assessment in the first instance? Why not make regular assessment at the outset? No reason is furnished to us. Excepting the reason that the Government want

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money, no other reason we are able to see. The assessee does furnish the return of his income and the documents. Why should not the Government have the regular assessment made then and there? Why should there be this provisional assessment? Is it a summary remedy as in the case of a promissory note? In the case of promissory notes, consideration is always presumed. Therefore the law says that in the case of a promissory note there shall be a summary remedy. Let us not here confuse ourselves with advance payment at all. I ask why should this legislature be anxious to say that money shall be paid immediately to the Agricultural Income-tax Officer and any excess collection be refunded to the assessee at the end. Why should there be this summary assessment at all? The assessee produces his return of income along with the necessary documents. The assessee has got the right to be regularly assessed, and no provisional assessment should be made. The assessee can give oral evidence also in support of his accounts. Why should the legislature say that the Government can have this provisional assessment? It is because the Government are very anxious to get money. That is the only reason I can see. However much I want to see all the points of view of Government, I fail to see their point of view in making this provisional assessment."

* DR. A. SREENIVASAN :—" Sir, as one of the assesseees I consider this provision to be rather heinous. When documents and accounts are placed in the hands of the officer in charge of making these assessments, we will only be making him lazy if we allow him to discharge his duty by asking the assessee to pay the provisional assessment first. This will be an indirect method of making these officers lazy. Instead of the Government trying to get the maximum work out of these officers, they will be driving these officers to laziness. Because, once the money is collected by the Government, there will be no incentive for the officer to make a quick settlement of the amount. God only knows how long will it take for the assesseees to get a refund. Therefore, there is no necessity for this provisional assessment. In these hard days, it is very difficult to find the money to pay the Government unless the Government think that they have got prerogative rights over the assesseees."

SRI MOHAMED RAZA KHAN :—" Just one word, Sir. I am really surprised at the support which the Government are having from the hon. Member Sri K. Bhashyam. It is the right of the Members here to bring to the notice of the Government certain things which might have been omitted from the Bill. We need not mix up the issue of advance payment with the provisional assessment here. When an assessee presents his case and says that according to the provisions of the Act he has to pay Rs. 500 or Rs. 1,000 as tax, it is for the Agricultural Income-tax Officer to say whether he accepts the return or whether he is going to disallow certain allowances and come to his own conclusions about the income of the assessee. He may fix his own figure of income and make his assessment thereon. But if the Agricultural Income-t-

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Officer is to make a provisional assessment first and then regular assessment, the temptation will be to delay matters and it is very likely that refunds are made after one or two years. Even under the Sales Tax Act there are cases like this which have not been decided for years together. If there is no provision for provisional assessment, the officers will at the outset examine the accounts thoroughly and make their assessments. But now the officers can make their final assessments after a long time. It may be after one or two years even.

"In the matter of the collection of sales tax, when once accounts are given, there may be a definite case for the Government to collect something more than they have already assessed. Wherever there is provision for provisional assessment, monthly payments are made and at the end of the year the accounts are gone through and final assessment is made. On the basis of the figures given by the assessee, the provisional assessment is made, and at the end of the year final assessment is made. But the Government instead of making this provisional assessment may provide for making the regular assessment in the first instance. While I quite appreciate the difficulties of the Government in accepting the amendment now I say that there is no point in saying that this Bill will have to go to the Assembly if the amendment is to be accepted. That argument would mean that all our discussions are of no use. Whenever a flaw is pointed out to the Government, it is good for them to accept it or have it examined. Once they accept the amendment, they can take it to the other House for acceptance there."

4-50 P.M. * THE HON. SRI M. A. MANICKAVELU NAICKER:—"Sir, it is said that diamond cuts diamond, and I am glad that there is more than one diamond here. All the points raised by hon. Members opposite had been very ably met by my hon. Friend Sri K. Bhashyam. I am thankful to him for that. It has been said that there is a flaw in this clause. There is absolutely no flaw or difficulty. What is sought to be done is this. There has to be a provisional assessment. In the first instance, we take whatever is given by the assessee. Whatever be the return that he submits in the first instance, we make the provisional assessment on the basis of that return."

* DR. V. K. JOHN:—"In that case, why should we say in sub-clause (6) 'where the amount paid towards the provisional assessment exceeds the amount payable under the regular assessment, the excess shall be refunded to the assessee'? This means that the Government will be collecting from the assessee more than what is due to them."

* THE HON. SRI M. A. MANICKAVELU NAICKER:—"Sir, I am afraid the hon. Deputy Leader of the Opposition has forgotten the meaning of the word 'provisional'. I said that it was a rough assessment. When we go into the accounts more fully we may find some excess collections. In certain cases, we may have even collected less amounts. If there is an excess, we return it."

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I don't think it is the contention of the hon. Deputy Leader of the Opposition that we should not refund this excess amount. I hope that is not his idea. As I said, in the first instance we proceed on the basis of the return submitted by the assessee. So, the present arrangement is to the advantage of the assessee himself. Option is given to him to submit such returns as he thinks to be correct. Then, the assessing authorities make the assessment on the basis of such returns. Later, the authorities go into the accounts in a detailed manner and find out the correct position. Hon. Members belonging to the legal profession are perhaps aware that in Courts, there is what is called an 'interim decree.' What is the purpose in passing an interim decree? Before knowing the full implications of what a final decree is going to be, the Court passes the interim decree. Afterwards, when the Court has gone into all the details pertaining to the case it passes the final decree. It is on this basis we make the provisional assessment. When the whole matter is gone into at a later date, if there is any excess, we refund it. If we find that we have to get some more amount from the assessee, we collect it. So, I do not think there will be any difficulty in regard to this matter. The hon. Deputy Leader of the Opposition tried to make out that there was some difficulty. But I fail to see any such difficulty as suggested by him."

Clause 18 was put and carried.

Clauses 19 and 20 were put and carried.

Clause 21.

* SRI K. BHASHYAM:—"Sir, I am not moving any amendment to this clause. I only want to make a few observations on this clause. I would like to know what the intention of the Government is in respect of this clause. It is said here that if a person, with a view to evading liability to income-tax or reducing his liability, enters into partition or some other arrangement, he will nevertheless be taxed. Ordinarily, in the case of a joint family, partition can be done legally. Even under the Indian Income-tax Act, partition is recognized. Take the case of partnership. If there was a dissolution of partnership and if there was reduction in liability in respect of a particular person, why should we penalize him by saying that we will not recognize the fact that his liability has been reduced? If a person evades liability it is one thing. In the case of an undivided family, the persons concerned may have been paying a higher amount as tax. But, when the family has been divided, the income of the individuals will also be less and their liability to tax will also be reduced. There is no point in asking them to pay the higher amount even after partition. In such cases, when the person's liability is reduced, he should not be penalized. Therefore, I request the Government to reconsider this clause 21 and omit the words 'or reducing' from this clause."

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* THE HON. SRI M. A. MANICKAVELU NAICKER :—" I closely listened to what the hon. Member was saying. But still I am not convinced as to how the necessity arises for omitting the words 'or reducing'. When an association is formed for the purpose of evading or reducing a person's liability, we must see that such a thing does not happen. I do not see a shadow of difference between 'evading' and 'reducing'. Anyway, I shall have the suggestion of the hon. Member examined."

Clause 21 was put and carried.

Clause 22 was put and carried.

Clause 23.

* SRI K. BHASHYAM :—" Sir, though I am not moving any amendment as such to this clause, I wish to say a few words on the clause itself. The proviso to this clause is somewhat difficult to follow and I should say it is somewhat oppressive. It says, 'Provided that when the transferor cannot be found, the assessment of such agricultural income of the previous year in which the transfer took place up to the date of the transfer and for the years preceding that year shall be made on the transferee in like manner'. It is said, 'for the years preceding'. I should like to ask, 'For how many years?' Suppose a person gets the transfer of a plantation on a particular date, and suppose there were arrears of tax remaining unpaid for a number of years prior to that date. According to this clause read with the proviso, the transferee is liable to pay all the arrears. Whatever be the arrears, whether they were arrears of 5 years, 6 years or even 10 years, he has to pay. We know there is some sort of secrecy in income-tax matters. The transferee cannot therefore get information from the Income-tax authorities with regard to the exact amount that the transferor has to pay as tax and for how many years he is in arrears. If the transferee is saddled with the responsibility of paying the arrears of income-tax, he will be put to lot of difficulties. We should definitely state that he will be liable to pay the arrears in respect of so many years. Let the Government say that he will be liable to pay the arrears for the year preceding the transfer. There must be some such specific provision. At present it is left very vague. This clause will discourage all transfers. Nobody will be prepared to take the plantations on transfer, because one will not have an idea as to the exact amount of arrears, and for how many years the tax was not paid. That is why in the amendment that I had given notice of I had suggested that the words 'for the year' may be substituted for the words 'for the years'. If we make the transferee liable to pay the arrears in respect of one year, I can understand it. But, if we make the transferee liable to pay the tax in respect of 10 or even 20 years—because there is no limitation for Government dues—it will be very hard on him. When a person takes the plantation *bona fide* on transfer for full consideration and when he does not know at that time the exact

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amount of arrears, it will be most unfair to make him liable to pay the arrears in respect of a number of years. That is my submission to you, Sir."

* THE HON. SRI M. A. MANICKAVELU NAICKER :—" Sir, a difference is sought to be made between clause 23 and clause 28. Clause 23 relates to transfer of right in plantation. Clause 28 deals with change in constitution of a firm. In the proviso to clause 28, it is stated that '... when the person who succeeded in the business cannot be found, the assessment of the agricultural income of the year in which the succession took place up to the date of succession and for the year preceding that year shall be made on the person succeeding him ...'"

* SRI K. BHASHYAM :—" But, clause 28 deals with firms and business concerns."

* THE HON. SRI M. A. MANICKAVELU NAICKER :—" 5 p.m.
" Whatever it is, when a person takes over certain rights and liabilities on transfer, he is supposed to know the full implications of the transaction. That is what we thought."

Clause 23 was put and carried.

Clauses 24 to 30 were separately put and carried.

Clause 31.

MR. CHAIRMAN :—" Motion moved—

'That clause 31 do stand part of the Bill'."

* SRI K. BALASUBRAMANYA AYYAR :—" Sir, I move the amendment standing in my name, namely,—

'In sub-clause (1), omit the proviso'.

Sub-clause (4) of clause 17 says—

"If any person fails to make a return under sub-section (2) of section 16, or fails to comply with all the terms of a notice issued under sub-section (4) of that section or under sub-section (2) of this section, the Agricultural Income-tax Officer shall make the assessment to the best of his judgment."

As far as this provision is concerned, clause 31 says that there shall be no appeal. I want this proviso to go because the Appellate Court, if it is satisfied that the return was not made for sufficient reasons, can very well try to revise the assessment on the basis of returns that it might ask the assessee to submit at that stage. In order to give the assessee an opportunity to show to the court that he could not submit the return in time for reasons he could not foresee, I want this provision. I think the assessee has got the right to do so. Therefore, it is, Sir, I want that the proviso should go."

* DR. V. K. JOHN :—" I second the amendment."

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* SRI K. BHASHYAM :—“ Sir, I would like to endorse the appeal made by my friend, Mr. Balasubramania Ayyar, because even if an assessee for sufficient reasons does not submit the returns in time, the assessing officer is permitted to go upon the material before him and make the assessment. Very often this is done in a revengeful spirit. So far as the Indian Income-tax Act is concerned, I know a number of such cases. Sometimes the notional assessment is very high and operates as a sort of penalty on the assessee so that he might submit his return in time at least better the next year. In fact, this was the reason given by an Income-tax Officer to me. We must put a check on such ‘ aberrations ’ on the part of the assessing authority. We have got an appellate tribunal. That body must be given discretion to see whether the assessee was treated in the manner in which he ought to have been treated. So, I would request the Government to look into the matter and see whether anything can be done.”

* THE HON. SRI M. A. MANICKAVELU NAICKER :—“ I shall certainly look into the matter. But I wish to submit this. If the proviso is not there, returns will not be submitted at all in time. Nobody would be anxious to submit returns. Further clause 19 provides that if the assessee satisfies the Agricultural Income-tax Officer that he was prevented for sufficient reasons from submitting the return required by him, then he can cancel the assessment and proceed to make a fresh assessment. There is also another clause, clause 34, which empowers the Commissioner to call for the record of any proceeding under the Act which has been taken by any authority subordinate to him and pass such orders thereon as he thinks fit. Therefore, I think the proviso should be there.”

* SRI K. BALASUBRAMANYA AYYAR :—“ I withdraw my amendment.”

The amendment was by leave of the House withdrawn.

Clause 31 was put and carried.

Clauses 32, 33 and 34 were put and carried.

Clause 35.

MR. CHAIRMAN :—“ Motion moved—

‘ That clause 35 do stand part of the Bill.’ ”

* SRI K. BALASUBRAMANYA AYYAR :—“ Sir, I move the amendment standing in my name, namely,—

‘ Add the following as new proviso :—

“ Provided also that the Agricultural Income-tax Officer shall not issue a notice under this sub-section unless he has recorded his reasons for doing so and the Commission is satisfied on such reasons recorded that it is a fit case for the issue of such a notice.”

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Sir, this clause deals with escaped assessments. It says :—

‘ 35. *Income escaping assessment.*—If for any reason agricultural income chargeable to tax under this Act has escaped assessment in any financial year or has been assessed at too low a rate, the Agricultural Income-tax Officer may, at any time, within three years of the end of that year serve on the person liable to pay the tax or, in the case of company, on the principal officer thereof a notice containing all or any of the requirements which may be included in a notice under sub-section (2) of section 16 and may proceed to assess or re-assess such income, and the provisions of this Act shall, so far as may be, apply accordingly as if the notice were a notice issued under that sub-section.’

My amendment is intended to avoid issue of notices on unnecessary suspicion. If there are sufficient reasons for issuing a notice, let the officer record them so that the Commissioner may also be satisfied about them. This is a further safeguard and it is only reasonable and proper that there should be such a provision. I do not plead for anybody who escapes assessment. He of course should be dealt with in as good or as bad a way as possible. I am not on that at all. Where the department proceeds to give notice to the assessee, the reasons for the issue of the notice should be recorded. Let the Commissioner also be satisfied administratively. There can be no harm in providing these safeguards. If the Government cannot incorporate this provision in the Act itself, they can do it under the Rules.”

* DR. V. K. JOHN :—“ I second the amendment.”

* SRI K. BHASHYAM :—“ I hope the Government will view this amendment favourably. If they cannot do it now they may do it when they frame rules. But I have an objection to the entire clause itself which is somewhat fundamental. It is very difficult to decide what is ‘ escaped assessment ’. An assessment might escape for no fault of the assessee or the assessing authority. In my own case such a thing has happened. I was given exemption in respect of my income in a particular year by the then income-tax officer. But in the next year, another officer came and said : ‘ It was all wrong; the exemption was wrong. I do not think it is proper and so I assess you to tax for the whole period, including that for which exemption was given ’. I did not pursue the matter because the amount involved was small. But it may happen that the sum is considerable in certain cases. For how long back the officer can go to find out the escaped assessment?

“ In the case of Income-tax Act, it was six years. If there is 5-10 an income escaping assessment, it could be brought for re-consideration. Now I know they have extended the period from ‘ six ’ to ‘ eight ’ years. But there is no such limitation so far as clause 35 is concerned. P.M.

“ I respectfully submit to the House that if there is an income escaping assessment, it need not always be taken that the assessee has deliberately escaped assessment. If it is a concealed one, if the assessee had deliberately concealed his income, then it is a different matter. The assessee ought to be booked and the necessary penalty levied. But that need not always be the case. There

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is no question of *bona fide* involved in all transactions. Suppose the assessee claims exemptions from tax for some genuine transaction of his. He may bring it to the notice of the authorities. In that case we cannot say that he has deliberately concealed his income. He may protest that he has been charged a higher rate and he may claim reduction in the tax. Such cases are there. Therefore in all cases we need not penalize the persons concerned. Only in cases wherein there has been concealment of income deliberately, the persons need be penalized. Again in the case of companies, it may be very difficult. Suppose a company has distributed dividends to the shareholders. They would have adjusted their accounts on that basis in a certain manner. Suppose you examine the accounts after 12 years and then begin to reassess . . .

* THE HON. SRI M. A. MANICKAVELU NAICKER :—" In line 4 of Clause 35, the limit of 'three years' has been prescribed."

* SRI K. BHASHYAM :—" I am very sorry that has escaped my notice. I did not see it. I apologise for what I have said. Therefore I will stop saying anything more."

* THE HON. SRI M. A. MANICKAVELU NAICKER :—" It is made clear that the escapement only refers to three years. Even if in spite of it, there is a grievance for the assessee, then there is the provision for him to appeal. Even if that is not satisfactory, then I would say that we would consider what the hon. Member had suggested and see what could be done under the rule-making power of Government. I will see what could be done when we frame the rules."

MR. CHAIRMAN :—" The question is—

'Add the following as new proviso :—

"Provided also that the Agricultural Income-tax Officer shall not issue a notice under this sub-section unless he has recorded his reasons for doing so and the Commissioner is satisfied on such reasons recorded that it is a fit case for the issue of such a notice." "

The amendment was lost.

Clause 35 was put and carried.

Clauses 36 and 37 were put and carried.

Clause 38.

* SRI K. BHASHYAM :—" I would like to say something on this clause even though no amendment has been moved to this Clause.

"There have been cases where powers have been given to the Tribunal for the purpose of not only compelling witnesses to produce documents, to give evidence but they have been given the power to take also additional evidence. I remember one case. It was with

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reference to the Rent Control Act. A case was disposed of in the first Court in one way. The matter came in appeal to the Small Causes Court. The Chief Judge of the Small Causes Court linked another evidence. He sent it back to the lower Court for the purpose of investigation and trial. But the High Court has held that if a matter came in appeal from a lower Court, then the next higher Court (in this case the Small Causes Court) should decide the case as it came in appeal and decide the case. Therefore instead of saying that the Appellate Tribunal, Assistant Commissioner of Agricultural Income-tax, etc., shall have power to—

(a) enforcing the attendance of any person and examining him on oath or affirmation;

(b) compelling the production of documents; and

(c) issuing commissions for the examination of witnesses, and for ascertaining the yield and cultivation expenses in respect of any plantation; etc.

it would be better to say that all the provisions of the Civil Procedure Code shall apply. We need not limit the power only to the three cases (a), (b) and (c) referred to Clause 35."

* SRI K. BALASUBRAMANYA AYYAR :—" I support what Mr. Bhashyam has said. It is very reasonable to apply all the provisions of the Civil Procedure Code to the Appellate Tribunal rather than saying that they will have power only in respect of sub-clauses (a), (b) and (c) of Clause 35, viz., to enforce the attendance of persons, for compelling the production of documents and for issuing commission for the examination of witnesses, etc."

* THE HON. SRI M. A. MANICKAVELU NAICKER :—" Yes, Sir, I shall have them examined."

Clause 38 was put and carried.

Clauses 39 and 40 were put and carried.

Clause 41.

MR. CHAIRMAN :—" Motion moved—

'That clause 41 do stand part of the Bill.' "

* SRI K. BALASUBRAMANYA AYYAR :—" Sir, I move the amendment standing in my name, namely,—

'In sub-clause (1), lines 4 and 5, after the words "a sum not exceeding" and before the words "that amount" insert the words "one-eighth of".'

It is said that when an assessee is in default in making a payment of the agricultural income-tax, then the Agricultural Income-tax Officer may direct that in addition to the amount of the arrears, a sum not exceeding that amount shall be recovered from the assessee by way of penalty. I think it is rather a harsh provision.

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If there is a fraudulent concealment of income or wilful non-payment, then I could understand such a penalty being levied. But suppose there has been a delay of one or two days. Then because of the present wording of sub-clause (1), if the Officer decides in his discretion, he may levy as penalty the whole amount the assessee has got to pay. I think to generalise like that will work hardship on the assessee. There may be genuine cases wherein some delay has occurred. That is why I have given notice of an amendment to make the penalty 1/8th of the amount."

* SRI V. K. JOHN :—" I second the amendment, Sir."

* THE HON. SRI M. A. MANICKAVELU NAICKER :—" Only the maximum amount is mentioned. It is in the Officer's discretion to levy the penalty at a much lesser rate. But there should be something in the nature of penalty. Instead of fixing such a low figure as 1/8th of the amount as the penalty, we can as well remove the penalty clause. It must be something more. But let me state that in all cases the penalty need not be the maximum. It is left to the discretion of the Agricultural Income-tax Officer."

MR. CHAIRMAN :—" The question is—

'In sub-clause (1), lines 4 and 5, after the words "a sum not exceeding" and before the words "that amount" insert the words "one-eighth of".'

The amendment was lost.

Clause 41 was put and carried.

Clause 42.

MR. CHAIRMAN :—" Motion moved—

'That clause 42 do stand part of the Bill.'

* SRI K. BALASUBRAMANYA AYYAR :—" Sir, I move the amendment standing in my name, namely,—

'Omit sub-clause (1).'

I say the present sub-clause (1) will be very harsh. There may be other members of the family who may not be liable for the tax at all. Even in the ordinary law it is provided that the right and interest of the member in the property will go to the purchaser. Under our Hindu Law it is provided that if a member's interest in a joint family property is sold, the right and title of the member goes to the purchaser. That is what the Hindu Law accepts. Therefore to say that the title and interest of all the members of such family shall pass to the purchaser, is rather harsh. That is why I say that sub-clause (1) may be omitted. It is easy for the Government to sell the property outright. There will be purchasers available to buy the whole interest of the family property. But the provision under the Hindu Law should be understood wherein the

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interest and title of the member of a joint family go to the purchaser. Therefore to say that the interest of all the member of the family shall pass on to the purchaser, is rather a harsh provision. That should be omitted."

The amendment was duly seconded.

* DR. V. K. JOHN :—" I submit, Sir, that this Clause is, in my opinion, a very curious provision. It does not say that when any interest of a member of any Hindu undivided family is sold, the interest of all members will be considered to have been sold. But at the same time there is a provision that the right, title and interest of all the members of such family, branch, tarwad, or tavazhi in the property shall pass on to the purchaser. I cannot understand it at all. If the tax is payable by the Hindu undivided family, an Aliyasantana family or branch, or a Marumakkattayam tarwad or tavazhi, then of course the whole property will be considered to have been sold. You need not make a provision that the interest of all the members will be considered to have been sold. But the idea behind it (although it is not expressed as usual when Bills are drafted and brought before the House) is that if the interest of any member is sold, the interest of other members also shall be taken by the purchaser absolutely. This is very strange. If A owes money and his interest in some joint family property is sold, then the interests of B, C and D in that property also will be considered to have been sold. That means when A owes the money, it can be realised from B, C and D. Do the Government realise that this is the strange result of Clause 42 (1)? When your assessee is one, you can collect the money from another and you can sell away the property of another. Suppose it is a partnership. Can you sell away the interest of all other partners when you have a claim against only one partner? If it is an undivided family, the law says that a member has an interest and when he dies, it does not go by succession but goes by survivorship. It is very strange indeed that such a clause should have been introduced which finds no place in the Indian Income-tax Act. The Hon. Minister in charge of the Bill might say that the Deputy Leader of the Opposition is using very harsh words. Sir, can you condemn this Clause 42 (1) in any language which is not harsh? It looks to me so absurd that this could have been introduced into a Bill and the Government should like to have it passed in this House, the Legislative Council, where there are educated members who can scrutinize this provision. And you think that this will go through this House also because you have got a majority in this House. As the Speaker of the Bombay Assembly said now-a-days, members are like rubber-stamps who will vote for anything. Do you mean to say that this Clause as it is should pass through this House? I submit, Sir, it does not throw any credit on this House itself to pass this clause which is so badly worded and the intention behind it is so oppressive and so bad. Even though the Government get this measure passed by this House, I desire that they should

5-20
P.m.

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<i>Serial number, name and designation of the Government servant.</i>	<i>Date of re-employment.</i>	<i>Date of expiry of term.</i>
32 Dr. K. V. Kakku, Municipal Health Officer, Pollachi.	1st March 1954 ..	28th February 1955.
33 Sri R. Jayaram Iyer, Registrar, High Court, Madras.	30th October 1954..	29th October 1955 afternoon.
34 Sri I. B. Mazumdar, Assistant Manager (Mines), Lignite Project, Neyveli.	12th April 1954 ..	11th April 1955.
35 Sri M. Akilandam Pillai, Industrial Tribunal, Madras (retired District and Sessions Judge).	28th February 1954.	27th February 1956.
36 Sri S. Soundarajan, Industrial Tribunal, Coimbatore (retired District and Sessions Judge).	1st April 1953 ..	31st March 1955.
37 Sri K. Chakravarthi, Special Industrial Tribunal for Plantations, Coimbatore (retired District and Sessions Judge).	24th January 1954.	23rd January 1955.
38 Sri D. P. Roy Chowdry, Principal, School of Arts and Crafts, Madras.	14th June 1954 ..	13th June 1957.
39 Sri B. Abrahams, Inspecting Dredging Engineer.	8th July 1946 ..	7th July 1956.
40 Sri G. Sundaram, part-time Consulting Engineer to Government (Electricity).	1st April 1954 ..	31st March 1955.
41 Sri S. R. Krishnamurthy, part-time Consulting Engineer to Government (Civil).	Do.	Do.
42 Mr. R. Mc. G. Morren, Assistant Generation Superintendent, Madras Electricity System.	29th August 1947..	28th August 1957.
43 Sri K. M. Subramaniam, Chief Controller of Accounts.	16th September 1953	15th September 1955.
44 Sri N. Padmanabha Ayyar, Special Chief Engineer, Public Works Department.	10th August 1954 ..	10th February 1955.
45 Sri K. Subramaniam, General Superintendent, Public Works Workshops, Madras.	30th June 1954 ..	30th December 1954.

[17th March 1955]

APPENDIX II.

[Vide answer to unstarred question No. 19 asked by Sri V. Gurusundaran Row at the meeting of the Legislative Council held on 17th March 1955, page 568 supra.]

Gazetted Staff.

Assistant Transport Commissioner.	Traffic Superintendents.
Assistant Secretary.	Assistant Engineers.
Labour Welfare Officer.	Stores Officer.
Accounts Officer.	Medical Officer.
Deputy Accounts Officer.	Works Manager.
Mechanical Engineer.	Workshop Engineer

Non-Gazetted.

Workshop Superintendent.	Maistries.
Superintendents—Office.	Blacksmith Maistry.
Divisional Accountant.	Blacksmiths.
Accountant.	Hammerman.
Store-keeper.	Lubricating Inspectors.
Upper Division clerks.	Lubricating Assistant.
Assistant Store-keeper.	Cleaners.
Stock Verifier.	Apprentice Cleaners.
Cash-keeper.	Carpenter Maistries.
Lower Division Clerks.	Carpenters.
Telephone Operators.	Painters Maistries.
Steno-typists.	Spray Painters.
Typists.	Painters.
Shroffs.	Painter Assistants.
Compounder.	Letter Painters.
Traffic Managers.	Assistant Painters.
Motor Vehicle Inspector.	Tyreman.
Traffic Inspectors.	Tyre Vulcaniser.
Accident Inspectors.	Liners.
Driving Instructor.	Assistant Liners.
Drivers.	Tinker Maistry.
Conductors.	Tinkers.
Time-keepers.	Tinker Assistants.
Checking Inspectors.	Turners.
Parking Controllers.	Welders.
Petrol Pump Operators.	Batteryman.
Stand Cleaners.	Electroplater.
Supervisor.	Scrubbers.
Draftsman.	Helpers.
General Foreman.	Cutters.
Technical Assistant.	Tailors.
Chief Foreman.	Liners.
Foremen (including Electrical Foreman).	Reborer.
Mechanics.	Moulder.
Machanical Draftsman.	Attenders.
Electricians.	Peons.
Fitters.	Watch-ward Inspector.
Fitter coolies.	Watchmen.
Radiator Fitter.	Scavengers.
Bench Fitters.	Sweepers.

[Dr. V. K. John]

[17th March 1955]

consider bringing an amending Bill to this Clause 42 (1) which was not in the original Bill. There is no analogous provision in the Indian Income-tax Act, and you say that when A owes money and when you go against A, you will take the property of B, C and D. A more oppressive piece of legislation I do not think ever passed through a House of a Legislature."

* SRI K. BHASHYAM :—" I should like to point out that you will be penalising the members of the joint family for negligence and mismanagement by its manager. That is what will come to even in the case of a Manager of a Hindu undivided family, an Yejaman of an Aliyasantana family or branch or the Karnavan of a tarwad or tavazhi. Therefore, Sir, it will be better if as a matter of fact it is stated that notice shall be given before such assessment takes place to the other members of the family as well to see that they pay the arrears. Why I say that is this. Under Clause 2 (g) a person means an undivided Hindu family and under Clause 3 (3) tenants-in-common are provided for. Therefore, if under Clause 2 (g) you really take the joint family as one unit and if that person is in arrear and the property is sold, it stands to reason that the whole property should be considered to have been sold. But before you do so, justice requires that the other members of the family should have notice of the arrears. That is what I would like the Government to think of. Moreover, the clause does not say 'income-tax due by the family'. If it were so, that will be something. I should like that under the Rules to be made a provision that in the case of a Hindu undivided family notice shall be given to other members of the family, if possible, before the sale takes place, should be incorporated. I hope the Government will consider this."

"The other objection I would like to make is under the second Clause, i.e., Clause 42 (2) which is much more difficult for me to follow. The clause runs like this—

'Where any person has been assessed to agricultural income-tax on the agricultural income derived from a plantation held by him wholly or partly for the benefit of other persons and the tax payable by him is in arrears, the plantation so held by him may be attached and sold for realization of such arrears and on such sale, the right, title and interest of such person in the said plantation shall pass to the purchaser.'

'Interest of which person' I ask. In the case of a person who is a beneficiary in respect of a portion of the property, I do not understand what is meant by 'interest of such person'."

* DR. V. K. JOHN :—" Nobody understands it."

SRI K. BHASHYAM :—" I would like the Hon. Minister in charge to look into it carefully. If the plantation is held by a person wholly for himself and in such a case if the property is sold, the interest of that person must pass on to the purchaser. If the plantation is held partly for himself and also for the benefit of other persons and if the person who acts as a trustee is in arrear, his interest alone will pass to the purchaser and not the interest of the other beneficiaries. Therefore, in one case the whole interest passes

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[Sri K. Bhashyam]

and in the other case, only partial interest passes. It must be made clear. As things stand, it looks to me that it is difficult to work out the rights of the purchaser of the property. Hence, the purchasers will be disinclined to purchase the property which is sold under such ambiguous terms of the section as it stands."

* DR. V. K. JOHN :—" It will give head-ache to Courts."

* THE HON. SRI M. A. MANICKAVELU NAICKER :—" The hon. Mover of the amendment himself has said that the language of the Clause is a little confusing. I share his feeling, Sir. Since the hon. lawyer members of this House also feel that there is a lacuna and a little confusion, I will take steps to see that it is made clear. It is a question of interpretation of words. It is likely to be interpreted in other ways. There is scope for it. Therefore, that will be gone into and the necessary provision will be made."

MR. CHAIRMAN :—" The question is—

'Omit sub-clause (1).'

The amendment was lost.

Clause 42 was put and carried.

MR. CHAIRMAN :—" The House will now adjourn and meet again tomorrow at three of the clock."

The House then adjourned.

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

* 1. Amendments to rules made under the Madras Co-operative Societies Act, 1932, issued with G.O. Ms. No. 75, Industries, Labour and Co-operation, dated the 10th January 1955.

2. Notification No. 184 issued with G.O. Ms. No. 476, Home, dated 23rd February 1955, regarding exemption of car belonging to German Consul at Madras and official car of German Consulate from payment of tax under the Madras Motor Vehicles Taxation Act, 1931 (Madras Act III of 1931).

THE MADRAS LEGISLATIVE COUNCIL.

Friday, the 18th March 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.

Municipal water-supply system at Ootacamund.

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

(a) when the present Municipal Water-supply system at Ootacamund was installed;

(b) the population of Ootacamund the original scheme was designed to serve;

(c) its present population; and

(d) what arrangements have been or are proposed to be made to improve the water-supply in the town to suit modern needs?

THE HON. SRI A. B. SHETTY :—“(a) In the year 1897, Sir.

“(b) 14,900.

“(c) 41,414 (as per 1951 census).

“(d) The field work for the investigation of the comprehensive improvements has now been completed and the report is being prepared by the Sanitary Engineer.”

SRI T. PURUSHOTHAM :—“May I know, Sir, whether the Government have included the improvement of the water-supply system in this town for aid under the Five-Year Plan?”

THE HON. SRI A. B. SHETTY :—“The investigation report is under scrutiny. The proposed improvements will be taken up early.”

SRI T. PURUSHOTHAM :—“Are the Government aware, Sir, that visitors and tourists are put to great hardship on account of water shortage in the hotels at Ootacamund, and would the Government advise the Sanitary Engineer to the Government to take up this matter with the municipality to see that some make-shift arrangement is made for ensuring adequate water-supply during the ensuing season in Ootacamund?”

THE HON. SRI A. B. SHETTY :—“I shall have the suggestion of the hon. Member considered.”

[18th March 1955]

SRI T. PURUSHOTHAM :—“ Will the Hon. Minister please tell us whether the Government have included Ootacamund (Queen of the Hill stations) as a tourist centre, and whether they have made any representations to the Union Government to develop this hill station as a first-class tourist centre? ”

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

SRI T. PURUSHOTHAM :—“ Will the Government consider the possibility of holding a session of our Legislature in Ootacamund just to keep this Queen of Hills as attractive as in the olden days? ”

THE HON. SRI A. B. SHETTY :—“ I may tell the hon. Member that this supplementary question has nothing to do with the main question.”

DR. V. K. JOHN :—“ Sir, are the Government aware that the water-supply system in many other municipalities also is not satisfactory, especially at Kodaikanal, which is another health centre? ”

THE HON. SRI A. B. SHETTY :—“ It may be so, Sir. I know the hon. Member has a permanent residence there, and therefore he must be well acquainted with the needs of the place.”

Purchase of radium needles for the Barnard Institute of Radiology.

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

(a) whether purchase of radium needles for the Barnard Institute of Radiology was made in 1947;

(b) if so, 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 sub-standard 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

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(h) whether any amount has been recovered from him so far and if not, why not?

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

“ (b) 694. 70 mgms. of radium needles at a cost of rupees 67,314-14-7.

“ (c) Payment was made to the supplier under the orders of Government.

“ (d) Yes, in 1952.

“ (e) Yes. The Director of the Barnard Institute of Radiology.

“ (f) Yes, Sir.

“ (g) No, Sir.

“ (h) Does not arise.”

DR. A. SREENIVASAN :—“ May I know, Sir, whether the Government ordered the payment without knowing anything about the purity of the radium? The officer in-charge of the radium department should have advised payment. If so, did he examine the article he received from the consignor before he advised the Government to order payment? ”

THE HON. SRI A. B. SHETTY :—“ The order for the radium was placed by the Superintendent of the Government General Hospital. There was no office of the Director of Barnard Institute of Radiology at that time. When the needles were received, the bundle of certificates received with the consignment was handed over by the Professor of Radiology to the Physicist of the Institute to examine and tally them with the indent placed and report on their correctness or otherwise. The Physicist reported that the certificates tallied with the order placed. He reported after a lapse of three months that the purity certificates were not received from the suppliers. The matter was immediately taken up with the company which said that the certificates were not supplied by oversight and that they would be supplied soon.”

DR. A. SREENIVASAN :—“ How can the Government order payment to an article when it is not accompanied by the purity certificate? ”

THE HON. SRI A. B. SHETTY :—“ The payment was made by the Superintendent, Sir.”

DR. A. SREENIVASAN :—“ The Superintendent was a person to whom radium was practically unknown. The then Superintendent of the Barnard Institute of Radiology should have advised the Superintendent of the Government General Hospital that everything was all right and therefore payment could be made.”

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APPENDIX I.

[Vide answer to starred question No. 236 asked by Sri T. Purushotham at the meeting of the Legislative Council held on 17th March 1955, page 560 supra.]

List showing the retired Gazetted Officers in this State who are under re-employment as on 1st November 1954 and the date of expiry of their term.

Serial number, name and designation of Government servant.	Date of re-employment.	Date of expiry of term.
1 Sri D. M. Arpudaswami Pillai, Superintendent, Government Estate (retired District Superintendent of Police).	12th January 1954 ..	31st December 1955.
2 Sri S. Nataraja Nadar, retired District and Sessions Judge, appointed as Tribunal for Disciplinary Proceedings, Madras.	1st January 1954 ..	Do.
3 Sri R. V. Krishna Ayyar, Honorary Secretary to the State Legislature.	From 24th April 1952 as Secretary to State Legislature and from 24th April 1954 as Honorary Secretary to State Legislature.	23rd April 1955 afternoon.
4 Dr. C. Ramachandra Ayyangar, retired Civil Surgeon.]	21st July 1953 ..	The Governor is the appointing authority and the Surgeon holds the appointment at the pleasure of the Governor. Only retired Civil Surgeons are appointed to the post on an honorarium of Rs. 200 per mensem.
5 Sri C. S. David, Special Officer, Home Department.	11th August 1955. (Recalled from leave.)	28th February 1955.
6 Sri H. Narahari Rao, Poultry Development Officer.	1st October 1954 ..	31st December 1954.
7 Dr. M. R. Guruswami Mudaliar, Honorary Director of Indigenous Medicine.	30th June 1949 ..	30th June 1955.
8 Dr. A. Srinivasulu Naidu, Dean, Hospital and College of Indigenous Medicine.	1st July 1953 ..	Do.
9 Dr. M. A. Azeem, B.A., LL.B. (Cantab.), BAR-AT-LAW, retired District and Sessions Judge, who was Vice-Principal of this college prior to his appointment in the Judicial Department, Professor, Law College, Madras.	Do.	Till the closure of the college for the summer vacation of 1955.
10 Lt.-Col. S. Paul, Principal, College of Engineering, Guindy.	28th February 1953 and 1st July 1954.	30th June 1954 and 6th April 1955.*
11 T. Appala Narasiah, Lecturer in Commerce, Government Arts College, Coimbatore.	4th August 1954 ..	3rd April 1955.*
12 A. Gopala Iyer, Divisional Inspector of Schools, Madurai Division.	28th June 1954 ..	27th June 1955 (afternoon).

* Dates of closure of the colleges concerned for the summer vacation of 1955.

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Serial number, name and designation of Government servant.	Date of re-employment.	Date of expiry of term.
13 K. P. Govinda Menon, Principal, Government Arts College, Coimbatore.	3rd September 1954.	26th November 1954 afternoon.
14 Dr. C. K. Prasada Rao, M.D., Dean, Government General Hospital and Madras Medical College, Madras.	10th March 1952 ..	10th March 1955.
15 Dr. K. N. Pisharoty, M.D., M.B.C.P. (London), Dean, Stanley Hospital and Stanley Medical College, Madras.	18th June 1953 forenoon.	18th June 1955.
16 Dr. R. V. Rajam, Director, Upgraded Venereal Diseases Department, Government General Hospital, Madras.	18th September 1952 forenoon.	18th September 1956.
17 Dr. V. Iswariah, Professor of Pharmacology, Madras Medical College, Madras.	6th September 1953.	6th March 1955.
18 Dr. A. S. Ramachandran, Professor of Bio-chemistry, Madras Medical College, Madras.	4th October 1953 ..	4th April 1955.
19 Dr. S. G. Audinarayana Raju, M.B., B.S., L.T.M., Assistant Director of Medical Services (Employees State Insurance).	10th September 1953.	25th May 1955.
20 Dr. Y. S. Narayana Rao, Director, King Institute, Guindy.	18th February 1954.	17th February 1956.
21 Dr. A. Anantanarayana Ayyar, Director, Upgraded Anatomy Department, Stanley Medical College, Madras.	12th May 1954 ..	17th September 1957.
22 Dr. D. V. Subba Reddy, Professor of Physiology, Madras Medical College, Madras.	6th April 1954 ..	6th April 1955.
23 Dr. P. Venkata Rao, Chemical Examiner to Government, Madras.	20th October 1954 ..	20th April 1955.
24 Dr. R. K. K. Thampan, Director, Upgraded Obstetrics and Gynaecology Department and Superintendent, Government Hospital for Women and Children, Madras.	3rd December 1954.	22nd September 1957.
25 Dr. Isaac Joseph, Officer in-charge, Orientation Training Centre, Poonamallee.	12th February 1954.	31st December 1955.
26 Dr. B. R. Hanumantha Rao, Municipal Health Officer, Vellore.	19th January 1954.	18th January 1955.
27 Dr. P. V. George, Health Officer to assist Assistant Director of Public Health in charge of Nutrition, Madras.	5th March 1954 ..	4th March 1955.
28 Dr. K. Ramaswami, Municipal Health Officer, Kancheepuram.	29th May 1954 ..	28th May 1955.
29 Dr. T. K. Koman Nair, Municipal Health Officer, Kozhikode.	15th May 1954 ..	14th May 1955.
30 Dr. K. Ramchandra Rao, Municipal Health Officer, Udipi.	13th April 1954 ..	12th April 1955.
31 Dr. V. Nataraajan, Assistant District Health Officer, Coimbatore.	9th March 1954 ..	8th March 1955.

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MR. CHAIRMAN :—“ This is what the hon. Member Sri Mohamed Raza Khan referred to when he said that this question related to something that happened some eight years before. It is not proper to ask so many supplementary questions. I am allowing only this last supplementary question.”

THE HON. SRI A. B. SHETTY :—“ Sir, with your permission I may inform the hon. Member that the Government issued a Press Note when the late Dr. T. S. Rajan was the Minister for Health. This is what was said in the Press Note :

“ The Government have gone very carefully into the case relating to the supply of defective radium needles to the Barnard Institute of Radiology, Government General Hospital, Madras, by an American firm, as it has given rise to a number of insinuations in certain sections of the Press. They find that there was no question of any part of the transaction having been improper or having been sought to be hushed up by the officers concerned but that the supplies made were not according to the specifications and that every effort is being made to get the needles rectified. The American firm which supplied the needles has agreed to rectify the defective needles and after the first lot has been rectified and tested, the other needles will be sent for rectification.”

The matter has been taken up by the Indian Embassy at Washington and they will be asking the company to convert the defective radium needles into heavy radium tubes for the treatment of cancer of the cervix.”

SRI MOHAMED RAZA KHAN :—“ I rise on a point of order, Sir. It is not as if I am against an answer being given to this question. This question refers to something happened in 1947. Besides similar questions were put in the last Assembly and Council. Further, this question was the subject matter of a big debate in the last Assembly. Therefore I should like to know from you, Sir, whether questions which have already been answered and questions on which there was a debate in the Assembly, can now be asked after a lapse of about ten years. If questions like that can be put, we also will have the chance of putting questions relating to events of 1943 or 1944. I just want your ruling in the matter.”

MR. CHAIRMAN :—“ This point was taken into consideration and this question was allowed. The Hon. Minister has also answered the question.”

SRI MOHAMED RAZA KHAN :—“ Is it your ruling, Sir, that any question relating to an incident which happened some seven or eight years can be put if the Minister concerned would answer it? ”

MR. CHAIRMAN :—“ I am not giving a ruling. I am only just saying what happened to this particular question. Every question is examined properly and then either allowed or disallowed. This question was allowed.”

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Scheme for protected water-supply to the Cuddalore Municipality.

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

(a) whether the Government have any scheme under consideration for protected water-supply to the Cuddalore Municipality; and

(b) if so, at what stage the matter stands at present?

THE HON. SRI A. B. SHETTY :—“ (a) The Government have already sanctioned the execution of comprehensive improvements to the water-supply scheme for Cuddalore Municipality.

“ (b) The first stage of the water-supply scheme is under execution.”

SRI M. ETHIRAJULU :—“ May I know the total cost of this scheme? ”

THE HON. SRI A. B. SHETTY :—“ The scheme is to be executed in three stages. Detailed plans and estimates for the first stage of the scheme to the extent of Rs. 7.78 lakhs have been technically sanctioned by the Chief Engineer and the work is now under execution. Detailed plans and estimates for the second stage are under preparation.”

SRI M. ETHIRAJULU :—“ May I know when it will be implemented? ” 3-10 p.m.

THE HON. SRI A. B. SHETTY :—“ I have already said that the first stage of the scheme is under execution.”

SRI M. ETHIRAJULU :—“ May I know whether any other water-supply scheme has been included in the Second Five-Year Plan for the South Arcot district? ”

THE HON. SRI A. B. SHETTY :—“ This is the scheme about which I have already given particulars. The scheme is to be executed in three stages and is expected to cost about Rs. 26.34 lakhs.”

Statues on the public roads in the City of Madras.

* 246 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 statues on the public roads in the City of Madras; and

(b) to state the steps taken by the Government to remove the statues of foreigners from their present location?

THE HON. SRI C. SUBRAMANIAM :—“ (a) A statement^a furnishing the information is placed on the table of the House.

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"(b) There is no proposal now to remove any statue from its present location."

SRI G. KRISHNAMOORTHY :—" Sir, will the Government kindly consider the question of placing a tablet near each statue the tablet to contain a historical account of the person whom the statue represents? "

THE HON. SRI C. SUBRAMANIAM :—" They are well-known figures and I do not think any tablet is necessary."

SRI T. PURUSHOTHAM :—" May I know whether there has been any correspondence on this subject with the Central Government for decision as a matter of All-India policy? "

THE HON. SRI C. SUBRAMANIAM :—" Yes, Sir. There has been some correspondence between the Government of India and this Government. They wanted to have our opinion in this matter. They wanted to treat this matter as an All-India policy instead of allowing each State to adopt its own policy."

SRI V. V. RAMASWAMI :—" இந்த சிலைகளை எல்லாம் பாதுகாக்கும் பொறுப்புள்ள ஸ்தாபனம் எது? மில்லர் சிலை இருக்கும் இடம் மிகவும் ஆபாசமாகவும், அசுத்தமாகவும் இருப்பது சர்க்காருக்குத் தெரியுமா? "

THE HON. SRI C. SUBRAMANIAM :—" If it is put on a public road, it is the Government's duty to keep it in proper condition. As for the allegation of the hon. Member that the Miller's statue is not properly kept, I shall look into it, Sir."

DR. V. K. JOHN :—" Will the Government consider the question of erecting status for our Ministers at Government expense? " (Laughter.)

Adoption of Government scales of pay for the teachers by certain municipal councils.

* 247 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 Government have permitted certain Municipal Councils to adopt Government scales of pay for the teachers employed by them in elementary schools;

(b) whether it is a fact that the above concession is not being extended now to such of the municipal councils which are willing to adopt Government scales of pay for teachers employed by them in elementary schools without extra aid from the Government; and

(c) if so, why?

THE HON. SRI C. SUBRAMANIAM :—" (a) & (b) Yes, Sir.

"(c) The last revision of the scales 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."

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SRI G. KRISHNAMOORTHY :—" Sir, in view of the bold step taken by the Government to relieve the poor teachers of their distress, will the Government kindly instruct all municipalities to give top priority to this item in their budget? "

THE HON. SRI C. SUBRAMANIAM :—" I have already stated that the finances of the municipalities do not warrant any increase in the salaries of teachers at the present moment. The hon. Member may trust the Government to take necessary action at the appropriate time."

Improvement of Mahabalipuram as a holiday resort.

* 248 Q.—SRI T. PURUSHOTHAM: Will the Hon. the Minister for Public Works be pleased to state—

(a) what steps have been taken by the Government to improve Mahabalipuram in Chingleput district as a holiday resort; and

(b) at what stage the construction of a rest-house in the place for the use of the visitors is?

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI :—" (a) The Government have taken up the improvement of the direct route from Madras to Mahabalipuram, via Tiruporur at an estimated cost of Rs. 3.24 lakhs with a contribution from the Government of India and the work is nearing completion.

"(b) This work, which is now estimated to cost Rs. 1.90 lakhs, will be started shortly, after informing the Government of India of the cost, as that Government is expected to bear a portion of the cost."

SRI T. PURUSHOTHAM :—" Have plans and estimates for the construction of the rest house been approved and if so, are tenders being called for? "

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI :—" Sir, plans and estimates are being prepared more or less in an agreed form. When we get the Government of India's approval, tenders will be called."

SRI T. PURUSHOTHAM :—" May I know whether there is any proposal to constitute Mahabalipuram as a township and has there been a suggestion by the Archaeological Department to that effect? "

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI :—" Not that I know of, Sir."

SRI T. PURUSHOTHAM :—" Will the Government consider the question of extending electricity to Mahabalipuram in view of the fact that it is being developed as a tourist centre and as a holiday resort? "

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI :—" A separate question may be put, Sir."

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SRI A. GAJAPATHY NAYAGAR :—“ மஹாபலிபுரம் என்ற பெயரை மாற்றி மாமல்லபுரம் என்ற பெயரை அரசாங்கத்தார் ஏற்படுத்துவார்களா? ”

THE HON. SRI C. SUBRAMANIAM :—“ This question has already been answered, Sir.”

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI :—“ Sir, the other day my Colleague the Minister for Finance answered a similar question put by the same hon. Member.”

SRI A. GAJAPATHY NAYAGAR :—“ கனம் நிதி மந்திரி அவர்கள் சொன்னார்கள். ஆனால் பெயரை மாற்றுவார்களா? ”

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI :—“ Sir, I remember to have listened to a reply given by my Colleague the Finance Minister the other day. I suppose the hon. Member was satisfied with that answer.”

SRI A. GAJAPATHY NAYAGAR :—“ நான் கேட்பதெல்லாம் பெயரை மாற்றுவார்களா இல்லையா என்பதாகும்.”

SRI A. SUBRAMANYAM :—“ மஹாபலிபுரம், மாமல்லபுரம் ஆகிய இரண்டும் தப்பு. மாவல்லபுரம் என்பதே சரியானதாகும். மாவல்லபுரம் என்பது எல்லா வகைகளிலும் பெயர் பெற்ற ஒரு நல்ல பெயர். ஆகவே மாவல்லபுரம் என்ற பெயரை அரசாங்கத்தார் வைப்பார்களா என்று கேட்கின்றேன்.”

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI :—“ Sir, my humble suggestion is that we need not waste time over these trifles.”

SRI M. P. GOVINDA MENON :—“ മഹാബലിപുരം എന്നത് കേരള ചക്രവർത്തിയായിരുന്ന മഹാബലിയുടെ പേരിന്റെ ഓർമ്മക്കாகയാണ്. അതുകൊണ്ട് ഇതുമാറ്റേണ്ടത് മന്ദിരീകൃഷ്ടമല്ലേ? ” (Laughter.)

Kundah Hydro-Electric Scheme.

* 249 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 the progress made with regard to the implementation of the Kundah Hydro-Electric Scheme and to state—

- (a) whether plans and estimates are ready; and
- (b) whether the above projects has been included in the First or Second Five-Year Plan?

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI :—“ The plans and estimates relating to the Kundah Hydro-Electric Scheme are ready and have been submitted to the Planning Commission, whose approval for inclusion of the Scheme in the First Five-Year Plan is awaited. The

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execution of the scheme will be taken on hand as soon as the Commission's approval therefor has been received. In the circumstances, the question of laying a statement on the table of the House regarding the progress made on the implementation of the scheme does not arise.”

SRI T. PURUSHOTHAM :—“ Will the State Government address the Central Government and press for the inclusion of this scheme in the Second Five-Year Plan? ”

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI :—“ Sir, we have been pressing for the inclusion of this scheme even in the First Five-Year Plan. Failing that, it will find a place in the Second Five-Year Plan. It all depends on their decision.”

Supply of Electricity to the Avadi Session of the Indian National Congress.

* 250 Q.—SRI V. GURUNANDAN ROW: Will the Hon. the Minister for Public Works be pleased to state—

(a) the number of Government officers and workmen specially deputed for work connected with the supply of electricity to the Avadi Session of the Indian National Congress; and

(b) whether any of them worked for more than the normal hours and if so, whether they were paid any overtime allowance?

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI :—“ (a) Nine officers and 21 workmen, Sir.

“ (b) Only some of them worked for more than the normal hours on a few days. Overtime allowance will be paid to daily paid workmen only. Others are not entitled to such allowance.”

SRI V. GURUNANDAN ROW :—“ Was such overtime or part-time allowance paid by the Indian National Congress? ”

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI :—“ It will be collected from the Reception Committee, Sir.”

Vacancy in the post of Assistant Transport Commissioner.

* 251 Q.—SRIMATHI JOTHI VENKATACHELLUM: Will the Hon. the Minister for Religious Endowments and Transport be pleased to state—

(a) whether the post of Assistant Transport Commissioner in the Madras Government Transport is vacant;

(b) if so, the reason therefor; and

(c) for how long it has been kept vacant?

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

“ (b) & (c) Do not arise.

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Appointment of a Revision Officer in the Cuddalore Municipality.

* 252 Q.—SRI M. ETHIRAJULU: Will the Hon. the Minister for Local Administration be pleased to state—

(a) whether it is a fact that a Revision Officer was appointed in the Cuddalore Municipality for revision of property taxes;

(b) if so, the number of cases in which the property taxes were reduced and the number of cases in which the property taxes were raised;

(c) the total increase of revenue anticipated by the revision; and

(d) the expenditure incurred in connexion with the appointment of Revision Officer and his staff?

THE HON. SRI S. S. RAMASWAMI PADAYATCHI:—“(a) Yes, Sir.

“(b) Property tax assessments were raised in 13,787 cases and reduced in 19 cases.

“(c) The increase of revenue as a result of enhancement of assessments by the Revision Officer was Rs. 1,93,120. This has been reduced by Rs. 91,540 in the disposal of revision petitions against the enhanced assessment. Further appeals are pending before the Council. Final figures of the increase in revenue will be known only after the Council disposes of all appeals before it.

“(d) Rs. 3,495.”

SRI M. ETHIRAJULU:—“சர்க்கார் உத்திரவினால் தான் வரி உயர்ந்திருப்பதாக அங்குள்ள பொது ஜனங்கள் கருதுகிறார்கள். அப்படி சர்க்கார் ஏதாவது வரி உயர்வதற்கு உத்திரவு போட்டிருக்கிறார்களா?”

THE HON. SRI S. S. RAMASWAMI PADAYATCHI:—“வரி உயர்வதற்கு சர்க்கார் உத்திரவு எதுவும் அனுப்பவில்லை. ஐந்து வருஷத்திற்கு முன்பு இந்த நகரசபை வரி விதிப்பை மீண்டும் பரிசீலனை செய்ய ஒரு ஆபீசர் வேண்டுமென்று கேட்டார்களே தவிர வரி உயர்வதற்கு என்று புதிதாக ஒன்றும் உத்திரவு போடவில்லை.”

SRI M. ETHIRAJULU:—“அதிகப்படி உயர்த்திய வரியைக் குறைக்க முப்பது நாளைக்குள் அப்பீல் செய்யவேண்டுமென்று முனிசிபல் சட்டத்தில் விதியிருக்கிறது. ஆனால் அப்படி முப்பது நாளைக்குள் மனு, செய்யாதவர்கள் பலபேர்கள் இருப்பதை சர்க்கார் அறிந்து அதற்குப் பிறகும் மீண்டும் ஒரு கால வரை ஏற்படுத்தி அப்பீல் கவனிக்க வேண்டுமென்று உத்திரவு பிறப்பித்திருப்பதாகக் கேள்விப்பட்டேன். அம்மாதிரி ஒரு காலவரை ஏற்படுத்தி, பரிசீலனை செய்து குறைக்கப்பட்ட வரியையே இப்போது வசூலிக்காமல், முன்பு அதிகமாக உயர்த்திய வரியை வசூல் செய்து வருகிறார்கள். ஆகவே அவர்கள் அப்படி உயர்த்திய வரியை வசூல் செய்யவேண்டாமென்று அரசாங்கம் ஏதாவது தடை உத்திரவு போடுமா?”

THE HON. SRI S. S. RAMASWAMI PADAYATCHI:—“குறிப்பாக என்ன செய்யவேண்டுமென்று கனம் அங்கத்தினர் அவர்கள் கூறினால், கவனிக்கப்படும்.”

SRI G. KRISHNAMOORTHY:—“Sir, many of the municipalities are enhancing the property tax up to the maximum prescribed in the rules, viz., 27 per cent of the annual rental

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value. Will the Government kindly issue instructions to all municipalities to see that they do not enhance the tax at each quinquennial revision if they are not able to provide additional amenities to the people?”

THE HON. SRI S. S. RAMASWAMI PADAYATCHI:—“Sir, property assessments are made according to the rules prescribed for the purpose.”

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

II.—DELAY IN PLACING PAPER ON THE TABLE OF THE HOUSE.

* SRI T. PURUSHOTHAM:—“Mr. Chairman, Sir, with 3-20 p.m.
your leave, I beg to call the attention of the Hon. the Minister for Transport to a matter of urgent public importance, viz., the intolerable situation that has arisen in the working of the Central Road Traffic Board. Sir, it is greatly to be regretted that an amendment which was issued in G.O. No. 4263, Home, dated the 7th November 1951, was placed on the table of the House on 17th March 1955 with reference to sub-section (3) of section 133 of the Madras Motor Vehicles Act (Central Act IV of 1939). This section requires that all rules framed under the Act should be placed before both Houses of Legislature as soon as possible after they are made. I am afraid it is a breach of privilege of this House that the Government Order is placed on the table of this House after a lapse of nearly four years. I do not know whether the Government Order has been placed on the table of the other House. The amendment provides that if within fifteen minutes after the time scheduled for the commencement of a meeting of the Central Road Traffic Board, no member turns up, the Chairman may proceed to conduct the meeting without the prescribed quorum. I may point out that quite a lot of dissatisfaction is being felt by the Chairmen of the several transport authorities as also by the concerned operators at the way in which the Central Road Traffic Board is proceeding with its meeting without a quorum. Invariably at least in a majority of cases, when the other members do not attend the meeting—this is so because there are no non-official members and all members are officials—the Chairman is functioning as a one-man Board. That is not fair. I wish to point out that the delay in placing the Government Order on the table of the House has resulted this sort of thing to go on unclogged. I, therefore, call the attention of the Government to this matter for the immediate redress of this intolerable situation in the working of the Central Road Traffic Board.”

THE HON. SRI B. PARAMESWARAN:—“I am sorry that the hon. Member strayed away from the subject proper. Strictly speaking, he should have stopped with the reference to the delay in placing the Government Order on the table of the House. I do not know why he took the trouble of bringing to the notice of the Government that the Chairman of the Central Road Traffic

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Board alone functions. However, Sir, it is not so. The Chairman proceeds with the meeting only after waiting for fifteen minutes for the arrival of other members. Only if they do not attend, he is empowered to carry on singly. I do not also want to go into that matter here. The matter is not one of urgent public importance as interpreted by the hon. Member under rule 41 of the Council Rules. Then, Sir, the matter is *sub judice* and I think there will be no more reference to it or a detailed statement on it."

III.—GOVERNMENT BILLS.

- (1) THE MADRAS PLANTATIONS AGRICULTURAL INCOME-TAX BILL, 1954 (L.A. BILL NO. 30 OF 1954)—*cont.*

Clause 43.

MR. CHAIRMAN :—" Motion moved—

' That clause 43 do stand part of the Bill.' "

DR. V. K. JOHN :—" Sir, I want that a new clause should be added after clause 43. I move—

' Add the following as clause 43-A :—

" 43-A. Where any dividend has been paid to a shareholder of a company which is assessed to income-tax under this Act, such person shall be deemed in respect of such dividend to have paid income-tax at the rate applicable to the total income of the company in the financial year in which the dividend has been paid and shall be entitled to a refund of the tax paid in accordance with the principles followed in the Indian Income-tax Act."

This is a very important provision which ought to have been incorporated in the Bill. In section 48 of the Indian Income-tax Act, you will find a similar provision. That is:

' If any individual, Hindu undivided family, company, local authority, firm or other association of persons, or any partner of a firm or member of an association individually satisfies the Income-tax Officer or other authority appointed by the Central Government in this behalf that the amount of tax paid by him or on his behalf or treated as paid on his behalf for any year exceeds the amount with which he is properly chargeable under this Act for that year, he shall be entitled to a refund of any such excess.'

Section 49-B provides that payment of income-tax by the company should be deemed as payment of tax by the shareholders. Now, Sir, the idea is that a shareholder who has not got any income which is assessable to tax should be enabled to get the tax paid by the company on his behalf back. The principle is simple. If four persons put their capital together and start a business, the income-tax authorities cannot collect the income-tax on the total income derived therefrom but can collect the tax only on the shares taken by the partners. So also, if a large number of persons join and put their money in a company incorporated under the Indian Companies Act or under any other Act, the

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income-tax paid by the company will be considered to have been paid on behalf of the shareholders and the shareholder is entitled to a refund if he has not got an assessable income. Now, Sir, you will find in Part I of the Schedule a provision to the effect that no agricultural income-tax shall be payable on a total agricultural income, which is less than three thousand rupees. It is a good provision. The idea is no man need pay income-tax unless his income is Rs. 3,000 or more. The same principle is applicable to a person whose total income is less than 3,000 rupees but on whose behalf the company, of which he is a shareholder, has already paid income-tax with reference to the dividend paid to him. The Indian Income-tax Act says such persons will get a refund of the tax. This principle is introduced in the Act for the purpose of saving people who have no taxable income from the burden of taxation and making persons who can pay bear it. If a widow gets as dividend Rs. 500 after a sum of about 300 rupees has been paid as income-tax on it, she is entitled to ask for a refund of that 300 rupees in view of the fact that she has not got an income which is assessable to tax. But in the case of a man who gets an income of a lakh of rupees, it should be different. Suppose he gets also a dividend of 500 rupees, he must be made to pay a super-tax on this 500 rupees so that the burden may be heavier on him. This is the principle followed in the Indian Income-tax Act and it is followed in the Travancore-Cochin Act also whose provisions are copied in this Bill word for word. The idea is to tax every person whether his income is taxable otherwise or not, whether his income is Rs. 3,000 or not. If a man gets Rs. 10 as dividend for his being a shareholder, then he has to pay the tax under this Act. This, I say, is oppressive. It is unknown to the principle of income-tax levy in any part of the world and even in our own country. Several other States have imposed a tax on agricultural income. But they have adopted the principle of the Indian Income-tax Act. But in this Bill that principle of the Indian Income-tax Act is not followed. Under this Bill every person, who is a shareholder will be bound to pay income-tax although his income is not assessable otherwise. Such sort of provision is not to be found either in section 48 of the Indian Income-tax Act or the corresponding section in the Travancore-Cochin Agricultural Income-tax Act. When you have copied the Travancore Agricultural Income-tax Act, you have inadvertently copied the section in that Act which relates to dividends. The underlying principle of the Indian Income-tax Act in section 48 has been omitted. Section 49 (b) of the Indian Income-tax Act states—

' Where any dividend has been paid, credited or distributed or is deemed to have been paid, credited or distributed to any of the persons specified in section 3 who is a shareholder of a company which is assessed to income-tax in British India or elsewhere, such person shall be deemed in respect of such dividend himself to have paid income-tax (exclusive of super-tax) at the rate applicable to the total income of a company for the financial year in which the dividend has been paid, credited or distributed or is deemed to have been paid, credited or distributed on so much of the dividend as bears to the whole the same proportion as the amount of income on which the company is liable to pay income-tax bears to the whole income of the company.'

3-30
p.m.

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Even the marginal note to this section 49-B to the Indian Income-tax says: 'Payment of income-tax by company to be deemed payment by the shareholder'. But this you have omitted under this Bill, I think you have deliberately omitted this. Even in the Travancore Agricultural Income-tax Act, there is such a provision. That also you have omitted. You have simply said under clause 44 of this Bill, viz.:

'If any person satisfies the Agricultural Income-tax Officer that the amount of agricultural income-tax paid by him or on his behalf or treated as paid on his behalf for any year exceeds the amount with which such person is properly chargeable under this Act for that year, he shall be entitled to a refund of such excess.'

But you have deliberately omitted section 49-B of the Indian Income-tax Act, which I have read out and which is incorporated in the Travancore Agricultural Income-tax Bill, also. That is why I say the result of this measure of taxation will be to charge the poor people, the poor shareholders. It will be oppressive as far as the poor shareholders are concerned, when you say they will have no right for refund when the company pays income-tax. You ought to know that under the Indian Income-tax it is a recognised principle that the payment of income-tax by a company should be deemed payment by a shareholder. Section 49-B of the Indian Income-tax Act specifically says this. That you have omitted. May be the omission is deliberate or otherwise. But in the actual working it will be oppressive to the poor shareholder. He ought to be saved from the burden of taxation. The burden of taxation should fall on the richer man. This principle is accepted under the Indian Income-tax Act. Even in the Travancore Act, this principle is accepted. But in this Bill, that has not been accepted. I hope the Hon. Revenue Minister, will kindly go into this question. I do not wish to use harsh words. Let him consider what I have said carefully after this Bill is passed and becomes law. Let him bring in a suitable amendment as early as convenient so that the poor people who are assessed to income-tax through a company will have the right of refund."

SRI K. BALASUBRAMANYA AYYAR :—" I second Dr. John's amendment and would like to support what he has said. The clause as it stands reads—

'If any person satisfies the Agricultural Income-tax Officer that the amount of agricultural income-tax paid by him or on his behalf or treated as paid on his behalf for any year exceeds the amount with which such person is properly chargeable under this Act for the year, he shall be entitled to a refund of any such excess.'

The Deputy Leader of the Opposition wants that where any dividend has been paid to a shareholder of a company assessed to income-tax, such person shall be deemed to have paid income-tax at the rate applicable to the total income of the company in the year in which the dividend has been paid and shall be entitled to a refund of the tax paid in accordance with the principle of the Indian Income-tax. What the Deputy Leader of the Opposition says is a

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recognized principle under the Indian Income-tax Act. I wish the Government make the position clear and incorporate what the Deputy Leader of the Opposition wants, when they make the rules."

* THE HON. SRI M. A. MANICKAVELU :—" I submit the principle on which this is based is on the basis of the tax on the company and not on the individual. The company is taxed as such. The shareholders are not taxed. No doubt originally there was an idea of pursuing the dividends declared to individuals and tax that also. But we are prevented from taxing the dividends paid to the shareholder. This Bill applies to the company as such. This does not apply to the dividend got by the shareholders. Having left the dividend out of the purview of taxation, there is no case arising for any refund. As regards clause 44, that there should be another provision for refund, I think I will have to add it to the list of items which I had said, I would consider while we make the rules."

* THE HON. SRI C. SUBRAMANIAM :—" There is one difficulty in accepting Mr. John's amendment. As far as the State Legislature is concerned, our jurisdiction is limited. We can only tax the agricultural income. We cannot go farther than that. When a dividend is paid to the shareholder, to decide whether it is an agricultural income or not, is a question which has got to be decided. It was referred to the Government of India for their opinion on the matter and they have advised us that it cannot be treated as agricultural income. Therefore, we will not have jurisdiction to tax it. If Mr. John's amendment is accepted, then as dividends cannot be assessed to Income-tax Act, any amount collected from the company as tax will have to be refunded. I do not think we could therefore accept his amendment.

"As far as Travancore Agricultural Income-tax is concerned, that Act came into existence when it was not part of the Indian Union. They were not bound by the Constitution Act. But we stand on a different footing altogether. That is why we had to change the entire structure of the Act after taking into consideration that we cannot pursue the dividend in the case of shareholders for the purpose of taxation. That is why we took the company as a unit and took the agricultural income of the company as a unit for the purpose of taxation. That is the basis of this legislation. Otherwise we could have pursued the dividend and increased the rate of taxation. Because we could not pursue the dividend, we have stuck to this formula of taking the company as a unit and taxing it and collect the tax from the company as a unit and not from the shareholders. The Indian Income-tax Act is based upon the fact that they can pursue the income to any point. They have absolute jurisdiction which we cannot have, so far as our legislature is concerned. That is why we have to be content with this. Clause 44 provides for the refund of excess amount collected from

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an assessee or his agent. The clause has got to be there. Under these circumstances and in view of the constitutional difficulty, I hope Dr. John will not press his amendment."

3.40 P.m. * DR. V. K. JOHN :—" I am much obliged to the explanations given by the two hon. Ministers. But I am still wanting to put the question whether it will not be oppressive to assess a poor shareholder who does not get an assessable income as dividend from the company. Now, we are not taxing the dividend. Suppose a company pays income-tax, that tax is paid from income, part of which should go as dividend, so that a person who would have got an income of Rs. 1,000, which is not assessable, if he has no other income, Government are taking away Rs. 300 or Rs. 400 by way of income-tax. So, in effect you are charging a person who has not got an assessable income to income-tax for the sin of having joined the company. A number of persons put in their money together. The principle is that you may all put your money together into a partnership or into a limited company. But we look into the income of the company when we are making the assessment. That is the principle on which a refund is made. I would like the Government in spite of the explanation given by the Hon. the Finance Minister, to go into the question as to what would be the practical effect or result of making these assessments on a company and the poor shareholder who has not got an assessable income."

* THE HON. SRI C. SUBRAMANIAM :—" For certain purposes Corporation is a separate legal entity. For certain purposes shareholders are recognized within the Corporation. We are assessing the income-tax on the income derived by the company as such. I do not think that any injustice is involved in this. After all Corporation tax is collected irrespective of the fact whether the shareholder gets any dividend or not. This Corporation tax is also now proposed to be increased from four annas to five annas. That is being collected because they have got jurisdiction, whether a shareholder gets any dividend or not. When we can justify that, I do not think how we cannot justify the collection of a tax like this by the State Government as such."

MR. CHAIRMAN :—" The question is—

'Add the following as clause 43-A :—

" 43-A. Where any dividend has been paid to a shareholder of a company, which is assessed to income-tax under this Act, such person shall be deemed in respect of such dividend to have paid the income-tax at the rate applicable to the total income of the company in the financial year in which the dividend has been paid and shall be entitled to a refund of the tax paid in accordance with the principles followed in the Indian Income-tax Act." "

The amendment was lost.

Clauses 43 to 65 were put and carried.

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THE SCHEDULE.

Part I.

* DR. V. K. JOHN :—" Mr. Chairman, Sir, I move the amendment standing in my name, namely :—

'In item (2), for the words " Nine pies " substitute the words " three pies ".

'In item (3), for the words " One anna and six pies " substitute the words " six pies ".

'In item (4), for the words " Two annas and six pies " substitute the words " ten pies ".

'In item (5), for the words " Three annas and six pies " substitute the words " one anna and two pies ".

'In item (6), for the words " Four annas " substitute the words " two annas ".

'In item (7), for the words " Five annas and six pies " substitute the words " four annas ".

" Sir, I want to reduce the rates given in the schedule. The rate given is nine pies in the rupee for Rs. 3,500 and I want to reduce it to three pies. I want to reduce the rate of one anna and six pies in the rupee for the next Rs. 5,000 to six pies. On the next Rs. 5,000 I want to reduce it from two annas and six pies to ten pies, on the next Rs. 5,000 from three annas and six pies to one anna and two pies, on the next Rs. 5,000 from four annas to two annas, and lastly, on the balance from five annas and six pies to four annas. My reason is this. The rate which I have suggested is almost the rate given in the Indian Income-tax Act. First of all people must get accustomed to pay income-tax. It took many many years before the present rate in the Indian Income-tax Act has been fixed. It was very low in the beginning and slowly people got accustomed to it, adjusted to it and they began to pay very high tax.

" The more important reason for the reduction of rate is that all the deductions or allowances which are given under the Indian Income-tax Act are not provided for in this Bill. When any person, whether he is an individual, a partnership or a company, receives an income, that income has to be appropriated towards various accounts. One is dividend. The other is tax. The third may be reserve fund. A portion may be spent for capital expenditure which is compulsory or otherwise. Number of items are there. Two parties have to share the income. One is a shareholder or the proprietor and the other is the Government. When the Government take away Re. 0-5-6 by way of tax, they take away twice that amount because they have not provided for all deductions. In the nature of this industry, you have to provide for renovations and for expansion. Trees have to be replanted and other areas have to be brought under cultivation. Labour has to be provided for. A number of items of expenditure has to be met. The effect of this taxation measure

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will be that, when the income is ascertained after allotting for expenditure on various accounts, you will find there is only enough money to pay tax to the Government. A shareholder will not get anything and the result will be that people will not invest money into this plantation business. The business in the long run will suffer and the Government also will suffer. Government must be able to give a fair share of the income to the proprietor or shareholder of the estate. By this taxation measure, the shareholder will not be able to get anything from the income of the company. The company will have to provide for various expenditure on account of the peculiar character of the plantation industry because there may be bad seasons and continuous bad seasons. They must have a reserve fund. They must go on putting money for renovation. The company is also saddled with many other items of expenditure. One such item is excise duty levied by the Government of India, i.e., four annas a pound. That also has to be paid by the shareholder or the proprietor. That will go ultimately as a burden on his income. So, if the Government take away income-tax at this rate and give practically nothing to the shareholder or proprietor, that is not good in the interest of people who invest money in the estate. That is not in the interest of the estate, and ultimately not in the interest of the Government. I, therefore, suggest, Sir, that the rate should be reduced.

"I am very pleased that the Government gave up supertax, although it was provided in the original Bill. Government have been kind to do it. Although technically supertax is not there, the rate of tax in fact is very much higher than that a shareholder or proprietor of an estate ought to bear. The tax should not be as much as it is proposed. The industry will suffer. I, therefore, move my amendment that the rates in the schedule should be lowered."

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

* THE HON. SRI M. A. MANICKAVELU:—"Sir, the hon. Member wants reduction of the rates mentioned in the schedule. For his information, I may tell him that in the Assembly there were amendments to the effect that the rates should be increased more or less in the same ratio as he has given here for reducing the rates. In the Assembly, they wanted to increase the rates by four times. Therefore, Sir, the Government examined the question very carefully and they have decided that they should adopt reasonable rates. The reasonable rates are mentioned in the schedule. I oppose the amendment, Sir."

* DR. V. K. JOHN:—"If the rates are increased in the case of persons who can afford to pay, it would be a different matter. The rates mentioned in the schedule will be applicable to poor and middle-class people also. If the supertax has been given up, it has only helped people with large income. The Government have not at all reduced the rates on poor people."

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MR. CHAIRMAN:—"The question is—

'In item (2), for the words "Nine pies" substitute the words "three pies".'

'In item (3), for the words "One anna and six pies" substitute the words "six pies".'

'In item (4), for the words "Two annas and six pies" substitute the words "ten pies".'

'In item (5), for the words "Three annas and six pies" substitute the words "one anna and two pies".'

'In item (6), for the words "Four annas" substitute the words "two annas".'

'In item (7), for the words "Five annas and six pies" substitute the words "four annas".'

The amendment was lost.

Part I of the Schedule was put and carried.

Part II of the Schedule was put and carried.

Clause 1 was put and carried.

The Preamble was put and carried.

* THE HON. SRI M. A. MANICKAVELU:—"Sir, I move—

'That the Madras Plantations Agricultural Income-tax Bill, 1954 (L.A. Bill No. 30 of 1954), as passed by the Assembly, be passed.'

Sir, I am very thankful to hon. Members for the various suggestions 3-50 that they have made and especially to the lawyer Members of this P.m. House who have contributed so much in regard to the discussion of this Bill. I wish to state that this is the first time that we are bringing in a Bill to tax agricultural income, though it may be a particular sector of the agricultural income. We shall see how this measure works. All the suggestions put forward by hon. Members will be examined in the course of the working of this measure, and if any amendments are found necessary, the Government will not hesitate to launch upon the necessary amending legislation. With this assurance, Sir, I request hon. Members to pass this Bill."

* DR. V. K. JOHN:—"Sir, I must congratulate the Hon. Minister on the very correct attitude he has taken throughout the discussion of this Bill. He was never obstinate and he was always willing to learn and appreciate the opposite point of view. I must say that he has shown great humility in trying to understand that there is something useful in the suggestions made by the opposition. I know him for long and I say he is quite sincere and he is not obstinate. I hope he or some one else will go into all the suggestions made in the other House and also in this House not only

[Dr. V. K. John]

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by Members of the Opposition but also by the Members of the party in power, more particularly Sri K. Bhaskiyam. I want the Hon. Minister not to forget that this industry is a very important industry and a dollar earning industry too. Therefore we should develop this industry. We have got very extensive acres of land which can be brought under cultivation. Every encouragement must be given to extend cultivation and also to bring into existence new plantations and to renovate the existing ones which are one hundred years old. We must also remember that this is an industry which engages a very large number of workers and pays them well. There are statutes that these workers must be looked after properly and paid properly. The industry engages about four lakhs of workers. Therefore it must be the concern of every hon. Member of this House and also it must be the concern of the public to see that this industry does not suffer, that investment is attracted to it, that cultivation is improved and extended and also that produce is increased and the industry prospers. I quite agree that taxation should be made on the basis of the income. That is the correct procedure to adopt. Probably we could have reduced the rates on plantations if we had imposed a tax on other agricultural produce as other States have done. But the principle that income ought to be taxed and that no indirect tax should be imposed ought to be accepted. I am glad indeed that this Bill has been brought forward, and if some provisions of this Bill could have been amended, it would have been an ideal piece of legislation. Here the Government are having a tax on agricultural income and also realizing land revenue. The Government have given up only the levy of additional land revenue due for last year. They have not given up all land revenue. At least if they had deducted the land revenue payable from the income-tax payable, it would have been a rational piece of legislation. I have asked the Government to go into this matter very carefully. The Government should not think that they have seen the end of this legislation after just passing the Bill into law. Every taxation measure must pass the test whether it enhances the purchasing power of the people or whether it is a burden on the poor people. Also they must consider whether a taxation measure will solve the problem of unemployment and whether in the long run the industry will be encouraged to produce more and to employ more people. I ask the Government to reconsider this taxation measure in the light of the criticisms made. There is no difference between the Government and the Opposition in this matter. We are all for the good Government of the country. We hope the Government will certainly change their views and later on bring in amendments that are required. I once again thank the Hon. Minister for the very helpful attitude that he has shown throughout the discussion of this Bill."

* SRI M. P. GOVINDA MENON :—" Sir, I am very happy to associate myself with the passing of this very important measure. I heartily congratulate our State Government and the Hon. Minister Sri M. A. Manickavelu Naicker, who has brought forward this

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measure. Other State Governments have brought forward this measure already. I am one of those who believe that our taxation measures must be always according to the capacity of each person and the income he receives from his business. I hope this measure is only the beginning of a series of measures which will be brought forward later on by the Government for taxing the people according to their income. I hope this principle will be extended to land revenue also. It is really a bad thing to collect a uniform rate of land revenue from persons who have got very little income and persons who get a very large income. I hope the Government will seriously take into consideration the desirability of extending the principle of this Bill to land revenue also. We have got an example of this in the Travancore-Cochin State. There they have the agricultural income-tax not only on plantations, but also on other agricultural produce. The excuse that is put forward by the various Committees appointed by the Government against the adoption of this principle for purposes of collecting land revenue is that people experience very great difficulty in maintaining accounts. This is only a lame excuse. This difficulty must be overcome. After passing this measure, for which the Government deserve our congratulations, I hope they will also evolve a system of graded income-tax on the income of the people from land."

SRI K. BALASUBRAMANYA AYYAR :—" Mr. Chairman, 4 p.m. with a view to seeing that some improvements to some of the provisions may be accepted by the Government, we sought to move many amendments from this side of the House. This being a Money Bill, hon. Members of this House were unfortunately not represented on the Select Committee. So, we had no chance to say what we felt about the various provisions of the Bill. That is the reason for our trying to move some amendments on the floor of the House. But, unfortunately, the Government are anxious not to send back the Bill to the Assembly and so they find it difficult to accept any of the amendments moved here. Even though those amendments were innocuous and good, the Government could not accept them for incorporation in the Bill. However, the Hon. Minister for Revenue was reasonable enough to say that he would consider some of the amendments and see whether something could be done by providing for them in the rules and if that is not possible he would bring in a suitable amendment after watching the working of the Act for some time. Sir, the Income-tax Act itself is a very difficult Act. It gives rise to lot of complications and lot of case law. Similarly, agricultural income-tax also will give rise to a lot of difficulties and a great amount of litigation. So, it is always better to see that the provisions in the Act are clear by themselves. After all, we cannot expect the Agricultural Income-tax Officer to use his discretion in each and every matter. He must have clear provisions according to which he can act. We must set up proper standards. The provisions must be very clear so that they could be interpreted very strictly. We should see that none of the provisions were unjustly interpreted against the assesseees. It is for this purpose that I want that the

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provisions in the enactment should be made very clear. We are only anxious that no case of injustice or hardship should occur by any wrong interpretation of the provisions of the Act. Sir, in this connexion, I wish to refer to clause 9 about which my learned friend Sri Bhashyam has also spoken. Sir, this clause deals with income from settlement, disposition, etc. This clause has been copied from the Indian Income-tax Act which again has been copied from the English Act. Even in England, this provision has given a lot of trouble. In fact, one learned Judge has said about a similar provision in these terms. 'The Legislature in its anxiety to cover a wide net over colourable transactions of settlements has over-reached itself.' This is what the learned Judge has said. There will be many difficulties in actually applying this clause. This clause says, 'In computing the total agricultural income of an assessee, all agricultural income arising to any person by virtue of a settlement or disposition, whether revocable or not, and whether effected before or after the commencement of this Act, from assets remaining the property of the settlor or disponent shall be deemed to be the agricultural income of the settlor or disponent.' This will give rise to a lot of difficulties in actual working. So, it is better for the Government to re-examine this clause again and to find out whether it would be properly applied to all transactions. As difficulties have arisen even in England in regard to the applicability of this clause, I request the Government to look into this clause 9 and see whether it is possible to amend the clause in accordance with the opinion expressed by us on the floor of the House. Otherwise, it will give trouble. I do not want to expatiate on this point any further as it will only be a waste of time especially at the third reading stage. We have explained our viewpoints and hope that the Government will look into our suggestions.

"We have also moved so many other amendments in respect of other provisions in the Bill. The Hon. the Minister for Revenue was very reasonable. Wherever he himself felt some difficulty, he has agreed to go into the matter and see if it is possible to accept the amendments moved by us. With that assurance at least, we in this side of the House feel satisfied that we have done our best so far as this Bill is concerned. I know very well that in this country we have not yet reached the stage when we need not care for the private sector at all. On the other hand, an assurance was given by the Prime Minister of India himself that the Government would give as much importance to the private sector as to the public sector. So far as coffee, tea and other commercial crops are concerned, they are all largely dependent upon the private sector till now. This is the first time that this State is imposing this agricultural income-tax on plantations. These are valuable crops and their position is fluctuating so to say. They depend upon world markets. I hope and trust that the provisions of the Bill will be applied with that amount of reasonableness, suavity and conscience which is required so that the whole Act may work properly to the satisfaction of everybody concerned the Government, the assessee and the people."

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* SRI K. BHASHYAM :—Mr. Chairman, as I said at the beginning of the discussion, this is a Bill to be welcomed. I hope the Government will find it possible to extend it to other items of agricultural income. According to me, this is the only logical way of taxing those who are capable of bearing the tax. This is not a tax on land. This is a tax on income. We must have such taxes on the income of the persons concerned. As pointed out by the previous speakers, a person must have sufficient income to pay tax. There is no use of asking those who do not have sufficient income to pay the tax. If we tax persons according to the income that they derive, they could contribute some substantial amounts to enable the Government to run the administration and undertake so many welfare measures for the benefit of the poor people who cannot afford to pay large sums to the Government. If I had the authority, I will at once abolish the land tax altogether and introduce the agricultural income-tax in its place. When this is done, persons who are really very poor need not be asked to pay any tax and those who derive good income and who can afford to pay the tax may be asked to pay the same, for the benefit of the general public. This is what is happening in the western countries. I would like to make a suggestion to the Government. If it is not possible to accept my scheme immediately, let them consider it for acceptance at least at a later date or the Government may prescribe a sort of nominal land tax, say about Rs. 2 per acre of punja land and Rs. 5 per acre of nanja land. If this is done the poor people also will be contributing something to the public exchequer. On the other hand, we may have a graded income-tax in respect of the big landholders. If this is done, people who get a large income will be made to pay a greater amount as tax to the Government. This will work very well and the Government will not lose anything by way of revenue. Anyway, I welcome the present measure which has been introduced as an experimental measure. I hope this will lead to the abolition of the land tax altogether and the imposition of the agricultural income-tax.

"As regards the Bill itself, I have been critical of some of its provisions. I cannot but express my opinion that some of the provisions of the Income-tax Act have been incorporated in this Bill without perhaps critically examining the relevancy or applicability of those provisions here. Secondly, Sir, the cases decided under the Indian Income-tax Act and the interpretation put upon the provisions of that Act have not been paid sufficient attention to by the Government. For example, clause 9 (1) was referred to by the hon. Member, Mr. Balasubramanya Ayyar, who spoke last. I now cite another instance. In respect of joint Hindu families, there is a provision to the effect, that if a joint Hindu family is divided and that if the taxing authority is satisfied that division has taken place *bona fide*, he can allow taxation to be levied on each member thereof. One principle adopted in this Bill is that 'person' includes not only an individual but also an association of persons, a joint family, an aliyasanthana family, etc.

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Therefore, in such cases, there need not be any provision regarding partition. If we want to take the provisions relating to the partition of joint Hindu families in the Indian Income-tax Act, then we must also take into account the cases decided by courts with reference to those provisions and the practice adopted by the income-tax authorities in the matter of assessment of such persons to income-tax. Mere agreement between the parties to divide so that they may be tenants in common but not joint tenants will not do. They have to divide by metes and bounds if they want to be assessed to income-tax on the basis of the individual's income. The Bill, as it is at present, does not solve this question. Clause 3 (3) is another stumbling block. It says that in the case of persons holding property as tenants-in-common and deriving agricultural income, the tax shall be assessed at the rate applicable to the agricultural income of each tenant-in-common. It means, in the case of joint Hindu families, the members can ask for individual assessment even if they enter into a family arrangement but not actually divide by metes and bounds. This is one difficulty.

"There are other difficulties also. I said I was critical about some of the provisions of the Bill only because I want them to be improved upon so that they may become definite, strict and certain. In all taxation measures, it is not proper to leave things uncertain. There should be no ambiguities so that not only the individual assesses but also companies assessed may be in a position to adjust their balance sheets in accordance with the clear terms laid down in the Act. In that sense, I wish the Bill had undergone a little more examination and also changes have been made in the light of decisions of courts on similar provisions in the Indian Income-tax Act.

"Sir, some complaint was made about the incidence of taxation. It was said that it was too high. Of course, I quite agree with the Deputy Leader of the Opposition that when we introduce a taxation measure, we must start with a low tax and then go on increasing it little by little. That is true if the Bill relates to new taxation measures. Now we have been accustomed to income-tax all these years. Therefore, this process of gradation is not called for. This agricultural income-tax is only one kind of income-tax. If agricultural income has escaped tax all these years, it is not because it was found inadvisable to tax it but because in the list of subjects enumerated in the Constitution for the States to legislate upon, agriculture finds a place. Land has become a State subject. Otherwise, agricultural income also would have been taxed long ago. So, the omission is just an accident. Therefore, we cannot say that we should wait for people to get accustomed to this tax. Especially in the case of large plantations, the owners are very rich people and they have been accustomed to pay income-tax on their individual income. Therefore, this process of gradation of tax need not much worry us. All that we should see is whether the land which is taxed

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can bear it. I think plantations can. Complaints were of course made that this five and half annas would really cripple the plantation industry since the persons who were in charge of these plantations would find it very difficult to pay the tax and still carry on. Sir, in the report of the Select Committee which went into this Bill, it is stated that one of the witnesses that tendered evidence before it has said that though some companies have declared dividends of 35 per cent, actually the shareholders get only a return of 7½ per cent as the shares have multiplied in value by four or five times. That shows the value of the capital invested originally on the plantations has increased. Therefore, it cannot be said that the income derived by the owners cannot bear this taxation."

SRI K. BALASUBRAMANYA AYYAR:—"For the first six or seven years, they do not pay."

* SRI K. BHASHYAM:—"Here is a statement that some companies have declared dividends extending up to 35 per cent. If they get more profits, they pay more dividends. If they get less, they pay less. Here is also another statement in the same report made by the Hon. the Finance Minister. He says that plantation companies are declaring higher dividends than any other industry. He adds that the proposed agricultural income-tax is to be limited only to five and half annas in the rupee, whereas the income-tax in regard to other industries is much higher. So far as this matter is concerned, unless there is something radically wrong in the statement made by the Finance Minister, I think there is no warrant for us to say that the tax is too high. After all, the amount of tax should be such as to make it worth while collecting. If it should at least be more than the expenses involved in collection, five and half annas is not too much in the circumstances of the present case. Of course, in the case of smaller plantations, there are concessions. Then, there are other clauses which deal with compounding of tax which is also a concession. With all these advantages and concessions shown to the small planters, the tax is not going to be burdensome though in one or two cases it may cause some difficulty. But they cannot form the basis for the argument that there should be wholesale reduction in tax.

"Sir, while I welcome the Bill as a measure in the right direction, I would certainly ask the Hon. the Revenue Minister to see that all the difficulties and ambiguities pointed out are looked into and proper amendments to the Bill are brought as early as possible. I do not want any uncertainty or ambiguity to prevail in any taxation measure like this."

* SRI V. BHASHYAM AYYANGAR:—"Mr. Chairman, I 4-20
wish to join in congratulating the Government on introducing this a.m.
Bill and getting it approved by the Legislature. The principle of
the Bill deserves our hearty support. It is that tax should be
levied on the income which is derived from the land and not on the

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land itself. The Government have made a start by taking up the lands on which commercial crops are grown. But I hope they will also extend the principle to other lands gradually. I do not see any difference between a person who gets income from land and another who gets income from business or trade. Whereas a person getting income from business or trade has not got to pay any tax, unless the income is above a certain limit, the agriculturist, who spends his time and energy for the whole year on land, is obliged to pay tax, whatever his income may be. I want the Government to study this question and revise the principle of taxation with respect to land. They could levy the tax on income and not from the land itself as such. My hon. Friend Mr. Bhashyam said that there should be a basic tax on land whether it is dry or wet. But I do not see why it should be so; such a thing would work hardship on agriculturists. Even though an agriculturist may work for one whole year and get only Rs. 100, he has now to pay tax. Now that we have attained independence and we have the socialistic pattern of society as our ideal, I think it is high time that Government take up this question seriously and revise the system of taxation altogether and convert the land assessment into one of income-tax. A beginning has been made by Government and I hope they will go into the matter further and extend this principle to all lands. With these words I have great pleasure in supporting this Bill which has been placed before the House and ably piloted by the Hon. Revenue Minister."

SRI MOHAMED RAZA KHAN :—" I feel I would be failing in my duty if I do not congratulate my friend Mr. Bhashyam more than the Hon. Minister for Revenue because so far as this particular taxation measure is concerned, he was more anxious than the Minister himself that there should be no change at all made by us in this Bill. That is what he was labouring for for the past three or four days, speaking right through. That is why he even went to the extent of saying that asking planters (of course well-to-do planters) to pay annas five a rupee is after all not too much. Might I say on this occasion that while the Government of Madras will be able to get an income between 30 to 40 lakhs by this measure of taxation, take it from me that from now on, the intensive of plantation industry would be gone for ever. My friend Mr. M. P. Govinda Menon, sitting next to me, says that it will not be so. But might I say, Sir, that plantation industry is not like other industries. If for one or two years the crops fail, it means it will be a total loss for the planter. He cannot easily make up the loss. Or then again if due to failure of monsoon, the flowers do not come earlier, it means all the difference to the planter. He cannot look forward for a good crop. Again unlike the agriculture industry, a planter cannot increase his acreage. It requires a lot of capital. If at all the plantation industry is what it is to-day, it is due to the pioneers who in the later half of 17th century or early part of 18th century went to these places, put their capital, took all the pains to develop that industry; it is they who have brought this industry

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to the forefront. Even according to the Minister's statement, the total acreage under rubber, tea and coffee—all included—is not more than three lakhs of acres. I may tell you it would be very difficult for a planter to have further plantation. But somehow after going through the accounts of the plantation companies and after taking evidence, Government have come to the conclusion and they have fixed the rate in the schedule that the planters could be taxed ranging from half-an-anna to five annas in the rupee. Of course on our side we have two eminent lawyers in the person of Dr. V. K. John and Mr. K. Balasubramania Ayyar, while Mr. Bhashyam dominates on the other side. The lawyers on our side have pointed out how in this Bill the Government have not followed the Indian Income-tax in its entirety and how they have followed it only when it suited them and how on occasions when it did not suit them, they have followed their own method. But somehow the Hon. Minister for Revenue has got the knack of getting through any piece of legislation. I am not laying any charge on him. But I want to say that the Hon. Minister for Revenue has got the knack of getting the approval of the House for any piece of legislation, without his expatiating much on the reasonableness or the necessity for such a taxation measure. Somehow without putting forward weighty arguments, by his nodding of his head and by his smiling face, the Hon. Minister for Revenue gets the measure through. (Laughter.) If members point out two or three points, he says after all they are not very important ones and that they could be adjusted. Somehow the House has got confidence in him and with his smiling face he is able to win through. On this occasion he had so much support from my esteemed friend Mr. Bhashyam that he even went to the extent of saying that diamond cuts diamond."

SRI K. BHASHYAM :—" I did not say "diamond". The Minister said 'I am a diamond.'"

SRI MOHAMED RAZA KHAN :—" No doubt you got the encomium of diamond. Of course you are a diamond. It is compliment to you."

SRI T. PURUSHOTHAM :—" Is it parliamentary expression to call a member 'diamond'?"

MR. CHAIRMAN :—" Beautiful expression."

SRI MOHAMED RAZA KHAN :—" Unless the hon. Member chooses to call himself otherwise, he is a diamond. But it should be noted, Sir, that sometimes in the process a diamond becomes carbon when it is exposed to fire."

"Several hon. Members have offered their suggestions and view points. I do hope the Hon. Revenue Minister would go through the various points they have raised in this House. In the process of working of this Act, the planters would be put to difficulties, particularly when they have a restricted acreage and even their

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capital expenditure is not allowed to be deducted from the total income. I am sure the Hon. Revenue Minister would not hesitate to bring in an amending Bill, for it will not be surprising because no Act of the Government of Madras remains without coming to us for five or six times for being amended. Therefore I am sure, if the Minister feels that these planters would be put to a good deal of difficulty because of this Bill he would bring in another Bill for amending the present one. While no doubt the Government of Madras has made a beginning with bringing in this agricultural income-tax on plantations, they should at the same time see that the industry is not ruined. That is what I want the Hon. Revenue Minister to take note of. I would like to congratulate the Hon. Minister in conclusion for getting this Bill through."

* SRI A. M. ALLAPICHAJ :—" Mr. Chairman, Sir, in this House we have got some of the eminent advocates in the State, with Sri K. Bhashyam on our side and our friend Dr. John and some other friends on the other side. One of them said that this Income-tax Act is a very difficult Act to understand. Some of the provisions of the Income-tax has been embodied in this Bill which is going to become an Act very soon. I would suggest to Government one thing. When Government want to constitute a Tribunal under the Act, they should see to it that they take the help of the most qualified persons in these subjects. In the Tribunal that will be established under the present Bill, as it is at present worded, they say it may consist of even one Member, but not more than three members. They say one of the three Members must be a Judicial Member. But with regard to the other two, they can be any others. Government have to seriously think about this. This is a difficult Act and many important things will come in before the Tribunal. We have got a lot of people with the best legal training. Why should not Government make the best use of these persons instead of saying that there must be only one member with legal training without saying anything with regard to the other two. There will be then miscarriage of justice. That means there will be appeals. What I wish to say is there is already a feeling that the legal profession is not properly respected and treated at the hands of Government. In a Tribunal like that, there must be room for people with legal training and experience. On the other hand, Government say that there must be one member, who will be a retired District Judge and two other persons in the Tribunal. What will be the result? The two other members will join together and defeat the judicial member and that will lead to miscarriage of justice. As the hon. Deputy Leader of the Opposition so nicely put it, the hon. Minister is very amenable to reason. I would like to suggest to the Hon. Minister that in case if he brings an amendment in future, this point has to be considered by the Government."

DR. V. K. JOHN :—" This is the first time when the hon. Deputy Chairman is criticising the Government."

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SRI A. M. ALLAPICHAJ :—" I am not criticising the Government. The hon. Deputy Leader of the Opposition is making a mistake."

* THE HON. SRI M. A. MANICKAVELU :—" I sincerely thank the hon. Deputy Leader of the Opposition and other hon. Members for the kind sentiments they expressed. Most of the hon. Members who took part in this discussion are persons belonging to my profession, i.e., the legal profession. Of course Dr. Srinivasan intervened in the debate some time yesterday. Their remarks as regards the drafting and other implications of the provisions of the Bill are very useful. Sir, I am also very lucky, in that yesterday and to-day the hon. Deputy Leader of the Opposition was not only calm and reasonable, but also very generous and profuse in his nice remarks. I think that it is a case of periodicity in him and I wish that periodicity occurs oftener than usual."

DR. V. K. JOHN :—" I hope the Hon. Minister will be deserving it always."

THE HON. SRI M. A. MANICKAVELU :—" Sir, the principle of taxation has been welcomed. The rationale of the taxation has been accepted and now it only remains to be seen how far this can be worked out with regard to the other sectors of agriculture. No doubt the rationale of it is alright but we must see how far it will be practicable and workable. That is what we are now trying to do. When we know the result of the working of this Act, then there will be time enough to see how far we can extend it to the other sectors of agriculture."

" Sir, it was pointed out that this taxation will work as a hardship on the industry. The other day I gave figures to show that thousands of these individual planters have been exempted. Only very few come in under the purview of this taxation measure and they are mostly Companies. As regards the Companies, from their balance sheets and profit and loss accounts, it is seen that the industry is working well. With regard to individuals, it is not so profitable because they do not have the necessary organization. But the Companies have got the necessary organization and their personnel is good. Many individual planters have been exempted from this tax. A second category of persons are also allowed to compound the tax, so that they may not have the bother of keeping accounts."

" Sir, it was pointed out that the Government did not have the benefit of a Joint Select Committee to consider this Bill. I would have very much welcomed if it was possible for the hon. Members who spoke so elaborately here to serve on the Select Committee, and the whole thing would have been thrashed out

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there. But it is a pity that this being a money Bill, hon. Members of this House could not serve on the Committee. They were welcome to give their suggestions and as a matter of fact, they gave their suggestions. The only grouse is that they could not serve as members of the Select Committee wherein their voice would have been more felt.

"It was mentioned by the hon. Deputy Chairman that there is a provision only for one member of the legal profession to be in the Tribunal. Instead of a complaint, I must take it as a compliment that there is a provision for at least one member of the legal profession to serve in the Tribunal. There is no such reservation for others. That is a compliment to the legal profession. The clause only says that at least one must be a member of the legal profession and there is no bar for more. Even all the three members can be advocates or Judges. There is no objection. It may be necessary to put at least one member who is well-versed with this plantation business. That does not mean that the lawyers or the Judges will not be given due weight.

"Sir, I have already stated that the difficulties and defects pointed out will all be gone into carefully when the rules are framed. There are certain things which could not be overcome by rules and for that, Government will come in with an amending legislation. We feel that there are some difficulties and they should be rectified. The Government will not hesitate to bring in an amending Bill to remove the defects. But we will have to wait and see how this measure works and what all should be done.

"It was stated that if the Government accept any of the amendments the Bill has to go to the Assembly again, and so they are not accepting any amendments. That is not the only reason. Hon. Members have now pointed out certain defects and difficulties. In the actual working of the Act certain other difficulties and defects may arise. After we gain some experience in the working of the Act, if we consider all the defects together at one time we can bring the necessary amendments once and for all. That is why Government are not accepting any of the amendments now, and not simply because there is the difficulty that the Bill has to go to the Assembly again.

"Sir, I wish to thank you also for so nicely conducting the proceedings and avoiding any rancour between myself and the hon. Deputy Leader of the Opposition."

MR. CHAIRMAN:—"The question is—

'That the Madras Plantations Agricultural Income-tax Bill, 1954 (L.A. Bill No. 30 of 1954), as passed by the Assembly, be passed.'

The motion was carried and the Bill was passed.

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(2) THE MADRAS GENERAL SALES TAX (AMENDMENT) BILL, 1955
(L.A. BILL NO. 4 OF 1955).

* THE HON. SRI M. A. MANICKAVELU:—"Sir, I move—^{4-40 p.m.}
'That the Madras General Sales Tax (Amendment) Bill a,
1955 (L.A. Bill No. 4 of 1955), as passed by the
Assembly, be taken into consideration.'

Sir, I may point out that sub-section (1) of section 3 of the Madras General Sales Act, 1939, provides for the levy of sales tax in respect of the total turnover of a dealer for each year. The Madras General Sales Tax (Turnover and Assessment) Rules framed under the Act provides for the collection of the tax in advance even before the end of the financial year. The High Court of Madras recently held that the levy and collection of tax in advance had not been specifically provided for in the Act and that the rules were therefore invalid. It is now proposed to amend the Act so as to specifically authorise the Government to provide for the levy of sales tax in advance. It is also proposed to give retrospective effect to the proposal from the date of commencement of the main Act. This practice of levying and collecting the tax in advance has been in force for a number of years, i.e., ever since the commencement of the Act, and this was not felt as infringing the provisions of the Act. But in the case that went up to the High Court, the High Court decided that the levy and collection of the tax in advance could not be provided for in the rules. That is why, Sir, we are amending the Act."

MR. CHAIRMAN:—"Motion moved:—

'That the Madras General Sales Tax (Amendment) Bill, 1955 (L.A. Bill No. 4 of 1955), as passed by the Assembly, be taken into consideration.'

* DR. V. K. JOHN:—"When were the rules providing for the collection of tax in advance framed, Sir?"

* THE HON. SRI M. A. MANICKAVELU:—"I think, Sir, the rules were framed soon after the Act came into force. To answer this question correctly, I require notice. I require time to verify the date so that I may give correct information to the hon. the Deputy Leader of the Opposition."

* DR. V. K. JOHN:—"Sir, I have always been against the imposition of sales tax as a taxation measure. I consider that it is a regressive form of taxation. If a man should invest his money on a business and should lose in the business, the Government do not take a share in his loss. The businessman has to pay income-tax only on the profit that he makes, but in the case of the sales tax, whether he makes a profit or not, the Government will recover from him the sales tax. Calculations have been made

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showing that this sales tax forms about 25 per cent of the value of the article. I oppose sales tax as a taxation measure because it is regressive in its incidence, and it adds to the cost of living. It is a great burden on the poor man. Even the beggars' homes are taxed. Therefore, this tax should not have been introduced in our State. In other countries there is the purchase tax on luxuries and no sales tax. We must now as far as possible try to see that the provisions of this measure are not enforced regressively and harshly against the assessee. I know from my professional experience that a very large number of people have been ruined by this sales tax. They are unable to find the money to pay this tax. Very often they incur losses, especially the smaller dealers. Even when they incur a huge loss they have to pay the sales tax. Again what is the rate of the tax? The rate is very high. The Taxation Enquiry Commission provide that the rate should not be more than half a per cent, that is, one pie in the rupee. Now we are charging many times more. It is not at all one pie in the rupee. When there is the multi-point sales tax, they say that the rate should not be more than one pie in the rupee. In fact it should be even less than one pie. I tell this Government that they should, before introducing any measure connected with the levy of this sales tax, should study the recommendations of the Taxation Enquiry Commission and reduce the rate of this sales tax. Otherwise the Government will be confronted with diminishing returns. The Government some years before were having huge receipts from sales tax. But now the receipts have gone down. Why? The reason is that the purchasing power of the people has been brought down. There are no sales in the shops and consequently sales tax receipts also are low. Now we say that levy of the sales tax shall be made in advance. Though the rules said that levy and collection of sales tax could be made in advance, still as such a provision was not found in the Act, the rules were held to be invalid. To set right the position, the Government have brought forward this Bill. Sir, I think it will be a very harsh thing to ask for payment in advance, if collection of the tax is not made by the businessman. Very often the collection of the tax is made by the dealer. I agree with the Government that the businessman collects sales tax from the customers. The Government can recover that amount from him. But there are cases in which the tax is not collected by the businessman at all, but he ultimately pays the tax to the Government. When he pays it out of his own pocket, it will be a very difficult thing for him to pay the tax in advance. The Government do not provide for any interest on the tax collected in advance. Section 18-A of the Indian Income-tax Act provides for two per cent interest to be paid by the Government to the assessee. I think this was introduced in the year 1946 for the purpose of withdrawing the excess money in circulation then. On account of the war, many people had too much of inflated money with them, and the Government of India thought that that money should be withdrawn. But to-day the position is

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different. We are trying now to collect the tax in advance. I am quite sure that in many cases this measure will be found to be very oppressive and people will be ruined.

"Sir, I do not see why this Bill should be given retrospective effect. The Government are providing for collection of tax in advance during this year. How can they say that they are giving retrospective effect from the year 1939? How is it possible to have advance collection of taxes due for the years 1939 and 1940?"

THE HON. SRI M. A. MANICKAVELU:—"The retrospective effect will apply to levy and collection of tax only for the last one or two years. In the case of the earlier years, it is all over."

* DR. V. K. JOHN:—"I am glad, Sir, that the Hon. the Mover of the Bill realises the difficulty in providing for payment retrospectively from 1939. He says that it is only for one or two years. It cannot be for one or two years either. It can be only for the current year. There is no question of collecting in advance the tax due for last year. In spite of the explanation now given by the Hon. Minister that it will apply only to the last one or two years, Clause 3 of the Bill says—

'The principal Act shall be read and constructed as if the amendments made by section 2 had formed part of the principal Act from its commencement'

We are trying to get rid of the English language, but so long as we are using that language, I think we must understand it correctly. The clause says '... from its commencement'. Does this mean the last one or two years? It means from 1939. The Government are providing for the collection in advance of the tax not for the current year but for the years earlier than that, i.e., from 1939. How is it possible to do this? The Hon. Minister's explanation and the clause are mutually contradictory. I do not want to say anything about bad drafting, because they immediately become very sensitive. But as a lawyer, I am unable to understand what is meant by saying 'advance collection of tax' for the year that is passed."

SRI M. P. GOVINDA MENON:—"What about the collection made when it was not authorised?"

* DR. V. K. JOHN:—"Well, that would be an excellent reason for providing for validation of taxes collected in advance in previous years. The High Court never says that the Government must give back this tax. The High Court has only said that the Government cannot collect the tax according to the previous Act even though the Government had provided for the same in the rules. As the Act itself did not contain a provision enabling the Government to do this, the High Court said that the Government cannot do it. Now, the Government have brought forward an

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amendment providing for this in the Act itself. I can understand if the Government collect this advance tax from this year onwards. They should not give retrospective effect to this amended provision. Retrospective application in respect of any legislation is certainly bad. I hope the Hon. Minister will reconsider the matter and bring forward an amendment if necessary. I must say with all sincerity that the Hon. the Minister for Revenue, the Mover of this Bill, is sincere about anything that he does or says. If he says that he will look into a particular matter, I am sure he will look into the matter and see that hardships are removed wherever they are found. Suppose a person has to pay this advance tax from out of his pocket and he also pays it. Supposing he was not able to collect this tax or portion of it from other persons, he will be in difficulty. When the Government collect the money in advance and do not pay any interest, the persons concerned will be put to great hardships. People in the commercial line cannot get money easily for carrying on their business. They have to pay 7 per cent or 9 per cent even to the Bankers and in most cases they have to borrow money at usurious rates of interest. Now, when the Government take away the money from these poor people, they are prevented from putting their own money into business and go in for loans which are also not easily available. After all, it is a question of diminishing return. Why should the Government take away the money from these businessmen? I cannot simply understand that. Suppose the Government take away a sum of Rs. 1 lakh from an assessee by way of advance payment of tax. By this the Government are only preventing the person concerned from putting this money into his business. If only this amount was available with him, he would have had a roaring business and the Government also would have got more revenue as a result of the expanded business of this person. I request the Government to kindly consider whether this advance collection is to their own interest. I as a person knowing something about the commercial branches of law and as one who has been arguing such cases in the High Court—think that it will be very oppressive to a businessman when the Government take away the money in advance. From the businessman's point of view, I should express my view against the Government's making this advance collection. I personally welcome it. If I am asked to pay the tax in advance, I will gladly do it. Because I am not doing any business. I am only a professional man. When I am asked to pay the tax in advance and when I pay it, I will at least get 2 per cent interest. I will be glad to pay this tax in advance for another reason, viz., at the end of the year, there will be nothing for me to pay. But, in the case of a businessman, the position is absolutely different. Because, he depends on this money for his business. It is his capital, so to say. When this money which he will use as his capital for his business is taken away by the Government, surely it will create all sorts of difficulties for him. In the ordinary course, he would have invested this money on his business, which would have given him

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more income and naturally the Government also would have got more tax. Therefore, I would request the Hon. the Minister for Revenue to find out what will be the effect of this measure on the Government's revenue itself and on business in general. When business contracts, naturally unemployment will increase. Sir, we must not do anything which would create more unemployment. We must do everything possible to solve the problem of unemployment. For this purpose, we must increase the purchasing power of the people. How will this be possible when we make the business contract? Unless, more and more money was allowed to flow into the business sector we cannot solve the unemployment problem. The Government must realise this. There is no use of their saying, 'Look here. You pay whatever you have got as advance tax to us. If you want money for expanding or even for running your business, you better borrow money from other sources at 12 per cent interest or even at a higher rate of interest. If you are not able to borrow money and if you are not able to run your business profitably and if you get into a loss, we are not responsible.' I must say that this attitude of the Government will certainly jeopardise the interests of many businessmen in this State. I would request the Hon. Minister to depend upon the economic strength of the people. We must raise the purchasing power of the people. We must help the businessmen to enlarge their business and to increase production. If this is done, I am sure the Government also will get more income. But, as it is, the provision for advance collection will only contract business and will give the Government only diminishing returns. In actual practice, the Government will see that they stand to lose because of this measure. This is what I wish to point out to the Government, Sir."

SRI M. ETHIRAJULU :—"கனம் சேர்மன் அவர்களே, இந்த விற்பனை வரி மசோதாவை ஆதரித்து சில வார்த்தைகள் பேச விரும்புகிறேன். சென்ற வருஷ வரவு செலவுத் திட்டத்திலே சிறு வியாபாரிகளுக்கு நாம் விதிவிலக்கு அளித்தோம். அதாவது மச்சம், மாமிசம் போன்றவைகளை வியாபாரம் செய்கிறவர்களுக்கு விதிவிலக்கு அளித்தோம்."

MR. CHAIRMAN :—"ஒன்றும் புரியவில்லை; இருந்தாலும் பேசுங்கள்"

SRI M. ETHIRAJULU :—"இந்த வருஷ பட்ஜெட்டிலே உருளைக் கிழங்கு, வெற்றிலை, காய்கறிகள் போன்ற சாமான்களுக்கு விதிவிலக்கு அளித்திருக்கிறோம். ஆனால் ஒரு சர்க்காரை நல்ல முறையில் நடத்த வேண்டுமானால் வரி மிகவும் முக்கியமானது. வரி விதித்து அதன் மூலம் வரும் வருவாயைக் கொண்டுதான், மக்கள் கேட்கும் குறைகளை நிவர்த்தி செய்யமுடியும் என்பது எல்லோருக்கும் தெரிந்த விஷயம். இருந்தாலும் இப்போது வரிவசூல் செய்யக்கூடிய ஆபீசர்களின்மேல் சில அவதூறுகள் சொல்லப்படுகின்றன. ஆனால் அவர்கள் சர்க்கார் உத்தரவை மேற்கொண்டுதான் வரி வசூலித்து வருகின்றார்கள். ஆனால் வியாபாரிகள் எந்த அளவுக்கு இதில் ஒத்துழைக்கிறார்கள் என்பதைப் பார்க்கவேண்டும். அவர்கள் மாதாமாதம் கட்டவேண்டிய பணத்தை கட்டிக்கொண்டு வருகின்றார்களே தவிர, தாங்கள் மேலும் இவ்வளவு வியாபாரம் செய்திருக்கிறோம், அதற்கு இவ்வளவு வரி என்று தனியாக கூழுதி கொடுப்பதில்லை. அவர்கள் இப்போது பல குறைகளைக் கையாண்டு விற்பனை வரியை சர்க்காருக்கு கொடுக்காமல் பல ஊழிகளில்

[Sri M. Ethirajulu]

[18th March 1955]

வியாபாரம் செய்வவருகிறார்கள். ஒரு உதாரணம் சொல்லுகிறேன். இப்போது சென்னையிலே வாங்கும் சாமான்களை யெல்லாம் பெரும்பாலும் லாரிகளில் ஏற்றிக்கொண்டு அவர்கள் இடத்திற்கு எடுத்துச் செல்லுகிறார்கள். அவைகளுக்கு எவ்வித ரசீதும் (Bill) கிடையாது. அப்படி லாரிகளில் போகும் சாமான்கள் யாருக்காகப் போகிறது, எந்தக் கடைக்காரருக்குப்போகிறது, யாரிடத்தில் வாங்கினார், என்பதெல்லாம் ஒரு தகவலும் லாரி டிரைவர் வைத்திருப்பது இல்லை. அப்படி இந்த வியாபாரிகள் நடந்து கொண்டவதால் பெருத்த அளவில் சர்க்காருக்கு வரிகொடுக்காமல் மோசம் செய்வதை விற்பனை வரி அதிகாரிகள் தெரிந்துகொண்டிருக்கிறார்கள். இம்மாதிரியாக லாரிகளிலும், ரயில்களிலும் பார்க்கலாக ஏற்றிக்கொண்டு எவ்வித அத்தாட்சியில்லாமலும் சர்க்காரை ஏமாற்ற வியாபாரம் செய்யப்படுகிறது. இவைகளுக்கு எல்லாம் ரசீதே வைத்துக்கொள்வதில்லை. கடைக்காரரும் விற்பனாக கணக்கு வைப்பதில்லை. பொருள்களைக் கொடுப்போரும், அதாவது விற்பனை செய்வோரும் சாதாரணமாக விற்பனை வரியை ஏமாற்றுவதற்காக பெரும்பாலும் ரசீது இல்லாமலேயே சாமான்களைக் கொடுக்கிறார்கள். ஆகவே இதையெல்லாம் கண்டுபிடிப்பதற்கு வரி வசூலிக்கும் ஆபீசர்களுக்கு நாம் போலீஸ் அதிகாரம் கொடுத்துத் தவலேண்டும். அவர்கள் சாமான்கள் ஏற்றிக்கொண்டு போகும் லாரிகளை நிறுத்தி, அதில் என்ன சாமான்கள், யாருக்குப் போகிறது, வாங்கிய இடம் எது, என்பவைகளையெல்லாம் விசாரித்தால்தான் அதன்மூலம் சர்க்காருக்கு உண்மையாக வரி வந்து சேரமுடியும். அப்பொழுதுதான் சர்க்காரும் மேற்கொண்டு நல்ல முறையில் நடப்பதற்கு முடியும். அதை விட்டுவிட்டு, வரிகளைக் குறைக்கவேண்டும், மேலும் அதிகரிக்கக் கூடாது என்று சொல்வதெல்லாம் தவறு. பணம் படைத்த வியாபாரிகள்தான் பெரும்பாலும் நல்ல முறையிலே சர்க்காருக்கு வரி கொடுப்பதில்லை. ஆகவே இம்மாதிரியாக லாரிகளில் சாமான்களை எடுத்துச் செல்லப்படுவதையெல்லாம் தடுத்து, சர்க்காருக்கு அதிகமான வரி வசூலிப்பதற்கு விற்பனை வரி இலாக்கா அதிகாரிகளுக்கு போலீஸ் அதிகாரம் கொடுத்துத் தவ பரிசீலனை செய்யவேண்டுமென்று அரசாங்கத்தைக் கேட்டுக் கொள்ளுகிறேன்.

“அடுத்தபடியாக, பெரும்பாலும் சாமான்கள் ரயிலிலே பார்க்கல் மூலமாக எடுத்துச் செல்லப்படுகின்றன. ஆகவே அவைகளை பரிசோதனை செய்வதற்காக, எவ்வெவ்வித வழிகளைக் கடைப்பிடிக்கலாம் என்பதையும் கண்டுபிடித்து, அதற்கும் ஆவன செய்யவேண்டுமென்று கேட்டுக்கொண்டு முடித்துக்கொள்ளுகிறேன்.”

5p.m. * SRI K. BHASHYAM :—“Sir, there are two or three points involved in this measure. One is the question whether there should be advance payment of tax at all. The second is how to give effect to it. The third question is, so far they have been collecting the tax on the basis that the Government were entitled to do so. Some provisional collections have also been made. Now that it has been found to be illegal, how are we to make it legal? These are the points to be considered now. So far as advance payments are concerned, I think we have become accustomed to such payments from 1939. It is only recently when an enterprising gentleman took up the matter to the High Court, the High Court came to the conclusion that such a procedure of collecting the tax in advance was wrong. However, I may point out that we have been used to this kind of advance payment. Even in the case of income-tax, we pay the tax in advance. So, this is nothing new. This system of advance collection came into force during war time when the Government wanted money earlier. So, that system was introduced. Though the war has ended,

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this provision still remained. This is the usual thing that happens in every case. If we look at the history of the income-tax, it will be seen that it was introduced as some sort of war measure in the days of Mr. Gladstone. It was intended only for the purpose of meeting the expenses connected with the war and for no other purpose. But, it has continued for the past so many years. The money derived from this tax is now being used even for meeting ordinary expenses. This practice has continued for such a long time and there is no use of blaming the Government now.

“Now there is the other question to be considered. How are we going to legalise what has been done before? This is what is sought to be done by the amending Bill that we are now considering. It is here we have to be very clear and careful also. If the bill is not passed it will look as if the Government will be asked to refund those amounts and recollect them again. If they are to refund those amounts, they will have to refund not only the amounts that they collected but also the interest thereon. This means that the Government will have to refund a large amount. To avoid this only I said that the wording of the amended Bill should be very clear. So we have said in clause 3 that ‘The principal Act shall be read and construed as if the amendments made by section 2 had formed part of the principal Act from its commencement.’ I think this is the familiar way of drafting. We have to draft the provisions in such a way that there are no ambiguities. That is the English way of drafting. That is also the Indian way of drafting. So, I do not think there will be any difficulty in regard to this matter. This is a very simple Bill and there is no need for a long speech or heated argument. I submit that there is no necessity for my friend Sri Raza Khan—who, I suppose, is preparing himself—to speak on the Bill. I do feel that this measure may be passed without any more discussion.”

SRI MOHAMED RAZA KHAN :—“Mr. Chairman, Sir, I think some confusion has been caused more on account of the remarks made by the Hon. the Revenue Minister himself. If only he had taken pains to explain the position more fully, I think the Members would have been in a position to make a proper appreciation of the stand taken by the Government. As far as the provisions of the Act are concerned, there is no compulsion on the part of the assessee to pay the tax in any particular manner. The party can make payment on a monthly basis or otherwise. He can tell the Assistant Commercial Tax Officer or whoever the authority be that he is going to make payment on a monthly basis, e.g., that he will pay the tax collected during March on the 26th of April next. If he is not agreeable to this course or if he feels that this mode of payment will be inconvenient to him, he can also allow himself to be assessed to sales tax on the basis of the previous year's turnover. This is provisional assessment. Therefore, there is no such thing as compulsion on the part of the assessee to make advance

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payment of the tax. There are one or two advantages also for the merchants if they make payment on the basis of the previous year's turnover. For example, suppose I made business last year to the tune of one lakh of rupees. I can pay provisional tax on this basis for this year, whereas the actual sale this year runs to, say three lakhs of rupees, and on this basis I must pay more tax immediately. But I don't do it because the regular assessment comes in only after I submit my returns. So, the difference between the provisional assessment and the regular assessment which is made after the submission of returns, is the money which I keep with me for twelve months and I can rotate it in business. The party has got the advantage of keeping this money for twelve months before he pays it to the Government, unless of course the Deputy Commercial Tax Officer enhances the provisional tax meanwhile. But generally, it is not done. There is one disadvantage also here. Suppose my turnover last year was Rs. 15,000. I pay provisional tax on this for this year, whereas actually this year my business goes down. At the end of the year, of course, the regular assessment is made when the excess money collected is refunded. Here some difficulty is experienced. Whenever money has to be paid to the Government, they are always very careful to see that it is collected in full as quickly as possible. But when they have to pay to the party, they take a long time. I would request the Hon. the Revenue Minister to issue instructions to see wherever such advance payment of tax is made, the accounts are checked as soon as the year is out and the money due to the parties is returned at once. I request him to clarify the points I have tried to explain now and I also hope he will issue instructions to the authorities to see that refunds are made as soon as they fall due."

5-10 p.m. * SRI T. PURUSHOTHAM :—" Sir, after hearing the Hon. Member, Mr. Bhashyam, who has explained the rationale of this measure so clearly, I am sure there will be no reasonable opposition to the passage of this Bill. This Bill is just intended to solve a legal difficulty and being such a simple measure, I believe we will accept it. The hon. Member, Mr. Ethirajulu raised a general question in this connection and I can only remind him that the Taxation Enquiry Commission did go into the taxation structure of the States in regard to sales tax also. I am sure the Government will examine fully the recommendations of the Taxation Enquiry Commission with regard to this question. The Commission has also dealt with the question of exemption of food-stuffs from the levy of sales tax. Special mention has been made in the report with regard to departmental corruption and harassment on the part of the subordinate staff. I hope the Government will examine these questions also. The Commission has referred to evasion of tax and I am sure the Government will take this factor as well into consideration and see that a general, comprehensive Bill is brought at an early date covering the entire field of sales tax levy and administration. In that connection changes and improvements that may be found necessary may be introduced. I think this Bill may go through and I do hope that Government would take the necessary steps with

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regard to rationalisation of this tax with reference to the report of the Taxation Enquiry Commission. With these words I support the measure."

* SRI T. M. DAIVASIKHAMANI ACHARIAR :—" Mr. Chairman, I am very much interested in the sales tax and I also congratulate Government for having exempted perishable goods from the levy of sales tax. I would have been gladder if coconuts also were exempted from the operation of sales tax as it is also a perishable commodity. Be that as it may, the need for the sales tax has been agreed to by one and all. The Deputy Leader of the Opposition brought it to the notice of Government that to call this as sales tax is a misnomer but that the proper wording ought to be purchase tax. Sir, there is some sense in what they say. It is the purchasers who pay the tax and not the seller. Therefore I think that definition could be given. The Deputy Leader of the Opposition touched upon this subject and said in England and other civilised countries, this is known as purchase tax. Now as Government are facing a deficit of 166 lakhs, it is for them to find out ways and means to get the deficit wiped out. Their only hope is that they could get a loan from the Government of India or that they may raise loans in the State. Sir, it is indeed a very hopeful sign but I have got my own doubt about it. Whether it is going to be realised or not, time alone can show. Sir, we are now leaving out the milching cows and we are trying to get the quantity of milk from dried-up cows. Sales tax on small articles will not fetch Government with the necessary money they want to balance their expenditure. In this case I would bring to the notice of Government about their having taken away the sales tax on ready-made jewels, diamond, etc. I do not know what made Government to get exempt the sales tax on these ready-made jewels, diamond, etc.

" A very responsible authority in Bombay, viz., the President of the All-India Jewellers' Association has come forward with his figures. For every year he says 600 crores worth of jewels are made for marriage purposes in India, leaving alone the other purchases wherein our ladies are bedecked with jewels. Sir, these jewels are not manufactured by private companies or workmen. A great majority of these things are made in shops and these shops get the major profit out of them. I made a rough calculation, Sir, on this subject and I have found that Rs. 70 crores worth of jewels are made in a year in our State. This Rs. 70 crores worth of jewels are not made by the jewellers sitting the whole day in their pials, but these are made by the men who sit in their cushions. These are the men who reap huge profits by incurring an expenditure of Rs. 70 crores annually on the manufacture of jewels. Previously Government thought of taxing them Re. 0-1-3 in the rupee for the manufactured jewels and diamonds. But somehow they have dropped the idea with the result these persons sitting in the cushions and reaping good profit go un-taxed. Somehow these big men have enticed the Government and they have dropped the idea of taxing manufactured jewels. I say, Sir, Government ought not to be deceived by these

[Sri V. V. Ramaswami] [18th March 1955]

5-30
p.m.

* THE HON. SRI M. A. MANICKAVELU :—“ Sir, the issue before us is a simple one. The method of advance collection of sales tax has been going on for the last fifteen years. Incidentally I may inform the hon. Deputy Leader of the Opposition that the rules were framed in 1939 and advance collection was going on under the rules. But an enterprising litigant took up this matter to the High Court and the High Court gave a decision that advance collection of tax cannot be done under the rule-making powers, but that this provision must find a place in the body of the Act itself. Therefore, Government have to bring in this amending Bill so as to provide for advance collection of tax in the Act itself. That is the simple thing. But certain hon. Members ranged over a wide field and talked about exemptions, merits and demerits of sales tax, and interesting subjects like marriage and ladies bedecked with jewels. We had also a sample of 19th century style of speaking.”

DR. V. K. JOHN :—“ May I know, Sir, what is meant by the 19th century style of speaking? ”

* THE HON. SRI M. A. MANICKAVELU :—“ I referred to Sri Deivasikhamani Achariar. The blame should go to the hon. Deputy Leader of the Opposition because it is he who traversed all over England, America and talked about the merits and demerits of sales tax. So, there is no wonder other hon. Members followed him. I cannot blame them. When the hon. Member Sri M. Ethirajulu talked about exemption and all that, the hon. Chairman asked whether I did not understand him. I understood him because I know Tamil. But I was only wondering why he was embarking upon all those things. I cannot blame him because the hon. Deputy Leader of the Opposition himself set such an example. But he can take shelter by saying that the subject under discussion is sales tax and so they can talk about it.

“ Then coming to my hon. Member Sri Mohamad Raza Khan, Sir, I am reminded of a student in a class who is inattentive and talking to his neighbours and afterwards complaining that the teacher did not teach. This advance collection has been going on for a number of years. Either the taxing officer makes a provisional estimate of the year's collection and bases the tax on that, or option is given to the merchant to give his own estimate which may be even very low and the taxing officer accepts it and on that amount, he assesses the tax payable in advance. But finally at the end of the year the whole thing is revised. Therefore, there is no question of hardship. The Taxing Officer is prepared to take whatever the merchant gives as the return. The system has been working well. In fact certain merchants welcome it because they are rid of the bother by paying the tax once in a month, or two months or three months according to the convenience of the merchants.

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“ This has not caused any hardship. But there was this technical defect. That is why the Government have come forward with this amending Bill.

“ In regard to the Agricultural Plantations Income-tax Bill, I conceded that there were certain defects and ill-drafting. Therefore perhaps the Hon. the Deputy Leader of the Opposition was emboldened to say that there were defects in this Bill also. Certainly, I am not going to concede that there are any defects in this Bill. There is no defect at all. It is quite all right. Once the High Court said that a certain thing was wrong, and the Government took steps for rectifying the defect by bringing in an amending legislation, it is the duty of the Government to see that the legislation is quite proper. Whether it is practical to give retrospective effect for all years or not, is immaterial. But when we amend the Act, we must amend it properly and see that all acts done wrongly, according to the High Court decision, are set right. But for all practical purposes, this amending legislation will have retrospective effect only for the last one or two years. The Hon. the Deputy Leader of the Opposition asked, ‘ How can this affect one or two previous years? ’ It will affect, Sir, in this way. For one year the accounts may be closed. But it may be a case taken on appeal. It will take some time for the appeal to be disposed of. In that case, it will not necessarily be one year but it will cover two years. But everything will be over in two years. That is why I said, ‘ one or two years. ’ There is nothing inconsistent here. There is no ill-drafting either. Everything is all right. The Hon. the Deputy Leader of the Opposition is still perhaps thinking of the Agricultural Plantations Income-tax Bill. Sir, we are now on the Sales Tax (Amendment) Bill.”

MR. CHAIRMAN :—“ The question is—

‘ That the Madras General Sales Tax (Amendment) Bill, 1955 (L.A. Bill No. 4 of 1955), as passed by the Assembly, be taken into consideration.’ ”

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

Clauses 2, 3 and 1 were put and carried.

The Preamble was put and carried.

* THE HON. SRI M. A. MANICKAVELU :—“ Sir, I move—

‘ That the Madras General Sales Tax (Amendment) Bill, 1955 (L.A. Bill No. 4 of 1955), as passed by the Assembly, be passed.’ ”

THE MADRAS GENERAL SALES TAX (AMENDMENT)
BILL, 1955 (L.A. BILL NO. 4 OF 1955)

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MR. CHAIRMAN :—“ The question is—

“ That the Madras General Sales Tax (Amendment) Bill, 1955 (L.A. Bill No. 4 of 1955), 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 at 3 p.m. to-morrow.”

The House then adjourned.

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

^a Notification issued with G.O. Ms. No. 4263, Home, dated 7th November 1951, regarding amendment 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 Madras Motor Vehicles Act (Central Act IV of 1939)].

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APPENDIX I.

[Vide answer to starred question No. 246 asked by Sri T. Purushotham at the meeting of the Legislative Council held on 18th March 1955, page 613 supra.]

Name of statue.	Location.
1 Munro Statue	Mount Esplanade Road.
2 Miller's Statue	Esplanade Road, Opposite to High Court.
3 George V Statue	North Beach Road, near Victory Memorial.
4 Edward VII Statue	Opposite to Government House, Mount Road.
5 Lord Willingdon Statue	Mount Esplanade Road.
6 George V Statue	Netaji Subhas Chandra Bose Road (near Flower Bazaar Police Station).
7 Annie Besant Statue	South Beach Road.

APPENDIX II.

[Vide item III (2) on page 639 supra.]

L.A. BILL No. 4 OF 1955.

(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 purposes hereinafter appearing;

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 General Sales Tax (Amendment) Act, 1955.

(2) It extends to the whole of the State of Madras.

2. *Amendment of section 3, Madras Act IX of 1939.*—In section 3 of the Madras General Sales Tax Act, 1939 (Madras Act IX of 1939) (hereinafter referred to as the principal Act)—

(i) after sub-section (1), the following sub-section shall be inserted, namely :—

“ (1-A) The tax for each year may be assessed, levied and collected in advance during the year in monthly or quarterly instalments, and for that purpose a dealer may be required to furnish either an advance estimate of his turnover for the year, or periodical

* Laid on the table on 17th March 1955.

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returns of the actual turnover as may be prescribed. The assessing authority may determine the amount of tax payable in respect of any period and on such assessment the dealer shall pay the sum demanded within such time as may be fixed by such authority.”;

(ii) in sub-section (5), for the expression “sub-sections (1) and (2)”, the expression “sub-sections (1), (1-A) and (2)” shall be substituted.

3. *Act to have retrospective effect.*—The principal Act shall be read and construed as if the amendments made by section 2 had formed part of the principal Act from its commencement.

THE MADRAS LEGISLATIVE COUNCIL.

Saturday, the 19th March 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.

Repairs to Gandhinagar dhobikhana, Ootacamund.

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

(a) whether the Government have received any representation in 1953 regarding the repairs to the Gandhinagar dhobikhana, Ootacamund; and

(b) if so, the action taken thereon?

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

“(b) The Municipal Council, Ootacamund, was instructed to repair the dhobikhana and it has carried out essential repairs by April 1954.”

DR. V. K. JOHN :—“Will the Government consider the question of having dhobikhana in every municipality and see that they are established?”

THE HON. SRI A. B. SHETTY :—“There must be dhobikhana in many municipalities, Sir.”

SRI T. PURUSHOTHAM :—“Is it possible to include the opening of dhobikhana in municipal towns in our Five-Year Plan?”

THE HON. SRI A. B. SHETTY :—“If the hon. Member is referring to the Second Five-Year Plan, I may tell him that proposals for inclusion in that Plan are yet to be formulated.”

SRI T. PURUSHOTHAM :—“Will the Government consider the question of including such schemes in the Five-Year Plan and providing aid to them from the Central Government grants for the purpose as in the case of water-supply and drainage schemes?”

THE HON. SRI A. B. SHETTY :—“The suggestion of the hon. Member will be borne in mind, Sir.”

SRI MOHAMED RAZA KHAN :—“Sir, may I know who runs these dhobikhana? Are they run by the Government or the dhobis?” (Laughter.)

THE HON. SRI A. B. SHETTY :—“By some organization of dhobis, Sir.”

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SRI M. ETHIRAJULU :—“ Sir, is there any Government order to open dhobikhana in all municipalities, the population of each of which exceeds 50,000? ”

THE HON. SRI A. B. SHETTY :—“ The hon. Member is asking a general question. The main question relates to the Ootacamund dhobikhana, Sir.”

Questionnaire issued by the Elementary Education Committee.

* 254 Q.—SRI T. PURUSHOTHAM (on behalf of Sri T. M. Daivasikhamani Achariar) : Will the Hon. the Minister for Finance and Education be pleased to state whether the Government have perused the questionnaire issued by the Elementary Education Committee and, if so, whether they have any proposal to instruct the Committee (i) to issue a few more questions inviting views and suggestions on cottage industries as well and (ii) to issue future notifications and circulars in Tamil?

THE HON. SRI C. SUBRAMANIAM :—“ There is no proposal to add to the questionnaire now. The suggestion to publish such matter in the relevant Indian Languages will be considered in future.”

SRI T. PURUSHOTHAM :—“ May I know when the report of the Committee is expected to be finalised and whether we can expect the projected reforms to be introduced in the ensuing academic year? ”

THE HON. SRI C. SUBRAMANIAM :—“ I am expecting the report in June. Whether it can be examined in time for changes to be introduced in the next academic year is a thing which can be said only on the receipt of the report.”

SRI G. KRISHNAMOORTHY :—“ Sir, can the Government give any information as to the number of persons interviewed by the Committee and the number of replies received to the questionnaire issued by it? ”

THE HON. SRI C. SUBRAMANIAM :—“ I cannot give the information now.”

Enquiry into cases against drivers of the Government Transport Department.

* 255 Q.—SRI MOHAMED RAZA KHAN : Will the Hon. the Minister for Religious Endowments and Transport be pleased to state with reference to the statement of the Inspector-General of Police in the annual report for 1952—

(a) why cases relating to drivers of the Government Transport Department are referred to the Enquiry Committee; and

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(b) why this distinction is made between drivers of the Government Transport Department and other drivers?

THE HON. SRI B. PARAMESWARAN :—“ (a) All cases against the State Transport workers for contravention of the Motor Vehicles Act and Rules which are punishable with imprisonment for over six months (with or without fine) are charged by the Police straightway before the appropriate Magistrates. All other cases, namely, those which may involve punishments lesser than those specified above are referred to the Enquiry Committee consisting of the Assistant Transport Commissioner, Labour Welfare Officer, and Assistant Commissioner of Police (Traffic and Licensing), for taking a decision whether the cases should be dealt with departmentally or charge-sheeted before the Magistrates concerned. The above procedure has been prescribed in order to avoid the infliction of double punishments simultaneously—one departmental and the other judicial—against the Transport workers. Further the cases referred to the Enquiry Committee are disposed of without any delay whatsoever and the punishments recommended by the Enquiry Committee have the necessary deterrent effect.

“ (b) Considering the commercial nature of the Transport Department and in view of the fact that a large number of traffic offences were expected to be committed by the traffic crew, which should naturally be disposed of quickly, especially in a commercial undertaking, a special procedure as referred to in clause (a) above is being followed in respect of the drivers of the Government Transport Department.”

SRI MOHAMED RAZA KHAN :—“ The reply given by the Hon. Minister is very lengthy. If it is placed on the table of the House, we can put supplementary questions on it later on.”

THE HON. SRI B. PARAMESWARAN :—“ I have no objection to placing it on the table of the House.”

SRI MOHAMED RAZA KHAN :—“ We shall put supplementaries day-after-to-morrow.”

Provision of up-to-date meters in motor taxis and auto-rickshaws.

* 256 Q.—SRI T. PURUSHOTHAM (on behalf of Sri T. M. Daivasikhamani Achariar) : Will the Hon. the Minister for Religious Endowments and Transport be pleased to state whether the Government propose to substitute the existing meters in motor taxis and auto-rickshaws by up-to-date meters which give only the fare due and, if so, when?

THE HON. SRI B. PARAMESWARAN :—“ In Madras City taxis are fitted with taxi meters, which indicate the fare to be paid by a passenger at the end of a journey and there is therefore no need to substitute the meters in these taxis. In the mufassal, all taxis are not fitted with taxi meters. The question of fitting milo-meters to these taxis in the mufassal

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is under consideration separately. As regards auto-rickshaws, taxi meters are not fitted to them, since taxi meters small enough to be fitted to them are not at present available in the market. Only milo-meters are fitted to auto-rickshaws. Steps have however been taken to see that speedo-meters showing not only the total mileage but also the mileage of each trip are fitted to the auto-rickshaw in the place of the present milo-meters."

SRI G. KRISHNAMOORTHY:—"Is it a fact, Sir, that the taxi meters always show 'eight annas' and not 'zero' at the start and if so, may I know, Sir, whether a passenger getting down at the destination has to pay the actual fare shown in the meter or the amount minus eight annas?"

THE HON. SRI B. PARAMESWARAN:—"If the hon. Member refers to taxis, the minimum fare that is charged is eight annas. Therefore, whether he travels half mile or quarter mile, he has to pay eight annas."

SRI G. KRISHNAMOORTHY:—"Sir, as it shows always eight annas at the start does the recording start from eight annas?"

THE HON. SRI B. PARAMESWARAN:—"It will begin recording from one mile."

DR. V. K. JOHN:—"Has the Hon. the Minister for Transport had occasion to get into a taxi and find out whether any fraud has been committed in the collection of fare from him?"

THE HON. SRI B. PARAMESWARAN:—"Not for the purpose of finding out fraud but at times when my car gets stranded, I do get into a taxi and incidentally I see whether there is any possibility there of committing fraud. No fraud I believe is committed."

Readjustment of Local Boards.

* 257 Q.—SRI V. V. RAMASWAMI: Will the Hon. the Minister for Local Administration be pleased to state what action the Government have taken on the suggestions offered by M.L.Cs., in regard to the readjustment of Local Boards referred to in the Address delivered by the Governor on 1st December 1954?

THE HON. SRI S. S. RAMASWAMI PADAYATCHI:—"The suggestions made by the hon. Member in regard to reorganisation of Local Boards will be considered in proper time."

SRI V. V. RAMASWAMI:—"உடனடியாக ஸ்தல ஸ்தாபனங்களுக்கு மேலிட்டு அதிகாரங்கள் கொடுத்து, அதை உச்ச நிலைக்கு கொண்டுவருவதற்கு ஏதாவது அரசாங்கம் யோசனை பண்ணுகிறார்களா, என்ற விபரத்தை இந்தச் சபைமுன் அமைச்சர் சொல்லமுடியுமா?"

THE HON. SRI S. S. RAMASWAMI PADAYATCHI:—"நகரசபை சம்பந்தப்பட்டவரையில் சேர்மனுக்கு சில அதிகாரங்கள் கொடுக்கப்பட்டுள்ளன என்று காலே சட்டசபையில் கூறினேன். அதைத் தவிர வேறு ஒன்றும் சொல்வதற்கில்லை."

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SRI K. BHASHYAM:—"May I know what the Government mean by saying 'at the proper time'? Is there any fixed time or any definite or certain time for all this?"

THE HON. SRI S. S. RAMASWAMI PADAYATCHI:—"When the proper time comes, it will be announced."

SRI V. V. RAMASWAMI:—"அடுத்த தேர்தலுக்குள் இதுபற்றி ஒரு முடிவுக்கு வந்துவிடுவார்களா?"

THE HON. SRI S. S. RAMASWAMI PADAYATCHI:—"இது எந்த தேர்தல் என்று தெரியவில்லை அதற்குள் ஒரு முடிவுக்கு வந்து விடுவார்கள்."

DR. V. K. JOHN:—"May I ask whether the Government have considered at least one suggestion put forward in December in this House?"

THE HON. SRI S. S. RAMASWAMI PADAYATCHI:—"We are examining every suggestion that was made."

SRI V. V. RAMASWAMI:—"அடுத்த ஜில்லாபோர்டு தேர்தலுக்குள் ஒரு முடிவுக்கு வந்துவிடுவார்களா என்பது என்னுடைய கேள்வி?"

THE HON. SRI S. S. RAMASWAMI PADAYATCHI:—"இது சம்பந்தமாக ஒரு கமிட்டி நியமிக்கப்போகிறார்கள். அந்தக் கமிட்டியில் இது பற்றி பரிசீலனை செய்து, கண்டிப்பாக அடுத்த ஜில்லாபோர்டு தேர்தலுக்குள் ஒரு முடிவுக்கு வந்துவிடுவார்கள்."

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

II.—PROGRAMME OF THE HOUSE.

* SRI T. PURUSHOTHAM:—"Sir, hon. Members are very anxious to know from the Hon. the Minister for Finance what the programme of further legislative work for this session is and for how long we have to sit after the Budget sittings are over. May we have the information Sir?"

* THE HON. SRI C. SUBRAMANIAM:—"After the Budget work is over, I think we will have to meet on the 4th or 5th of April and sit for three or four days. By that time, I hope the consideration of the Court Fees Bill and a few other Bills will have been gone through by the Assembly and they will be ready for being taken up here. After meeting on the 4th or 5th, we may finish our work and rise on the 9th of April."

III.—GOVERNMENT BUSINESS.

SUPPLEMENTARY STATEMENT OF EXPENDITURE FOR THE YEAR 1954-55.

THE HON. SRI C. SUBRAMANIAM:—"Mr. Chairman, Sir. I present the Supplementary Statement of Demands for Grants for the current financial year, 1954-55, and Detailed Estimates thereof. Copies of the Statement of Demands and the Estimates have been laid on the table of the House."

[Sri C. Subramaniam] [19th March 1955]

“ As explained in the Introductory Memorandum, the present Supplementary Estimates relate to—

(a) Schemes of expenditure already provided for in the Budget for the year 1954-55, for which additional provision is now required with reference to the expenditure already incurred or expected to be incurred before the end of the year;

(b) ‘ New Service ’ schemes sanctioned by the Government in the course of the year; and

(c) Payment of costs awarded by the Courts in suits in which the Government were impleaded as a party.

“ In respect of new services, the demand proposed is for the actual additional appropriation required to meet the expenditure in the current year on individual schemes, after taking into account the savings now anticipated in the concerned Grants. Where sufficient savings are expected or no expenditure is likely to be incurred in the current year, the demand proposed is only for a token sum of Rs.100.

“ The estimated expenditure in the current year in respect of New Service schemes included in the present statement is about Rs. 62 lakhs in the Revenue Account and Rs. 24 lakhs in the Capital Account, making a total of Rs. 86 lakhs. Advances to the extent of Rs. 70 lakhs have been sanctioned from the Madras Contingency Fund to meet a part of the expenditure on these schemes, pending regularisation by the Legislature. But most of the demands proposed are in respect of larger expenditure on items provided for in the Budget for 1954-55 and approved by the Legislature, due to various causes as explained in the Detailed Estimates.

“ There are now 27 Demands pertaining to Revenue Account, including 2 wholly ‘ charged ’ items for Rs. 79,100, involving a total sum of Rs. 611.04 lakhs under ‘ Voted ’ and Rs. 10.56 lakhs under ‘ Charged ’.

“ Under Capital Account (excluding State Trading Schemes), there are 5 Demands involving a total sum of Rs. 98.37 lakhs under ‘ Voted ’ and Rs. 0.25 lakh under ‘ Charged ’. In respect of State Trading Schemes, there is a large demand for a sum of Rs. 10,24.44 lakhs, which I shall explain presently. Thus the total of all the Supplementary Demands including ‘ Charged ’ items works out to Rs. 17½ crores nearly. All this of course does not represent additional expenditure as compared with the Budget originally approved by the Legislature. Under the system of gross budgeting now in force, specific demands for grants have to be moved for even adjustments from one head to another within the same grant and all recoveries have to be ignored. Thus, taking the Demand for Capital Outlay on Schemes of State Trading, it will be seen from the Detailed Supplementary Statement that recoveries to the extent of over Rs. 11.08 crores are anticipated against the Demand of Rs. 10.24 crores. The additional

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expenditure represents the purchase price of stocks of foodgrains and manures, including advances made towards such purchase, while the recoveries represent the estimated proceeds from the sales of such stock, including recoveries of advances previously made. The result is that though apparently a Demand for an additional sum of over Rs. 10 crores is asked for in respect of State Trading Schemes, there will actually be a reduction of about Rs. 84 lakhs in the net expenditure on account of State Trading Schemes in this year. Similarly, in respect of Electricity schemes (Demand No. XXVII), an additional sum of nearly Rs. 1,60 lakhs is asked for under ‘ Voted ’. But most of this represents merely a transfer of the expenditure on ‘ Generation ’ from a common suspense head to the individual systems. If such internal transfers are allowed for, the net additional demand asked for is only for a sum of Rs. 42 lakhs.

“ Hon. Members will, I hope, take note of the fact that though apparently supplementary estimates are presented for a sum of Rs. 17½ crores, the net Demand is only for a sum of about Rs. 4½ crores. Even this net Demand does not represent additional expenditure over the Budget; for, as explained in the Introductory Memorandum, against excess expenditure under some demands, there are savings under others, which cannot be formally reappropriated. The total savings anticipated in this manner is about Rs. 3 crores, comprising about Rs. 1 crore in the Revenue Account and Rs. 2 crores in the Capital Account. Further, most of the additional expenditure provided for in the Supplementary Statement has already been allowed for in the Revised Estimates for this year, presented to the Legislature earlier.

“ Large items included in the present Supplementary Statement are the following :—

(1) about Rs. 122 lakhs under Demand XI—District Administration and Miscellaneous, which represents merely adjustments to be made on account of the conversion of loans granted for construction of wells into subsidies and larger outlay on local development works with reference to the contributions received from the Government of India and the public.

(2) Nearly Rs. 160 lakhs under Demand XXVII Electricity, which I have already explained.

(3) About Rs. 63 lakhs under Civil Works (Demands XXIV and XXVI) which represent mainly larger expenditure on repairs to Highways damaged by floods and outlay on works financed from the Central Road Fund, including grants to local bodies.

(4) A sum of Rs. 81½ lakhs under XV Education, to cover the increased expenditure on payment of arrear and advance teaching grants and on the opening of a large number of additional schools and employment of additional teachers in pursuance of the Government of India's scheme to relieve the educated unemployed.

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A sum of about Rs. 89 lakhs under Demand XXXVIII Capital Outlay on Electricity Schemes, to meet the expenditure on the large number of rural electrification schemes undertaken with special assistance from the Government of India, for rural development and for increasing employment opportunities. The Demands for Capital Expenditure include also token sums under 'Irrigation' and relatively small amounts for the buildings connected with the Modern Quinine Factory and for the purchase of additional buses for the State Transport.

" Full particulars of all Demands will be found in the Detailed Supplementary Estimates.

" With these words, I commend the Supplementary Estimates for the acceptance of the House."

8-20 P.M. * DR. V. K. JOHN :—" May I know whether we can get a copy of the speech of the Hon. Finance Minister either typewritten or printed, as it was the usual practice."

THE HON. SRI C. SUBRAMANIAM :—" I will see copies are taken and circulated to hon. Members."

MR. CHAIRMAN :—" We will now take up non-official business."

IV.—NON-OFFICIAL BUSINESS.

Resolutions.

(I) STEPS TO BAN ALL DOMESTIC ANIMALS FROM THE MADRAS CITY LIMITS EXCEPT HORSES, BULLS, ETC.

* DR. A. SREENIVASAN :—" Sir, I move the resolution standing in my name, namely,—

" This Council recommends to the Government to bring in legislation to prohibit the keeping or breeding of all domestic animals within the limits of the City of Madras with the exception of horses and bulls or bullocks intended for drawing vehicles and also dogs intended for watch and ward purposes."

In commending this resolution to Government I feel that no elaborate and lengthy arguments need be advanced. The reason why I brought this resolution before this House is due to the fact that having been the practitioner of modern medicine for a number of years, I think a lot of money, energy and time are being wasted by doctors in their practice of medicine as it is at present done. Very many of the diseases are preventable by Nature. The modern tendency seems to be to lay more stress on the preventive aspect rather than on the curative aspect. I shall give you one example. Take for instance Typhoid fever. Chloromycin is good for being used for Typhoid fever. But a bottle of it costs Rs. 19. You want somewhere between 6 and 7 bottles of it for curing the disease. All the money needed to cure the

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disease is not readily available. With Rs. 2 worth of chlorination and preventive vaccination in endemic areas a whole population will become immunised at least for the time being. Therefore I think it is first of all necessary to remove the uncongenial surroundings wherein these cattle are being kept within the municipal limits of Madras. The bad insanitary surroundings in which these cattle are kept act as a congenial ground for mosquitoes and flies to breed. It is they that spread the disease, and I need not tell you the diseases that are spread by these domestic flies and mosquitoes. (Sri V. Chakkarai Chetty : " Are mosquitoes and flies domestic animals! ") I have said only domestic insects. Domestic flies and mosquitoes are insects. I need not tell you the diseases that are spread by these domestic flies and mosquitoes. The only method of eradicating these mosquitoes and flies will be to create an environment uncongenial to the breeding of these insect pests.

" The excreta from the cattle form fertile areas for the breeding of these insects. The cesspools of stagnant water in cowsheds contain fermented liquids emitting a very bad smell, irritating the respiratory organs, which become vulnerable to infection by organisms because of lowering of the vitality of the respiratory tracts. Therefore it is wise that we do something in the matter of keeping our cattle outside the city limits, removing them from the city.

" In Calcutta and Bombay, we do not have such a contingency for the cattle in those places are kept outside the city limits. Only in Madras, even though they are trying to solve the problem, due to economic causes the Corporation have not been able to complete their scheme. It is not possible for the Corporation or Government to construct model sheds for keeping all these animals. The Corporation cannot insist on licence from those owners who keep cows in their homes. The Corporation insists on licence only when a trade is carried on by selling milk and milk products. I am told that there are 50,000 heads of cattle within the municipal limits and I am told that there are only 1,000 licence holders for keeping these animals. Most of the animals are kept without licence. The Corporation of course do its best in trying to prosecute the owners of those animals; but they pay the small fine imposed and get out; and then again the whole thing repeats itself. The Corporation have not been given the proper authority under the law. Therefore the Government have to do something by appropriate legislation to ban the keeping of cattle in the city. Just as they have done in the case of pigs by banning them in the city, they could bring in legislation banning the keeping of cattle in the city.

" The obstacles caused by these animals are numerous. How these cattle straying in the roads are causing a nuisance will be

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known to all motorists. For the purpose of avoiding the straying cattle, the driver is forced to change the course of the car in the road. If only the genesis for the road accidents in the city is analysed, it will be found that most of the accidents are due to these straying animals. It is also a great danger especially in areas where schools are situated. Children while they are going to the school are being given a lot of trouble by these straying cattle.

"I now come to goats. These are another positive nuisance to people who rear gardens. I have had bitter experience in this regard in my garden. At one stretch we say there should be 'Vana Mahotsava', and there should be growing of trees. But at the same time we produce an environment that is responsible for the destruction of our gardens. I mean the environment created by these goats. So long as goats are there, woe unto our gardens! I am one who has a garden. I know the difficulty I have experienced due to these goats. I once contacted the Commissioner of Police to do something in the matter. Of course some of these animals were sent to the pound. Once my gardener took the goats to the pound. I know he was beaten black and blue afterwards by the owners of the goats, who are illiterate and who belong to the lower strata of society. They took the law into their own hands and the poor gardener was beaten. The goats are thus a positive menace. (Sri M. P. Govinda Menon: 'Were the goats or the gardener beaten?') Obviously the gardener. Therefore I request that legislation be brought in, in the matter of banning these animals within the city limits.

"I now come to the important subject of milk supply to the City of Madras. Even though it may be said that that subject has nothing to do with the resolution before the House, I might say it has an indirect bearing on it. Because these milch cattle are kept in very bad unhygienic conditions, their milk also does not contain the best nutritive content. One British expert has told that more organisms are found in the milk supplied in Madras than could be found in the sewage of London. It will not be congenial to the health of the people of the City of Madras to keep these animals in such unhygienic conditions. Let these animals be banned from the municipal limits. Let there be proper understanding among the owners of these animals to form themselves into co-operative societies. Let them mutually help themselves. For instance the Ayyanavaram Co-operative Milk Supply Union is doing very excellent work, and I do not know the reason why these milkmen could not form themselves into a co-operative society, take all the animals outside the city limits and deliver the milk to the Ayyanavaram Co-operative Milk Supply Union or try to find out methods of supplying milk to the citizens of Madras. With these words I commend this resolution for the acceptance of the House."

The resolution was duly seconded.

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SRI M. P. GOVINDA MENON :—"Does the hon. Mover of 3-30 the resolution exempt cats because he has exempted horses, bullocks and dogs?"

MR. CHAIRMAN :—"The resolution is before the House for discussion."

* DR. A. SREENIVASAN :—"That explains itself, Sir."

SRI MOHAMED RAZA KHAN :—"Sir, I am really in great sympathy with my hon. friend Dr. Srinivasan who has moved a very important resolution on the first non-official day which we are having after a lapse of 9 or 10 months. No doubt, the question should be viewed as very important and should not be taken in a light-hearted manner. More so because, particularly Dr. Srinivasan placed as he is, has stressed more the preventive aspect rather than the curative aspect because he feels that most of the diseases which are prevalent in the City of Madras can be easily cured by imposing a ban on these animals. It may be very easy for us to suggest that. In the first place he says horses and bulls or bullocks intended for drawing vehicles may be allowed. I do not know why cows have been left out. Sir, I may not be charged with being flippant. But it is discriminatory to allow bullocks and horses to remain within the City of Madras and not cows. There should be a certain amount of fairness in these things. There is necessity for keeping horses and bullocks because we have got these old type of bullock carts and carts drawn by horses, and quite a number of people are making a living out of them. Therefore, it would not be nice on our part to ban them completely. Dr. Srinivasan was very careful enough in saying that horses and bullocks should remain. The same is the case with the cows. Whatever may be the other aspect of saying that keeping cows leads to some diseases, there are hundreds of thousands of poor families who are making a living by having one or two cows in the City of Madras. Therefore, I do not feel that the House should in any way agree to this proposition to ban cows also. If, therefore, we have in the City of Madras horses, bullocks and cows, then only poor goats and unfortunate cats, as suggested by my hon. friend Sri Govinda Menon left out. I know the doctor's feeling being a victim in the hands of these goats trespassing into his garden."

THE HON. SRI C. SUBRAMANIAM :—"What about buffaloes?"

SRI MOHAMED RAZA KHAN :—"You should put it to the mover of the resolution. Buffaloes come under the same category. As far as I know, the Corporation of Madras and even the Police Officials are very particular in preventing goats from straying here and there and they are taken to the pounds. The owners have to pay some penalty and get the goats back. The owners are also prosecuted and they have to pay some Rs. 5 or Rs. 6 as fine. I do

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not understand how this resolution will help us because there is nothing left for us to ban. Another thing is, much depends on the Hon. Minister who is going to reply to the debate. I do not know what sort of view he will have. Now the Leader of the House is absent and we are under a handicap. We do not know who will be fortunate enough to reply to the debate."

MR. CHAIRMAN :—"The Hon. Sri C. Subramaniam is the Leader of the House now."

DR. V. K. JOHN :—"I think he prefers that."

SRI MOHAMED RAZA KHAN :—"Therefore, on the whole while we may be in sympathy with Dr. Srinivasan's idea, I think it will be rather difficult for us to get this resolution passed. Even if it is passed, it will be very difficult for us to put it into effect. I would only suggest to my hon. friend that if some time is given to the public, to the Corporation and to the Madras Government, things will get themselves adjusted and there will be no necessity for a resolution like this."

SRI K. BHASHYAM :—"Sir, it has been acknowledged on all hands that this is a very important resolution and it has elicited the sympathy of the previous speaker also. But there is no use of smoothening the resolution with sympathy. It is necessary to consider the resolution on its merits. Dr. Sreenivasan says that on account of the straying of cattle and keeping them in the City of Madras diseases are prevalent. So, there is the medical opinion and I do not think there can be any question about it. The Government should seriously think of doing something in this matter. There is no use of merely laughing the resolution out. Every matter starts with a small thing and it grows in proportion. At first it may be a laughing matter, but as things go on it becomes a serious matter. Therefore, I would like the House to take the matter much more seriously than they are doing to-day. Hon. Members must view the matter seriously and not laugh and say 'why not refer to cat, why not refer to rat, why not refer to something else'. You have to deal with the substance of the matter and see whether it really deserves your consideration or not and whether the Government can do anything in respect of this matter. There is no use of excusing the Government saying that it is impracticable. If we ourselves say that it is impracticable, then the Government will take shelter under it and say 'we cannot do anything in the matter.' You cannot leave the Government like that. In fact, I respectfully submit to the House that in this matter a serious responsibility rests upon the Government."

"The only difficulty in accepting the resolution is as regards the milk problem. It has been stated that there are a number of milch cows and buffaloes which are being kept in the City. There are also asses kept by the dhobies for their convenience. The question, therefore, will be, what can be done in respect of all these

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cattle. So far as the horses and bullocks intended for drawing vehicles are concerned, it is conceded that they cannot be banned. But what I would point out, however, is that if you can deal with this milk problem seriously, you can deal with the problem relating to the others easily. In Bombay a serious attempt has been made and the whole of the cattle has been banned from the City. Milk is supplied from a place nearly 10 or 15 miles away from the City. They have done very well. People coming from foreign countries have said that there is adequate milk supply in Bombay City. Why not the Government emulate the example set up by the Bombay Government? Why not arrange for a milk centre somewhere outside the City, gather all the cows and buffaloes there and supply milk to the City from there by some such arrangements as has been made in Bombay? That has been done in Western countries and people are happy over the matter. The milk is supplied in a hygienic way and is tested and certified to be pure. Now, what happens here is this. Because there is no such arrangement made in the City of Madras, one has to see that the milkman comes to his house, and milks the cow in his presence so that there may be no adulteration. If you assure the people of pure milk supply from a central place like the Ayanavaram Co-operative Society, then we need not have milch cows and buffaloes which stray about in the city and obstruct traffic and also create some diseases. Therefore, we must take the matter seriously and we cannot merely say that we cannot do anything in the matter. The Government also should take up some responsibility.

"Sir, the Corporation also has got big responsibilities in this matter. What I respectfully submit is that they are not attacking the problem seriously. I find that some reference has been made by the Corporation in their administration report regarding the establishment of a milk-centre outside the City for the supply of milk. But they have not taken serious notice of the matter and the Government are also sleeping. I respectfully submit that this is a matter which should have been given much more serious attention than it has been given to-day by hon. Members."

"The mover of the resolution as a medical man has taken up this matter on the basis of being a medical man with a view to preventing diseases. I say from a practical point of view also, it is a necessary measure. So far as this is concerned, one friend of mine facetiously used to say that these buffaloes in the streets were efficient brake-inspectors for all motor cars. They are oblivious of all circumstances. They do not care even for the Ministers' cars. They get straight into the middle of the road, and suddenly the brake has to be applied. If any hon. Member wants to have his car brake tested, it is enough if a buffalo is suddenly made to appear in the centre of the road. It is no doubt a very good Brake Inspector. The Police have to see that these cattle do not stray into the middle of the road and make themselves a nuisance to cars and other vehicular traffic. They should be led by some one."

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At present the milk man comes one hundred yards behind the buffalo. The Government ought to do something to stop this buffalo nuisance. Cattle shall not be allowed to stray into the streets of Madras. They should be led by some one. This is one thing which the Government should take into consideration immediately and do something to remove the nuisance caused by the buffaloes. If necessary, they should see whether the Ayana-varam Co-operative Milk Society can be strengthened and its scope extended. Other Milk Societies should be started if found necessary so that supply of milk to the City is freely available. I can understand the Government saying that they cannot undertake anything which would require lot of expenditure. But in a matter which affects the health of the people and endangers the life of the people, the Government cannot say that they cannot undertake to put a stop to this cattle nuisance. Supply of milk is a matter of great importance no doubt. We say that children suffer from malnutrition. People want our children to be healthy and vigorous. If we really want our children to become healthy citizens, supply of good milk to all our children and particularly the school-going children should receive the immediate attention of the Government. At least for the supply of good milk to the children, the Government must open a centre just outside the City limits. The hospitals must receive good milk from a central place. They should get milk from cows which have been fed on very good green fodder. At present the cows are eating dirty and dried fodder, and the milk supplied by these wretched cows is used in the hospital. The health of the people in general and children in particular requires that something drastic should be done to improve the position. There is no use of Government saying that they do not have money and throwing up their hands in despair. I strongly appeal to the House to pass this resolution and compel the Government to take some steps in the matter. The Hon. Minister in charge of Police should see that no cattle are allowed to stray into the roads but that they are led by some one. As a first measure efforts should be made for congregating the cattle in a central place in each division of the City. In Bangalore an enterprising person keeps the cattle belonging to different owners in one particular place. He enters into a contract with. He gives them good feed, milks them, and supplies the milk to the customers. This is all done for a small consideration. I was in Bangalore and I saw the milk supply coming from this centre. Similarly in Madras the Government may collect all the cattle in a particular area. They can have a sort of a dairy. These milk men should go there, milk their cows and supply the milk to a central organization which will supply it to the various places. Such a thing can be done here. I think the Government should take up this matter. They can appoint a small committee for this purpose. In addition to the difficulty caused to the vehicular traffic by these animals, the health of the people is also endangered.

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The pavements are full of these animals causing obstruction to the pedestrians. I should like this Government to take immediate steps to prevent this nuisance caused to the people by these cows and buffaloes straying into the streets."

* DR. V. K. JOHN :—" Sir, the House is obliged to you for giving us a non-official day, though not a full day. I would request you to allot one non-official day hereafter if the House should sit for at least six days so that non-official business can be transacted. Sir, I am thankful to the Mover of this Resolution Dr. A. Sreenivasan. The citizens of Madras should feel obliged to him. We have now come to a stage where we feel that animals in the City of Madras have not only become a great nuisance but they have become a source of danger to the health of the people. I do not think it is possible to ban the keeping of all animals in the City. But we have to take particular care about the keeping of the animals in the City. That is a matter to which the Government and the Corporation should pay attention. I do not see how a cow cannot be kept by a person in his compound in the City of Madras, if he owns two acres of land. It is no nuisance at all if he does not allow his cow to stray into the road. We must see that cattle are looked after properly and kept under proper control. At present cattle in the City are not properly looked after and controlled. I would be very happy if the Hon. the Health Minister would give us an assurance that greater attention would be paid to the keeping of these animals in the City of Madras. The House must thank the hon. Member Sri K. Bhashyam for the very eloquent and sincere speech that he made. I entirely agree with him that it is high time that we went into this matter seriously. I hope the Hon. Minister will give us that assurance. I cannot support the resolution as it is worded. What is required is good keeping and good care of the animals. The animals should not be a source of nuisance to the public nor should they be a source of danger to the people. They should not contribute to the loss of life in the City. More than giving an assurance, I hope the Hon. Minister will do something to implement this resolution. Thank you, Sir."

SRI V. CHAKKARAI CHETTY :—" Sir, I want to make one observation. My head is in favour of this resolution. But my heart is not in favour of it. I shall tell you why. The acceptance of this resolution will mean the creation of two kinds of unemployment, the unemployment of the people who keep cattle and the unemployment of the cattle themselves. How are the Government going to deal with these two kinds of unemployment? We are already not able to deal with one of kind of unemployment, namely, the unemployment of human beings. How are the Government going to deal with the non-human unemployment? This will mean throwing an additional burden upon the shoulders of our Government. We are trying to bring into existence a Welfare State. Is

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it a Welfare State only for human beings and not for non-human beings? In Tamilnad 'Jeevakarunyam' is one of the great virtues. All our great teachers like the author of Tirukkural have extolled this virtue. Therefore it seems to me that unless the Government come forward and make elaborate arrangements for the keeping of the cattle properly, there is no use of calling upon the poor owners of cattle to deal with this question. There is a particular community in our country that keep cattle. Their profession is cattle-breeding and supplying milk to the people. We are going to deprive this particular community of their profession which they have been carrying on for all these years. Therefore, I am not in favour of this resolution as it stands, unless the Government come forward and provide adequate protection for all these people so that these people may carry on their work profitably."

2. *SRI N. ANNAMALAI PILLAI :—“ கனம் தலைவர் அவர்களே, இந்தத் தீர்மானத்தில் நான் பெரும் பகுதியை ஆட்சேபிக்கின்றேன். ஹிந்துக்கள், ஏன் இந்தியாவிலேயே பெரும் பகுதியான ஜனங்கள் பசுக்களை தெய்வமாகக் கொண்டாடுகிறார்கள். அது மாத்திரமல்ல. விக்ரகங்களாகச் செய்தும் பூஜை செய்து வருகின்றார்கள். அப்படி பூஜிப்பதிலே எவ்வளவோ அருமையான தத்துவங்கள் அடங்கிக் கிடக்கின்றன. ஒவ்வொரு குடும்பத்திலும் பசுக்கள் இருக்க வேண்டுமென்று புராணத்தில் சொல்லப்பட்டிருக்கிறது. ஒவ்வொரு வீட்டிலும் சானம், கோமியம் முதலியவைகள் பிரதி தினமும் உபயோகப்படுத்தப்படுகின்றது. சானம், கோமியம், பால், நெய், தயிர் ஆகிய பஞ்சகவ்வியத்தையும் நாம் பிரதி தினமும் உபயோகிக்கின்றோம். இதை திரவியம், கவ்வியம் என்று சில அங்கத்தினர்கள் கூறுகின்றார்கள். இவ்வாறு பஞ்ச கவ்வியத்தை அளிக்கக்கூடிய பசுக்களைத் தூஷித்தால் மக்களுடைய மனம் புண்படும். ஹிந்துக்களின் தெய்வமாகிய கிருஷ்ண பரமாத்மா ஆயிரக்கணக்கான பசுக்களை மலைகள் மேல் மேய்த்துக்கொண்டு, தன்னுடைய புல்லாங்குழிவை ஊதி அவைகளை வீட்டிற்கு அழைத்துக் கொண்டுவந்து சேர்ப்பார். அது தவிர, ஈஸ்வரனுனவர் தன் பக்கத்திலேயே எப்போதும் ரிஷபத்தை வைத்துக்கொண்டிருப்பதாகச் சொல்லப்பட்டிருக்கிறது. இப்படி பல கடவுள் வழிபாட்டிற்கு பசுவை உயர்வாகக் கதைகளில் கூறப்படுகின்றது.”

DR. A. SREENIVASAN :—“ கதை கதைதானே ? ”

SRI N. ANNAMALAI PILLAI :—“கதையா? வேதம் ஒதுகிறது. அதுவும் பிராமணர்களுக்கு வேதம் ரொம்ப முக்கியமானது. வேதம், யஜுர் வேதம், சாம வேதம், அதர்வண வேதம் என்று நான்கு வேதங்கள் இருக்கின்றன. அதையெல்லாம் புறக்கணித்து, பசுக்களை ஊருக்கு ஒருபுறமாகக் கொண்டுபோய் ஒதுக்கி வைப்பதென்றால், அதனால் இன்னொரு புறத்தில் ஆபத்துக்கள் வரும். ஆகையால் அவசரப் படாமல் சமூகத்தில் இருக்கின்ற பழக்க வழக்கங்களை அனுசரித்து எதையும் செய்யவேண்டும். இப்பொழுது பசுக்களை வளர்ப்பதினால் ஏழைகள் ஜீவனத் திற்கு உதவியாக இருக்கிறது தெரியுமா? இரண்டு மூன்று பசுக்களை வாங்கி, அதைக்கொண்டு பலர் ஜீவனமே நடத்திக்கொண்டு வருகிறார்கள். பட்டினியாகக் கிடப்பவர்களுக்கு ஒருவித வழியும் செய்யாமல், பசுக்களைப் பட்டிக்காட்டிற்கு அனுப்பிவிடுவது என்பது கூடவே கூடாது. அது சரியல்ல.

“மற்றும் பசுக்களை பட்டணத்திலிருந்து ஒதுக்கிவிட்டால், நாட்டுப்புறத்தில் இருக்கின்ற என்போன்றவர்களுடைய கதி என்ன ஆகிறது? நாங்கள் மட்டும் கொசவிலினால் கடிக்கப்பட்டு, அவதிப்படுவதா? ஆகையால் இந்த யோசனை ரொம்ப ஆபத்தான யோசனை. இதுபற்றி பனமய புஸ்தகங்களை

19th March 1955] [Sri N. Annamalai Pillai]

யெல்லாம் புரட்டிப் பார்க்கவேண்டும். திருவண்ணாமலையிலே கோசாலே என்ற ஒரு பசு சமரக்கூளை சாலே இருக்கின்றது. பசுக்களை நல்ல முறையில் போஷித்து வருகிறார்கள். ஏதோ அண்ணாமலைப் பிள்ளை பேசுகின்றார் என்பதற்காகச் செய்யவேண்டாம்.

“ பட்டணத்திலே இருந்து ஒதுக்கிவிட்டு, அவைகளை பல்லாவரத்திற்கு கொண்டுபோய் அங்கிருந்து பாலைக் கரந்துகொண்டு வந்து உபயோகிக்கலாம் என்று சொல்லப்படுகின்றது. அப்படிக் கொண்டுவருவதை நாம் பால் என்று சொல்லப்படுகின்றது. ரேஷன் காலத்திலே நம்முடைய ஜனங்கள் எடுத்துதான் நம்ப முடியுமா ? ரேஷன் காலத்திலே நம்முடைய ஜனங்கள் எப்படி அரிசியில் கல்ையும் மண்ணையும் கலந்து விற்றார்களோ அதைப் போல்தான் இந்த பாலின் கடிகும் ஆகும். கல், மண் கலந்திருந்தாலும் கண்டுபிடித்து விடலாம். தண்ணீர் ஊற்றியிருந்தாலும் பால் தண்ணீரைக் கண்டிபிடித்து விடலாம். ஆனால் பவுடரைக் கரைத்து இருக்கிறது என்று கண்டுபிடித்துவிடலாம். இதை எப்படிக் கண்டு பிடிப்பது ? பால் என்று கொண்டுவந்தால் அதை எப்படிக் கண்டு பிடிப்பது ? ஆகையால் பசுக்களை அறவே பட்டணத்திலிருந்து நீக்கி விடும்படி சொல்லும் யோசனை ரொம்ப தப்பு. வேண்டுமானாலும் அவைகளை சுகாதாரமான முறை யோசனை ரொம்ப தப்பு. வேண்டுமானாலும் அவைகளை சுகாதாரமான முறை யிலே வைத்துக்கொள்ளவேண்டும் என்று ஒரு திட்டம் செய்யலாமே தவிர, அடியோடு பட்டணத்திலிருந்தே ஒழித்துவிட வேண்டுமென்பது சரியான தல்ல.

“ நம் நாட்டிலே விசேஷ காலங்களில் பசுவானது பசுவானது மிகவும் உபயோகப் படுகின்றது. ஒரு வீட்டிற்கு குடிபோவதற்கு முன்னாலே, பசவை முதலில் போகச் செய்து பின்னர் குடிபோவார்கள். இரண்டாவதாக, யாராவது ஒரு பெண் விதவையானால் பசவை முதலில் கொண்டுவந்து வைத்து அதன் முகத்தில் முதலில் விழிக்கச்செய்வார்கள். ஆகவே இம்மாதிரியான பழைய பழக்கவழக்கங்களை யெல்லாம் விட்டு விட்டு, புதிய நாகரீகத்தில், நவ நாகரீகத்தில் எதையும் ஒழித்துவிடலாம் என்ற மனப்பான்மையை வளர்க்க வேண்டாம். அந்த மனப்பான்மை அழிவையே, ஆபத்தையே உண்டாக்கும். நாம் நாட்டை முன்னுக்குக் கொண்டுவர வேண்டுமென் பதற்காகத்தான் சுயராஜ்யம் பெற்றோம். ஆனால் சுயராஜ்யம் வாங்கி விட்டோமே என்பதற்காக எதையும் செய்யலாம் என்று நினைக்கக்கூடாது. அந்த எண்ணத்தை அடியோடு விட்டுவிட வேண்டும். நடு ரோட்டிலே செல்லும் பசுக்களை வேண்டுமானால் பிடித்து அடைக்கலாம்; அல்லது அம்மாதிரியான பசுக்களை மாடுபட்டிகளில் கொண்டுபோய் வேண்டுமானாலும் விட்டுவிடலாம். ஆனால் ஒவ்வொரு வீட்டிலேயும் வைத்திருக்கக் கூடிய மாடுகளை அப்படிச் செய்யக்கூடாது. ரோட்டிலே திரியும் மாடுகளால் வியாதி பரவலாம். ஆனால் வீட்டிலே சுகாதார முறைப்படி வைத்திருக்கும் மாடுகளின்மேல் குறை சொல்லமுடியாது. அப்படி சுகாதாரமாக வைத் திருக்கவில்லை யென்றால், அதைப்பற்றி கவனிக்க சுகாதார மந்திரி இருக்கிறார்; அவருடைய சுகாதார இலாகா இருக்கிறது. இன்றுள்ள சுகாதார வசதியினால் எமனையே கிட்டே வராது தடுத்துவிட முடிகிறது. அதிலும் தென்னிந்தியாவில் இருக்கின்ற மருத்துவர்கள் மகா நிபுணர்கள். இன்று நாட்டிலே காலரா வராமல் தடுத்துக்கொள்ளும்; பிளேக் வராமல் தடுத்து விடுகிறோம்; அம்மே வராது தடுத்துவிடுகிறோம். இன்னும் சொல்லப் போனால் வரவர 10 பேர்களில் 8 பேர்களுக்குமேல் இறக்காதவாறு இன்றுள்ள சுகாதார முறையினால் பாதுகாத்துக்கொள்ள முடிகிறது. இதை யெல்லாம் விட்டு விட்டு,

‘நுணிக்கொம்பரே ரேகினூர் அஃதிறந் தூக்கின்
உயிர்க்கிறுதி யாகி விடும்’

அதாவது உச்சிக்கிராமில் நுனிக் கிளைக்குச் சென்றால் எப்படி கீழே விழுந்து விடுவானோ, அதுபோல ஒரு அளவிற்குமேல் சென்றால் ஆபத்துதான் விளையும். ஆகவே அந்த அளவிற்குச் செல்லாமல், பசுக்களைச் சுத்தமாக வைத்துக்கொள்ளவேண்டும். அவைகளை கூட்டுறவு சொசைடிகள் மூலம் போஷிக்கலாம் என்ற முறைகளை யெல்லாம் அனுஷ்டித்தால் அவைகள் நன்மையை விளைவிக்கும்.

[Sri N. Annamalai Pillai] [19th March 1955]

“இன்று தென்னிந்தியாவிலே ஒவ்வொரு குடும்பத்திலும் பெரும் பாலும் பசுவை போஷித்து வருகின்றார்கள். அதனால் மக்களுக்கும் நல்ல வருமானம் கிடைக்கின்றது. சாதாரணமாக ஒரு படி பால் என்றால், ஒரு படி தண்ணீர் கலந்து விற்கிறார்கள். அதனால் அவர்களுக்கு நல்ல வருமானமும் கிடைக்கிறது. சாதாரணமாக ஒரு பழமொழி போல,

‘காசுக் காசு லாபம், பாசு முண்ட பேறம்
தாண்டிலே யேமியுந்தி’

என்று வேடிக்கையாகச் சொல்லுவார்கள். நாளுக்கு நாள் இதிலே லாபம் அதிகரித்து வரக்கூடிய ஒரு தொழில் இது. பல ஏழைக் குடும்பங்கள் இத் தொழிலில் பிழைத்துக்கொண்டு வருகிறார்கள். மேலும் தினமும் நம் வீடுகளிலே சாணியையும், கோமியத்தையும் உபயோகித்துக்கொண்டு வருகின்றோம். நமது நண்பர் கனம் பெருமாள்சாமி ரெட்டியார் அவர்கள்கூட இந்த சாணியை மெழுகுவதால் டி.பி. யைத் தடுக்க முடியும் என்று கூறுகின்றார். இதுபோல் இந்த பசுவானது பலவகைகளிலும் நமக்கு இன்று உதவியாக இருக்கின்றது. அவைகளைப்போய் பட்டணத்தைவிட்டே வெளியே ஒதுக்க வேண்டுமென்று சொல்லுவதை கனம் அங்கத்தினர் அவர்கள் மாற்றிக்கொள்ள வேண்டுமென்றும், அம்மாதிரியாக மாடுகள் இருக்கும்படியான இடங்களை சுத்தமாக வைத்துக்கொள்ள வேண்டுமென்று உத்திரவிட்டால் போதும். இந்த தீர்மானம் ரொம்பவும் அபாயமானது என்பதைத் தெரிவித்துக்கொண்டு என் பேச்சை முடித்துக் கொள்ளுகிறேன்.”

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medicinal value. That has been our experience and also our ancients have said it. What I want to say is cow dung is put to lot of misuse. It is now turned into what is called ‘varatti’ which is used as fuel. It is used in the place of logs of wood. Now the Corporation can make some arrangement whereby this cow dung can be accumulated in some place and converted into manure. Let us try to make the best use of it and let us see that something is done to see that it is put to proper use. Then the danger may not be great. I do not in any way criticise the doctor, Sir, for he is quite justified in moving the resolution. But there are some difficulties in accepting it. When we introduced Prohibition, a large number of people (toddy-tappers) were thrown out of employment. No doubt, Prohibition is an absolute necessity and so the Government took it up. Now again we cannot be throwing out of employment a lakh of people in this way. Perhaps this point has not worked in the mind of the doctor.

“Therefore, while I sympathise with the doctor for having moved this resolution, I wish he had examined the question from a practical point of view and put forth a suggestion to have model sheds constructed either by the milkmen or by the Corporation itself. That will minimise danger to a very great extent.”

* THE HON. SRI A. B. SHETTY :—“Mr. Chairman, Sir, I can quite understand and appreciate the object underlying this resolution. But this resolution is worded in a different manner. The hon. the Mover of the resolution seeks the introduction of legislation for prohibiting the keeping or breeding of all domestic animals within the limits of the City of Madras with the exception of horses or bulls or bullocks. If he had said that the milch cattle of milkmen should be removed from the City limits, though not at once, at least in stages, and that we should start milk colonies or milkmen's colonies in the outskirts of the City, that would have been a reasonable proposition. But here his object is one and the wording of the resolution is for a wider purpose. If his object is to safeguard the health of the people and to ensure sanitary conditions of living, I do not know why he makes an exception in the case of horses, bulls and bullocks. They are equally bad. I do not think that bulls are generally used for drawing vehicles. It is bullocks. Uncastrated bulls are very dangerous. (Laughter.) Now the City Municipal Act, the District Municipalities Act and the Public Health Act have provisions for taking necessary measures for preventing nuisance and danger to health in the City of Madras and other municipalities. There are adequate provisions for regulating and controlling the keeping and breeding of domestic animals within the City. Section 116 of the City Municipal Act empowers the Corporation to levy a tax on specified classes of animals; cows and she-buffaloes are not included in the list. Under section 280 of the Act, nobody can keep pigs in the City without the permission of the Commissioner and also certain other animals

4 p.m. SRI A. M. ALLAPICHAJ :—“Mr. Chairman, Sir, this resolution is entitled to great weight because it is coming from an eminent doctor and there is no questioning that fact. It has also been very ably supported by an eminent lawyer. But we have also to consider the resolution from some other points of view as well. Now the mover of the resolution has said that there are about 50,000 heads of cattle in the City. I think that information must be correct. These animals are looked after usually by the shepherd class and others who make a living out of them. We can say roughly about a lakh of people live on these animals, milking cows and selling their milk. To ask the House to take steps to see that these animals and their owners are sent away from the City of Madras may be correct if we consider the question from the point of view of health. But we must take a practical point of view in such matters. What will happen to these one lakh of people if they are sent away from the City along with these animals? The hon. Member, Mr. Annamalai Pillai said that we were not quite justified in saying that the City's health alone was important. He asked: ‘When you are so particular about the City's health, why are you indifferent to health in other parts of the State?’ In the speech made by the hon. Mover of the resolution, there was one significant sentence and it is this. He said that the Corporation was not able to insist upon the construction of model sheds. It would be a constructive suggestion if he said that model sheds should be insisted upon by the Corporation or the Government. No doubt, the suggestion will cost something to the people who have got cows. But they make a lot of money out of these animals and it is their imperative duty to see that they keep their cows in model sheds. Then, Sri Annamalai Pillai said that cow dung had more

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and birds which are a source of nuisance. There is section 282 of the City Municipal Act according to which a person who wants to maintain a stable, shed or other places in which quadrupeds are to be kept has to obtain a licence. So, these are the various provisions which are intended to ensure public health and safety. It is not possible to prevent altogether the keeping of domestic animals in the City. It will give rise to many practical difficulties. But we can see that the animals (domestic animals) are kept in such a way as to ensure public health and safety. The hon. Member and other Members of this House may like to know that the Commissioner of the Madras Corporation, the Health Officer of the Corporation and the Registrar of Co-operative Societies have drawn up a scheme for the establishment of a milk colony near Madras in conjunction with the Corporation's scheme for the opening of a sewage farm. Their object is to evacuate milch cattle by stages from the City and to set up colonies in the outskirts of the City, the milkmen to remain there and the cattle to be housed under proper sanitary conditions. The expert committee presided over by Dr. A. Lakshmanaswamy Mudaliar which went into the question of the milk factory at Teynampet where milk is reconstituted and sold also recommended that a scheme should be started for establishing a milkmen's colony outside the City and for removing milch cattle there by stages for their being settled there. That is a very reasonable proposition and Government are considering the recommendation of the Committee as well as that of the Corporation and it is proposed to address the Government of India to provide grants for not less than 50 per cent of the total expenditure of the scheme. The resolution as it is worded is very wide and I do not think Government can accept the resolution. I request the hon. Member, Dr. A. Sreenivasan, to kindly withdraw the resolution. At the same time I can assure him that the question of starting a milk colony in the outskirts of the City will be given due consideration."

* DR. A. SREENIVASAN :—" Sir, of course, the Whip of the Opposition was rather flippant when he said that I made exception in the case of bulls and bullocks. The Hon. Minister has said that these things must be done in gradual stages. I also wanted to do things in gradual stages. There are only 165 bullock-carts, I mean double carts and the single carts number only about 300. There are only a few hundreds of horses. Therefore as Mr. Chakkarai Chettiar said instead of creating unemployment by removing bullock carts and single carts from the City (the men who operate these carts will be deprived of their jobs if we remove these carts outside) I thought we could make a beginning by removing these milch cows to the outskirts of the City, for these cows could have no employment problem but that they could be kept safely in a colony outside the City limits. That is not the case with the bullock and single cart drivers. A car driver must be a driver. But a milch cow can be taken care of by anybody

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else. That is why I wanted these milch cows to be removed first and then I thought by gradual stages these bullock carts could be removed. That was my point. Of course the Corporation has some cow-sheds. But they are not able to accommodate all of them. And these cows are kept in most uncongenial surroundings. (Sri K. Bashyam : 'Crime against the cows.') It is a crime against the cow as well as the man who keeps them under such conditions. These things cannot be done in a day. We could not depend on transport for removing these things outside the City. We have to reckon on human help. That is why for doing things in gradual stages, I thought we could make a beginning by first removing these milch cows outside the City. Then I thought we could come to bullock carts, etc. That is the object of the resolution.

"With your permission, Mr. Chairman, I want to reply in Tamil to what Mr. Annamalai Pillai has spoken about me in Tamil.

"கனம் சேர்மன் அவர்களே, நானும் தமிழில் பேச விரும்புகிறேன். என்னை அனுமதிக்கும்படி கேட்டுக்கொள்ளுகிறேன். அப்பொழுதுதான் கனம் அங்கத்தினர் அவர்களுக்கு நான் சொல்வதைப் புரிந்துகொள்ள முடியும்.

"கனம் அண்ணாமலைப் பிள்ளை அவர்கள் கோசாலை என்பதுபற்றிச் சொன்னார்கள். ஒவ்வொரு வீட்டிலும் பசு இருக்கவேண்டும்; அவைகள் சாணம் போடவேண்டும்; அவைகளை மனிதர்கள் உட்கொள்ளவேண்டுமென்றெல்லாம் சொன்னார்கள். அது ஏதோ ஒரு காலத்தில் இவ்வாறு எழுதிவிட்டுப் போயிருக்கலாம். ஆனால் இது இன்றுள்ள சுகாதார முறைப்படி பார்க்கும்போது, அவைகளை நான் ஒப்புக்கொள்ளவே மாட்டேன். இன்றுள்ள சுகாதார முறைப்படி அவைகளை உட்கொண்டால் வியாதியே ஏற்படும். கடவுள் பெயரைச் சொல்லி பாஷாணத்தைக்கூட உட்கொள்ளலாம் என்பது அவருடைய அபிப்பிராயம். ஆனால் இன்றுள்ள சாதாரண ஜனங்கள்கூட அவ்வாறு கடவுள் பேரைச் சொல்லி பாஷாணத்தை உட்கொள்ளத் தயாராக இல்லை."

SRI N. ANNAMALAI PILLAI :—" நான் பாஷாணம் என்று சொல்லவில்லை. பஞ்சகவ்வியத்தைச் சாப்பிடலாம் என்றுதான் சொன்னேன். கோமியம் ரொம்ப சிறந்தது; சாணம் ரொம்ப சிறந்ததென்று ஒரு அமெரிக்க டாக்டர்கூட எழுதி யிருக்கிறார். இவரைப்போல் அவரும் ஒரு டாக்டர்தான். எனக்கு என்ன தெரியும்? அவரைப்போல் ஒரு டாக்டர் எழுதியதை ஒரு பத்திரிகையில் படித்துத்தான் சொல்லுகிறேன். கனம் பெருமான்களிடமிருந்து ரெட்டியார் அவர்கள்கூட இப்போது எல்லோருக்கும் முன்பாக சாணத்தினால் டி.பி. வியாதி தடுக்கப்படுகிறது என்று கூறினார்கள். இதையெல்லாம் நான் சொல்லவில்லை; நான் பாஷாணத்தையும் குறிப்பிடவில்லை. டாக்டர் கனம் சீனிவாசன் போன்றவர்கள் தான் இதையெல்லாம் பாஷாணம் என்று நினைக்கிறார்கள்."

* DR. A. SREENIVASAN :—" நான் இதிலெல்லாம் நம்பிக்கை இல்லாதவன். ஆகையால் கனம் அண்ணாமலைப் பிள்ளை அவர்கள் கூறுவதை நான் நம்பத் தயாராக இல்லை. என்னுடைய அனுபவத்தில் காணி, மூத்திரம் இவைகளை உட்கொள்வதால் சுகாதாரத்திற்கு கெடுதல் விளைவிக்கும் என்பதைத் தெரிகிறது. இதுபற்றி யாரோ ஒரு அமெரிக்கர் எழுதி யிருக்கிறார் என்று நண்பர் அண்ணாமலைப் பிள்ளை அவர்கள் சொன்னார்கள், அவர் யார் என்பதை அதிகார பூர்வமாகச் (Authoritative)

[Dr. A. Sreenivasan]

[19th March 1955]

சொன்னால் அதை நான் பார்த்து அப்படி அது தவறாக இருந்தால் ஒப்புக் கொள்ளத் தயார். அப்போது பின்வாங்கிக் கொள்வதற்கும் தயார். அதுவரை எனக்கு பைத்தியம் பிடித்தால்கூட இதை ஒப்புக்கொள்ள மாட்டேன். பைத்தியத்திலும்கூட நான் இதைச் சொல்லவும் மாட்டேன்.”

SRI N. ANNAMALAI PILLAI :—“ இவ்வாறு வசிஷ்டர் சொல்லியிருக்கிறார். நான் சொல்லவில்லை. வேதத்திலே சொல்லியிருக்கிறது.”

* **DR. A. SREENIVASAN** :—“ வேதத்திலே அப்படி கூறியிருக்கலாம். கண்ணால் பார்ப்பதையே நம்பாத இந்தக் காலத்தில் யாரோ எதையோ, என்னவோ கூறினால் அதை அப்படியே நம்பி அவர்கள் சொல்லியவாறு நடக்கவேண்டுமென்பதில்லை. அவ்வாறு நடந்தால் அது கெடுதல்தான் உண்டாக்கும். இதை நான் மனப்பூர்வமாக ஒப்புக் கொள்ளவும் முடியாது. ஒருவன் சொன்னான் என்பதற்காக, அதைச் செய்வது தப்பு. நாம் அதை நன்கு பரிசீலனை செய்து பார்த்து, பின்னால் அது உண்மையாக இருந்தால் அதை ஒப்புக்கொள்ளவேண்டும். இல்லையெல்லை அதை நம்பவேண்டாது.”

SRI K. BALASUBRAMANYA AYYAR :—“ அது ரொம்பப் பிசகு என்று நான் சொல்லுகிறேன்.”

DR. A. SREENIVASAN :—“ Of course there may be differences of opinion. There is bound to be difference of opinion on this question.”

“ பசுக்களை கிராமங்களுக்கு அனுப்பி, அங்கு கொசு கடிப்பதால் நாங்கள் செத்துப் போகவேண்டுமா என்று கனம் அண்ணாமலைப் பிள்ளை அவர்கள் கேட்டார். நான் அப்படிச் செத்துப்போகவேண்டும் என்பதற்காகச் சொல்லவில்லை. கிராமங்களுக்கு கொண்டுபோனால் சுகாதாரமாக இருக்கலாம் என்பதற்காகவே சொன்னேன். பட்டணத்தில் 100 சதுர அடிக்கு எவ்வளவு ஜனத்தொகை வாழ்கிறார்கள், கிராமத்திலே 100 சதுர அடிக்கு எவ்வளவு பேர்கள் வாழ்கிறார்கள் என்பதைப் பார்த்தால், பட்டணத்திலே 10 சதுர அடிக்குள் ஒரு குடும்பம், இரண்டு குழந்தைகள், சம்சாரம், இதிலே மாடு வேறு, ஆக ஒரே கூட்டமாக இருக்கிறது. ஆனால் கிராமங்களிலே அப்படி ஜாஸ்தியாக நெருக்கடி இருப்பதில்லை. அங்கு டைல்யூஷனாக இருப்பதற்கு இடவசதிகள் அமைந்திருக்கிறது. ஆகவேதான் அங்கு ஆடுமாடுகளை கொண்டுபோவதால் மிகவும் வசதியாக இருக்குமென்று சொன்னேன். ஆனால் பட்டணத்தை எடுத்துக்கொண்டால் கான்சென்ட் ரேஷனாக அதாவது மிகவும் நெருக்கடியாக ஜனங்கள் வாழ்ந்து வருகிறார்கள். கிராமங்களிலே என்றால், ஆடு மாடுகளுக்கு அதிக இட வசதி உண்டு. நல்ல முறையிலே கொட்டகை யெல்லாம் போடமுடியும். அங்கு ஜல வசதியும் நன்கு கிடைக்கும். பட்டணத்தை எடுத்துக்கொண்டால், இன்று குடிப்பதற்குக் கூட நல்ல முறையில் ஜல வசதி யில்லை. அப்படியிருக்கும் போது கொட்டகைகளை கழிவுவதற்கு இங்கே எங்கே தண்ணீர் கிடைக்கப் போகின்றது? கிராமங்களிலே என்றால் கொட்டகைகளை நல்ல முறையில் சுத்தமாக வைத்துக்கொள்ளமுடியும். அதற்காகத்தான் சொன்னேனே தவிர, கிராமங்களில் உள்ளவர்கள் செத்துப்போக வேண்டும் என்பதற்காகவோ, பட்டணத்திலே உள்ளவர்கள் சுகமாக இருக்கவேண்டுமென்பதற்காகவோ சொல்லவில்லை.

“ I am withdrawing the resolution on the assurance given by the Hon. the Minister for Public Health.”

“ With the permission of the House, the resolution of Dr. A. Sreenivasan was withdrawn.”

19th March 1955]

(2) MEASURES FOR DECORATING THE STATE LEGISLATURE HOUSES ON THE LINES OF THE RECOMMENDATIONS CONTAINED IN THE REPORT OF THE PLANNING SUB-COMMITTEE ON DECORATING THE PARLIAMENT HOUSE.

SRI T. PURUSHOTHAM :—“ Sir I am not moving my resolution.”

(3) AMENDMENT TO THE MADRAS ESTATES (ABOLITION AND CONVERSION INTO RYOTWARI) ACT, 1948, AND THE MADRAS ESTATES LAND (REDUCTION OF RENT) ACT, 1947.

SRI S. P. SIVASUBRAMANYA NADAR :—“ I move the resolution standing in any name, namely :—

‘ This Council recommends to the Government that the Madras Estates (Abolition and Conversion into Ryotwari) Act, 1948 and the Madras Estates Land (Reduction of Rent) Act, 1947 be amended to the effect that a permanently settled estate shall, for the purposes of the above two Acts, include all the Inam lands within the estates boundaries.’

After the passing of these two Acts mentioned in the resolution the tenants have become ryoti tenants in the estate and also in the major inams. But on account of the definition that is given in these two Acts, the minor inams are excluded and the old system of tenure even now continues, even though the neighbouring lands under the major inams continue to get the privileges and rights of the ryoti tenure. This anomaly is due to a historical accident. In the definition of the Act, the estate is defined to be a permanently settled estate under Regulation XXV of 1802. In that Regulation minor inam has been omitted for investigation at a later stage, but that was never done. Hence, in adopting the definition that is now given in the Estates (Abolition and Conversion into Ryotwari) Act, these minor inams have been omitted. It is easy to enable these minor inams also to get the benefit of these two Acts by amending the definition of the word ‘ estate ’ in these two Acts so as to include minor inams also.

“ The objection that can possibly be raised is the payment of compensation to these lands also. For the estates that have been taken over, compensation has not yet been fully paid and the Government will have to bear an additional expenditure by way of compensation to these inamdars. My suggestion is this, Sir. In these inam lands what is given to the inamdar is an assignment of land revenue. If the lands are converted into ryoti lands and the land revenue collected is given to the inamdars, there will be no necessity to pay them any compensation. They will be satisfied if the revenue or the land tax that is collected from the ryotwari lands is given to them. Even otherwise, after the amendment of the Constitution the compensation which will have to be now paid will be far less than what the Government are now paying

[Sri S. P. Sivasubramanya Nadar] [19th March 1955]

under the Estates Abolition Act. This would not be also against the Constitution, since under Article 31-A, the conversion of the inam land into ryoti land will not be barred and it can be easily done. Then there will be uniformity of tenure in the villages. In an estate which has been recently abolished, the ryots are enjoying the privileges of a ryotwari patta, while in the adjoining minor inams they are under the old tenure and subjected to all the hardships under that tenure. If these minor inams are also abolished there will be uniformity of tenure in the villages. So, I commend to the consideration of the House the adoption of this resolution which is a harmless one, but which will be beneficial to the people."

The resolution was seconded by Sri P. P. Ummer Koya.

SRI K. BALASUBRAMANYA AYYAR:—"Mr. Chairman, Sir, I am afraid that it will not be possible for this House to accept this resolution moved by Sri Sivasubramanya Nadar. Minor inams have got a very long history. Minor inams have been given for meritorious services rendered and for services to be rendered also. Therefore it is even at the time when the permanent Regulation of 1802 was passed, in the definition of permanently settled estate, they did not include minor inams. Even in the Estates Land Act minor inams were not included. There is great difficulty in the matter. I think the mover of the resolution himself did well in stating that the government have to pay a lot of compensation still for many of these zamindari estates that have been converted by the Estates (Abolition and Conversion into Ryotwari) Act. I think that it would take a long time for the Government to completely make the payment of compensation which they have now undertaken to pay unless under the new amendment to the Constitution, they are enabled to stop payment of compensation or reduce compensation. Merely because minor inams are also included in the permanently settled estates, to say that at the present juncture they should also be converted into ryoti lands is not quite correct. Minor inams were granted for various reasons. That question has to be separately tackled and considered and after that only minor inams can be included in the definition of 'estate'. I hope and trust Government will take up this matter a little later. I would, therefore, appeal to the mover of the resolution to better wait for some time and not press the resolution now for consideration by the Government."

THE HON. SRI M. A. MANICKAVELU:—"Sir, the principle of abolishing the intermediaries in the land tenure system has been accepted by the Government and it is only in pursuance of that, the Government have passed legislation abolishing the zamindaris. In this respect our State had been the pioneer

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in abolishing the zamindaris. Other States are now following us. In fact many State representatives and Ministers have come over to our State to find out how this legislation is working here so that they may implement it in their States. Now, as it is in order to apply this Estates Abolition Act, it must be an estate in the first instance and secondly it must be an estate which comes under the purview of the Abolition Act. Apart from the minor inams, there are other inams which have been declared estates, but they did not come under the purview of the Abolition Act. They are called the 1936 inams. That is in that year there was a legislation which made certain inams estates. They will not come under the Abolition Act. I think such inams are about 3,000 or so in number. Government have not taken any steps to apply the Abolition Act to them. Now, my hon. friend who moved the resolution wants the minor inams also to be brought under the Abolition Act. As the hon. member Sri K. Balasubramanya Ayyar pointed out, there is some difficulty in the case of minor inams which we have to carefully examine. The Government are desirous of passing some legislation to abolish these intermediaries and towards that end, I think in the first place they have to tackle the 1936 inams. Now if both these kinds of inams are abolished according to the Zamindari Abolition Act, compensation will have to be paid. It has been estimated roughly that a sum of Rs. 20 crores will have to be paid as compensation. Already in the case of the zamindaris which have been abolished, the Government have committed themselves to pay compensation to the extent of Rs. 12½ crores. We must look into the question whether the Government can afford to pay this compensation now. Incidentally I may say that there is a move in Parliament to amend the Constitution in the matter of paying compensation for lands acquired by Government. I think it is worthwhile to wait for the conclusion in the matter so that that decision may facilitate our attempt to abolish all these inams. To accept the resolution, as it is, is impracticable, because the resolution contemplates all sorts of inams. It is very vague. There are under-tenure inams and other inams. Therefore, I would assure the hon. Member and restate that the Government are already seized of this problem and that they would bring in legislation to abolish some more estates which are in the nature of intermediaries. The Government will take every step towards that end. I would therefore request the hon. Member to withdraw his resolution and look forward eagerly for what the Government are going to do in the course of one or two years."

SRI S. P. SIVASUBRAMANYA NADAR:—"Sir, in view of the assurance given by the Hon. Minister I withdraw my resolution."

The resolution was withdrawn by leave of the House.

[19th March 1955]

(4) MEASURES FOR CONDUCTING THE PROCEEDINGS IN THE
DISTRICT OFFICES OF CHINGLEPUT, SOUTH ARCOT
AND NORTH ARCOT IN TAMIL.

* SRI A. GAJAPATHY NAYAGAR :—“ மன்றத் தலைவர் அவர்களே, இப்போது என் பேரிலுள்ள தீர்மானத்தை நான் முதலில் ஆங்கிலத்திலேயே படிக்கிறேன்.

‘This House recommends to the Government to replace English by Tamil in all the proceedings conducted in the district offices of Chingleput, South Arcot and North Arcot and in all their correspondence inter se and with the departments of Secretariat.’

“இதைத் தமிழில் சொல்லவேண்டுமென்றால், செங்கற்பட்டு மாவட்டம், தென் ஆற்காடு, வட ஆற்காடு மாவட்டம் ஆகிய மாவட்டங்களில் இருக்கும் அலுவலகங்களிலும், இவைகளுக்கு இடையேயும், இவைகளுக்கும் சென்னை வாழ் செகரடேரியட்டிற்கும் நடக்கும் கடிதப் போக்குவரத்துக்கள், இப்போது நடைபெறும் ஆங்கிலத்தில் இருப்பதைத் தவிர்த்து, தமிழ்மொழியில் நடத்தவேண்டுமென்று அரசாங்கத்தாளை கேட்டுக் கொள்ளுகிறேன்.

“இதை என் கொண்டு வந்தேன் என்றால், இதற்கு முன்னதாக தமிழ்மொழியை ஆட்டி மொழியாகக் கொண்டுமென்று ஒரு சட்டம் கொண்டு வந்தேன். அது இந்த சட்ட சபையில் இருக்கிறது. நமது மாகாண கவர்னர் பெருமான் அவர்களால் அதிக செலவாகும் என்று அதை விவாதிக்க உத்தரவு அளிக்கவில்லை. அக்காலத்தில் நிதி அமைச்சரைக் கேட்டதற்கு, கவர்னர் பெருமான் அனுமதி அளிக்காத காரணத்தினால் அது அப்படியே உயிருடன் தான் இருக்கிறது என்று கூறினார். அது இப்பொழுது எப்படியிருக்கிறது என்றால் இருந்தும் இல்லாதது போல் இருக்கிறது. It is in a state of suspended animation. அப்படி இந்த மசோதா ஏற்கனவே இருக்கும்போது, இந்தத் தீர்மானம் எதற்கு என்று கேட்கலாம்? அதை அப்படியே சம்மா விட்டுவிடாமல், மேலும் மேலும் தமிழை வளர்க்கும் முறையில் இந்தத் தீர்மானத்தை கொண்டு வந்திருக்கின்றேன். தீர்மானம் என்ன சொல்லுகிறது? மூன்று மாவட்டங்களிலும் நடைமுறையில் நடவடிக்கைகள் தமிழில் நடைபெற வேண்டுமென்று சொல்லுகிறது. இப்போது திருச்சியிலே நமது அரசாங்கம் அங்கு நடக்கும் நடவடிக்கைகள் எல்லாம் தமிழில் நடக்க வேண்டுமென்று ஏற்பாடு செய்திருக்கிறார்கள். இந்த ஏற்பாட்டை அடிப்படையாகக் கொண்டே, இந்தத் தீர்மானமும், இப்போது திருச்சி ஒன்றிலே இருக்கிறது. நான் கொண்டுவந்திருக்கும் தீர்மானம், திருச்சி மாவட்டத்திலே நடப்பதோடு மட்டுமல்லாமல், மற்ற மூன்று மாவட்டங்களிலும் அதாவது செங்கல்பட்டு, தென் ஆற்காடு, வட ஆற்காடு ஆகிய மூன்று மாவட்டங்களுக்கும் அவை கடிதப்போக்கு வரத்துக்கள் தமிழில் நடக்கவேண்டுமென்று கூறுகிறேன். ஒரு மாவட்டத்திற்குள்ளேயே நடந்தால் அது நாட்டுப்புற மொழியாகத்தான் இருக்கும். அப்படியல்லாமல் செகரடேரியட்டிற்கும் சம்பந்தம் வைத்துக் கொண்டால், அது நாட்டு மொழியாக அமையும். அப்போது ஒரு மதிப் பையும் பெறும். கனம் நிதி அமைச்சர் அவர்கள் கருணாகர்ந்தால் இதை ஒப்புக்கொண்டு செய்யலாம். செய்யவேண்டுமென்றும் கேட்டுக்கொள் ளுகிறேன்.

“திருச்சியிலே மட்டும் கொண்டுவந்திருக்கிறார்கள். அது எவ்விதம் நடைபெறுகிறது என்று பார்த்தால், பொறுப்பற்ற நிலையில்தான் நடை பெறுகிறது. அது எப்படி நடைபெறுகிறது என்று யார் கவனிக்கிறார்கள். அது எப்படி நடைபெறுகிறது என்பது பற்றி ஏதாவது ரிப்போர்ட் உண்டா? எதுவும் கிடையாது. அதைப்பற்றி கண்காணிப்பு கிடையாது. ஒருவித

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மான பாதுகாப்பும் கிடையாது. இப்படி பொறுப்பு இல்லாமல் அமுல் நடத்தினால் அது ஒழுங்காக இல்லாமல் போய்விடுகின்றது. அதற்காகவே இந்தத் தீர்மானம் கொண்டு வந்திருக்கிறேன். இந்தத் தீர்மானப்படி திருச்சிக்கும், சென்னையிலே உள்ள செகரடேரியட்டிற்கும் தமிழில் போக்கு வரத்து நடந்தால், அப்போது நடவடிக்கைகள் நன்றாக நடக்கும். காரணம், அப்போது பொறுப்பு ஏற்படும். உண்மையில் தமிழ் மொழி வளரும். நமது இந்திய பேரரசை எடுத்துக்கொண்டால் ஹிந்தியை வளர்ப்ப வளரும். நமது இந்திய பேரரசை எடுத்துக்கொண்டால் ஹிந்தியை வளர்ப்ப தற்குச் சங்கங்கள் வைத்து, விரைவில் ஹிந்தியையே அரசியல் மொழியாக ஆக்கவேண்டுமென்பதற்காக எந்தெந்த விதங்களில் வளர்ந்து வரச் செய் கிறார்கள். நம்முடைய நாட்டிலே எடுத்துக்கொண்டால், சட்டமும் கிடையாது. வளர்ப்பதற்கு எந்த விதமான திட்டமும் கிடையாது, சட்டமும் கிடையாது. திருச்சியில் இன்று நடைபெறும் விதம், குண்டுச் சட்டியில் குதிரை ஓட்டிக் கொள்வதுபோல் தான் இருக்கிறது. அப்படி எத்தனை நாளைக்கு ஓட்ட முடியும்? என்றைக்கு இருந்தாலும் வெளியே கொண்டுவரத் தானே வேண்டும்? அப்போது என் உடனடியாக சென்னைக்கு இப் போதே கொண்டுவரக்கூடாது?

“இப்போது வரவு செலவு திட்டத்தை இந்த ஆண்டு தமிழிலே அச்சடித்துக் கொடுத்தார்கள். அது எல்லோருக்கும் ரொம்பவும் உதவி யாக இருந்தது. நாம் பேசுவதெல்லாம் தமிழ் மொழி; கனம் மந்திரி யார் அவர்கள் பேசுவதும் தமிழ்மொழி. ஆனால் சில அங்கத்தினர்கள் கேட் பதற்காக உடனே ஆங்கிலத்தில் பேசிவிடுகிறார்கள். இவ்வாறு சில சமயங் களில் மற்றவர்களைக் கவனியாது பொறுப்பில்லாமல் பேசிவிடுகிறார்கள். ஆத்திரத்தில் பேசுகிறேன் என்று நினைக்கவேண்டாம். எல்லா நடவடிக் கையையும் இன்று ஆங்கிலத்திலே அச்சடித்துக் கொடுத்து விடப்படுகிறது. ஆனால் பேசுவதெல்லாம் தமிழ் மொழி. என்ன பொருத்தம்? தமிழ் அச்சடித்து இருந்தால்தான், தமிழ் ஆர்வம் பிறக்கும். அப்பொழுது அம்மொழி பழக்கத்திற்கு வரும். அச்சிலே கொண்டு வருவதற்கு அச்சப் பட்டுக்கொண்டு, தமிழிலே மட்டும் பேசி என்ன பயன்? அச்சமில்லாமல் கடிதப் போக்குவரத்துக்கள் எல்லாம் தமிழிலே நடத்துவதற்கு முன் வர வேண்டும்.

“இரண்டாவதாக, நமது செகரடேரியட்டில் பல ஆபீசர்கள் இருக்கிறா் கள். அவர்களெல்லாம் தமிழிலே ரொம்ப ஆர்வம் கொண்டவர்கள். தமிழிலே வரவேண்டுமென்ற எண்ணம் உடையவர்கள். தமிழை இரண் டாவது மொழியாகப் படித்தவர்கள். அவர்களால் எவ்விதக் குறையும் வராது. அவர்கள் ஐ.எ.எஸ்., அல்லது ஐ.சி.எஸ். என்ற பெரிய படிப்பை படித்தவர்கள். அவர்கள் உதவி செய்யத் திட்டமாய் இருக்கிறார்கள். ஆகையால் அவர்கள் உதவியும் இதிலே நல்ல முறையில் கிடைக்கும் என்பதைத் தெரிவித்துக்கொள்ளுகிறேன்.

“கவர்னர் பெருமான், அதிக செலவாகும் என்ற காரணத்தினாலே அப்போது சொல்லியிருக்கலாம். ஆனால் முதலில் சிறியளவு செலவை இதை ஆரம்பிக்கலாமே? செங்கல்பட்டு, தென் ஆற்காடு, வட ஆற்காடு சென்னை நகரத்திலுள்ள செகரடேரியட்டு ஆகியவற்றிற்கு மட்டும் சிறிது செலவிலே ஒவ்வொரு மாவட்டத்திற்கும் இரண்டு தமிழ்த் தட்டெழுத் தாளர்கள், இரண்டு தமிழ்ச் சுருக்கெழுத்தாளர்களை நியமித்து, ஒரு திறிய அலுவலகம் நடத்தினால் அதன் மூலம் நாட்டிலே எவ்வளவோ சிறிய அலுவலகம் நடத்தினால் அது தமிழ் மொழியும் ஆட்சி மொழியாக வளரும். தமிழ்ப் பற்று வளரும்; தமிழ் மொழியும் ஆட்சி மொழியாக வளரும். சம்மா செலவு ஆகிறது என்று மட்டும் சொல்லிக் கொண்டிருந்தால் பிரயோஜனமில்லை. பணம் எதற்காக இருக்கிறது? இம்மாதிரியான நல்ல முறைக்கு பயன்படத்தானே இருக்கிறது. ஏதோ நான் கொண்டு வந்தேன் என்பதற்காக ஏற்றுக்கொள்ள வேண்டுமென்று வற்புறுத்த வில்லை. நிதி அமைச்சர் அவர்களே இந்தத் திருத்தத்தைக் கொண்டு

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வருவதாக எண்ணி, இதைச் செய்வதற்கு மனம் கொள்ளவேண்டும். கருணை கூர்ந்து இந்த மூன்று மாவட்டங்களுக்கும் உடனடியாக தமிழில் எல்லாப் போக்குவரத்துக்களும் நடத்துவதற்கு முன் வரவேண்டுமென்று கேட்டுக்கொள்ளுகிறேன்.

“இப்போது சில தலைவர்கள் இங்கு பெரும்பாலும் ஆங்கிலத்தில் பேசுகிறார்கள். நானும் இம்மாதிரி ஒரு காலத்தில் ஆங்கிலத்திலேயே தான் பேசிக்கொண்டிருந்தேன். ஆனால் இனிமேல் அம்மாதிரி எவ்வளவு நாளைக்கு முடியுமென்று பார்க்கும்போது, கொஞ்ச நாட்களுக்கே முடியும். கல்லூரிகளிலே தான் ஆங்கிலம் வளர்க்கப்பட்டு வந்தது. இப்போது அங்கும் இனிமேல் தமிழ் வந்துவிடப் போகின்றது. ஒரு சிலர் ஆங்கிலம் வேண்டுமென்று சொல்லிக்கொண்டு வருகிறார்கள். ஒரு சிலர் ஆங்கிலம் நாளுக்கு நாள் இவ்வெண்ணம் குறைந்துகொண்டு வருவதையே நாம் பார்க்கிறோம். அதிலும் நமது நாட்டிலே இன்னும் 10 ஆண்டுகளுக்குள் எல்லா நடவடிக்கைகளும், தமிழிலே இருக்க வேண்டும்; ஹிந்தி மொழி வரக்கூடியதைப் பற்றி இப்போதே தயாரித்துக் கொள்ள வேண்டாமா? ஆகையால் என்னுடைய தீர்மானத்தின் மூலம் சர்க்காரை வற்புறுத்துவதற்காக கொண்டுவரவில்லை. நாளைக்கு வருவதை இன்றைக்கே தயார் செய்து வந்திருக்கிறேன். ஆகையால் இந்த மூன்று மாவட்டங்களுக்கும், சென்னை யிலே செகரடேரியட்டிற்கும் இடையே மட்டும் எல்லா போக்குவரத்துக்களும் இனிமேல் தமிழில் நடக்க வேண்டுமென்று கேட்டுக்கொள்ளுகிறேன். இப்படி நான் சொல்லும் போது நண்பர் மேனன் அவர்கள் என்னை கண்ணால் உருட்டிப் பார்க்கின்றார்.”

SRI M. P. GOVINDA MENON :—“ I don't object to what you say.”

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p.m.

* SRI A. GAJAPATHY NAYAGAR :—“ இந்த மசோதாவில் என்ன சொல்லப்படுகிறது என்றால், தமிழ் மாவட்டங்களாகிய மூன்று மாவட்டங்களில் மட்டும் தான் தமிழில் நடக்க வேண்டுமென்று சொல்லுகின்றேனே தவிர, மலபாரையும், கன்னடத்தையும் இதில் சேர்க்கவில்லை. அவர்கள் ஆங்கிலத்திலேயே பேசட்டும்; அல்லது அவர்களுடைய மொழியிலேயே நடத்தட்டும். அதற்கு நான் குறுக்கே நிற்கவில்லை. அவைகளைத் தவிர்த்து மற்ற மாவட்டங்களில் தமிழ் ஏற்படுத்தலாம். ஆகவே தான் முதலில் மூன்று மாவட்டங்களை எடுத்துக் கொள்ளலாம் என்று சொன்னேன். அப்படி எழுதப் பழகினால் என்ன ஆகும் தெரியுமா? ஒருவருக்குள் ஒருவர் தமிழை நன்கு கற்றுக்கொள்ளலாம். நாளடைவில் ஆங்கிலமும் குறைந்து விடும். பிற்காலத்தில் செய்யவேண்டியதை நாம் முன் ஜாக்கிரதையாகவே செய்தவர்களாகவும் ஆகிவிடுவோம். இதையெல்லாம் உணர்ந்துதான் அப்போது தமிழ் ஆட்சி மொழியாக வேண்டுமென்ற மசோதாவையும் கொண்டு வந்தேன்; இப்போது அதை நினைவூட்டும் முறையிலேயே இந்தத் திருத்தத்தையும் கொண்டு வந்திருக்கிறேன். ஆகவே ஆட்சியாளர்கள் இதற்கு கருணை கூர்ந்து இந்த தீர்மானத்தை ஆதரிக்க வேண்டுமென்று கேட்டுக்கொள்ளுகிறேன். இதைச் செய்வதால் தமிழ் மொழி உயரும்; தமிழ் மக்கள் கிறிப்பனவர்கள்; தமிழ் நாடு முன்னேறும். அதற்கு அரசியலார் உதவி செய்யவேண்டுமென்று மீண்டும் கேட்டுக்கொள்ளுகிறேன்.”

DR. A. SREENIVASAN :—“ Sir, I second the resolution moved by Sri Gajapathy Nayagar.”

MR. CHAIRMAN :—“ Motion moved—

“ This House recommends to the Government to replace English by Tamil in all the proceedings conducted in the district

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offices of Chingleput, South Arcot and North Arcot and in all their correspondence inter se and with the departments of Secretariat.”

* SRI A. SUBRAMANYAM :—“ கனம் தலைவர் அவர்களே, செங்கல்பட்டு, வட ஆற்காடு, தென் ஆற்காடு முதலிய மூன்று ஜில்லாக்களில் தமிழ் மொழி ஆட்சி மொழியாக வேண்டுமென்றும், இந்த மூன்று ஜில்லாக்களிலும் தமிழிலேயே எல்லா நடவடிக்கைகளையும் நடத்தவேண்டுமென்றும் அதோடு செகரடேரியட் காரியாலயத்தையும் சேர்த்துக்கொண்டு அதற்கிடையே கடிதப் போக்குவரத்து ஏற்படுத்தவேண்டுமென்றும் ஒரு நியாயமான தீர்மானத்தை எனது மதிப்பிற்குரிய நண்பர் கனம் கஜபதி நாயகர் கொண்டு வந்தது மிகவும் பொருத்தமானது என்று சொல்ல விரும்புகிறேன். ஏனென்றால் ஆந்திர நாடு பிரிந்த பிறகு இந்த நாடு இப்போது தமிழ் நாடாக விளங்குகிறது. தமிழிலே பேசக்கூடிய அங்கத்தினர்கள் தான் இந்த கவுன்ஸிலில் அதிகமாக இருக்கிறார்கள். குறிப்பிட்ட வேறு பாஷைகள் பேசக்கூடியவர்கள் இருந்தாலும் கூட அவர்கள் விரல் விட்டு எண்ணக்கூடிய அளவில் தான் இருக்கிறார்கள். அவர்களுடைய செளகரியத்தை நாம் ஒரு பக்கம் கவனிக்க வேண்டியிருந்தாலும் கூட, தமிழில் பேசக்கூடிய மக்கள் பெருவாரியாக இருப்பதால், தமிழிலேயே, தாய் மொழியிலேயே நடவடிக்கையையெல்லாம் நடத்தவேண்டும் என்பது என்னுடைய ஆசை. நமது புரட்சிக் கவிஞர் பாரதியாரும் கூட

‘வேறு வேறு பாஷைகள் கற்பாய் நீ
வீட்டு வார்த்தை கறகிலாய் போ, போ, போ
நூறு நூல்கள் போற்றுவாய், மெய்கூறும்
நூலிலொத்தி யல்கிலாய் போ, போ, போ.’

என்று கூறி நமக்கு எச்சரித்து இருக்கின்றார்.

“ நாம் பேசும் ஒவ்வொரு வார்த்தையிலும் தமிழின் இன்பத்தை அனுபவிக்கிறோம். கொஞ்ச நேரத்திற்கு முன் மிருகங்களைப்பற்றி பேசினார்கள். பகுத்தறிவில்லாத மாடுகள் “அம்மா” என்று தான் கத்துகின்றது. அதுவும் தமிழ் உச்சரிப்பையே உச்சரிக்கின்றது. நம் தாய் பாஷை என்றால் எளிதான வகையில் இருந்து வருகிறது. ஆகவே, நம் தாய் பாஷையாகிய தமிழை புறக்கணிக்கக்கூடாது. ஏதோ கொஞ்சநான் கழித்து மெதுவாக கொண்டு வரலாமென்று இந்த விஷயத்தில் இருந்து விடாமல், அரசாங்கம் தமிழ்மொழியை உடனடியாக ஆட்சி மொழியாக்குவதற்கு வேண்டிய நடவடிக்கைகள் எடுத்துக்கொள்ள வேண்டுமென்று கேட்டுக்கொள்ளுகிறேன். ஏனென்றால் இது மிகவும் முக்கியமானது. கேட்கத் தேர்தல் நடக்க இருக்கிறது. தேர்தலிலே தமிழை ஆட்சிமொழியாகக் கொண்டு வருவோம் என்று சொல்லவேண்டிய நிலைமை ஏற்பட்டு விடக்கூடாது. இப்போது கொண்டு வந்தால் தான் வாக்காளர்கள் அதிகமான வோட்டுக்கள் அளித்து நம்மைத் தேர்ந்தெடுப்பார்கள். ஆகவே, ஆட்சியிலுள்ள அரசாங்கம் முந்திக் கொள்ள வேண்டும். மலையாள ஆட்சியிலுள்ள அரசாங்கம் முந்திக் கொள்ளவில்லை. கன்னடத்தில் பேசும் அங்கத்தினர் பாஷை பேசும் அங்கத்தினர்களுக்கும், கன்னடத்திலும் பேசலாம். நாம் அதை அவர்களும் மலையாளத்திலும், கன்னடத்திலும் பேசலாம். நாம் அதை ஆட்சிப்பிக்கப் போவதில்லை. கன்னடத்திலும் மலையாளத்திலும் பேசுகிற அங்கத்தினர்கள் 4, 5 பேர்கள் தான் இருப்பார்கள்.

“ ஒரு எழுத்துத் தட்டு மெஷின் ஒன்றை வாங்கி ஒரு டைபிஸ்டை 75 மாத சம்பளத்திற்கு நியமிப்பதால் ஒன்றும் செலவு அதிகமாக போய்விடாது. சாதாரணமாக ஒரு மெஷின் 600 ரூபாய்க்குமேல் ஆகாது. ஒரு தடவை வாங்கிவிட்டால் மறுபடியும் வாங்கப்போவது இல்லை. இதுமாதிரியான நல்ல காரியம் செய்தால் நன்மை ஏற்படும். அதோடு

[Sri A. Subramanyam] [19th March 1955]

வேலையில்லாதவர்களுக்கும் ஓரளவு வேலை கொடுக்கமுடியும். எனவே, இதையெல்லாம் ஆலோசித்துப் பார்த்து கனம் நிதி அமைச்சர் அவர்கள் தமிழ் மொழியை மூன்று ஜில்லாக்களிலும் கொண்டு வாலேண்டுமென்று கேட்டுக்கொள்ளுகிறேன். இதுவல்லாமல் பக்கத்தினை இருக்கும் சேலம் ஜில்லாவுக்கும் கொண்டுவந்தால் மிகவும் நலமாக இருக்கும் என்று கிண்டித்தேன். ஏனென்றால் இந்த மூன்று ஜில்லாக்களின் பக்கத்திலேயே தான் சேலம் ஜில்லாவும் இருக்கிறது. எல்லாம் ஒரு பார்ட்லிமென்ட் இருக்கிறது. ஆகையால் இதையும் சேர்த்துக்கொள்ளவேண்டுமென்று கேட்டுக்கொள்ளுகிறேன். ஆகவே, நான்கு ஜில்லாக்களிலும் தமிழிலேயே படி கேட்டுக்கொள்ளுகிறேன்.”

THE HON. SRI C. SUBRAMANIAM :—“ ஏன் தோயம்புத்தூரையும்
சேர்த்துக்கொள்ளலாமே ? ”

*** SRI A. SUBRAMANYAM:—**“தாராளமாகச் சேர்த்துக்கொள்ளலாம். எனக்கு ஒன்றும் ஆட்சேபனை கிடையாது. அதையும் சேர்த்துக்கொண்டால், பழம் நழுவி பாலில் விழுவது போல் ஆயிற்று. சாதாரண பாயாரத்தில் சர்க்கரையுடன் முந்திரி திராட்சை போட்டமாதிரி இருக்கும். அப்படிச் செய்தால் எல்லோருக்கும் சந்நோஷம்தான். ஆனால் கனம் இந்திரி கூடாது. காரியங்கள் ஆமை வேகத்தில் இல்லாமல் துரிதமாக நடவடிக்கை எடுத்துக்கொள்ளவேண்டுமென்று மறு முறையும் கேட்டுக்கொள்ளுகிறேன்.

“சில வாரத்திற்கு முன்பாக செக்ரெடேரியட்டிலிருந்து சப்ளி மென்டரி பட்டஜட் அறிக்கை கொடுப்பதுபற்றி எனக்குக் ஒரு கடிதம் வந்தது. அதில் பட்டஜட் அறிக்கை தமிழில் கொடுப்பதாக இருந்தது. ஆனால் அது ஆங்கிலத்தில்தான் இன்று கொடுக்கப்பட்டிருக்கிறது. என் இப்படிக் கொடுத்திருக்கிறார்கள் என்று எனக்குப் புரியவில்லை. இம்மாதிரியான பல தவறான விஷயங்கள் நடந்துவிடுகிறது. இதனை காரணத்தையும் பரிசீலனை செய்யவேண்டும். எல்லா விஷயங்களும் இனிமேல் தமிழிலேயே நடந்தால் இந்த நாட்டின் பெருமை நன்கு உயரும்.

“ஸ்ரீ கஜபதி நாயகர் அவர்கள் சொன்னதுபோல் ஒரு சில எழுத்துத் தட்டும் டைபிஸ்டுகளை அமர்த்துவதில் அரசாங்கத்திற்கு ஒன்றும் பெரும் செலவு ஏற்படுவதில்லை. அரசாங்கம் இதனை செய்யவேண்டும் என்று நினைத்தால் கட்டாயம் இதைச் செய்துவிட முடியும். பணத்தைப்பற்றி இப்பொழுது கவலைப்படவேண்டியதில்லை. இப்பொழுது துண்டுவிழும் பட்டாஜட்ட சரிக்குவதற்கு சர்சாஜ் வரி எப்படி விதித்தார்களோ, இது விடலாம். இல்லாவிட்டால் அரசாங்கத்தில் ரிசர்வ் பணம் தொகை இருக்கவே இருக்கிறது. அது எதற்காக இருக்கிறது? அதை என் இம்மாதிரியான காலத்திற்கு ஒதுக்கவைக்கவேண்டும். நம் தாய் நாட்டிற்கும், நம் தமிழ் மாக உபயோகப்படுத்துவதாலாமே. அது நம் கடமையும் ஆயிற்றே. ஆகவே, தேவையின் அவசியத்தை உணர்ந்து இப்பொழுது கொண்டு வந்திருக்கும் தீர்மானத்திற்கு முழு ஆதரவு கொடுக்குமாறு கேட்டுக்கொள்ளுகிறேன். செங்கல்பட்டு, வட ஆற்காடு, தென் ஆற்காடு மட்டுமல்லாமல் சீலத்தையும் சேர்த்துக்கொண்டு கெக்ரேடேரியட்டுக்கும் இடையே கடிதப் போக்குவரத்துக் களை தமிழிலேயே ஏற்படுத்துவதற்கு நடவடிக்கை எடுக்கும்படியாகக் கேட்டுக்கொண்டு இத்தீர்மானத்தை நான் முழுமனதுடன் ஆமோதிக்கின்றேன்..

19th March 1955]

* DR. A. SREENIVASAN :—“கனம் தலைவர் அவர்களே, நான் இந்த 4-50 ப.ம.
தீர்மானத்தின் பேரில் நடக்கும் விவாதத்தில் கலந்துக்கொள்ள மிகவும்
சந்தோஷப்படுகிறேன். இந்தத் தீர்மானம் மிகவும் நல்லதே தீர்மானம்.
காரணம் என்னவென்றால், சில மாதங்களுக்கு முன் நான் நாக்பூர் சென்
றிருந்தேன்.”

SRI A. GAJAPATHY NAYAGAR:—“நாக்பூர் அல்ல, நாகபுரி என்று சொல்லவேண்டும்.”

DR. A. SREENIVASAN :— “எனக்குத் தெரிந்த தமிழிலே பேசினேன். நல்ல தமிழைச் சொன்னால் கற்றுக்கொள்வதற்குத் தயார். சில மாதங்களுக்கு முன் நான் நாடாபிக்கு சென்றிருந்தபோது, அங்குள்ள முதல் மந்திரி பண்டிட் சக்லா அவர்களை சந்தித்தேன். அவர் என்னுடன் மகாநாடு நடக்கும் ஹாலுக்கு வெளியே ஆங்கிலத்தில் பேசிக்கொண்டிருந்தார். ஆனால் மேடைக்கு வந்தவுடன் ஹிந்தியில் உரைக்க ஆரம்பித்தார். ருந்தார். ஆனால் மேடைக்கு வந்தவுடன் ஹிந்தியில் உரைக்க ஆரம்பித்தார். எனக்கு ஒன்றும் புரியவில்லை. பொறுத்துக்கொண்டிருந்தேன். அது ஒரு அகில இந்திய மகாநாடு (All India Conference). அந்த மகாநாடு முடிந்த பிறகு நான் பண்டிட் சக்லா அவர்களைப் பார்த்து ‘I do not understand a word of what you spoke’ என்று கேட்டேன். அதற்கு அவர் ‘Yes, it does not matter’ என்று கூறினார். அப்போதுதான் எனக்குக் கொஞ்சம் ஆவேசம் பிறந்தது. அவர்கள் மட்டும் ஹிந்தியைப் பயன்படுத்துமென்று இப்படியே புரளி செய்யும்போது நாம் மட்டும் ஏன் தமிழ் பேசுவதற்கு புரளி பண்ணக்கூடாது என்று தோன்றிற்று. ஆங்கிலம் வேண்டியதுதான். சாஸ்திர விஷயங்களைப் பார்க்கின்றபோது அனைத்துலகத்தோடு (International) ஒட்டிப்போவதற்கு ஆங்கிலம், பிரஞ்சு, ஜெர்மனி போன்ற மொழிகள் வேண்டியதுதான். ஆனால் அதற்காக நம் நாட்டுப் பழக்கத்திற்காக தமிழைத் தள்ளிவிடக்கூடாது. தமிழ் மொழிவேண்டும். தமிழ் மொழியைக் கைவிடக்கூடாது. என்பது என்னுடைய அபிப்பிராயம். அந்த முறையில் நண்பர் கஜபதி நாயகர் அவர்கள் இந்த மூன்று ஜில்லாக்களுக்கும் தமிழைக்கொண்டு வருவேண்டுமென்று இந்த மூன்று ஜில்லாக்களுக்கும் தமிழைக்கொண்டு வருவேண்டுமென்று கேட்பது நியாயமானதே. அதை நான் ஆதரிக்கின்றேன். என்றைக்காவது ஒரு நாளைக்கு நாம் இதை ஆரம்பிக்கத்தான் போகின்றோம். பின்னால் ஆரம்பிக்கப்போவதை இப்போதே உடனடியாக கொஞ்சம் கொஞ்சமாக ஆரம்பித்தால் அது பயனுடையதாக இருக்கும். இதை அரசாங்கம் புறக்கணித்துவிடக்கூடாது. இன்று Non-official day ஆகையால் இந்தத் தீர்மானம் கொண்டுவரப்பட்டிருக்கிறது. இதற்கு அரசாங்கம் முக்கியத்துவம் கொடுக்கவேண்டும். மேலும், நம்முடைய அதிகாரிகளும் தமிழில் பேசவும், எழுதவும் தெரிந்தவர்களாக இருக்கிறார்கள். அதனால் யோசனைசெய்து 2, 3 ஜில்லாக்களுக்காகிலும் செய்யவேண்டுமென்று கேட்டுக் கொள்ளுகிறேன். எப்படியாவது ஒரு எலக்ஷனுக்குள்ளாகவாவது கொண்டு வருவதற்கு ஆராயலாம். ஆங்கிலம் இருக்கவேண்டும். அதைப்பற்றி ஆட்சேபிக்கவில்லை. ஆங்கிலம் இருக்கவேண்டும். அதைப்பற்றி மற்ற நடவடிக்கைகளுக்கு தமிழை ஏன் உபயோகப்படுத்தக்கூடாது என்று பது எனக்கு விளங்கவில்லை. இதனை அவர்கள் உடனடியாகச் செய்யாவிடில் தமிழ் மக்கள் நிச்சயமாக அரசாங்கத்தைப் பழிப்பார்கள். இப்படியெல்லாம் கொண்டுவந்தால்தான் தமிழ் வளர முடியும். தென் கன்னடத்தைச் சேர்ந்தவர்களும், மலபாரசைச் சேர்ந்தவர்களும் பலர் இருப்பதற்காக தமிழ் கொண்வருவது கஷ்டமாக இருக்கிறது என்று சொல்லுவது எனக்கு புரியவில்லை. நம்முடைய தமிழர்களிலே எத்தனையோ பேர்கள் ஆங்கிலத்தைத் தெரியாமல் இருக்கிறார்கள். அவர்களுடைய நிலைமையை கவனிக்க வேண்டாமா ? அவர்களுடைய பொறுப்பைக் கவனியாதே இவ்வளவு? என் தமிழ் மக்கள் அதிகமாக இருக்கக்கூடிய இடத்தில் மந்திரிகளும்

THE MADRAS LEGISLATIVE COUNCIL.

Thursday, the 24th March 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.

Taking over of the administration of important temples in the State by Union Government.

* 260 Q.—SRI V. V. RAMASWAMI: Will the Hon. the Minister for Religious Endowments and Transport be pleased to state—

(a) whether the Union Government have any proposal under consideration to take over the administration of certain important temples in the State;

(b) if so, what the recommendations of this Government are in the matter; and

(c) whether the Council will be given an opportunity to discuss the proposal?

THE HON. SRI B. PARAMESWARAN :—“(a) This Government are not aware of any such proposal.

“(b) & (c) Do not arise.”

SRI V. V. RAMASWAMI :—“கொஞ்ச நாளைக்கு முன் இதுபற்றி பத்திரிகையில் ஒரு செய்தி வந்தது. அதைப்பற்றி ஏதாவது விவாதிக்க முடியுமா?”

THE HON. SRI B. PARAMESWARAN :—“பத்திரிகையில் வந்ததை நான் பார்த்தேன். ஆனால் அரசாங்கத்திற்கு அதைப்பற்றி ஒன்றும் தகவல் தெரியாது.”

SRI V. V. RAMASWAMI :—“அப்படி மத்திய சர்க்கார் ஏதாவது ஒரு திட்டம் போட்டு இந்த அரசாங்கத்திற்குக் கொடுத்தால் சட்ட சபையைக் கொண்டு முடிவு செய்வார்களா?”

THE HON. SRI B. PARAMESWARAN :—“மத்திய அரசாங்கத்திலிருந்து அப்படி ஏதாவது வந்த பிறகு இதுபற்றி யோசனை செய்யலாம்.”

Starting of sheet metal cottage factories.

* 258 Q.—SRI T. M. DAIVASIKHAMANI ACHARIAR: Will the Hon. the Minister for Agriculture be pleased to state whether there is any proposal to start sheet metal cottage factories (aluminium excepted) in all important centres such as Tanjore, Tiruchirappalli, Madurai, Ramanathapuram and Tirunelveli?

THE HON. SRI M. BHAKTAVATSALAM :—“The Director of Industries is examining the possibility of such factories in suitable places.”

[24th March 1955]

Manufacture of Shark-liver oil by the State.

* 259 Q.—SRI T. M. DAIVASIKHAMANI ACHARIAR: Will the Hon. the Minister for Agriculture be pleased to state—

(a) whether the Government derive any profit from the manufacture of Shark-liver oil by the State; if not, what steps are being taken to popularize the same in Northern India and in other countries; and

(b) whether the Government have ascertained the medical opinion about its quality as compared with foreign-made oil, and if so, what it is?

THE HON. SRI M. BHAKTAVATSALAM :—“(a) Yes. The Government Oil Factory, Kozhikode, has made profits for the last five years as shown below :—

	RS.
1949-50	4,579
1950-51	6,332
1951-52	42,625
1952-53	51,350
1953-54	21,350

As the factory is able to sell the bulk of its products in South India and has very little surplus to be marketed in North India, there has not so far, been any need to intensify efforts to popularise the products in North India and elsewhere.

“(b) Medical opinion has testified to the effectiveness of the Shark-liver oil manufactured at the Government Oil Factory, Kozhikode, and found it comparable to that of any imported oil.”

DR. V. K. JOHN :—“Are the figures of profit ‘net profits’?”

THE HON. SRI M. BHAKTAVATSALAM :—“Yes Sir, they are net profits after taking into account interest charges and also depreciation in the capital account.”

SRI K. BHASHYAM :—“Do they include taxes also?”

THE HON. SRI M. BHAKTAVATSALAM :—“I do not know what tax Government departments pay.”

DR. V. K. JOHN :—“Are there two boats plying in sea-waters in Madras for catching sharks? Are they running at a loss?”

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

SRI MOHAMED RAZA KHAN :—“Where are these sharks caught? Is it in the Bay of Bengal or Arabian Sea?”

THE HON. SRI M. BHAKTAVATSALAM :—“This question refers to Kozhikode and the hon. Member knows what ‘sea’ it is.”

24th March 1955]

SRI S. SRINIVASA RAO :—“Has the shark menace in the Madras coast been reduced due to the efforts of Madras Government?”

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

Construction of roads connecting all the villages in the State.

* 261 Q.—SRI V. V. RAMASWAMI: Will the Hon. the Minister for Local Administration be pleased to state whether there is any programme or scheme of road construction so as to connect all the villages in the State?

THE HON. SRI S. S. RAMASWAMI PADAYATCHI :—“There is no such programme.”

SRI V. V. RAMASWAMI :—“கிராமங்களில் ரோடு வசதியில்லாத இடங்களில் எல்லாம் எப்படியும் ஒரு குறிப்பிட்ட காலத்திற்குள் ரோடு வசதி செய்து கொடுப்பதற்கு சர்க்கார் ஒரு திட்டம் வகுக்க ஏற்பாடு செய்வார்களா?”

THE HON. SRI S. S. RAMASWAMI PADAYATCHI :—“செய்து கொண்டிருக்கிறார்கள். இப்போது ஐந்தாண்டு திட்டத்தின் கீழ் ஜில்லா போர்டு கிராமங்களுக்கெல்லாம் லோகல் டெவலப்மெண்ட், நேஷனல் எக்ஸ்டன்ஷன் ஸ்கீம், சமயூனிடி பிராஜக்ட் ஆகிய இவைகளின் கீழ் வசதி செய்துகொண்டிருக்கின்றனர்.”

SRI V. V. RAMASWAMI :—“எவ்வளவு காலத்திற்குள் எல்லா கிராமங்களுக்கும் ரோடு வசதி செய்து கொடுக்க முடியுமென்று சர்க்கார் சொல்ல முடியுமா?”

THE HON. SRI S. S. RAMASWAMI PADAYATCHI :—“கால வரை குறிக்கப்படவில்லை. எவ்வளவு சீக்கிரம் செய்ய முடியுமோ அவ்வளவு சீக்கிரம் செய்ய முயற்சி செய்துகொண்டிருக்கிறோம்.”

UNSTARRED QUESTIONS.*Maintenance of rowdy sheets in the South Arcot district*

20 Q.—SRI M. ETHIRAJULU: Will the Hon. the Chief Minister be pleased to state—

(a) the number of persons in respect of whom rowdy sheets have been maintained talukwar in the South Arcot district during the last three years;

(b) the criteria for including any person in the rowdy sheet; and

(c) the period for which such rowdy sheets are maintained?

[24th March 1955]

	1952.	1953.	1954.
A.—(a) Cuddalore	9	4	7
Pauruti	5	4	4
Tindivanam	3	2	4
Vilupuram	12	12	8
Gingee	..	..	..
Chidambaram town	2	4	5
Chidambaram taluk	..	..	5
Vriddhachalam	..	5	9
Tirakkoilur	..	..	7
Kallakurchi	..	..	2

(b) Rowdy sheets are maintained for the following persons who are classified as rowdies :—

- (i) persons who habitually commit, attempt to commit or abet the commission of offences involving a breach of peace;
- (ii) persons bound over under sections 106 and 107 and 110 (e) and 110 (f), Criminal Procedure Code;
- (iii) persons who have been convicted under section 75 of the Madras City Police Act or twice in two consecutive years under section 3, clause 12 of the Towns Nuisances Act.

(c) Usually such rowdy sheets are maintained from the date of registration up to the end of December of that year, the retention or otherwise of the sheets being decided by a Gazetted Officer of the Police department according to the circumstances of each case.

Closure of glass factories

21 Q.—SRI T. M. DAIVASIKHAMANI ACHARIAR: Will the Hon. the Minister for Agriculture be pleased to state—

(a) whether it is a fact that one Government glass factory and another subsidized private glass factory were closed in or about 1930 and 1925, respectively;

(b) if so, the reasons therefor;

(c) whether it is a fact that the only ceramic factory founded by the then Composite State of Madras was taken over by the Andhra State after the separation;

(d) if so, what action has been taken by this State Government to establish their own ceramic factory in this State; and

(e) whether the Government have any proposal to start small scale cottage industries for producing emery wheels, sand paper and whetstones?

24th March 1955]

A.—(a) & (b) There has been no Government glass factory in this State and therefore the question of its closure does not arise. The Government have no information regarding the closure of any private glass factory in 1925.

(c) Yes, Sir; the only ceramic factory at Gudur in Nellore district went over to Andhra on the partition of the State.

(d) The Government have under consideration a proposal to set up ceramic units at Neyveli in South Arcot district.

(e) No, Sir.

Government Kerala Soap Institute, Kozhikode

22 Q.—SRI T. M. DAIVASIKHAMANI ACHARIAR: Will the Hon. the Minister for Agriculture be pleased to state—

(a) whether the Government Kerala Soap Institute, Kozhikode, has been able to meet the demand for its products in this State, Northern India and other countries;

(b) the total cost of soaps sold in this State and Northern India during the year 1953–54; and

(c) the expenditure on account of this institution including the cost of manufacture and establishment during the year 1953–54?

A.—(a) The factory is a small unit and is not intended to meet all demands. The products are in demand and are finding a ready market;

(b) The total cost of soaps made in the factory, sold in Madras, Northern India and other States during the year 1953–54 is as follows :—

	RS.
Madras State	4,43,536
Northern India	1,14,978
Andhra State	1,36,677
Other States	79,960
Malaya States (Singapore) ..	7,285
Total	7,82,436

(c) Rupees 6,99,384.

Renovation of the buildings of religious institutions.

23 Q.—SRI T. PURUSHOTHAM: Will the Hon. the Minister for Religious Endowments and Transport be pleased to state—

(a) whether the Government have issued any instructions to collect the data of the religious institutions requiring renovations; and

[24th March 1955]

(b) if so, whether the Government will be pleased to lay on the table of the House a statement giving the following details:—

- (i) the nature of renovations;
- (ii) the financial position of the institutions; and
- (iii) the method to carry out the renovations, etc.?

A.—(a) & (b) Yes. Particulars of religious institutions the buildings of which require repairs or reconstruction are being collected. The Government are awaiting a detailed report from the Commissioner, Hindu Religious and Charitable Endowments (Administration) Department.

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

II.—ANNOUNCEMENT BY THE HON. CHAIRMAN. ELECTION TO THE HOUSE COMMITTEE.

MR. CHAIRMAN:—“I have to inform the House that the following candidates were nominated for election to the House Committee for the financial year 1955-56:—

- 1 Sri V. V. Ramaswami.
- 2 „ G. Krishnamoorthi.
- 3 „ M. Ethirajulu.
- 4 „ E. H. Parameswaran.
- 5 „ T. M. Daivasikamani Achariar.
- 6 „ A. Gajapathy Nayagar.’

“As the number of candidates nominated is equal to the number of vacancies to be filled, viz., six, I hereby declare them to have been duly elected to the House Committee.

“In addition to the above, under rule 171 (1) of the Madras Council Rules, I nominate the following two members to be members of the said Committee:—

1. Mrs. Mary C. Clubwala Jadhav.
- 2 Mrs. Jothi Vencatachellum.’ ”

III. GOVERNMENT RESOLUTION.

THE HON. SRI M. BHAKTAVATSALAM:—“Sir, I move—
That the Hon. the Chairman be requested to convey to Sri R. V. Krishna Ayyar, B.A., M.L., on his laying down of the office of the Secretary to the State Legislature, Madras, this House's sincere appreciation of his distinguished and outstanding services as Secretary to this Legislature during the years 1924 to 1941 and 1952 to 1955.’

24th March 1955] [Sri M. Bhaktavatsalam]

Sir, Sri R. V. Krishna Ayyar has almost become an institution. He has grown along with this Legislature. He has been a most brilliant scholar and a brilliant law officer. He joined service in the Legislature Secretariat very early and he had been serving the Secretariat of the Legislature all along. He has been a useful guide to the Heads of the Legislature as well as to hon. Members of the Legislature. He retired from service in 1941 and again he joined the Legislature Secretariat as Secretary in 1952 and he is going on leave preparatory to retirement from to-day. Besides his services to the Legislature as its Secretary, he had also served Government as Additional Secretary in various spheres and Special Officer for particular assignments. It is but right that this House places on record its appreciation of his services. May I on behalf of myself and on behalf of the House wish him a long life of usefulness and happiness.”

DR. V. K. JOHN:—“Mr. Chairman, Sir, may I associate myself and the Opposition in support of the motion moved by the Hon. Leader of the House. Sri R. V. Krishna Ayyar has had a glorious past. He had a most distinguished career in all walks of life as a student and as Secretary to the Legislature. He had the distinguished record of coming out first in Matriculation, in F.A., in B.A., in F.L., in B.L. and in M.L. Only very few people are able to get such distinctions. He has thus set up a record which only very few have been able to reach in other departments. He joined service very early. I wish he had continued in the legal profession. Surely he would have risen to great eminence in the legal profession. But he chose to join Government service and in every department he functioned, Sir, he created great impression and his services were appreciated by everybody concerned. We are mostly concerned with his service as Secretary to the Legislature. As stated in the resolution, it was distinguished and outstanding. We are only to get into contact with Sri Krishna Ayyar and we will soon be impressed with his deep learning, great culture, his thorough grip of facts, his sympathetic understanding, his courtesy and his freedom from narrow communal or other outlook. Sir, I do not think that there is anybody in South India who is acquainted with the legislative procedure better than he and I hope that the Government will make use of his services and will take the earliest opportunity to nominate him to this Council, so that his experience and guidance may be available to this House and also to the Government. I wish him very long life, rest and happiness. I am sure he will not be idle because he is a great contributor to magazines and hereafter he will engage himself fully in contributing articles to the various magazines and papers. He is a voracious reader. You will never find him idle at any time. I hope that he will surely keep his health. He is a very humorous gentleman. If you go and meet him, you will come away happier than before you met him. I hope he will be spared for a very long time in good health to do service to all.”

SRI MAHOMED USMAN:—“Sir, I should not allow the occasion to pass without saying a few words. I know Sri R. V. Krishna Ayyar from my college days. He was senior to me by a

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year or two. He was the most distinguished student of the college in those days. I had been associated with Sri Krishna Ayyar for nine long years when I was a member of the Executive Council here and when he was the Secretary to the Legislative Council. He was very able and efficient in the discharge of his work. Especially in the Select Committees, his great knowledge of law and perfect command of the English language were great advantages not only to the Select Committees of the Legislative Council, but to the whole country because the legislation that was passed here in those years was considered to be perfect. Therefore, Sir, I have very great pleasure in supporting the resolution moved by the Leader of the House. Sri Krishna Ayyar has done very well by the Legislature. For the last twenty years or so, he has rendered distinguished service and we all appreciate very much the great service he has rendered to the Legislature and to the country by becoming the Secretary of this Council. I often used to tell him 'If you had not joined Government service and if you had been only in the Bar, you would have easily become a Judge of the High Court and might have become a member of the Executive Council in those days'. Whatever that might be, Sir, it is the good fortune of the Legislature in Madras that he became the Secretary of the Madras Legislature. He has now retired and I take this opportunity of wishing him long life and very good luck."

SRI V. CHAKKARAI CHETTY :—" Mr. Chairman, Sir, my knowledge of Sri Krishna Ayyar does not extend to the whole duration of his service as Secretary to the Legislature. All that I have been able to learn is that he did his work with conspicuous success and distinction. Therefore, it is only right that we should record our sincere appreciation of his best services. I hope that his services will be made available to the Government and the people in various capacities.

" Sir, he studied in the same college with me, although there was a few years' difference between me and him. I used to find in those days that he had an extraordinary capacity for work. Enormous industry coupled with retentive and clever memory brought him distinction in almost every University Examination. I used to wonder at his extraordinary memory. Some of us used to say that he was a rival even to our own Professor of History Sri Kellet. From the first year of the Christian era down to 1800, he would be able to give an event for every year. He had such an extraordinary memory. As has been stated here, his memory extended not only to facts but also to arguments. He had a persuasive way in which he put forward things to convince people. Therefore, it is only right, Sir, that we should record our appreciation of his services. I hope that he will be spared for many more years so that he may be able to render service to us in various capacities. I join with the Leader of the House in conveying to him my personal regards and testimony to the valuable work that he has been able to do."

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SRI A. GAJAPATHY NAYAGAR :—" கனம் மன்றத் தலைவர் அவர்களே, திருவாளர் ஆர். வி. கிருஷ்ணய்யரை நான் நன்கு அறிவேன். நான் சேலத்தில் வழக்கறிஞராக இருக்கும்போது அவர் அங்கே வருவார். சிறு வயதிலேயே நல்லபடிப்புத் திறமை வாய்ந்தவர். மேலும் நல்ல குலத்தில் பிறந்தவர். ஒழுக்கத்திலும் மேம்பட்டவர். அவருடன் பழகிய வர்களுக்கு அவருடைய மதி நுட்பம் நன்கு தெரியும். ஆகவேதான் இந்த நாட்டு முடிசூட்ட மன்னராகிய ஸ்ரீ ராஜகோபாலாச்சாரியார் அவர்கள் அநேக ஆண்டுகள் வேலை செய்துவிட்டு, ஓய்வெடுத்துக்கொண்டிருந்தவரைக்கூட மீண்டும் சட்ட சபைக்குப் பணியாற்ற அழைத்தார். அவர் வந்தது முதற் கொண்டு சட்ட சபையிலிருந்த அநேக உறுப்பினர்களுக்கு ஒருவழி காட்டியாக இருந்தார். இந்தச் சந்தர்ப்பத்தில் நான் ஒன்றைச் சொல்லிக் கொள்ள விரும்புகிறேன். இந்தச் சட்ட சபையில் தமிழ் ஆட்சி மொழி மசோதா கொண்டுவந்தபோது, அதுபற்றி அவருடன் கலந்து பேசியபோது அவர் எனக்கு ஆதரவும், உற்சாகமும் அளித்தார். அதற்காக நான் என்னுடைய நன்றியைத் தெரிவித்துக்கொண்டு, அன்னார் நீண்ட ஆயுளுடனும், திட வலிமையுடனும் வாழ்வதற்கு இறைவனை வேண்டி, நான் அவரைப் பாராட்டுகிறேன்."

MR. CHAIRMAN :—" I associate myself with the Leader of the House, the Deputy Leader of the Opposition and other Members in the tributes paid to Sri R. V. Krishna Ayyar. I came to know him very many years ago when he was in Government service, particularly at a time when he was Secretary to the old Education and Public Health Department and when I was serving in Medical department. After coming to the Legislature I have received very much help from Sri Krishna Ayyar. Whenever there was a troublesome question of something difficult coming up in the Council, even if he was not here, he used to send me a chit saying 'such and such a thing might happen in the Council and such and such reply should be given.' We will miss him from our Secretariat. But I am sure that his assistance and valuable advice will be available to us always. I wish him complete and happy rest in his retired life. I shall communicate this resolution to Sri R. V. Krishna Ayyar."

The resolution was carried unanimously.

IV.—PRIVILEGE MOTION.

MR. CHAIRMAN :—" I have received notice of a motion from Sri T. Purushotham. The hon. Member will please read out the motion without any speech."

* SRI T. PURUSHOTHAM :—" Under rule 155 of the Madras Legislative Council Rules, I move, Sir—

That this House do take notice of the remarks of the Hon. the Speaker of the Madras Legislative Assembly in his ruling given on 18th March 1955 questioning the equal right of the Hon. the Chairman of the Legislative Council with the Hon. the Speaker of the Assembly in the matter of control of the Legislature Secretariat and recruitment thereto based on certain aspersions on the sittings of this House.' "

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3-20 p.m. * SRI MOHAMED RAZA KHAN :—" Sir, let him read the relevant portions. Some of us might not have seen the report that appeared in the Press."

SRI T. PURUSHOTHAM :—" This is the newspaper report, Sir."

SRI MOHAMED RAZA KHAN :—" Let the hon. Member read the report, Sir. But for purposes of verification, we can refer to the official report."

SRI T. PURUSHOTHAM :—" This is what the Hon. Speaker has said, as reported in *The Hindu*, dated the 19th March 1955—

"... No doubt both the Chairman of the Legislative Council and the Speaker of the Assembly were consulted, but so far they had not enacted any law for the separate responsibility of the Legislature Secretariat. He informed the House that in 1954, the Legislative Assembly sat for 67 days working for more than six hours a day and the Legislative Council for 35 days working for three hours a day. The number of days when the Assembly sat was greater than the number of days when the Council did. The Chairman had, however, as much voice as the Speaker."

What I say, Mr. Sivashanmugham Pillai said, is that the Speaker's voice may be drowned in the voices of the Governor's representative and the Chairman of the Council."

MR. CHAIRMAN :—" That is substantially correct except for one sentence, namely, 'The Chairman had, however, as much voice as the Speaker'. But the rest of the report is substantially correct. This is a very difficult subject to give an instantaneous ruling on. I shall give my ruling in due course."

SRI K. BALASUBRAMANYA AYYAR :—" What is the ruling for, Sir? "

MR. CHAIRMAN :—" This is a privilege motion. Whether this can be moved or accepted, I shall decide in due course."

SRI MOHAMED RAZA KHAN :—" What is the relevant portion to which objection has been raised by the hon. Member? He should make the position clear."

MR. CHAIRMAN :—" There is nothing to be made clear, because it all depends on the decision I take. I said I would give my decision in due course. After that this question can be discussed."

SRI MOHAMED RAZA KHAN :—" The House will help you, Sir, in coming to a decision."

MR. CHAIRMAN :—" Not at present."

(The hon. Member Dr. V. K. John rose in his seat.)

MR. CHAIRMAN :—" It is closed now."

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V.—GOVERNMENT BUSINESS.

DISCUSSION ON THE SUPPLEMENTARY STATEMENT OF EXPENDITURE FOR THE YEAR 1954-55.

* DR. V. K. JOHN :—" Sir, I may be permitted to make one or two observations on the Supplementary Budget. This Supplementary Budget is brought before this House apparently under Article 205 of the Constitution of India. Article 205 provides that a Supplementary Budget can be brought forward for three reasons. One is that the amount authorized in accordance with the original budget to be expended on a particular service for the current year is found to be insufficient."

(At this stage the Deputy Chairman occupied the Chair.)

"The second reason is that a need should have arisen during the current financial year for supplementary or additional expenditure upon some new service not contemplated in the annual financial statement for that year. The third reason is that money should have been spent on any service during a financial year in excess of the amount granted for that service and for that year. Now the Constitution contemplates three reasons for bringing forward a supplementary budget. In fact a supplementary budget ought to be brought forward when the Government find that there is necessity to spend some more money in the course of the year—that is, sums not provided for in the budget. Sir, it has become a practice with this Government to bring forward a supplementary budget at the end of the year after spending the money which was not granted in the original budget. In my opinion a supplementary budget should be brought forward whenever the Government find the need for additional expenditure but not after incurring the expenditure. Of course there are occasions in which it is not possible to bring in a supplementary budget before incurring the expenditure. But to bring in a supplementary budget after incurring the expenditure is not in consonance with the underlying principles of Article 205 of the Constitution of India. If the amount already sanctioned is found to be insufficient, the Government must bring in a supplementary budget to cover the excess amount. When the Government have to spend money on a new item of service, they must bring in a supplementary budget so that the House may give its permission to incur that expenditure. But if the Government should bring in a supplementary budget at the end of the year, it becomes embarrassing for the Legislature not to grant that expenditure. Therefore, I submit that the Hon. the Finance Minister should consider the question whether it will not be in order to bring in supplementary budgets as and when required instead of bringing in a supplementary budget at the end of the year after incurring the expenditure."

"Now, Sir, if we look into the expenditure involved (page 3 of the Supplementary Budget) we will see that gross demand is for Rs. 17,53,84,900. The net effect of excess and short recoveries

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under each demand comes to Rs. 12,68,08,900. The net demand is, therefore, for Rs. 4,65,76,000. This margin of error amounting to Rs. 4 crores odd is really very large. We are after all passing a budget for about Rs. 46 crores. If Rs. 4 crores (about 1/10th of the budget) should be the margin . . . (Interruption by the Hon. Sri C. Subramaniam.) I am corrected. Part of the Rs. 4 crores is to cover capital expenditure. Still I say that Rs. 4 crores is very large margin of mistake which would not have been committed if the budget had been properly framed and if we had a correct idea of the expenditure to be met in the current year. Otherwise there is no purpose in having a budget at all. The Government must have clear ideas of the expenditure involved and they should provide for that expenditure in the budget. Now we are proposing taxation measures for getting a sum of Rs. 1½ crores. But the margin of mistake that we now see is Rs. 4 crores. This, I submit, is a matter which the Hon. the Finance Minister should look into.

“ I find, Sir, that the Gross Demand under ‘ Capital Outlay on Schemes of State Trading ’ is about Rs. 10½ crores. It is not all expenditure, of course. This expenditure of Rs. 10½ crores was not anticipated. I would like the Hon. the Finance Minister . . . (Interruption.) But then this was not anticipated. Certain amounts were granted for State trading. But the amount not anticipated is Rs. 10 crores odd. Or the recoveries anticipated are much more than the amount originally anticipated. I would like the Government to reconsider their ideas on State trading. In the first year—1945-46—the loss on State trading was Rs. 6½ crores.

3-30 p.m. “ If I remember aright, it was 676 lakhs of rupees and that was published by the Accountant-General two or three years later. The reasons given for this huge loss were three, viz., loss in transit, loss in godown and pilferage.”

THE HON. SRI C. SUBRAMANIAM :—“ When was it? ”

* DR. V. K. JOHN :—“ It was in the year 1945-46. I gave correct figures then. It was during Mr. Prakasam's Ministry. Now, Sir, it was stated in the speech of the Union Finance Minister that the loss in State trading, particularly in rice, was 45 crores of rupees. I do not know whether it was loss directly incurred by the Government of India. I presume it is loss sustained in State trading by all the States concerned. I think it was the other day, when we were discussing the Governor's Address, it was stated that there were one lakh tons of rice and millets lying undisposed of and that this Government were negotiating with the Government of India for the taking over of the stocks by them. Now I presume that the loss on account of these stocks, whether it was incurred by the Government of India, or the State Government, will run into crores. I have been told only yesterday that the stock which is kept by this Government and which is nearly two years old is now being released. This will also affect the price of paddy and rice which has already been

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affected much for want of purchasing power on the part of the public. Now, I am asking what has happened to the quality of the rice that has been kept in our godowns for the last two years. It must have become uneatable. The other day, Sir, I was asking a wholesale rice merchant what stock he had with him and he replied that he had stocks worth fifty thousand rupees. I believe he had been writing to the Government for more than a year and a half asking what he should do with this stock and all the reply that he got after sending several reminders was that the matter was under consideration. When I met him again in December, he told me that millets had all gone rotten and uneatable and that part of the rice had become uneatable. So, out of a total value of 50,000 rupees, the Government may get only 20,000 rupees. I am not making any complaint against the Government. All that I say is, when the Government take up State trading schemes, they should not deal in such perishable things as rice and millets. They cannot deal in it in the way a private individual or private agency can do it. Government officers are transferred often. Also, they get their pay every month and they do not very much care if the stocks go bad. I am quite sure that the Ministers are very anxious to see that no loss is incurred on account of such schemes. But it is now admitted by the Union Finance Minister himself that there is a loss of 45 crores of rupees, not one or two crores. And I am sure that the loss incurred in this State alone—I do not know whether the Centre or the State is going to bear the loss, for that question has not been finally settled—will run to crores. I would advise the Government not to go in for State trading at all. They can have this done by private agencies. Ask the merchants to stock rice and release it and they will do it in time. If the Government stock rice in their godowns, there will be loss in the godown and loss due to pilferage and loss in transit. These were the three reasons given for the loss of over six and half crores of rupees on account of State trading in rice. The Hon. the Minister for Finance may take this occasion to go into the question of State trading to see whether it is worthwhile for the Government to go in for State trading. I mean not only in rice. There are a number of other things like manure, etc., which the State is trading in. I would very seriously ask the Government once again to revise their ideas regarding commercial undertakings. You will find, Sir, that the Demand under this head comes to four and half crores of rupees. It covers almost everything, 33 items out of 41 items and most of these items are concerned not only with State trading but also with Government commercial undertakings. “ Sir, under the heading ‘ Government Commercial Undertakings ’, we have got eight items—viz., State Transport, Kerala Soap Institute, Government Oil Factory, Government Hydrogenation Factory, Government Industrial Engineering Workshops, Government Milk Factory, Government Cinchona department and the Government Silk Filature at Kollegal. I find the Government are losing some two and half crores of rupees a year. Now the

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question is whether the Government could have these commercial undertakings. The biggest undertaking is the State Transport. It is only yesterday, Sir, I read a sub-leader in a very important Daily in Madras City complaining that the State Transport in the City had not given a lead to transport operators outside the City. The Government have a monopoly here but they have not reduced the fare. They have not replaced their old vehicles, rotten vehicles, in which it is very difficult to travel. The breakdown is too many in number. All these are said in the sub-leader of a very responsible paper in the City. There are not technical experts to man the service. There has always been a complaint that in peak hours, it is very difficult to find accommodation in buses. Why should the Government take over bus transport? Private agencies, private operators and even co-operative societies can do this well. Why should there be a Minister to look after the State Transport? And then, are we really making a profit? No. If only transport is privately operated, the existing fares could be reduced to half. People are groaning under heavy fares and the Government have not been able to find it possible to reduce the fares. I do not find fault with the present Government. It is a legacy handed over to them by the previous Government. I would like the Hon. the Finance Minister to go into the question of commercial undertakings and see whether the time has not come when they should give them up. Even as regards new undertakings, I would like him to see whether they cannot be entrusted to private agencies but controlled by the Government. I would have been very much pleased if some private agency had been asked to run the City transport with reduced fares. I think it is quite possible to reduce the fares by half. After all, the Government do not pay any tax on their buses. In respect of each private bus, I am told the Government are getting some ten thousand rupees by way of tax. But the Government do not pay any tax in respect of their buses. Still, their fares are too high as compared with those obtaining in the mufassal. I do not see why the Government should run these. The paper that I referred to earlier has, therefore, very rightly said that the City Government Transport has not given any lead to transport in the mufassal.

3-40 p.m. "I only request the Hon. Minister for Finance to go into the matter and also other commercial undertakings and see whether they are working at a profit, and properly. Formerly the charge was that the Government wanted to have patronage and the opportunity to appoint persons and also to interfere in the decisions of other independent bodies like the Transport Authority. Last December this Government brought in a Bill repealing section 64-A of the Motor Vehicles Act which gave them power to revise the decisions of the Transport Authorities. I was very pleased over this because I thought a new chapter was being opened in the history of the Government and they did not want to have this control in their hands. But this has not yet come into force and that is

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what I am complaining about. Everybody supported that measure because Government got into disrepute by retaining that power with them. Although the measure was passed in December last and received the assent of the President in January it has not yet come into force even now. I know that it was provided in the measure that it would come into force from a date to be notified by the Government. I do not know why Government have not yet notified that it will come into force. I can only say that the Government do not want to give up that power under section 64-A for some time more. Probably they want to go into the matter and may or may not notify at all. If the Government are not really interested in retaining that power they should notify that the Act would come into force immediately. Then again in respect of State Trading they must give up all state trading schemes. There must be public accounting for all commercial undertakings. We must have a committee of this House or the other House to go into the working of these State undertakings and see whether they are making profits or not. I am not in this connection charging anybody with misappropriation but in the very nature of things, I do not think that Government can carry on State trading or other commercial undertakings to the best advantage. I would be pleased, more than pleased if the Government did not incur any loss. But I am afraid in these undertakings the Government are incurring losses and not making any profits at all or profits worth mentioning. The Government by taking over these undertakings are not adding anything to the conveniences of the public or to the finances of the State.

"After going through the General Budget and this Supplementary Budget, I am quite convinced, that the Hon. Minister for Finance should be released from all other departments and be asked to be in charge of Finance alone. I am not flattering him or complimenting him, Sir. If he is given time to look into the finances of this Government, the income and expenditure and all his time is spent on finance only and not on education and so many other departments which he has taken over or which he has been asked to take over, he can effect a great saving in the expenditure now incurred by Government. He can also break new ground and make a departure from the past. Sir, this Government have inherited from the past many things which I would like the Government to review and revise. But unfortunately one Minister is burdened with too many departments. I do not in the least suggest that he is not doing well by the other departments. But I think it is a human impossibility for a person to be in charge of so many departments including finance. Other Hon. Ministers are also burdened with too many departments. Today I am mainly concerned with finance and it is also the most important department. I think the Hon. Minister for Finance should be in charge of finance alone. He has now had some experience and with this experience he will I am confident break new ground. Therefore, I suggest and suggest seriously to the Government to see that the Finance Minister is not burdened with any other work."

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* SRI K. BHASHYAM:—“ Sir, this Supplementary Budget which has been presented to us is certainly in accordance not only with facts but also with law. What I mean to say is this. The Supplementary Demand is really necessitated by the fact that under certain items of expenditure more money had to be paid or expended or more money is expected to be expended. If hon. Members will only look into Articles 205 and 265 of the Constitution they will find that these two articles contemplate submission of the supplementary budget at the end or near the end of the financial year and not earlier than that. If it is presented earlier, this House will be troubled with a number of supplementary demands. Every time we sit in this House there will be a supplementary demand. Therefore it is not a feasible proposition to ask the Government to present the supplementary demands earlier in the year. Moreover it is also difficult for the departments to truly estimate what will be the possible expenditure for the rest of the year if they were to submit the supplementary demand in September. At least at or near the close of the year they will be able to say with some sort of certainty as to what money will be required. But if they estimate six months prior to that it will be very difficult for them. Therefore, I think it is not only right but it is the practice followed here and elsewhere, in the Lok Sabha also to present the supplementary demands towards the close of the year. This is a good practice, a convenient practice and a reasonable practice. This is also in accordance as I said with the Statute governing presentation of supplementary budget.

“ The Hon. the Deputy Leader of the Opposition has taken objection to the Government taking up State trading. Sir, I do not agree to the proposition as a general proposition. While I agree with him in some matters that the Government should not come in competition with private merchants and private enterprise, the Government must have the power to trade in all matters where it requires large capital, where control is necessary and also where it affects the interests of the general public. Therefore, while I do not agree with the hon. the Deputy Leader of the Opposition in saying that the Government should not take up any State trading at all by themselves, I however concur with him so far as the State Transport is concerned. The Government have spent on it four to five crores of rupees. Could they not have spent it for better causes and purposes? After all what is it that they have got out of this. They are not getting much profit. If they had left it to private owners and controlled them and taxed them they would have got much more money than what they now get as profits from the City Transport. It is claimed that better conveniences are now provided than when the City transport was in the hands of private owners. If we allow free competition among private owners in the City, then there will be more amenities and conveniences provided by them to the passengers. Therefore Government should take care to see that they do not enter into fields where there is fairly good competition. The city transport

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was not so bad as to require Government to take it upon themselves. Now since the Government have taken over the city transport every little trouble that existed there is put on the head of the Government and questions are asked on the floor of this House as to how this should be done and as to how that should be done. Complaints are made that the expenses for management are far higher than the expenses incurred by private managements. The Government have not been able to bring down the rates to be paid for transport lower than what it was before when the transport was in private hands. That is my view. I do not know what the view of the Government is on this matter. Well, they might say: ‘ We are doing it quite well ’. Opinion is divided on this point.

“ Coming to the supplementary budget for 1954-55 presented 3-50 to us, I would like to have some information in respect of some P.m. matters.

“ On page 6 it is said that a further expenditure under Grant VII—‘ General Sales Tax and other Taxes and Duties—Administration ’, of Rs. 4,57,900 is estimated under the head ‘ establishment ’. It is said that the increased appropriation is required for the additional staff employed for detection of tax evasion in Madras Division and for the collection of arrears of sales tax. To say that a sum of Rs. 4 lakhs and odd is required for detection of tax evasions signifies two things. First it reveals that the persons in charge of this particular department have not been doing their duties properly and that they have neglected the duties which they ought to discharge. Perhaps the officers in charge have not taken the proper care which they ought to have taken. Secondly, to say that the detection of these cases should have taken such a long time really goes to show that the department is not efficient. It goes against the efficiency of the department.

“ Therefore I think some explanation is necessary in respect of what I had said before. I want to know why such a big amount is required for detection of tax evasion cases.

“ On page 7 under Grant VIII—Irrigation, it is said that as much as Rs. 12 lakhs and odd is required for maintenance and ordinary repairs in the Cauvery delta system. The amount is not a small one. It is Rs. 12 lakhs and odd and that too for not doing any major works but for maintenance and for doing ‘ ordinary repairs ’. I do not know how such a huge sum of Rs. 12 lakhs for doing ordinary repairs could not have been foreseen in presenting the budget for 1954-55. If it has been due to unforeseen causes, say, floods, I could understand. Nobody could have foreseen that floods would come. But I cannot really understand any appropriation to the tune of Rs. 12 lakhs for doing ‘ ordinary repairs ’. The Cauvery delta system has been there for such a long period and no doubt Government ought to have foreseen the repairs that they had to undertake during the course of the year. I could understand any repair work costing some small amount. But

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when the figure comes to Rs. 12 lakhs, I do think some explanation is necessary. It is said that this increased provision is due to taking up of many repair works and protective works in Cauvery and Vennar divisions to keep the system in effective condition. What I say is when the amount required is so big, as much as Rs. 12 lakhs, Government ought to have foreseen these things and provided for them in the first budget itself.

"On page 17 under Grant XX—Co-operation, it is said that the increase in expenditure is mainly on account of additional gazetted staff sanctioned for employment in the current year in the Co-operative Department. A total sum of Rs. 1,16,700 is required under this item out of which a sum of Rs. 47,400 will be met by reappropriation from savings. The balance of Rs. 69,300 is included in the Supplementary Estimate. Therefore when as much as Rs. 69,300 is required for additional gazetted staff, then surely it must have been for some big purpose. While we are told only of the expenditure, we are not told of the purpose for which these gazetted officers have been employed and for which such a huge sum of Rs. 70,000 now remains as balance to be included in the Supplementary Estimate. I do hope the necessary explanation will be furnished by the Minister concerned. Government ought to have foreseen this. If they have not foreseen this, I think the reasons for their having not foreseen this should be given.

"On page 8 I find the increase in expenditure on account of officers and staff and their allowances employed under the Hindu Religious and Charitable Endowments Department comes to as much as Rs. 83,000. I do not know, how when one sees the working of this department, such a huge increase in expenditure has become necessary, when practically all the 'Mutts' have been excluded from the jurisdiction of the Commissioner for Hindu Religious Endowments under the recent Act. I do hope that the necessary explanation would be offered.

"I have made the above points so that the necessary explanation may be given and that may go a long way in avoiding in the next year such mistakes. These are points which struck me while I was perusing the supplementary statement of expenditure submitted to the House. I would like to have information on one more point.

"The election to district boards has gone through. I want to know whether the expenditure incurred is to be recovered from the local bodies concerned or whether Government would meet the expenditure. I find that Government have in fact incurred some expenditure. I would like to know whether Government will recover from the local bodies, what they have now spent. The same holds good in regard to some expenditure under the head 'Police'. While I have detailed the above points wherein I have thought that explanation was needed, I would be failing in my

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duty if I do not congratulate the Government on the very many useful schemes which they have started this year; I mean the current year. Several lakhs of rupees has been spent on B.C.G. vaccination, which is no doubt good. Even though I am not a believer in vaccination, I do think that B.C.G. vaccination is good to preserve the health of our people. Very many development schemes have been started under Demand XVII—Public Health. But the amount required for these schemes has not been mentioned. An All-India training centre for the training of the health personnel, assigned to the Community Projects, in subjects like village sanitation and health education has been opened at Poonamallee with the help of Ford Foundation. This State is participating in the National Malaria Control Programme of the Government of India. This is a good programme and under it, assistance is given by the Central Government in terms of control units, subject to the condition that the total expenditure on malaria control of the State Government receiving the aid will not be reduced below the level of expenditure in 1952-53. The establishment of Maternity and Child-Welfare Centres in 26 dispensaries in the backward areas especially, is a commendable thing. The participation of this Government in National Filariasis Control Programme of the Government of India is praiseworthy. I think a start has also been made for breeding our cows with the help of foreign bulls. Under the Scheme, the semen from the foreign bulls will be injected into our cows for producing a better breed. I think that is a commendable feature. Besides these there are a number of other important schemes which this Government have sponsored. They have started a wool processing centre in South Arcot, an industrial housing scheme for labourers costing Rs. 28 lakhs and another co-operative housing scheme. These are matters on which we should congratulate Government.

"Under the head 'Pensions and Gratuities', I find there has been an increase of Rs. 5 lakhs and odd. I do not know what is it due to? Is it a fact that this year, a very large number of officers had retired from service? Is this the normal expenditure? I think it is not. Particularly in respect of 'gratuities', there has been an abnormal increase. I do hope the necessary explanation will be offered. If the reasons for the increase is analysed, necessary provision may be made in future years.

"While I congratulate the Government on the very many development schemes they have sponsored and for the welfare activities in which they are engaged, I have pointed out these points wherein I think some explanation is needed in the hope that when Government's attention is focussed on them, they would remedy the fact and make necessary provision for all those items in the next year. I would like to say one thing in conclusion.

"The Community Projects and the National Extension Schemes are laudable features. I am one who holds the view that if an officer retires from service and if his record of service has been

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found to be good, Government should try to post these officers again in Community Project areas and National Extension areas. That does not mean, I want to shut out the opportunities of service for our young men. But our young men as they are to-day are not attracted to the rural areas. It is better that we give these retired officers, whose record of service has been a distinguished one, some sort of 'village allowance' and post them in Community Project areas and National Extension areas. I do hope that their ripe experience would go a long way in the schemes (Community Project Schemes and the National Extension Schemes) proving successful, instead of posting raw men who are new in these areas.

"Therefore while I say that there have been some good schemes which Government have sponsored, I do feel that some explanation is called for in respect of items which I have pointed out. With these words, I support the supplementary Budget which has been presented to us."

4 p.m. * SRI G. KRISHNAMOORTHY :—"Mr. Deputy Chairman, Sir, I think I can confine myself to the supplementary demand in respect of Demand XV—Education. Under item 3 there is a demand for Rs. 26,44,900. This demand is in respect of increased pay to teachers sanctioned in April 1954 and opening of new schools. If I remember correct, Mr. Deputy Chairman, Sir, it was announced that about Rs. 19 lakhs be required for this extra payment of Rs. 3 per mensem to elementary school teachers. In the explanatory note it has been stated that teachers have been given an increased pay, probably out of this Rs. 19 lakhs. It is not really an increased pay in many cases. The Government came forward, of course out of great sympathy for the teachers, to pay them an extra sum of Rs. 3 and for this purpose they raised the limit of grant in respect of the elementary school higher grade teachers from Rs. 27 to Rs. 30. In fact on the date of the Government Order, there were many schools where the teachers were paid Rs. 30. These schools, city and urban schools, were paying their teachers Rs. 30 because they were able to make some profit out of the school fees paid by the parents in respect of their children reading in those elementary schools. So, when this sum of Rs. 19 lakhs was sanctioned, I made a humble request on the floor of this House that the extra Rs. 3 of the tax-payers' money that was sanctioned by the Government to the teacher should go to the pockets of the teachers and not to the pockets of the managements at any cost. My request to the Government was that this sum of Rs. 3 should be given to the teachers over and above what they were getting on the date of the Government Order. If I remember correct, I was even given to understand that that would be the case and that no other interpretation would be possible on the order to be issued by the Government. But somehow or other, the amount of Rs. 3 has not reached many teachers. That amount of Rs. 3 goes to make up the sum of Rs. 19 lakhs for which there is a supplementary demand from the Government to-day. So, in the

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case of elementary schools where the managements had already been paying Rs. 30 to their teachers and not Rs. 27 and in some schools over and above Rs. 30, i.e., Rs. 40 or even Rs. 50 on account of the school fees that they were levying, the amount of Rs. 3 has safely gone to the pockets of the managements. In those schools the managements have been already profiting and this amount of Rs. 3 has gone to their coffers to add to their already accumulated wealth. So, I would humbly request the Government to find out how many schools were actually paying only Rs. 27 to the teachers and how many were actually paying Rs. 30 and see that this amount of Rs. 3 which goes to form this Rs. 19 lakhs reaches the teachers and not the managements. Was it not the intention of the Government that the teachers should be paid Rs. 3? If it had not been the intention of the Government, would there have been a sentence in this explanatory note saying that this demand is in respect of extra salary sanctioned for the teachers.

(At this stage Mr. Chairman occupied the Chair.)

"So, when that has been the object of the Government, what stands in their way to enquire of these managements whether they take this Rs. 3 or really pay it to the teachers. An argument may come, 'Is it not punishing the managements that were already sincerely paying Rs. 30 as ordered by the Government and not paying Rs. 27 taking for themselves all the school fees?' It is not the case in respect of the schools paying Rs. 27. A large number of aided elementary schools have simply told the Government that they could not pay Rs. 30 because they had no finance, that they could not collect fees and that even if they collected fees, they had no money to shell out this extra sum of Rs. 3. There were some cases in the districts where the managements actually went to the extent of telling that they would be constrained to the painful necessity of closing the schools if the Government should insist on their paying this extra sum of Rs. 3 to the teachers. The Government came forward to give this relief simply because there were some managements which could not collect fees and even if they collected fees they were not in a position to pay this extra sum of Rs. 3. When that was the case, Government ought to have enquired as to how many managements were in a position to pay Rs. 30 and then passed an order that this sum of Rs. 3 which was sanctioned was intended to be paid to the teacher over and above what he is being paid already and should not be taken as a grant to the management. So, I would request the Government to remedy this affair at least now. It is not too late to enquire of the managements about the salary they were paying before the passing of this Government Order and then pass a general order that the amount of Rs. 3 sanctioned as an increase in the teaching grant for higher grade teachers in elementary schools in April 1954 should go to the pockets of the teachers, irrespective of the fact whether they were drawing Rs. 30 or even

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over Rs. 30 on the date of the passing of the order. If the Government do not do that, naturally they would be simply enriching the managements.

"In this connexion, I would request the Government to go into the question of the finances of these aided elementary schools, especially suburban and city schools. As per the present orders of the Government and as per the present procedure they do not worry themselves much if the institution is a surplus institution. The present rule is that the aided elementary school manager is to be paid the actual deficit in his account or 15 per cent of the teaching grant to the teachers, whichever is less. In City schools they collect a large amount of fees from Re. 1 to Rs. 2 or even Rs. 2-8-0. Naturally they must be surplus institutions. If they are surplus institutions, the Government need not go into the question of grant at all. They may say 'we do not want your grant because there is no deficit'. Government also will not pay. What happens in that case to the surplus? Can the management levy any amount of fees? Recently the Government have kindly come forward to say that in elementary schools the managements need not levy fees and the Government would come forward to compensate these managements for the loss of fee income. But I should like to have enlightenment from the Hon. the Minister for Education as to whether this ban on school fees in elementary aided schools is in respect of children whose parents get an income of only Rs. 1,200 or less per annum or whether the ban on school fees is in respect of all children. I would request the Government to see that no school fee is levied from any of the elementary school pupils irrespective of the status of their parents, as there is no need to compensate the managements whatsoever. If the Government want to compensate the managements of elementary schools for loss of fee income, on what basis are they going to do it? Are they going to compensate them at the rates at which the managements claim to have levied fees so far? Or, are they going to compensate them at the rates fixed by the Government for that purpose? Let it be anything. Is there any need for compensating the managements for loss of fee income? Most of the managements have been paying to the teachers only the grants paid to them by the Government and they do not pay anything extra. That being the case, is it not enough if the Government simply give a maintenance grant of 15 per cent of the actual salaries disbursed to the teachers for maintaining those schools. If the Government want to compensate the managements, they will be simply enriching the coffers of the managements. On the contrary they can raise the scales of grant to the level of the salaries actually paid to the teachers. Why should there be a difference between the Government grant and the salary to be paid by the managements? They can as well obtain figures as to the salaries actually paid to the teachers in the present day and raise the grant scales to the level of new scales to be sanctioned by the Government. The sum of Rs. 50 lakhs recently sanctioned in the next year's budget will be quite sufficient for this purpose.

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"In the alternative, the Government can take up my scheme which has been suggested in this House many a time that all the school fees levied in elementary schools should go to the treasury and that there should be an audit for that. The Government can allow the salaries of those teachers to be drawn from the treasury as per the new scales to be sanctioned by the Government. There will be no loss to the Government whatsoever because the fee is going to be credited to the Government. So, if the Government think that the elementary aided schools are to be allowed to levy fees in respect of children whose parents get an income of over Rs. 1,200 per year, they can adopt this procedure. Eighty per cent of the school fees levied should be set apart for the cause of P.M. bettering the lot of teachers. I know instances of City schools and urban schools where a lot of profit is being made by the managements. This cannot be applicable to aided secondary schools because the Government have now come forward with audit. They say that the surplus should be earmarked and should not be spent. They have not laid down the procedure whether it should be spent this way or that way. What is their procedure with reference to surplus in aided elementary schools? The Government should see that the sum of Rs. 3 sanctioned by them in April 1954 reaches the teacher in spite of the fact that he has been getting Rs. 30 or over Rs. 30. We do not want that the money should go to the management. The management is already getting public money in the shape of school fees from the pupils. Why should this public money of Rs. 3 per mensem per teacher go to the management to give them a double benefit? Why should we enrich the managements? If at all any one should get the benefit, it is the teacher who is to get the benefit. That will be one source of satisfaction to the teacher.

"With reference to grants to district boards for opening and expansion of single-teacher elementary schools (Rs. 14,52,800), I have already submitted in this House that this single-teacher schools, for the opening of which the Centre may be paying 75 per cent of the expenditure now, are no schools at all. It is strange that anybody can be called a teacher and put in charge of a school. How are the Government going to remedy this state of affairs? This is not the way of tackling the problem of unemployment. Will the Government go to the extent of saying to the unemployed graduates or Matriculates 'You are all three thousand or four thousand in number. You will be called doctors. You will be in charge of rural dispensaries. Go on dispense medicines.' Will the Government do like that? In the case of the teacher alone, how do they say that he is a non-technical man? I say he is the most technical man, because he can make or mar the child. That is why I have always been insisting that teaching is a great technical subject, and that the highest qualified persons should be put in charge of the lowest class. Education means the building up of the cultural heritage that the child has inherited and not the stuffing in of information. A knowledge of psychology, a specialised study, is required to find out the cultural heritage of the children entrusted to the teachers handling the lowest class. That is

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why I say that B.A.L.Ts. and M.A.L.Ts. should be in charge of the lowest class. We may post a Matriculate for teaching the III Form and even IV and V Forms, because the boy has not got to get the character training. Unless the teacher finds out the cultural heritage possessed by the child, he will not be able to make any progress. If the Government really feel that the teacher should have a perfect knowledge of the psychology to study the pupils, they will not encourage these single-teacher schools. The teachers for these three thousand or four thousand schools proposed to be opened under the Five-Year Plan, may be given training for one or two years at the cost of the Government. Thereafter they may be appointed. This will also relieve the problem of unemployment to some extent. They can be employed in the lower classes. Educational development should keep pace with the progress of the Five-Year Plan.

"Finally I would like to congratulate the Hon. the Minister for Education on his recent expression regarding the banning of pictures in the case of children. When I read his speech with regard to this, I was overwhelmed with joy, and indeed I wanted to pay my tributes to him. Really he has been trying to make education effective. If education is not to be a waste, if education is not to be nullified by posters and pictures on the walls, naturally there should be a move from the Hon. the Minister for Education. He has done this in the right way. I congratulate him on his decision. Thank you, Sir."

SRI MOHAMED RAZA KHAN :—"Sir, I agree with the Hon. the Minister for Finance that while the demand is for Rs. 17½ crores, the expenditure is only Rs. 4½ crores after making allowance for the Demand under State Trading Schemes. The usual practice of the Government is to ask for huge sums of expenditure whenever they presented supplementary budgets. This year fortunately we do not find many items wherein the Government have overspent and come to the legislature for sanction of that excess expenditure. Under the Demand 'District Administration and Miscellaneous', provision is made for Laccadive and Amindivi Establishments. This Demand perhaps includes the expenditure on the visit of the Governor to those islands. There is no indication from the Government as to what exactly are the steps they propose to take to help the islanders. Particularly the people of Malabar and the islanders require greater attention from the Government. I want the Government to focus their attention on helping the people there out of their appalling conditions. I bring to the pointed attention of the Minister for Finance that there is a great demand from the people of Malabar with regard to improvements in their conditions, particularly, in the matter of medical education, etc. I feel that the Government of Madras will at the earliest opportunity, take all necessary steps to see that the conditions of the people of Malabar—particularly in medical and health matters—are improved. I hope the Hon. the Finance Minister will provide them with the amenities to which they are entitled.

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"Under the Demand, 'Police', I find many items of expenditure. In the explanatory note it is stated, 'The additional appropriations are required to meet the expenditure on travelling allowances, transport and feeding charges, etc., incurred in connexion with patrol duty on the Indo-French Border, visits of high personages, Congress Session at Avadi, District Board elections, etc.'. I think I asked the Minister for Finance to tell us what amount was actually incurred for making police bandobust for the Avadi Congress Session. I do concede that very good arrangements for the Congress session were made, but still the public of Madras will like to know what actual amount was spent on this police bandobust. The Demand is split up into three or four items and therefore we cannot make out the exact expenditure. I think a clarification by the Hon. Minister will enable us to know the actual expenditure incurred on police bandobust.

"Under 'District Administration and Miscellaneous' provision is made for payment to the Commissioner of Wakfs and his staff. The Muslim Wakfs Act, 1954, has come into force from the 15th January 1955. The Government have appointed a Commissioner and an Assistant Commissioner, and they are receiving reports from the various Muslim trusts. I should like to know when the Board will be formed. I may tell the Government— whoever may be the Minister concerned that in the Board to be formed they should take care to see that people who represent the Muslim view and interests are taken. The Government may also consult the Muslim Members of both the Houses of the Legislature. I do not mean to say that they should accept all that we say, but that they may consult the legislators. It would be much better if the Hon. Minister concerned will seek the advice of the legislators and then come to a decision. (Dr. V. K. John : 'You and Mr. Allapichai will not agree.') Sir, Dr. John tells me that Mr. Allapichai and I will not agree. There is nothing to disagree here.

"There is another item of expenditure under Demand 'Agriculture'. A sum of Rs. 1,60,600 has to be paid for acquiring 13 acres of land. I do not know why such an exorbitant amount is to be paid. Has the land value in that year gone up so high? Rs. 1,60,600 is to be paid for acquiring 13 acres 98 cents of lands for the Agricultural Research Station, Ambasamudram. I do not know why so much has to be paid.

"I really welcome the Government proposal to spend a sum of Rs. 2.75 lakhs on the construction of a bridge in Gudiyattam town. This is a very good proposal. A sum of two lakhs of rupees is being spent for the construction of the bridge. I think the people of Gudiyattam should congratulate themselves on getting this bridge. Incidentally, I may mention, Sir, the fact that the Hon. the Finance Minister himself got the experience when he visited Gudiyattam last that none could proceed beyond Gudiyattam without a bridge. He himself could not proceed beyond Gudiyattam on account of heavy rains and probably he thought

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that there was dire need for a bridge there. Although the demand for a bridge has been there for a long time, the personal experience of the Finance Minister has finally given life to the demand which is now sought to be acceded to. I welcome it.

"Sir, under the Demand for Co-operation a sum of Rupees 11,65,500 is set off for payment of rebate to dealers in handloom cloth. I would just like to know whether all dealers are getting this rebate or only particular co-operative societies and shops."

THE HON. SRI C. SUBRAMANIAM :—"All co-operative societies and a few individuals."

SRI MOHAMED RAZA KHAN :—"I do not know why discrimination is made between dealer and dealer. After all, if it is the intention of the Government to give the rebate to all persons who buy handloom cloth—whether it is one anna or one and half annas—why should they specify particular dealers and co-operative societies as the agency for giving that rebate? This matter deserves consideration at the hands of the Government."

THE HON. SRI M. BHAKTAVATSALAM :—"We cannot control everything."

SRI MOHAMED RAZA KHAN :—"In that case, we need not have the scheme at all. I think the Hon. the Minister will understand the implications of the present scheme. While I appreciate the difficulty of the Government in the matter of regulating the payment of rebate, I want him to understand that the scheme is intended to provide an incentive to the people to go in for handloom cloth in preference to other kinds of cloth. Therefore, all dealers in handloom cloth should be given this facility. Otherwise, those who are not given this facility will lose their business. A rebate of one anna six pies in the rupee is not an ordinary thing. I would request the Government to reconsider the question and see whether the facility cannot be extended to all other dealers also."

"Sir, under the Demand—Industries and Cinchona—there is a provision of Rs. 11,30,000 being the sum sanctioned for the establishment of a wool-processing centre in North Arcot district. This is a welcome measure because Madras leads in the tanning trade throughout India and we do have plenty of wool for export to foreign countries. But unfortunately we are unable to compete with the foreign markets. No doubt we produce fine wool but the price that we get does not leave us much margin. Therefore, it is that I welcome this measure but I do not know on what basis the centre is to be run. Is it going to be a purely Governmental affair or are the Government going to get the support and partnership of the people in the trade in running the centre? I hope the Hon. the Minister for Industries will explain the scheme clearly."

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"Sir, lastly, I would like to refer to the Demand under State Transport. There is provision for the construction of twenty-five bus bodies. This subject concerns my friend, the Hon. Mr. Paraswaran. I may tell him one thing. Of course, this is not the occasion, as you have already pointed out, Sir, when we can speak on general matters. We must speak only on particular items coming under the Demand. But I shall not be wrong if I say that the improvements that we expected in the working of the State Transport have not come about. It is not my object to blame the Minister or the Department. But the fact remains that even in the course of a long number of years, the State Transport has not improved in its working. This fact is amply borne out by the very many letters that appear in the Daily Press in the City of Madras. Very responsible papers have come out with their views about the Government Transport and they must be a pointer to the fact that the present condition of the Transport needs improvement. The Government cannot take shelter under the fact that they are trying their best to ease the position by buying more heavy diesel buses and by increasing the number of seats in the buses. If the Hon. the Minister explains his difficulties, we in this House can understand and appreciate them. But the actual travelling public only know what difficulties they experience. They have often to wait half and one hour to get accommodation in buses. And if after waiting for such a long time, they manage to get into the bus, they do not get sitting accommodation. They have to stand. I hope that the Hon. the Minister for Transport will take special interest and see that the difficulties experienced by the travelling public are removed. If there is a will, there is a way. The Government must see that within a reasonable period of time—say within three or four months—conditions improve. If things are left to the department to be looked into, then the department will take its own time and finally nothing will be done. The problem is acute during peak hours and I hope the Government will do their best to remove the difficulties."

MR. CHAIRMAN :—"Twenty more minutes, I shall allow for speeches by hon. Members. Ten minutes to five, the Hon. the Minister for Finance will begin to reply."

* SRI T. PURUSHOTHAM :—"Mr. Chairman, Sir, the discussion on Demands for Supplementary Grants affords an excellent opportunity to this House to assess the working and achievements of the Ministry during the financial year and we are happy to note about the progress made in the various departments of the Government during the current year under review. I am sure the House would congratulate the Ministers on the several new schemes of development sanctioned during the year. The very fact that supplementary demands are presented for a sum of seventeen and half crores of rupees shows commendable activity and earnestness on the part of the Government to provide for progressive welfare schemes. Seeing such happy features, I feel confident"

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that the public will not grudge a few thousands of rupees to the State coffers by way of extra taxes about which even Members of this House expressed some doubt during the discussion on the Budget because whatever be the amount that the public may be called upon to pay by way of additional taxation, we are assured of a very good return.

"Let me now refer to some of the items of additional expenditure referred to in the supplementary demands. Sir, my hon. Friend, Mr. G. Krishnamoorthi referred to the additional allotment required under 'Education'. I find that a sum of Rupees 2,74,000 is required under Grant XV—Education—for direct grants to non-Government secondary schools. I should like to point out in this connexion that as regards the compensation payable to managements to make up the loss in come on account of grant of fee concessions to the non-gazetted officers' children, scheduled and backward classes, etc., there seems to be no restriction imposed on the managements as to the rates of schools fees to be collected by them. Even if nearly half the number of children in each class is given the half fee concession, the Government are obliged to pay the loss incurred by the management by the grant of the concessions. If the rates are increased every year, the compensation amount will increase proportionately. This is the case in secondary schools as well as the elementary schools. Unless maximum rates of fees are fixed by Government for secondary and elementary schools at least for the purpose of the compensation payable to them on account of the fee concessions, the finances of the Government are bound to be very adversely affected, especially in view of the recent announcement made by the Government to make education free up to III form for all poor pupils irrespective of caste or creed.

4-30 p.m. "I raised this question of standardization of the tuition fees that may be levied in aided schools some time back, and the then Education Minister, Dr. M. V. Krishna Rao, promised to examine the question. I do not know if anything has been done in that direction. I would request the present Education Minister to take up the matter in the light of the difficulties pointed out by me just now.

"In respect of the 'Police' grant in the supplementary budget before us, we find that a sum of Rs. 96 lakhs is required for the maintenance of care-camp. The explanation given for this additional expenditure is that this sum is anticipated to be spent on replacement, tinning and repairing of worn-out vessels in the care-camp. I think this is an extravagant expenditure. I would request the Government to go into the details and see if this amount is really necessary. I am obliged to refer to this because this House has no other opportunity to refer to such questions. In fact, speaking on the Budget last year, I requested the Hon. Minister for Finance that an Estimates Committee be constituted for this House. The Hon. Minister assured us that he would give

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his consideration to this matter. I find that in the other House an Estimates Committee has already been constituted and no steps have been taken to associate any Member of this House on that Committee. With regard to the association of the Members of this House on the Public Accounts Committee also I made certain observations and the Hon. Minister for Finance told us last time that he would examine that question as well. I find that this question was also raised in the Parliament. The Hon. the Prime Minister Pandit Jawaharlal Nehru moved the following resolution in the Lok Sabha on 12th May 1953. I am reading from the official report of the proceedings of the Lok Sabha. The resolution reads as follows:—'That this House recommends to the Council of States that they do agree to nominate 7 members from the Council to associate with the Public Accounts Committee of Lok Sabha for the year 1953-54 and to communicate to the House the names of the hon. Members'. I would request the hon. Members of this House to read the inspiring speech made by the Hon. the Prime Minister on that occasion. I wish I had time to read some extracts from that speech. He definitely pointed out that though the provision in respect of money bills in our Constitution might be similar to that in the Constitutions of other countries, our Upper Chambers were envisaged differently. There was absolutely no difference between the Upper House and the Lower House in our Constitution and that they should be treated alike. The resolution was adopted by both Houses of Parliament and I am glad to tell hon. Members that there are now two members elected by the Madras State Assembly serving on the Public Accounts Committee, Sri P. S. Rajagopal Naidu and Sri K. S. Hegde. May I not appeal to the Hon. the Finance Minister with the support of the members of this House that the same procedure may be adopted in our State also. We have led the way in many other matters and the association of the Members of this House with the Public Accounts Committee might also be considered. I trust the Hon. the Finance Minister will lose no time and table a motion in the other House even during the present sitting and see that the Members of this House are associated with the Public Accounts Committee.

"I would also like to refer to the additional expenditure proposed on travelling allowance, etc., of Regional Transport Authorities under Grants VI—Motor Tax Administration. The Hon. Minister for Transport said in his speech while moving the grant in the other House that the Government have under consideration the reconstitution of the Regional Transport authority. In this connexion, I would like to say that it has been upheld that the right to ply buses in public pathways is a fundamental right which can be abridged only by reasonable restriction in the interests of the public. Such a right cannot be lightly interfered with by persons who are not conversant with the intricacies of law. Now that the Government have under consideration the reorganization of the Regional Transport Authorities, I would suggest whether

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we could not appoint persons with judicial qualification and necessary experience as Regional Deputy Transport Commissioners so that they might be placed in charge of three or four districts each with power to dispose of all matters relating to road transport. The Deputy Commissioners so appointed may be of the cadre of Subordinate Judges. That would be a welcome move instead of having the Road Transport Authorities as at present without any judicial members thereon to deal with such matters. In this connexion, I would like to refer to the legislation recently passed by us doing away with abolishing section 61-A of the Motor Vehicles Act. Though the President has given his assent on the 22nd January 1955 and the Act was published on 2nd February 1955, effect has not yet been given to that measure. I hope the Government will take immediate action in the matter and at least from 1st April 1955 get rid of the revisional powers in question. I refer to this because some retrenchment is possible in the concerned Secretariat, till now dealing with revision petitions under the old provisions. One or two sections with an Assistant Secretary who have been dealing with these revision petitions could safely be retrenched.

"Sir, the hon. Member Sri Bhashyam referred to the expenditure of Rs. 7,60,000 incurred in connection with the District Board elections. I hope the Government have recovered the amount spent on these elections from the district boards. If so, I wonder why that has not been mentioned in the explanatory note on this item."

MR. CHAIRMAN :—"The hon. Member has only two minutes more."

* SRI T. PURUSHOTHAM :—"I am finishing, Sir. Under 'Electricity' we find an additional expenditure Rs. 89 lakhs provided. No one would grudge this in view of the need for rapid expansion of electricity to rural areas. Safe return on capital expenditure is assured as more and more people get electricity minded. I would like to suggest in this connexion that electricity connection should be given to all the villages on the main roads through which these lines pass. Government would get more revenue by doing so. At present this is not being done. A systematic drive in this direction is necessary. It would be desirable that the officers and subordinates of the Electricity department show greater interest and enthusiasm in this matter. Panchayats should be formed in these villages as without panchayats the department refuses to give electricity connexion. I would like to point out that there is also great delay in the formation of village panchayats even in cases where the public want them. Avadi which was the scene of our 60th Session of the Indian National Congress has not got a panchayat even though the people there have been crying hoarse ever since Village Panchayat Act was passed in the last Ministry. May I appeal to the Government to pay speedy attention to such requests from the public?"

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"Lastly in the matter of recovery of advances made to ryots for the purchase of bulls, manure, pumpsets, etc., referred to under Capital Expenditure, Grant XII, all the arrear instalments are being demanded this year. The collection of these dues was put off during drought years. To facilitate easy payment, instalments due in respect of takkavi and agricultural loans for this year alone should be collected now. The deferred instalments should be recovered at the end of the loan period. I make a special plea in this behalf in regard to Chingleput and North Arcot districts and of course other districts also where similar conditions might have prevailed because ryots are put to very great difficulty on account of accumulated demand this year. My suggestion is that one instalment may be collected now and the arrear instalments may be collected at the end of the loan period in view of the very bad predicament in which the ryots are placed. I think the Government would heed to the prayer of the agriculturists in this regard."

MR. CHAIRMAN :—"I think two more hon. Members have given their names to speak on the supplementary demands. As the Hon. Minister wants 20 minutes to reply, I am sorry I cannot call those hon. Members. I am sorry that time does not permit me 4-40 to allow the two hon. Members who still remain to speak. It is now p.m. 4-40 p.m. We want to close at 5 p.m. Therefore the Hon. Minister for Finance will speak now."

* THE HON. SRI C. SUBRAMANIAM :—"Mr. Chairman, Sir, Dr. John criticised the supplementary budget and the amount involved in the supplementary demands. He wanted a copy of my speech introducing the supplementary demands and it has been circulated to all hon. Members. But I am afraid he has not made full use of that speech. If he goes through it fully and carefully, I am sure he will find that the net estimates for 1954-55 is 4.75 crores. Out of that, savings available would amount to Rs. 3 crores. Therefore net increase in expenditure is only Rs. 1.75 crores. Out of this he would find that Rs. 86 lakhs is due to new services and I am sure he does not suggest that during the current year, no new scheme should be taken up, after introducing the budget, even if those things were essential. He would find if only he scrutinised my speech that very many important schemes have been taken up. The real increase in the entire budget is Rs. 1 crore. The total net appropriation is Rs. 62 lakhs. If only he works out the figures, I am sure that the increase does not represent even 2 per cent. It comes to only 1.75 per cent, if I am correct. I think when we have to estimate for the entire year for all things, a marginal error of 2 per cent can be safely allowed. It has now come to only 1.75 per cent. I think we should congratulate the department for having so accurately budgeted the expenditure under the various heads under the Revenue Account."

"With regard to the Gross Demand amounting to Rs. 17½ crores, we have got to make various adjustments. It does not really

[Dr. A. Sreenivasan] [19th March 1955]

தமிழில் பேசக்கூடாது என்றுதான் எனக்குப் புரியவில்லை. ஏதோ வாய்க் கரிசி போடுவதுபோல் ஒன்றிரண்டு இடங்களில் மட்டும் தமிழில் பேசுவீட்டால் போதுமா? வீட்டிலே பேசுவதெல்லாம் தமிழ்; சாப்பிடும்போதும் தமிழ் பேசுகிறோம். அப்பொழுதெல்லாம் ஆங்கிலத்தைப்பற்றி நினைப்பதேயில்லை. ஆனால் இந்தச் சபையில் வரும்போது மட்டும் என் மந்திரிகள் ஆங்கிலத்தில் பேசுகிறார்கள் என்பதுதான் எனக்குப் புரியவில்லை. ஆகவே இந்தத் தேர்தல் வருவதற்கு முன்பாக, எல்லா மந்திரிகளும் சேர்ந்து ஆலோசித்து உடனடியாக தமிழில் நடவடிக்கை நடத்துவதற்கு முன்வரவேண்டும். கொஞ்சம் மெதுவாக ஆரம்பிக்கலாம், யோசிக்கவேண்டுமென்று சொல்வதில் பிரயோஜனமில்லை. இன்று அதிகாரிகளை எடுத்துக்கொண்டாலும் go slow வாகத்தான் எந்தக்காரியங்களையும்செய்கிறார்கள். பத்து நாளைக்கு குள் செய்யவேண்டியதை, 30 நாளைக்கு செய்கிறார்கள். அப்படி go slow வாக இல்லாமல் தமிழை உடனடியாக நடத்தவேண்டுமென்று கேட்டுக் கொண்டு, இந்தத் தீர்மானத்தை ரொம்பவும் மனப்பூர்வமாக ஆதரித்து என் பேச்சை முடித்துக்கொள்ளுகிறேன்.”

Sri K. BHASHYAM :—“ கனம் தலைவர் அவர்களே, நான் இப்பொழுது இங்கு தமிழ் மொழியில் பேசுவதற்கு உங்கள் உத்திரவைக் கோருகிறேன். இந்தத் தீர்மானம் கொண்டுவந்ததைப் பற்றி நான் ரொம்பவும் சந்தோஷப்படுகிறேன். ஏனென்றால் தமிழ் பாஷையை, தாய் பாஷையை நாம் வளர்க்க வேண்டியது நம்முடைய கடமையாகும். அதை நான் ஒப்புக் கொள்ளுகிறேன். ஆனால் எனக்கு ஒரு சந்தேகம் மட்டும் உண்டாகிறது. அதாவது இந்தத் தீர்மானத்தை சற்று திருத்தி அமைக்க வேண்டுமென்பது என்னுடைய அபிப்பிராயம். என்னவென்று கேட்டால் இப்போது திருச்சிராப்பள்ளி மாவட்டத்தில் (district) இந்தத் தமிழ்மொழியில் கடிதப் போக்குவரத்து செய்யும் விஷயத்தில் அந்த ஊரிலுள்ள மாவட்ட அதிகாரி இருக்கிறாரே, அவரைப் பற்றிய அபிப்பிராயம் என்னவென்று கேட்கிறேன்? அந்த அதிகாரியினுடைய அபிப்பிராயம் என்னவென்று யோசிக்க வேண்டும். கொஞ்ச நாளைக்கு முன்பு நான் ஒரு சமாசாரப் பத்திரிகையை வாசிக்கும்போது அதில் இதைப் பற்றி ஒரு விஷயம் தெரிந்துகொண்டேன். என்னவென்று கேட்டால், அவர்கள் தமிழிலே நடத்துகிற கடிதப் போக்குவரத்து இருக்கிறதே, அது கிராமத்திலே இருக்கிற கிராமவாசிகளுக்கு இந்த அதிகாரிகளால் எழுதக் கூடிய வாசகம் புரியக்கூடியதாக இல்லை. இவர்கள் பேசுகிறபோல் தமிழை எழுதாமல், பழையகாலத்து செந்தமிழ் நடையில் எழுதுவது போல் எழுதி விடுகிறார்கள். நாடோடித் தமிழில் எழுதினால் அவர்களுக்குப் புரியும். செந்தமிழில் எழுதுவதால் அவர்களுக்கு ஒன்றும் புரியவில்லை. நான் இந்த சமாசாரத்தைத் தெரிந்துகொண்டேன்.

“ அடுத்து, நான் ஓரிடத்தில் தமிழில் பேசுவதற்காகப் போயிருந்தேன். உட்கார்ந்திருந்த என்னை, அங்குள்ள ஒருவர் ‘உங்களுக்குத் தமிழில் பேசத் தெரியுமா’ என்று கேட்டார். நான் அவரிடம், ‘தமிழில் இலக்கண இலக்கியத்தோடு பேசத் தெரியாது; ஆனால் நாடோடித் தமிழில் பேசத் தெரியும்’ என்று கூறி, அங்குள்ள மக்கள் புரிந்து கொள்ளக் கூடிய நாடோடித் தமிழில் பேசினேன். அங்குள்ள மக்களும் சமரசாரத்தை புரிந்துகொண்டார்கள். ஆகவே நான் கேட்டுக்கொள்வது என்னவென்றால், இந்த மாதிரியாக நாடோடித் தமிழில் கடிதப் போக்குவரத்துக்களை ஏற்படுத்த வேண்டுமென்பதுதான். அதை மட்டும் நான் கேட்டுக் கொள்ளுகிறேன்.

“ மற்றும் என் அபிப்பிராயங்களைச் சொல்லுகிறேன். இப்போது கிராம வாசிகளிடம் மாவட்டம் என்று சொன்னால் அவர்களுக்கு ஒன்றும் புரிந்து கொள்ள முடியாது. டிஸ்ட்ரிக்ட் என்று சொன்னால் ஒருவேளை புரிந்து கொண்டாலும் புரிந்து கொள்ளலாம்.”

Sri K. BALASUBRAMANYA AYYAR :—“ ஜில்லா என்று சொன்னால் தெரிந்து கொள்வார்கள்.”

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Sri K. BHASHYAM :—“ ஜில்லா என்பது உருது வார்த்தை. அதை உபயோகப்படுத்த எனக்கு இஷ்டமில்லை. ஜில்லா என்பது கூடாது. வேறு வார்த்தை சொல்ல வேண்டும். மாவட்டம் என்று சொன்னால் அது என்ன சக்கர வட்டமா என்று சந்தேகப்படுவார்கள்.”

Sri M. P. GOVINDA MENON :—“ What is meant by ‘Mavattam’ ? ”

Sri A. GAJAPATHY NAYAGAR :—“ மாவட்டம் என்றால் பெரிய வட்டம். அதாவது பல சிறிய ஊர்கள் சேர்ந்தது என்பதாகும்.”

Sri K. BHASHYAM :—“ இதை அந்த மக்களுக்குப் போய்ச் சொல்ல வேண்டுமே? யார் போய்ச் சொல்லுவது? அதுதானே இப்போது கஷ்டமாக இருக்கிறது. குழு என்ற வார்த்தையைச் சொன்னால் அது குழுவா, புழுவா என்று சந்தேகமேற்பட்டு அவர்களால் சரிவர புரிந்து கொள்ள முடிவதில்லை. பெடிஷன் என்று சொன்னால் எல்லோருக்கும் புரிகிறது. ஆனால் அதையே மனுபோட வேண்டுமென்று சொன்னால் உடனே புரிந்து கொள்ள முடிவதில்லை.

“ அதேபோல் ஒரு கிராமவாசி எளிதாக ‘எனக்கு இன்னும் நோட் டீஸ் வரவில்லை’ என்று சொல்லுகிறான். ஆனால் அவன் அதைத் தமிழில் சொல்வதேயில்லை. அதே போல் ‘நான் இன்று கோர்ட்டுக்குப் போகவேண்டு’ மென்றுதான் சொல்லுகிறான். ஆனால் ‘நான் நீதிமன்றத்திற்குச் செல்ல வேண்டு’ மென்று சொல்வதில்லை. அப்படிச் சொன்னாலும் நமக்கு உடனே அர்த்தம் புரிந்துகொள்ள முடிவதில்லை. ஒரு ஐக்காக்காரனைப் பார்த்து ‘நீ நீதிமன்றத்திற்கு வண்டியை ஓட்டு’ என்று சொன்னால் அவனுக்கு அது கஷ்டமாகத்தான் இருக்கும். அதே போல், கான்ஸ்டபிள் என்பதற்கு போலீஸ்காரன் என்று சொன்னால் புரிந்துகொள்ள முடிகிறது. ஆனால் காவற்சேவகன் என்று சொன்னால் புரிந்துகொள்ள கஷ்டமாக இருக்கிறது. இந்த மாதிரியாக பல கஷ்டங்கள் ஏற்படுகிறது. சர்க்கிள் இன்ஸ்பெக்டர் என்பதற்கு என்ன தமிழ் வார்த்தை போடுவார்களோ தெரியவில்லை. இந்த மாதிரியான பல வார்த்தைகளுக்கு கஷ்டப்பட வேண்டியிருக்கிறது. அப்பீல், கம்பீனன்ட் இதுபோன்ற வார்த்தைகள் வந்துகொண்டே இருக்கின்றன. இவைகளைக் கெல்லாம் நாடோடித் தமிழில் வார்த்தைகளைக் கண்டுபிடிக்க வேண்டுமே தவிர, செந்தமிழைப் புகுத்தினால் கஷ்டங்கள்தான் ஏற்படும்.

“ சாதாரணமாக, ரேடியோவைத் திருப்பினால், அதில் பேசக்கூடிய வார்த்தைகளில் பாதிக்குமேல் புரியவில்லை. ரொம்ப செந்தமிழாக இருந்துவிடுகிறது. இத்தனைக்கும் நாம் தினமும் வீட்டிலே பேசுவது தமிழ்; வீட்டிலுள்ள குழந்தைகள் எல்லாம் தமிழ் பேசுகின்றன. நான் தினமும் இராமயணத்தை தமிழில் படிக்கின்றேன். ஆனால் இந்தத் தமிழ் வேண்டுமென்று சொல்லுகிற சில பேர்கள், செந்தமிழை உபயோகித்து நம்மைக் குழப்புகிறார்கள். அந்த அட்டேழியத்தைத் தான் என்னவென்று சொல்வது என்று எனக்கே தெரியவில்லை. அதைமாற்றி நாடோடித் தமிழில் அமைத்தால் நல்லதென்று தெரிவித்துக்கொள்ளுகிறேன்.”

Mr. CHAIRMAN :—“ The discussion on the resolution, will be continued on the next Non-official day. The House will now adjourn to meet again at 3 p.m. on Thursday, the 24th March 1955.”

The House then adjourned.

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represent real expenditure. When we get the sanction of the Legislature for this supplementary demand, there will be recoveries available on the other side. That is why I took the example of State Trading Schemes, and illustrated by giving figures. Even though Rs. 10 crores are required for under supplementary demand, as a matter of fact we would be getting back Rs. 11 crores and as a matter of fact it is *plus* there (+). That is we get a surplus ultimately. Under the Constitution, even though monies from certain heads would be going to the Consolidated Fund, if we want to draw any amount from the Consolidated Fund, we have got to get the sanction of the Legislature. Such a sanction is absolutely necessary. In order to satisfy that constitutional provision, we have to place this supplementary demand for getting the sanction of the Legislature. That is why the floated figure of Rs. 17½ crores is put there. If we really go into the accounts, we would find that there is really nothing wrong. I think Dr. John has not perused what I have said last year when I explained at some length the procedure adopted in the preparation of budget.

“ Dr. John suggested that the supplementary demand should be placed before the Legislature even before incurring the expenditure. I am afraid it will not be practicable. If necessary we can do it. Whenever we want to incur additional expenditure, we could come before the House and present the necessary supplementary demand. But I think we would be only wasting the time of the House by adopting such a procedure. That is why in a consolidated manner, it is brought before the House during the end of the year. After all the Government is responsible for the entire expenditure and when they undertake this expenditure, they are bound to get the sanction of the Legislature and when it comes before the House. It is open to scrutiny and criticism. It is not as if there is no provision for such a thing in the Constitution. In fact the Constitution recognizes such a contingency. That is why they have provided for what is known as a ‘Contingency Fund’. We have a Contingency Fund wherein we have Rs. 75 lakhs. So much so, even without coming to the Legislature for sanction to take any amount from the Consolidated Fund, we could take the money we want from the Contingency Fund and spend it. The Constitution provides for this. Of course afterwards the approval of the House for that expenditure would be obtained and the amount taken from the Contingency Fund would be recouped by drawing from the Consolidated Fund. Therefore it is not as if we are prevented from incurring any expenditure before submitting the supplementary demand. After all what we are concerned is that things should be done properly and we should get things done. The Government are there to see to it that things are done properly and they are responsible to the House. I am sure that for all the schemes we have undertaken and for which expenditure the approval of the House is now awaited, we have not done anything wrong. We have done only the proper thing. If for every rupee of expenditure, we had to

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put in a supplementary demand and come for the approval of the House, I am afraid that there will be undue delay. That is why I say on behalf of Government that the little extra expenditure we have incurred is only for the new schemes we have undertaken in the current year, which were quite essential.

“ Dr. John referred to ‘State trading schemes’. I am sure the House is aware that there is now complete de-control of foodgrains. We have come to a stage wherein a stop has been put to State Trading so far as foodgrains are concerned. We are really happy over that. It was not a pleasure for Government to take up the purchasing foodgrains and distributing them. We have faced many difficulties while we were trading in foodgrains. We had to adopt that method because we had to meet a particular situation caused due to drought conditions. The scarcity of foodgrains at that time had to be met. A suggestion was there that we could have left it to private enterprise. If only we had done so, instead of meeting the problem, the private sector would have exploited the situation to amass profit for themselves. I am sure hon. Members know how they utilise even critical situations for the purpose of making money. Private persons who had been entrusted with the work of famine relief exploited the situation and tried to make profit for themselves. Blackmarketing had become a well-known institution during and after the War. When such was the case, we could not have taken the risk of leaving it to private enterprise to meet the scarcity in foodgrains caused due to drought conditions. We did not want to take that risk. That is why the State undertook to trading in foodgrains. The State purchased the foodgrains and sold them at controlled rates. That control did serve the purpose. As soon as the purpose of that control was served, and when the scarcity of foodgrains had gone, we introduced de-control. Our State introduced de-control much earlier than other States. Of course other States followed and finally we find a state now when throughout the country there is complete de-control. And our de-control policy has proved a success.

“ The hon. Member, Dr. John, referred to the losses we have sustained in State trading. He has said how the Central Government have now suffered a loss of Rs. 45 crores by the stocking of foodgrains. What the Central Government had been able to gain by the sale of foodgrains is *now* not known. We only know the loss. Therefore we cannot estimate the net loss or gain now. At this stage, we cannot estimate the net profit or loss. Similar is our case. We have sustained some loss. We come to the House for approval of the increased expenditure we have incurred. The profit or loss does not come in now. Only when the accounts are settled, we would know the net profit or loss. But I am sure when the accounts are settled, we would not have incurred any huge loss on account of these State trading schemes. It was criticised that

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proper accounts are not being maintained, in respect of these State Trading Schemes. The Auditor-General audits the accounts of these State Trading Schemes. Apart from that, we are dealing in manure which is very essential for the ryots. We have to deal with the Government of India for without them we cannot get the necessary manure. The fertilisers we get from the Government of India, we actually distribute according to the circumstances prevailing in the State and according to the quantity of fertilisers available and taking into account the actual demand. Therefore we cannot avoid these transactions. These commercial undertakings were started by Government because there was no proper agency to undertake them. Manufacture of soap, shark-liver oil and a few other undertakings are some items in which the State started its initiative. We cannot give them up now. I am sure we have not incurred any loss on account of these commercial undertakings. In fact we have made some small profit.

4-50 p.m. "I now come to the question of bus transport. This is another institution wherein Dr. John wants that private enterprise alone should be allowed to enter. We have taken over the bus transport so far as the City is concerned. But Dr. John wants only private interest to be there. He wants this to be handed over to the private sector. Unfortunately conditions are fast changing nowadays. Ideals and ideas are changing. It is now agreed that the public sector should play a greater part than the private sector. But Dr. John also has to change according to the times. In spite of all his property and in spite of what all he has earned, he will have to move with the times. Just as he has to refresh his knowledge of law now and then so that he may be up-to-date in the Courts of Law, so also he will have to refresh his ideas and ideals with reference to the legislature and with reference to the community. We are now in a fast-moving time. Therefore, to come now and advise the Government that the private enterprise should be given a free hand and as far as public sector is concerned, it should not come into the picture at all is, I am afraid, very much behind the time."

DR. V. K. JOHN :—"I am a 'have-not'."

* THE HON. SRI C. SUBRAMANIAM :—"I do not know whether he is a 'have' or 'have-not'. Whatever it is, as far as modern and recent ideas are concerned, he seems to be a 'have-not' and I do agree there."

"Then Dr. John criticised the Government Bus Transport. I would like to know whether he had seen the conditions of the bus transport when it was in private hands. I have had experience of it. I have absolutely no doubt that there has been considerable improvement in the quality of the buses as well as the service rendered to the public. It is easy to say that private enterprise will do better. I would like the hon. Dr. John to go to any mufassal route and travel in those buses and he will find what sort of buses are being run there. Even if he happens to get into a bus in the City

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by any chance—I am sure he does not do that because he is travelling in a Buke car and so he has no experience of the buses running in the City—he will really find out the difference. Therefore, Sir, it is not a question of there being no improvement. On the other hand, there is considerable improvement in the service which is offered to the public by the Government Bus Transport. It is not a losing concern and we make money out of it. Some mention was made I think by Dr. John or by some other hon. Member as to whether the Government Bus Transport pay the taxes to the Government before calculating the profit. They do pay all the taxes which other tax-payers pay and over and above this, we are making a small profit."

DR. V. K. JOHN :—"What about fares?"

* THE HON. SRI C. SUBRAMANIAM :—"I would request the hon. Member to compare the City fares with that in Bombay, Delhi and Calcutta and he will then come to the conclusion that we are charging the lowest. After all City bus transport is different from running long-distance routes in the mufassal. Here in the City buses have to be stopped frequently and have to be restarted and so, the consumption of petrol and diesel oil is high. Wear and tare also is high. One has to take all these things into account before he says that the fares are higher. The hon. Member will find that compared to any other City we are charging the lowest fare and at the same time making a profit also."

"As far as section 64-A of the Motor Vehicles Act is concerned we have passed the law and my colleague assures me that it will very soon be given effect to, in any event, before the Tamil New Year. Preliminary arrangements for the reorganization of the Central Road Traffic Board and also the Regional Transport Authority in the context of the annulment of section 64-A will have to be made. That is the only thing pending and as soon as a decision is taken on that, the reorganization of the Board and the district authorities will be given effect to."

"I am glad that Dr. John is taking a very sympathetic view as far as my work is concerned and I am sure the Chief Minister will take note of the suggestions made by him and relieve me of the other responsibilities and give me only the finance portfolio. Apart from making a suggestion here, the hon. Member can even meet the Chief Minister and convince him that it is good in the interest of the Finance Minister himself and his own physical health also that he should be relieved of some of the responsibilities which he has been shouldering now."

"With reference to sales tax, I find that some staff has been employed for the purpose of finding out evasion. That is a new work which we have taken up. Simply because there were evasions in the previous years, it is not as if we should not try to check that evasion. Therefore, we have had some additional staff, three

THE MADRAS LEGISLATIVE COUNCIL.

Saturday, the 26th March 1955.

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.

Expansion of facilities for medical education in the State

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

(a) the schemes that are under the consideration of Government for the expansion of facilities for medical education in the State;

(b) whether the report of the Committee of Dr. Rm. Alagappa Chettiar's offer to start a new medical college in one of the southern districts has been received by the Government; and

(c) if so, what steps have been taken by the Government in furtherance of the scheme referred to in clause (b) above?

THE HON. SRI A. B. SHETTY :—“(a) No specific schemes are under the consideration of the Government at present.

“(b) Yes, Sir.

“(c) The report is under examination.”

SRI T. PURUSHOTHAM :—“Considering the urgent need for more doctors to expand medical facilities in rural areas, will the Government expedite the schemes that are under consideration for opening new medical colleges and especially the offer of Dr. Alagappa Chettiar? We also saw in the papers that there is a proposal to start a medical college in Coimbatore.”

THE HON. SRI A. B. SHETTY :—“The report of Dr. Lakshmanaswami Mudaliyar Committee has just been received, and it is under examination. The establishment of a medical college involves a very huge amount. Nearly a crore of rupees is required with the necessary staff with qualifications and experience. So the matter cannot be expedited in the manner suggested by the hon. Member.”

SRI T. PURUSHOTHAM :—“With reference to the financial commitment as stated by the Hon. Minister, may I know whether the Government will kindly contact Dr. Alagappa Chettiar to see what amount by way of private contributions would be available for starting a new medical college especially from Chettinad area?”

THE HON. SRI A. B. SHETTY :—“Some of the gentlemen there have offered to give contribution for putting up wards, and also for endowing beds. We are yet to get definite information in this matter.”

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Deputy Commercial Tax Officers and three Assistant Commercial Tax Officers. Now, the inter-State sales tax transactions have also come into operation and for that we have employed four Deputy Commercial Tax Officers and eight Assistant Commercial Tax Officers for dealing with various trades. I am sure when we go through the accounts of recoveries effected by these various extra staff, we will be quite satisfied that the money on these extra staff was worth spending.

"With regard to co-operation, Sri Bhashyam asked 'what about the Gazetted Officers'. There was reorganization in the various districts. Districts were bifurcated and Deputy Registrars were put in charge of each bifurcated area. Because of the increase in the number of co-operative societies, we have to increase the number of Deputy Co-operative Registrars and that is why the extra expenditure has to be incurred.

"The various suggestions made by Sri Krishnamurthi with regard to elementary education, I am sure, will be looked into by the Committee which is going into the entire problem of elementary education. I hope the hon. Member would have made all these suggestions to the Committee also and they will certainly take note of them and make recommendations with reference to all those suggestions. When the report is available to Government, all these will be looked into and the elementary education itself will be put on a proper basis, so that there may be no waste as far as Government money is concerned. Whatever money is spent, it would be properly utilized. Then, the hon. Member referred to the single-teacher schools and the untrained personnel who have been put in charge of those schools. I do agree that untrained personnel should be avoided as far as possible. Not only in the single-teacher schools, but even in certain existing schools there are so many untrained teachers. Therefore, it is not an easy problem. I hope the Committee will tackle this problem and suggest means to get over the difficulty.

"A reference was made about members of this House also participating in the Public Accounts Committee and the Estimates Committee. I went through the Council Rules and I find that there is no particular provision for the participation of the members of this House in these Committees. If the rules are amended for this purpose and a provision is made, certainly I shall take steps to see that in the other house also the rules are suitably amended so that the members of this House may be associated with the Estimates Committee as well as the Public Accounts Committee. In the absence of a provision in the Rules, I am afraid that we cannot do anything now. (Interruption.) There has to be a provision in the Rules to enable the Members of this House to participate in those Committees. We have enumerated what all Committees should be

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constituted in our Rules and there is no provision for these Committees. I am sure that can be very easily rectified. I would be glad to have the services of very experienced members of this House on this very useful Public Accounts Committee and the new Committee which has come into existence, viz., Estimates Committee which I hope will serve a very useful purpose.

"I am sure, Sir, with these words hon. Members would have been satisfied that what we are asking for is not permission of the House to ratify the waste we have done, but we are asking only for the ratification of the House to the useful work we have done and the money we have spent on these useful schemes."

MR. CHAIRMAN :—"The House will now adjourn and meet again on Saturday, the 26th March 1955 at 11 o'clock. It will be a non-official day."

The House then adjourned.

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Government consider the feasibility of having it on the West Coast, preferably in the Malabar district, especially in view of the fact that there is already one hospital near Karaikudi, that is, in the nearby Madurai district?"

THE HON. SRI A. B. SHETTY :—" All these considerations will be taken into account, Sir."

DR. V. K. JOHN :—" May I suggest that the Government consider the advisability of having a medical college in every district headquarters and getting the co-operation of the people in financing the starting of these colleges?"

THE HON. SRI A. B. SHETTY :—" We feel so much difficulty in starting one more medical college in the State. Where is the question of starting a medical college in each district headquarters? I am afraid, it is a very big question."

Introduction of Tamil as the official language

* 263 Q.—SRI V. V. RAMASWAMI: Will the Hon. the Chief Minister be pleased to state whether there is any proposal to introduce Tamil as the official language; and, if so, when?

THE HON. SRI M. BHAKTAVATSALAM (on behalf of the Hon. the Chief Minister) :—" No, Sir."

SRI V. V. RAMASWAMI :—" மொழியை அடிப்படையாகக்கொண்டு ஒரு மாகாணம் ஏற்படுத்தப்பட்டால் இந்த சென்னை மாகாணத்தில் தமிழ் மொழியை அரசாங்க மொழியாக்க ஏற்பாடுகள் செய்வார்கள் அல்லவா? அதற்கு இப்போதே இந்த தமிழ் மொழியை அரசாங்க மொழியாக ஏற்படுத்துவதற்கு வேண்டிய பிரயத்தனம் செய்வார்களா?"

THE HON. SRI M. BHAKTAVATSALAM :—" தாய் மொழியை அரசாங்க மொழியாக ஆக்குவது நல்லது என்பதில் எந்தவிதமான அபிப்பிராய பேதமும், தடங்கலும் சர்க்காரை பொறுத்த மட்டிலும் இல்லை. ஆனால் எப்போது எதை எப்படிச் செய்வது என்பதைத் தவிர இதை பிரச்சனையாக எடுத்துக்கொண்டு சர்ச்சை செய்ய வேண்டாம் என்பது அரசாங்கத்தின் வேண்டுகோள்."

SRI V. V. RAMASWAMI :—" இந்தியா பூராவும் ஹிந்தியை 15 ஆண்டுகளில் அரசாங்க மொழியாக்க வேண்டுமென்று ஒரு சட்டம் இருந்தாலும்கூட மத்திய அரசாங்கத்தின்கீழ் வேலை செய்யக்கூடிய சிப்பந்திகள் கட்டாயமாக ஹிந்தி தெரிந்திருக்கவேண்டுமென்று யூனியன் ஸர்வீஸ் கமிஷனல் சொல்லப்படுகிறது. இனிமேல் இந்த அரசாங்கமும் மத்திய அரசாங்கத்தோடு ஹிந்தியிலே கடிதப் போக்குவரத்துக்கள் இருக்க வேண்டுமென்று சொன்னால் நம் அரசாங்கத்தின் நிலைமை என்னாவது?"

THE HON. SRI M. BHAKTAVATSALAM :—" இந்திய அரசாங்கம் கொடுத்திருக்கும் 15 ஆண்டு கெடு போதாது என்றுதான் சொல்ல வேண்டியிருக்கும். எதையும் அவசரப்பட்டு செய்தால் அது கஷ்டமாகத்தான் இருக்கும். அதையெல்லாம் உத்தேசித்து எதையும் கவனித்து எப்படிச் செய்யவேண்டுமோ அந்த மாதிரியாகத்தான் செய்யவேண்டும்."

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SRI A. SUBRAMANYAM :—" அடுத்த பொதுத் தேர்தலுக்குள்ளாக வாவது இந்தச் சட்டசபையில் தமிழை ஆட்சி மொழியாகக் கொண்டு வருவார்களா என்று கேட்கிறேன்."

THE HON. SRI M. BHAKTAVATSALAM :—" அடுத்த பொதுத் தேர்தல் என்று கெடுவைக்கவேண்டியதில்லை. ஆட்சி மொழியாகச் செய்வது என்பது இல்லை. நாம் இப்பொழுதே தமிழைத்தான் நடத்தி வருகிறோம். சர்க்கார் காரியாலத்திலே கூடியவரை தமிழில்தான் நடத்தப்பட்டுவருகிறது. அதையெல்லாம் சர்க்கார் படிப்படியாக எப்படி விருத்தி செய்யவேண்டும் என்பதைத்தான் ஆலோசனை செய்து கொண்டு வருகிறது."

SRI A. SUBRAMANYAM :—" இங்கு வழங்கப்படும் அறிக்கைகளை யெல்லாம் தமிழிலேயே கொடுப்பதற்கு அரசாங்கம் முன்வருவார்களா?"

THE HON. SRI M. BHAKTAVATSALAM :—" தமிழிலே கொடுப்பது என்பது சரியில்லை. ஆனால் இங்கு இருக்கும் அங்கத்தினர்கள் யாரே னும் புரிந்துகொள்ள முடியவில்லை யென்று தெரிவித்தால் அதற்கு அரசாங்கம் ஏற்பாடு செய்வார்கள்."

SRI V. V. RAMASWAMI :—" தமிழ் மொழியில் கொடுக்கவேண்டுமென்று கேட்பது பிறமொழிகளைப் புறக்கணிப்பது என்று அர்த்தம் அல்ல. பெரும்பான்மையான மக்கள் தமிழ் அறிந்த மக்களாக இருப்பதால் தமிழ் மொழியில் அறிக்கைகளை சமர்ப்பித்தால் நல்ல முறையில் சபை நடக்கவும் முடியும். அதை உணர்ந்து அதற்கு வேண்டிய ஏற்பாடுகளை சர்க்கார் செய்வார்களா?"

THE HON. SRI M. BHAKTAVATSALAM :—" அதை அரசாங்கம் உணர்ந்திருக்கிறது. இப்பொழுது எல்லா காரியங்களையும் தமிழ் மொழியிலேயே செய்யவேண்டுமென்றால் அதிக சிரமம் இருக்கிறது. இப்பொழுது காரிய சாத்தியம் அல்ல என்றுதான் சொன்னேன். சாதாரணமாக தாலுகா காரியாலத்திலும் பிரக்கா காரியாலத்திலும் கூடிய வரை நோட்டீஸ் முதற்கொண்டு எல்லாம் தமிழில்தான் அனுப்பப்படுகின்றன. அதை விருத்தி செய்ய முயற்சி எடுப்பதுதான் அரசாங்கத்தின் விருப்பம்."

Caterer for the nurses at their quarters attached to the General Hospital, Madras

* 264 Q.—DR. V. K. JOHN (on behalf of Dr. A. Sreenivasan) : Will the Hon. the Minister for Health be pleased to state—

(a) whether there is a caterer for the nurses at their quarters attached to the General Hospital, Madras; and

(b) if the answer to clause (a) is in the affirmative, when, by whom and on what terms he was appointed?

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

" (b) The present caterer was selected by the Dean, Government General Hospital, Madras, in August 1951 after inviting tenders. He is being continued till now. As regards the terms governing the running of the mess, a statement * is placed on the table of the House."

* DR. V. K. JOHN :—" May I know if there are any contracts entered into without calling for tenders?"

THE HON. SRI A. B. SHETTY :—" We call for tenders."

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SRI T. PURUSHOTHAM :—“ Is it not a fact, Sir, that the Union Government have offered to bear two-thirds of the net cost as subsidy for technical colleges, and will this State Government address the Union Government for inclusion of this medical college scheme on that basis in the Second Five-Year Plan? ”

THE HON. SRI A. B. SHETTY :—“ Yes, Sir. The Central Government are expected to give financial assistance for new medical colleges during the Second Five-Year Plan. But there is no definite information as yet about this matter.”

SRI T. PURUSHOTHAM :—“ May I know, Sir, if there is a proposal to locate a First-Grade District Headquarters Hospital at Karaikudi? ”

THE HON. SRI A. B. SHETTY :—“ If the medical college is to be set up there, it will necessarily require an attached hospital with sufficient bed strength and special departments.”

SRI T. PURUSHOTHAM :—“ In view of the existing facilities at Karaikudi, such as the Arts College, Engineering College, Women's College, etc., will not the establishment of a medical college at Chettinad add to the feasibility of starting an ideal unitary type of University with provision for all faculties, and will this factor also be taken into consideration in deciding on the location of the new medical college? ”

THE HON. SRI A. B. SHETTY :—“ Yes, Sir. The Committee has taken due note of the academic atmosphere of the place and made its suggestions accordingly.”

SRI K. BHASHYAM :—“ Is it not a fact, Sir, that Karaikudi is now too crowded and, when we want to establish a medical college, with a large hospital attached to it, would it not be better to keep it away from this cumbersome mixing up of all colleges in one place? ”

THE HON. SRI A. B. SHETTY :—“ Sir, Karaikudi has been developing into a University town and the atmosphere and surroundings there will be quite good. But there are other matters to be taken into consideration before finally deciding on the location of the college. We shall have to consider the suitability of other centres also.”

DR. V. K. JOHN :—“ Sir, may I know whether the Government have made an assessment of the need of the State for doctors? How many doctors are required, and what is the expenditure for establishing these medical colleges and the hospitals attached to them? ”

THE HON. SRI A. B. SHETTY :—“ The estimate of expenditure for opening a medical college admitting fifty students and an attached hospital with 450 beds is, Rs. 25 lakhs for

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the hospital building, Rs. 25 lakhs for equipment, Rs. 15 lakhs for the college building, and Rs. 15 lakhs for the equipment, and additional money will have to be spent for putting up hostels for students, quarters for nurses, and staff. This will easily cost a little more than a crore of rupees.”

DR. V. K. JOHN :—“ How many such units are required to meet the needs of our State, Sir? ”

THE HON. SRI A. B. SHETTY :—“ Fifty students is the minimum number to be admitted.”

DR. V. K. JOHN :—“ How many units of colleges, hospitals, etc., are required to meet the needs of our State? ”

THE HON. SRI A. B. SHETTY :—“ The Bhore Committee recommended the establishment of three medical colleges, one at Madurai, one at Coimbatore and another at Kozhikode.”

SRI MOHAMED RAZA KHAN :—“ Granting that the Government come to a final decision that the college should be located at Karaikudi as per the recommendation of the Committee, may I know what proportion of the expenditure will be met by Dr. Alagappa Chettiar and what proportion will be met by the Government? ”

THE HON. SRI A. B. SHETTY :—“ That has yet to be ascertained. We must know definitely what contributions or other help will be forthcoming from the residents of the place, from the Central Government, and from Dr. Alagappa Chettiar. It is all indefinite now.”

SRI A. M. ALLAPICHAJ :—“ Is there any competition between Madurai and Karaikudi regarding the establishment of a medical college? ”

THE HON. SRI A. B. SHETTY :—“ In Madurai we have already established a medical college. There is no competition at all.”

DR. V. K. JOHN :—“ May I know, Sir, how many were the applicants for admission to the medical colleges, how many were admitted and how many were not admitted during the last two years? ”

THE HON. SRI A. B. SHETTY :—“ There are about 1,200 applicants on an average. The number admitted last year is 135 in the Madras Medical College, 110 in the Stanley Medical College, and 50 in the Madurai College. Forty-two were given admission in the Manipal College, and a few applicants were admitted in the Vellore Medical College.

SRI MOHAMED RAZA KHAN :—“ If the Madras Government have to pay their share and if the Central Government also have to pay their share for the starting of a new college, will the

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DR. V. K. JOHN :—" Have the Government given contracts to anybody to supply provisions in the last year whose continuance is contemplated this year? "

THE HON. SRI A. B. SHETTY :—" We called for tenders."

SRI MOHAMED RAZA KHAN :—" What is the rate at which the contractor supplies meals in the mess per day? "

THE HON. SRI A. B. SHETTY :—" The rate charged by the contractor is 42 rupees per nurse per mensem for breakfast, lunch, evening tea and dinner."

DR. V. K. JOHN :—" Is there any case in which the Government have given contracts for the supply of provisions to hospitals in Madras without calling for tenders? "

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

SRI MOHAMED RAZA KHAN :—" Is the present contractor in charge of the mess in General Hospital getting his contract renewed year after year or every year the procedure is to call for tenders and accept the lowest tender? "

THE HON. SRI A. B. SHETTY :—" The present contractor has been there right from the year 1951.

" The Government have, however, recently ordered that in future tenders should be called for for running the nurses' mess attached to the Government General Hospital, the Kasturbai Gandhi Hospital and the Government Hospital for Women and Children."

DR. V. K. JOHN :—" May I ask the Hon. Minister again whether last year the contract for the supply of provisions to the three hospitals was given to a Harijan Society which supplied provisions at double the rates of the contract which used to be entered into after calling for tenders, without any tenders whatsoever being called for."

THE HON. SRI A. B. SHETTY :—" The hon. Member may put a separate question. This relates to the nurses' mess."

SRI V. V. RAMASWAMI :—" In the paper placed on the table of the House it is stated that at 7 p.m. for vegetarians curry and fugath will be made available. What is meant by 'fugath' ? "

MR. CHAIRMAN :—" The hon. Member wants to know its meaning? It means dry vegetable curry."

SRI K. BHASHYAM :—" Are there any arrangements made for the nurses to bring to the notice of the Government any complaints that they may like to make regarding the quality of the food that is supplied to them? "

THE HON. SRI A. B. SHETTY :—" Yes, Sir. Enquiries are made. The nurses are satisfied with the present method of

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catering. When the mess was run by the nurses themselves, there were complaints and so the running of the mess was entrusted to a caterer."

SRI MOHAMED RAZA KHAN :—" Am I to understand that this caterer has been there for five years because the nurses are satisfied or the authorities are satisfied? "

THE HON. SRI A. B. SHETTY :—" The nurses are satisfied. They pay for it and when they are satisfied, the Government see no need for a change in the system. But now it has been decided to call for tenders every year."

Educational fee concessions to the children of the librarians employed in High Schools

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

(a) whether librarians employed in High Schools under local bodies are eligible for educational fee concessions in respect of their children as in the case of teachers; and

(b) if not, the reasons therefor?

THE HON. SRI M. BHAKTAVATSALAM (on behalf of Hon. the Minister for Finance and Education) :—" (a) Yes, Sir.

" (b) Does not arise."

SRI G. KRISHNAMOORTHY :—" May I know Sir, whether this concession will be extended to librarians in aided institutions? "

THE HON. SRI M. BHAKTAVATSALAM :—" These concessions are extended to children of employees of local bodies. It cannot as such be extended to those in aided institutions."

SRI G. KRISHNAMOORTHY :—" As these concessions have been extended to teachers in private institutions, will the Government see to it Sir, that librarians in such institutions are given this concession? "

THE HON. SRI M. BHAKTAVATSALAM :—" That will be examined."

SRI T. PURUSHOTHAM :—" May I know whether librarians employed under local library authorities will be made eligible for this concession that has now been extended to the teachers? "

THE HON. SRI M. BHAKTAVATSALAM :—" That may also have to be examined."

**738 MEASURES FOR CONDUCTING THE PROCEEDINGS IN THE DISTRICT
OFFICES OF CHINGLEPUT, SOUTH ARCOT AND NORTH ARCOT
IN TAMIL**

[Sri T. M. Narayanaswamy Pillai] [26th March 1955]

உதவியாக இருக்கும். மற்றவர்கள் ஆங்கிலத்தைப் புறக்கணிக்கலாம்; அதை நான் ஒப்புக்கொள்ள முடியாது. சுதந்திரம் வந்து விட்ட பிறகு, தமிழ் வருவதனால், ஆங்கிலத்தின் தாழ்வு குறைந்துவிடும்படி பலமுடைய அபிப்பிராயம். அது நியாயமென்றும் தோன்றலாம். ஆனால் ஆங்கிலத்தின் துணையில்லாமல் ஒரு நாளும் தமிழ் குறைவின்றி மேன்மையடைய முடியாது. சுதந்திரம் அடைந்தாலும், 10, 12 ஜில்லாக்களுக்கு அல்லது எல்லா ஜில்லாக்களுக்கும் தமிழை ஏற்படுத்தினாலும் மக்களுடைய வாழ்வையார்வடைய வேண்டுமானால் ஆங்கிலம் துணையாக இருந்தால்தான் உதவியாக இருக்கும். அப்பொழுதுதான் தமிழ் பொழியலானது இந்தியாவுக்கு மட்டுமல்லாமல், உலகத்திற்கே தெரியுமா? அப்பொழுதுதான் மெழியாக விளங்கி வருகின்றது. ஆகவே அந்த மொழியோடு நாம் தொடர்பு மணியம் அவர்கள் பாரதியார் ஆங்கிலத்தைக் குறைசாற்றி யிருப்பதாகக் சொன்னார்கள். ஆனால், நான் அவ்வாறு அவர் குறை கூறியிருப்பதாக நினைக்கவில்லை.”

SRI A. SUBRAMANYAM :—“ தமிழை உயர்வாகக் கூறியிருக்கின்றார், ஆங்கிலத்தை அப்படிச் சொல்லவில்லை என்பதைத்தான் எடுத்துக் காட்டினேன்.”

SRI T. M. NARAYANASWAMY PILLAI :—“ வாஸ்தவம்தான்; மதராசுமான் தமிழ் மொழியை உலக முழுவதும் பரவச்செய்யவேண்டுமென்று தான் கூறுகின்றார். அப்படி உலக முழுவதும் பரவச் செய்யும்போது, ஆங்கில பாஷையை துணையாகக்கொண்டு பரவச் செய்யவேண்டுமென்பது என்னுடைய தாழ்மையான அபிப்பிராயம். காரணம் பாரதியார் அவர்கள் இன்னொரு பாடலிலே, ‘பிறநாட்டு நல்லறிஞர் தூலகனை நம்மொழியில் மொழிபெயர்த்தல் வேண்டும்: இறவாத புகழுடைய புதுநூல்கள் தமிழில் இயற்றல்வேண்டும்; நமக்குள்ளே பழங்கதைகள் பேசிக்கொண்டிருக்கக்கூடாது; நம்முடைய புலமையைக் கண்டு வெளிநாட்டார் அதை வணக்கம் செய்தல்வேண்டும்: இந்நாட்டில் மேலும் மேலும் புதுமையை வளர்க்கவேண்டும்’ என்று கூறி இருக்கின்றார். ஆகவே மக்களுக்கு உண்மையான கலை வேண்டுமானால், மேல்நாட்டுக் கலைகளைப் பயிற்சிதல்வேண்டும்: இதையெல்லாம் எதிர் காலத்தில் இப்படி இருக்குமென்று பார்த்துத் தான், பாரதியார் ஆங்கிலமும் உடனிருக்கவேண்டுமென்று கூறியிருக்கின்றாரே தவிர, ஆங்கிலத்தை தள்ளி விடவோ, புறக்கணித்துவிடவோ கூறவில்லை. ஆங்கிலத்தின் துணைகொண்டுதான் தமிழை வளர்க்கச்சொல்லுகின்றார். ஆகவே ஆங்கிலத்திற்கு என்னைக் கேட்டால் இரண்டாம் இடம் என்றுகூட கொடுக்கக்கூடாது. அதற்கும் தமிழைப்போல் முதலிடம் கொடுக்கவேண்டும்: அல்லது இரண்டையும் சம அந்தஸ்துடன் பார்க்கவேண்டும். தமிழ் முதல், ஆங்கிலம் இரண்டாவது என்றுகூட பிரிக்கக்கூடாது. நம்முடைய தமிழ்மக்கள் பண்புவளர, நம் தமிழ்நாடு கேசுமழை நாம் தமிழை வளர்க்கவேண்டும். அப்படி நம் வாழ்க்கை உயரும்போது, தொடர்ந்து இன்னும் அதிகப் பங்குடன் வளர்வதற்கு இந்த ஜனநாயக ஆட்சியில் கட்டாயம் ஆங்கிலத்திற்கு தமிழைப்போல் முதலிடம் கொடுத்தால்தான், நன்றாகத் தமிழின் பெருமையை உலக முழுவதும் பரவச் செய்யமுடியும். தமிழுக்கு எவ்வளவோ தனிப்பெருமை இருந்தாலும் கூட, எல்லாக் காலத்திற்கும் மங்காதிருக்கவேண்டுமானால் ஆங்கிலத்தின் துணை அவசியம் இருக்கவேண்டும். தமிழ் மொழியில் எவ்வளவோ திறமை நிரம்பி யிருந்தாலுங்கூட, இன்றைய நிலையில் நமக்கும், பிற்காலத்தில் வரக்கூடியவர்களுக்கும் உண்மையில் நல்ல பயனடையச் செய்யவேண்டுமானால், ஆங்கிலத்தைப் புறக்கணிக்காமல், அதன் துணைகொண்டே வளரச் செய்யமுடியும். அப்பொழுதுதான் உலகத்தில் தமிழின் பெருமையை பரவச் செய்யமுடியும். இதுதான் பாரதியாருடைய கருத்தாகவும் இருக்குமென்று நினைக்கிறேன்.”

**MEASURES FOR CONDUCTING THE PROCEEDINGS IN THE DISTRICT 739
OFFICES OF CHINGLEPUT, SOUTH ARCOT AND NORTH ARCOT
IN TAMIL**

26th March 1955] [Sri T. M. Narayanaswamy Pillai]

“இதே மாதிரியாக சமஸ்கிருதத்தை எடுத்துக்கொண்டாலும், சமஸ்கிருதம் எதோ இன்றைக்கு வழக்கத்தில் இல்லாத பாஷையாக இருந்தாலும்கூட, தமிழோடுசுட நெருங்கிய தொடர்புடையது. நாம் பேசக்கூடிய இன்றையத் தமிழில் அநேக பதங்கள் சமஸ்கிருதத்தோடு இணைந்தவை; தொடர்புடையவை. நமது வைஷ்ணவ ஆச்சாரியார் ஒருவர் தமிழ் ஒரு இனிமையான மொழி என்று கூறியுள்ளார். தமிழ் இன்று பலவற்றாலும் உயர்ந்திருந்தாலுங்கூட, சில விஷயங்களில் சமஸ்கிருதத்திற்கு கட்டுப்பட்டது. இங்கு சிவப்பிரகாச சுவாமிகள் கூறியுள்ளதைக் குறிப்பிட விரும்புகின்றேன். இவர் சமார் 200 வருஷங்களுக்கு முன் வாழ்ந்தவர். தமிழிலும், சமஸ்கிருதத்திலும் புலமைவாய்ந்தவர். என்னுடைய ஊருக்கு அருகிலுள்ள துறையூர்மங்கலம் என்னுமிடத்தில் பிறந்தவர். அவர் வேதாந்த சூடாமணி என்ற ஒரு நூல் எழுதியிருக்கிறார். அவர் என்ன கூறியிருக்கின்றார் என்பதைச் சொல்லுகின்றேன். ஒரு நாள் வேதம் பெரியதா? திருவாசகம் பெரியதா என்ற வேடிக்கையான பிரச்சனை எழுந்ததாம். ‘வேதம் திருவாசகத்தைவிடப் பெரியது என்று சொல்ல முடியாது: வேதம் ஒதும்போது ஒரு நல்ல உணர்ச்சி இருக்கிறது: ஆனால் திருவாசகத்தைப் படிக்கின்றபோதோ, நம்மையும் அறியாமல் கண்களில் நீர் அரும்பி, பத்தியில் ஈடுபடுகின்றோம்’ என்று கூறுகின்றார். ஆகவே தமிழுக்கும், சமஸ்கிருதத்திற்கும் ஒருவிதத் தொடர்பு இருக்கின்றது. ஆனால் தமிழ் தனிச் சிறப்புப் பெற்றிருக்கின்றது. மனைதக் கவர்ந்து பக்தி மார்க்கத்தில் ஈடுபடுத்தும் தனிச் சிறப்புப் பெற்றிருக்கின்றது. இப்படியெல்லாம் பல சிறப்புகள் பெற்றிருக்கின்ற தமிழை என் புறக்கணிக்கப் பார்க்கின்றார்கள் என்பதுதான் விளங்கவில்லை. இந்த நாட்டு மக்களுடைய பண்பு உருவதற்கு, தமிழை ஆங்கிலத்தின் துணைகொண்டு வளரச் செய்யவேண்டுமென்று கேட்டுக் கொள்ளுகிறேன். அதோடு பாரதியார் கூறியுள்ளதையும் சொல்லிக்கொண்டு முடித்துக்கொள்ளுகிறேன்.”

“நம்மிடத்திலே தமிழானது பெருவெள்ளப் பெருக்கைப்போல் தேங்கிக் கிடக்கின்றது: அதில் கலைப்பெருக்கும், கவிப்பெருக்கும் தேங்கிக்கிடக்கின்றது. அதையெல்லாம் மக்கள் நல்ல கண்கொண்டு பார்த்தால், சிறப்பிப்பவர்கள்; உயர்வடைவார்கள். இந்த வெள்ளப் பெருக்கில் மூழ்கினால், பள்ளத்தில் விழுந்திருக்கும் குருடெல்லாம் விழித்துக்கொள்வார்கள்: விழித்துக்கொண்டு உயர்பதவி அடைவார்கள் என்று பாரதியார் கூறுகின்றார். இதையெல்லாம் ஒட்டியே இந்தத் தீர்மானம் இருக்கிறது என்பதைக் கூறிக்கொண்டு அமருகிறேன்.”

* **SRI A. M. ALLAPICHAJ** :—“ Mr. Chairman, Sir, I do not know what the views of the Government are regarding this resolution.”

SRI V. CHAKKARAI CHETTY :—“ தமிழிலேயே பேசுங்கள்.”

* **SRI A. M. ALLAPICHAJ** :—“ I personally feel it is a very good resolution and it is a move in the right direction. But I am afraid of only one thing, and it is the extreme type of love exhibited by the champions of Tamil language. I shall try to make my position clear. There is no Tamilian worth the name who can be opposed to the growth of the Tamil language, because that is the language which we learnt in our homes. That is the language which our mothers speak to us. Further, we, Tamilians, are also proud of this language because it is a full language and a complete language. So far as literature is concerned, it can compare itself with any one of the best languages in the world and there is no doubt about it. Our poets like Tiruvalluvar and Kambar and so

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many others can compare themselves with the best of poets in the world. Therefore, no Tamilian need be ashamed of his language and hesitate to advance its onward march.

"But, I am afraid of one thing, and that is the difficulty created by our great Tamil grammar books and Tamil pandits. Take for example our grammar text books 'Tholkappiam' and 'Nannool'. They were written many centuries ago. Certain rules and regulations are laid down by these texts which are no doubt quite good. Are we to follow them today in the light of the fast advancement which our country is making, and in the light of the fact that we are every day coming into contact with the outside world because of the rapid advancement of science and other things? Are we to confine ourselves to those old rules and limit the growth of our language? This is the question which I would like to put to the learned and great pandits and people like Sri Narayanaswami Pillai. (An hon. Member: 'He is not a pandit'.) He is a great scholar in Tamil. What I wish to say is this. For example, if I write 'நான் தெற்கு ஒரு டின் வாங்கினேன்.' An orthodox Tamil pandit will at once say that this is useless Tamil."

* SRI T. M. NARAYANASWAMY PILLAY:—"That view is fast disappearing."

SRI A. M. ALLAPICHAJ:—"That is right. I am glad that view is fast disappearing. But, however, the Tamil Pandit would at once say that no Tamil word should begin with the letter 'L' and that it is not Tamil language. I am afraid of people like them. I, therefore, suggest that great Tamil Pandits should sit together and modify some of these old rules. As the rules stand at present, if I write 'டின்' or some such thing like that, the Tamil Pandit will correct me saying that my Tamil offends the rule of grammar, and he will be justified in doing so. Therefore, our great scholars should sit together and think about these things.

"Sir, my own feeling is this. Take for example English language. You know that some centuries back this language was an ordinary type of language. I believe that English people in those days were talking Celtic language. No one would have at that time imagined that that language would at any time become such a mighty and universal language. What was the reason for it to become such a mighty language? It is because English people have adopted from almost every possible language. They have welcomed every possible language and assimilated whatever was good and beautiful. They thought that those things were English and put an English garb on them.

"As far as literature in Tamil language is concerned, I am very proud that we have produced the best of poets in the world. But my own view is if we have to grow, whatever words Tamilians can pronounce without any difficulty should be made our own

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language. We should not be satisfied with that. People like our Sri Narayanaswami Pillai must make great endeavours in this direction. I am not a Tamil scholar. I wish I were one and if so, I would have done a lot in this direction. Because I am not a scholar, I cannot talk with a certain amount of authority. People like Sri Narayanaswami Pillai must make great endeavours in this direction. Whatever words we can pronounce in Tamil language we should take it as our own. We should not try to have some kind of equivalent to it. No doubt if we can find out a suitable equivalent, we can adopt that, but we should not exclude it altogether. We have to grow our vocabulary and it must be growing every day.

"Take for example Urdu language which is a growing one."

SRI MOHAMED RAZA KHAN:—"Who said so?"

* SRI A. M. ALLAPICHAJ:—"Urdu is 300 years old. My hon. Friend thinks that I may not know it. I may not know Tamil language as much as Sri Narayanaswami Pillai. I may not know Urdu language to the extent my hon. Friend Sri Raza Khan knows. But I know that Urdu is a beautiful 'child' language 300 or 400 years old. It has become a beautiful language now. Why? Because there is no language from which they have not adopted. So it is growing. Therefore, we should not be orthodox in the matter of language. No doubt, to some extent, Bharatiar has done a good thing. The Tamil used in Thirukural and Naladiar is to the point. The exaggeration has come in later on. The language used in ancient books is very simple and direct. I want this Tamil language to be the State language of Tamilnad. We should not stand against this. The attempt of our friends is something like that of a loving mother who gives her child mutton and bread when the child is suffering from fever. We must of course love our Tamil language. But people like the hon. Member Sri Narayanaswami Pillai must take steps to make the language as simple as possible. As the hon. Member Sri Bhashyam said, we should use simple language. Otherwise, it will be difficult to understand the meaning of certain Tamil words."

SRI K. BHASHYAM:—"Sir, by 'Nadodi' Tamil I only meant the language of the people, the language of the market, and the language of the masses so that everybody may understand that Tamil. I did not mean to cast any aspersion on the language at all. I want the language to be understood by all people, not only by Tamils, but also by Malayalis, Kannadigas, etc. My ambition is that it should be known to all people and not only to a particular section."

* SRI A. M. ALLAPICHAJ:—"Sir, I quite agree with this view. The Government are determined to adopt this language in course of time. The whole burden now lies on my Tamilian friends, before Tamil becomes the State language, to make their best endeavour and see that some method is adopted by which the

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பிரயோஜனம் நன்கு கிடைக்கும். ஆனால் இதை அதிகமாக வற்புறுத்த இஷ்டப்படவில்லை. காரணம் கனம் மந்திரி அவர்கள் சொன்ன பதிலில் இதே கொள்கையைக் கூறியிருப்பதால், நான் அதிகம் வற்புறுத்தவில்லை. ஆனால் பேசியவர்களில் சிலர், அப்படித் தாய்மொழி வந்தால் ஏதோ மற்றவர்களுக்குப் புரியாது. உபயோகப்படுத்த வேண்டுமென்றே, அல்லது அப்படித் தாய்மொழி வருவதால் ஆங்கிலத்தில் மதிப்பு குறைந்து விடுமென்றே மனதில் கொண்டிருப்பதாகத் தெரிகிறது. ஆகவே அதைப் பற்றி மட்டும் சில வார்த்தைகள் கூற நினைக்கின்றேன்.

“நமது நண்பர் கனம் ஸ்ரீ பாஷ்யம் அவர்கள் சொன்னதை நான் அன்று சரியாகக் கவனிக்கவில்லை என்று நினைக்கிறேன். அல்லது அவர்தான். சரியாகச் சொல்லவில்லையோ என்ற சந்தேகம் எனக்கு உண்டாகிறது. அன்று அவர் நாடோடித் தமிழ் வேண்டுமென்று சொன்னதாக நினைவு. ஆனால் அவர் என்ன சொன்னார் என்பது சரியாகத் தெரியவில்லை.”

SRI K. BHASHYAM :—“நாடோடித் தமிழ் தான் வேண்டுமென்று சொன்னேன்.”

SRI T. M. NARAYANASWAMY PILLAI :—“நாடோடித் தமிழ் தான் வேண்டுமென்று நண்பர் கனம் பாஷ்யம் சொல்லுகிறார். நானும் தமிழைக் கண்டபடி அலைக்க வேண்டாமென்றுதான் கூறுகிறேன். அவர் நினைக்கின்ற தமிழ்தான் இன்று நாட்டிலே இருந்து வருகிறது. பண்டை காலத்தில் இருந்த புரியாத தமிழ் இன்றில்லை. ஆகவே வழக்கத்தில் இருக்கின்ற புதிய வார்த்தைகளை வைத்துக்கொண்டு, தமிழை வளர்த்தால் போதுமென்று நான் சொல்ல விரும்புகிறேன்.”

SRI K. BHASHYAM :—“நான் சொல்லுகின்ற விஷயத்தைத்தான் இவரும் சொல்லுகின்றார். இந்தத் தமிழ்மொழியே நமக்கு இன்றைக்கு கட்டாயமாக வேண்டியதாகும்.”

DR. V. K. JOHN :—“Is it because Mr. Bhashyam spoke in Tamil that Sri T. M. Narayanaswamy Pillai was not able to understand it?”

SRI T. M. NARAYANASWAMY PILLAI :—“என்னுடைய கட்டி உப தலைவர் டாக்டர் ஜான் அவர்கள் விஷயத்தைப் புரிந்துகொள்ளாமல் வீணாகக் குறுக்கிடுகிறார். இந்த மாதிரியான சந்தேகங்களைக் கிளப்ப வேண்டாமென்று கேட்டுக்கொள்ளுகிறேன். நான் கூறியதையும் அவர் புரிந்து கொள்ளவில்லை; ஸ்ரீ பாஷ்யம் அவர்கள் சொன்னதையும் புரிந்துகொள்ளவில்லை. இவ்வாறு இருவர் கூறியதையும் புரிந்துகொள்ளாமல் அவர் குறுக்கிடுவதற்கு மிகவும் வருந்துகிறேன். ஆகவே இப்படிச் குறுக்கிட வேண்டாமென்று வணக்கத்துடன் அவரைக் கேட்டுக் கொள்ளுகிறேன்.”

DEPUTY CHAIRMAN :—“That is not his mistake.”

11-30 DR. V. K. JOHN :—“I think the Hon. Member put a question
a.m to Mr. Bhashyam and he gave his explanation. That is what I understood.”

SRI T. M. NARAYANASWAMY PILLAI :—“ஆகவே புரிந்து கொள்ளாமல் இப்படி குறுக்கிட வேண்டாமென்றுதான் கேட்டுக்கொள்கிறேன். நாங்கள் பேசிய தமிழை அவர் புரிந்துகொள்ளவில்லை. ஆகையால் இன்று தமிழை வளர்ப்பதிலும் சிறிது சந்தேகம் இருக்கிறது. நாடோடித் தமிழ்கூட பயன்படுமா என்ற சந்தேகம் ஏற்படுகிறது. ஆனால் சாதாரணமாக 1900-ம் வருஷத்தில் இருந்த தமிழுக்கும், இப்போது இருக்கக்கூடிய தமிழுக்கும் நாம் வித்தியாசத்தைப் பார்க்கின்றபோது, இன்று இருக்கும் தமிழைப் பார்ப்போமானால் ரொம்பவும் சுலபமாக எல்லோருக்கும் புரியும்படியாக இலக்கணமுறையை ஒட்டி நல்ல முறையில் உபயோகித்து எழுதுகிறார்கள். நான் பிரிசிடென்ஸிக் கல்லூரியில்

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படிக்கும்போது, டாக்டர் சுவாமிநாத ஐயர் அவர்களிடம் படிக்கும் பாக்கியம் எனக்குக் கிடைத்தது. அவர் ‘புத்த சரித்திரம்’ என்ற ஒரு நூல் எழுதியிருக்கிறார். அந்தப் புத்தகத்திலே உள்ள ஒவ்வொரு வார்த்தை யும் சுலபமாக நன்கு புரிந்து கொள்ள முடியும். அவ்வளவு பெரிய மகான்கள்கூட நன்றாக எல்லோரும் புரிந்துகொள்ளக்கூடிய மொழியில் தான் தமிழை எழுதி வளர்த்திருக்கிறார்கள். அதைப் படிக்கும்போது தான் தமிழை எழுதி வளர்த்தாலும் அது போய் பாய்ந்து, நல்ல ஒவ்வொரு மனிதனுடைய உள்ளத்திலும் அது போய் பாய்ந்து, நல்ல எழுச்சியை எல்லோருக்கும் எழுப்பக்கூடிய முறையிலே எழுதி வளர்த்திருக்கிறார்கள். அப்படி வளர்ந்து வந்த காலத்திலே கூட தமிழ் மொழியை ஆட்சிமொழியாக்க பல காரணங்களால் முடியாமல் போய்விட்டது. ஆனால் இன்று தமிழ் மொழியை ஆட்சி மொழியாக்க மூன்று ஜில்லாக் களுக்கும், செக்ரடேரியட்டிற்கும் இடையே ஏற்படுத்த வேண்டுமென்ற நண்பர் ஸ்ரீ கஜபதி நாயகர் அவர்களுடைய தீர்மானத்தை ஆதரிக்க வேண்டியிருக்கிறது. தமிழிலே நடத்தக்கூடாது, அப்படி நடத்துவது சாத்திய மில்லை என்று ஒருவரும் சொல்ல முடியாது; சொல்லவும் இல்லை. மில்லை என்று ஒருவரும் சொல்ல விளக்க முடியும். அப்படி எந்த விஷயமானாலும் நன்றாக தமிழில் விளக்கவேண்டும். நண்பர் இருக்கும்போது அதற்கு என் தடைகள் இருக்கவேண்டும். நண்பர் இப்போது இருக்கும்படியான தமிழே போதும். ஆனால் சில விஷயங் களுக்குச் சில பதங்களைக் கண்டு பிடிக்கவேண்டும். அதாவது கலைச் சொற்கள். நாம் எதிர்காலத்தில் தமிழை ஆட்சிமொழியாகக் கொண்டு வரும்போது இந்தக் கலைச் சொற்கள் கண்டுபிடிக்க வேண்டிய கஷ்டம் ஏற்படும். அப்பொழுது கஷ்டப்படுவதைக் காட்டிலும் ஏன் இப்பொழுதே அந்தக் கலைச் சொற்களைத் தேடி கண்டு பிடித்து வைத்துக்கொள்ளக் கூடாது? இப்போது அவைகளைக் கொஞ்சம் கஷ்டப்பட்டு தேடி வைத்துக் கொண்டால், பின்னால் நாம் கஷ்டப்படவேண்டியதில்லை. இப்பொழுது கொண்டு ஆரம்பித்தால்தான், கலைச் சொற்கள், மற்ற பதங்கள், அதற்கான திருந்த ஆரம்பித்தால்தான், கலைச் சொற்கள், மற்ற பதங்கள், அதற்கான விஷயங்கள் எல்லாம் நன்கு தேடி வைத்துக்கொள்ள முடியும். பின்னர் ஆட்சிமொழி கொண்டு வரும்போதும் பெரிய கஷ்டமாகத் தோன்றாது. இந்த விஷயத்தில் சுதந்திர வெள்ளத்தைத் தடுக்க முடியாது. சுதந்திர இயக்கத்திற்கு இதிலே இணங்கிய சம்பந்தமுண்டு. பல காரணங்களால் இப்போது உண்டாக்க முடியாமல் இருக்கலாம். ஆனால் அது பிற்காலத் தில் நிச்சயமாக கஷ்டத்தை உண்டாக்கும். அப்படி வருங்காலத்தில் நாம் கஷ்டப்படுவதைக் காட்டிலும் ஏன் இப்பொழுதே அதை செய்து வைத்துக் கொள்ளக்கூடாது என்பதுதான் என்னுடைய கேள்வி.

“முதலில் இந்த மூன்று ஜில்லாக்களுக்கும் நல்லத் தமிழில், நல்ல முறையில் நிர்வாகம் நடக்க ஏற்பாடு செய்யவேண்டும். அதற்கான கலைச் சொற்களை முதலில் சிறிது கஷ்டப்பட்டு அமைத்துக்கொண்டால் மிகவும் நன்றாக இருக்கும். இந்த அரசாங்கமானது பல நூற்றாண்டுகளாக அந்நியர்களின் ஆட்சியில் அகப்பட்டு பழக்கத்தில் இருந்த சில நிர்வாக மொழிகள் மறைந்துவிட்டன. நான் சில கல்வெட்டுக்களைப் பார்த்திருக்கிறேன்; படித்துமிருக்கிறேன். அந்தக் கல்வெட்டுக்களிலே நிர்வாகச் சொற்கள் நிறைந்திருக்கின்றன. இம்மாதிரியாக ஆங்காங்குக்கும் சொற் களை எல்லாம் மீட்டு அலுவலக ஆட்சிமுறைக்கு ஏற்றவாறு ஒரு பெரிய கலைச் சொற்கள் அகராதி போடுவது மிக முக்கியமாகும். அப்படிச் செய்தால் அது மிகவும் உபயோகமாக இருக்கும்.

“கனம் தலைவர் அவர்களே, நாம் இப்படி தமிழில் முன்னேற்றம் செய்துகொண்டு வந்தால், ஒருவேளை ஆங்கிலம் இல்லாமல் போய்விடுமோ என்ற ஒரு அச்சம் இருந்துகொண்டிருந்தது; இருந்துகொண்டும் இருக்கிறது. என் மனதில் மட்டுமல்ல; பலருடைய மனதில் இவ்வெண்ணம் இருந்துகொண்டு வருகிறது. ஆனால் என்னைப் பொறுத்த மட்டில், தமிழுக்கு எதிர்காலத்தில் ஒரு உயர்வையோ, மேம்பாட்டையோ, தரத்தையோ தரவேண்டுமானால் ஆங்கிலம் இருந்தே தீரவேண்டும். ஆங்கிலம் இருந்தால் அது தமிழுக்கு துணியாக இருந்து, முன்னேற்றத்தை அளிக்க

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OFFICES OF CHINGLEPUT, SOUTH ARCOT AND NORTH ARCOT
IN TAMIL

[Sri N. Annamalai Pillai]

[26th March 1955]

அதனுடைய பொருள். அதைத்தான் நீதிமன்றம் அவர்களுக்கும் வழங்கித் தருகிறது என்று நினைக்கிறேன். ஆதலால் நான் கடிப்பதி நாயகர் அவர்களும் இதை முக்கியமாக கவனிக்கவேண்டும். நமது அரசாங்கம் தமிழை ஆட்சி மொழியாகத் தகுதி பண்ணுவார்கள். உடனடியாக நடவடிக்கை எடுத்துக்கொள்வார்கள். ஆதலால் கடிப்பதி நாயகர் அவர்கள் அவர்களுடைய தீர்மானத்தை வாபஸ் வாங்கிக்கொள்வார்கள் என்று நினைக்கிறேன்.”

SRI A. SUBRAMANYAM :— இப்பொழுது நான் அண்ணாமலைப் பிள்ளை அவர்கள் பண்ணுவார்கள் என்று பேசுகிறார்களே, அது நல்ல தமிழா? மிகவும் மோசமான தமிழாகிறதே. நீ அண்ணாமலைப் பிள்ளை தான் பேசுவதற்கு இவ்வளவு சங்கடம் இருக்கிறது. பாக்கி சில பேருக்கு மொழி கொடுக்கத் தமிழாக இல்லாமல் சாதாரணமாக பேசக்கூடிய அளவுக்கு எல்லாகும் பிறந்தக் கொள்ளக்கூடிய அளவிற்கு நல்ல தமிழாக இருந்தால் மிகவும் நன்றாக இருக்குமென்று கேட்டுக்கொள்ளுகிறேன். அவர் பேசுவதற்கும் நான் பேசுவதற்கும் இவ்வளவு சங்கடம் இருக்கிறது. நண்பர் கடிப்பதி நாயகர் அவர்கள் கொண்டு வந்த தீர்மானத்தை இப்பொழுது வாபஸ் பெற்றுக்கொண்டால் பிரபு எல்லா ஜில்லாகளிலுமே தமிழை ஆட்சி மொழியாக்குவதற்கு நமது சர்க்காரே ஏற்பாடு செய்வார்கள். ஆதலால் அதை வாபஸ் பெற்றுக்கொள்ளும்படியாகக் கேட்டுக்கொள்ளுகிறேன்.”

* **DR. V. K. JOHN :—** Mr. Chairman, I am obliged to the mover of the resolution for the opportunity given to me to say a few words on this controversy of languages which is now assuming a particular shape in this House as well as in the other House. There is an agitation now that speeches should be in Tamil and that those who cannot understand Tamil need not understand it.

(At this stage, the Deputy Chairman occupied the Chair.)

“As a lawyer and student of the Constitution, I think I should explain to the House and through this House to the public at large certain provisions of the Constitution which are mandatory and which we cannot get rid of. The first provision to be embodied in the Constitution regarding languages is contained in Article 343. Article 343 (1) of the Constitution provides that the official language of the Union shall be Hindi in Devanagari script. There is also a proviso to the effect :

“Notwithstanding anything in clause (1), for a period of fifteen years from the commencement of this Constitution, the English language shall continue to be used for all the official purposes of the Union for which it was being used immediately before such commencement.”

Then, Sir, there is another provision in Article 344 to the effect :

“The president shall, at the expiration of five years from the commencement of this Constitution and thereafter the expiration of ten years from such commencement, by order constitute a Commission which shall consist of a Chairman and such other members representing the different languages specified in the Eighth Schedule as the President may appoint, and the order shall define the procedure to be followed by the Commission.”

MEASURES FOR CONDUCTING THE PROCEEDINGS IN THE DISTRICT 745
OFFICES OF CHINGLEPUT, SOUTH ARCOT AND NORTH ARCOT
IN TAMIL

26th March 1955] [Dr. V. K. John]

I hope, Sir, this Commission will be constituted soon because it is over five years since the Constitution came into force. Then, regarding the regional languages, Article 345 makes a definite provision. It says :

“Subject to the provisions of articles 346 and 347, the Legislature of a State may by law adopt any one or more of the languages in use in the State or Hindi as the language or languages to be used for all or any of the official purposes of that State.”

We must note the words ‘any one’. Now when that law is passed, the President under Article 347 must be satisfied and then he may direct that such language shall also be officially recognized throughout that State or any part thereof for such purpose as he may specify. So, a language can become an official language only when the Legislature by law enacts that that language shall be the official language. And I may tell you, Sir, that if a Bill is introduced in this House—of course, it must also be introduced in the Assembly—providing that Tamil shall be the official language of the State which includes as it does now Tamilnad, Malabar and Karnataka, I would be the first person to support that Bill, provided, of course, there is a common script for all the three main languages of the State. A common script is very easy of adoption between Tamil and Malayalam because the script in Malayalam is almost the same as the script in Tamil. In Malayalam there are 56 alphabets as against some thirty in Tamil. There can be a common script for all the languages spoken in India. Subject to that, I would support any move that Tamil should be the official language of the State, though it consists of Malayalam and Kannada-speaking areas also. My reason for supporting this move is this. I am not of course a linguist. But as far as my investigations go, Tamil is certainly as good as any other language in use in our country, not excluding Hindi, Bengali and in fact all the fourteen languages mentioned in the Eighth Schedule of the Constitution of this country. It is an ancient language, a very cultured language and it is a language which if spoken by more people could easily become the *lingua franca* of India. Sir, I have spoken many times in this House against linguism. I am against it. I am of opinion that we must have a big State in the South of India, a State as big in its size as the Uttar Pradesh is to-day. It is that State that rules us to-day. We should not allow it. When we want a big State, we have become smaller by the partition of the Madras State. We must now draw a line of demarcation covering Mysore, Travancore-Cochin and Madras and constitute the whole area into one State having 50 to 60 million people. If then we should have a regional language for that State, I would certainly prefer Tamil as its regional language. Sir, in Britain you have got three languages, viz., the Scotch, Welsh and English; and in Ireland, you have Irish also. But what is the official language of Great Britain? It is English. Because English is much more developed than either Scotch, Welsh or Irish, we have English as the official

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[Sri A. M. Allapichai] [26th March 1955]

language is understood by all people. We must throw a challenge to the Tamil pundits if they cannot move with the spirit of the time. If they do not adjust themselves to the changing circumstances, the Legislature will have to give them direction. The language that is spoken in the Legislature must become the ideal language."

SRI N. ANNAMALAI PILLAI:—"கனம் சபாநாயகர் அவர்களே, தமிழ் மொழி ஆட்சிமொழியாகக் கொண்டுவரவேண்டும் என்பதற்குரிய பிரச்சனைகள் இப்பொழுது கருத்திலும் வந்திருக்கின்றன. அவைகளிலும் அந்தந்த நாய் மொழியிலேயேதான் விவகாரங்கள் நடைபெற்றவென்றி மென்று ஏற்கனவே திட்டமிட்டிருக்கிறார்கள். மத்திய அரசாங்கத்தில் அம்மியல் நிபுணம் செய்பவரட்டி, பதிலேந்து எந்தவிதக் கருத்துகளாக அம்மியல் சட்டத்திலே அங்கில மொழி அகற்றப்படவேண்டுமென்று திட்டம் வகுத்திருக்கிறார்கள். இப்பொழுது 5 வருஷ காலம் கழிந்துவிட்டது. பதினைந்து வருஷ காலம் கொடுத்த அகில 5 வருஷம் கழிந்துவிட்டது. ஆறு வது வருஷமும் ஆரம்பமாகிவிட்டது. இன்னும் பத்து வருஷ காலத்தில் ஆங்கில மொழியை அகற்றவேண்டும். ஆகையால் இப்பொழுது இந்த நிலைமை நீடித்தால் ஆங்கிலம் ஐரியவேண்டும். நாய் பாஷை ஆட்சி மொழியாகவேண்டும் என்பது பக்க கனவாகத்தான் முடியும். நம்முடைய இருந்து சில நாட்களுக்கு முன் அந்தியர்கள் பிரிந்து தெலுங்கிலேயே எல்லா நடவடிக்கைகளும் எடுக்கப்பட்டு வருகிறது. எல்லா நடவடிக்கைகளையும் தெலுங்கிலேயே ஆரம்பித்து விட்டார்கள். ஆதலால் தமிழர்கள் களாக பிறந்த நாம் தமிழிலேயேதான் ஆட்சியை நடத்தவேண்டும். இந்த விஷயத்தில் எனக்கு ஒன்றும் புரியவில்லை. நம் நாய் மொழியில் நாம் பேசுவதற்கு, நாம் ஆட்சி நடத்துவதற்கு என்ன சங்கடம் இருக்கிறது. எதற்காக இவ்வளவு கஷ்டப்பட்டுவண்டும் என்பதுதான் எனக்கு விளங்கவில்லை.

"ஆனால் எனது நண்பர் அவசரப்பட்டு ஜில்லாக்களில் பரிட்சார்த்தமாகக் கொண்டுவரவேண்டும் என்ற தீர்மானத்தைப் பார்த்தால் எனக்கு ஒன்றும் புரியவில்லை. மயக்கம்தான் வருகிறது. உன்னத்திலே ஒரு கிறுகிறப்பு ஏற்படுகிறது. எதற்காக இவர் இப்படி கேட்கிறார். ஒரு ஜில்லாவிலும் இரண்டு ஜில்லாவிலும் மூன்று ஜில்லாவிலும் கொண்டுவரவேண்டுமென்று சொல்வதற்கு என் நா கூசுகிறது. நமக்குள்ளே பேசிக்கொள்வோம். நாமே தமிழிலே ஆட்சியை நடத்துவோம் என்று சொல்வதற்கு என்ன கஷ்டம் இருக்கிறது. இதற்காக நாய் பாஷையில் நடத்துவதற்கு என் மூன்று ஜில்லாக்களில் மாத்திரம் கொண்டுவரவேண்டும். எல்லா ஜில்லாக்களிலும் தாராளமாக நடத்தலாமே. நண்பர் கஜபதி நாயக்கர் கேட்பது எப்படி இருக்கிறதென்றால் அந்த காலத்திலே மகாபலி சக்ரவர்த்தியை மகா விஷ்ணு வாமன அவதாரமெடுத்து மூன்றாமன் கேட்டமாதிரியாக இருக்கிறது. முதல் அடி ஆகாயத்திலும் இன்னொரு அடி பாநாளத்திலும், மூன்றாவது அடி தலையிலும் வைத்தாராம். அது மாதிரியாகவே நம்முடைய கஜபதி நாயகர் அவர்களும் முதலில் மூன்று ஜில்லாக்களுக்கும் தமிழ் ஆட்சி மொழி வாவேண்டுமென்று சொல்லி, பிறகு எல்லா ஜில்லாக்களிலும் வரவேண்டும் என்று சொல்லுவார்களேபோலும். ஸ்ரீ கஜபதி நாயகர் கொடுத்த தீர்மானம் அப்படிதான் இருக்கிறதென்று நினைக்கிறேன். முதலில் மூன்று ஜில்லாக்களில் மட்டும் வைத்துவிட்டால் பிறகு தானாக மற்ற ஜில்லாக்களிலும்கொண்டு வந்து விடுவார்கள் என்று நினைக்கிறார்கள். முதலில் அவர்கள் தீர்மானத்தை வாபஸ் வாங்கிக் கொள்ளவேண்டும். மொத்த ஜில்லாக்களிலும் தமிழ் மொழியை ஆட்சி மொழியாக்கக்கொண்டு வருவதற்கு வற்புறுத்தவேண்டுமென்பதை தவிர இம்மாதிரியாக இரண்டு ஜில்லாக்களுக்கும், மூன்று ஜில்லாக்களுக்கும் கொண்டு வருவதில் பிரயோஜனமில்லை. ஆகையால் அவருடைய தீர்மானத்தை கட்டாயம் வாபஸ் வாங்கிக்கொள்ளவேண்டும்."

26th March 1955]

SRI V. CHAKKARAI CHETTY:—"மகாவிஷ்ணுதான் தலையில் காலை வைத்தாரா?"

SRI N. ANNAMALAI PILLAI:—"எனது பழைய தலைவர் ஸ்ரீ சக்கரைச் செட்டியார் அவர்கள் ஏதோ கேட்கிறார். இந்த தமிழ் நாட்டில் தொழிலாளர் இயக்கம் ஒன்று இருக்கிறதென்றால் அதற்குக் காரணம் நமது மதிப்பிற்குரிய தலைவர் சக்கரைச் செட்டியார்தான் காரணம். இந்நாட்டில் இன்னும் கம்யூனிஸ்ட் கட்சி ஓரளவு இருக்கிறதென்றால் அதுவும் ஸ்ரீ சக்கரைச் செட்டியாருடைய உழைப்புதான் காரணம் என்று நான் சொல்லுவேன். நான் ஏதோ கதையைத்தான் சொன்னேன். ஸ்ரீ கஜபதி நாயக்கர் சொல்லுவதுபோல் மூன்று ஜில்லாக்களில் மட்டும் ஆரம்பிப்பது சரியல்ல. ஆகையால்தான் எல்லா ஜில்லாக்களுக்கும் கொண்டு வராமல் இம்மாதிரியாக சில ஜில்லாக்களுக்கு மாத்திரம்கொண்டு வருவதில் பிரயோஜனமில்லை என்று சொல்ல விரும்புகிறேன். கனம் மந்திரி அவர்களும் காலையில் ஒரு கேள்விக்கு பதில் அளிக்கையில் சொன்னார் என்று நினைக்கிறேன்? நண்பர் கஜபதி நாயக்கர் அவர்கள் கேட்டதுபோல் அல்லாமல் அரசாங்கம் எல்லா ஜில்லாக்களுக்கும் தமிழ் ஆட்சி மொழியாகக் கொண்டு வருவதற்கு கட்டமைப்பிருக்கிறார்கள் என்று நினைக்கிறேன். இதுமாதிரியாக மாறுபட்ட அபிப்பிராயங்கள் இருக்கின்றன. இதோடு காலவரை இருக்கவேண்டும் என்று கேட்டுக் கொள்ளுகிறார்கள். ஆகவே எல்லா ஜில்லாக்களிலும் தமிழ் எப்போது கொள்கப்படும் என்பதுதான் இப்பொழுது எல்லோருக்கும் இருக்கும் முழக்கப்படும் என்பதுதான் இப்பொழுது எல்லோருக்கும் இருக்கும் அவா. மலையாளத்தில் பேசுகிறவர்களும் கன்னடத்தில் பேசுகிறவர்களும் மிக குறைவாகவே இருக்கிறார்கள். மலையாளிகளுக்கு மலையாளத்தையும் கன்னடியர்கள் கன்னடத்தையும் பிரித்துக்கொடுத்துவிட்டால் எல்லாம் கன்னடியர்கள் கன்னடத்தையும் அவர்களும் தமிழ் சரியாகப்போய்விடுகிறது. இல்லையென்றால் அவர்களும் தமிழ் கற்றுக்கொள்ளட்டும். அதற்கும் நாம் உரிமைகொடுக்கிறோம். அவர்களுக்கு கற்றுக்கொள்ள ஏற்கனவே உரிமை இருக்கிறது. எதிர் கட்சி உபத்தலைவர் டாக்டர் ஜான் அவர்கள் தமிழ் தெரியாதவர்கள் அல்ல. அவருக்கும் தமிழ்தெரியும், தமிழை நன்றாகப் புரிந்துக்கொள்ளக்கூடியவர். தமிழ் ஆட்சிமொழியாக வந்தால் தமிழ் பண்டிதராகவேண்டும் என்ற அவசியம் இல்லை. இப்பொழுது அவரே சொல்லுகிறார். அவருடைய கட்சிக்காரர்களெல்லாம் தமிழர்களாகவே இருக்கிறார்கள் என்று அப்படியிருக்கும்போது அவரும் இந்த விஷயத்தில் குறுக்கே இருக்க மாட்டார் என்று சொல்லுகிறேன். இப்பொழுது மலையாளமும், கன்னடமும் பிரிவதாக இல்லை. அப்படியிருக்கும்போது தமிழ் நாடு உடனடியாக பிரிந்துதான் ஆகவேண்டும். கனம் நாராயணசாமிப்பிள்ளை அவர்கள் ஆங்கிலம் இரண்டாவது மொழியாக இல்லாமல் தமிழைப்போன்று தமிழ் மொழியுடன் சம அந்தஸ்து உள்ள மொழியாக இருக்கவேண்டுமென்று சொல்லுகிறார்கள். ஆனால் நான் சொல்லுகிறேன். நம்முடைய நாய் பாஷைக்குத்தான் முதலிடம் ஆங்கிலத்திற்கு இரண்டாவது இடம் கொடுக்கவேண்டுமென்று சொல்லுகிறேன். என்ன இருந்தாலும் ஆங்கிலம் பக்கத்து வீட்டு பிள்ளையாக இருக்கவேண்டுமென்பதை தவிர சொந்த வீட்டு பிள்ளையாக இருக்கக்கூடாது என்று அவர்களை கேட்டுக்கொள்கிறேன்.

"சாதாரணமாக இப்பொழுது பேசுவதெல்லாம் ஒன்றும் கடுமையான தமிழ் இல்லை. ஆனால் நண்பர் கஜபதி நாயக்கர் நீட்டி இலக்கணமாக 19 பேசவேண்டுமென்று சில வார்த்தைகளை உபயோகித்தால் யாருக்கும் புரியாதுதான். பாம்பு வந்தது என்றால் சாதாரணமாக எல்லோருக்கும் புரியும். ஆனால் உறகப்படம் வந்தது என்று சொன்னால் யாருக்கு என்ன புரியும். ரொம்பவும் மோசமாகத்தான் இருக்கும். "உறகப்படம் வளர்ந்த பெரிய பெருமாளாங்க" என்று திருப்புகழில் இருக்கும் வார்த்தையெல்லாம் போட்டால் கஷ்டமாகத்தான் இருக்கும். ஆதலால் எல்லோரும் புரிந்துக்கொள்ளும்படியான பாஷையில் பேசினால்

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language of Great Britain. Although some narrow-minded people would like to have self-rule and would like scotch to be the official language for Scotland and Welsh to be the official language for Wales, English being more developed than either Scotch or Welsh is the official language throughout Great Britain. The Scottish and Welsh people accepted English as the official language of Great Britain. They considered themselves members of the same nation. All offices are open to them and perhaps Scotchmen are more in service than Englishmen in Great Britain and in other parts of the world where Britain rules.

"If there are three languages and if you talk of a regional language, then you must find out the best of the three languages. Surely Tamil is the best and the most ancient language. It has got a better literature than Malayalam or Kanarese. I would not even refer to the large number of people who speak in Tamil. On the merits of the case and on account of its great literature and because of its being the most ancient language, I would support a Bill under Article 345 providing for Tamil to be the official language of the State. Now, Sir, there is hardly any difference of opinion between Tamil and Malayalam. Word for word and cent per cent, Malayalam is a dialect of Tamil. But you can't say the same thing with reference to Kanarese and Tamil, where only 50 per cent of the words are common. But that does not prohibit anybody from talking or learning these languages in schools or colleges. But we are concerned with the official language. Just as English is the official language of Great Britain, Tamil could be the official language of the South. But this kind of resolution does not in any way solve the problem.

"We must remember certain things about language. Language is not a hereditary thing at all. Your child must learn the language from you. If the child is born in Bengal, he will pick up Bengali. He does not begin to speak in Tamil. A child born in Tamilnad begins to speak in Tamil. If the child is born in England, it talks English. Diseases may be hereditary. Appearances may be hereditary. Intelligence may be hereditary. But language is not hereditary. You have to learn the language. What is the purpose of language? The purpose of language is to be the medium of communication. I must understand somebody and that somebody must understand me. I must make myself understandable to him. That is made possible by language. If both of us talk in language known to both of us, then we would make ourselves understood by each other.

"I am surprised, with due deference to many friends here in this House, that they out of their feeling for Tamil language, talk in Tamil when so many of us in this House do not understand it. What is the purpose of addressing the House in Tamil when there are a large number of members not knowing Tamil? If we take a census of the Members in the House and the language they know,

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we would find that a large majority of members know English. Many of my Malayalee friends, because they have not been here in Madras as myself, are not able to understand Tamil correctly. Besides there are our Kanarese friends who do not know Tamil. Why should you talk in Tamil when you know English? That is what I am not able to understand. I can understand one talking in Tamil when he knows only Tamil and not English. I can understand Mr. Annamalai Pillai talking in Tamil because even though he may probably understand English, he cannot talk in English. He can talk in Tamil and he is bound to talk in Tamil. But I cannot understand why my friend Mr. T. M. Narayanaswami Pillai or Mr. Gajapathy Nayagar should talk in Tamil when they know English quite as well as Tamil? Why should they talk in Tamil in this House, as it is at present constituted? That is not the way to advance the cause of language. There should not be any feeling that you are deliberately doing this. But in fact you are deliberately doing this and talking deliberately in Tamil which other hon. Members in the House cannot understand, only to spite us. We are all brethren, Sir. We must talk in the Council in a language which a majority of Members could understand, viz., in English."

* SRI T. M. NARAYANASWAMY PILLAI :—"On a point of personal explanation, Sir. It was not at all to spite anyone I talked in Tamil. I can assure the Deputy Leader of the Opposition that I chose to speak in Tamil not at all with a view to spite others who do not know English. On the contrary it is only to show that Tamil language could be used as a language of administration, I spoke in Tamil. The only difficulty which could be urged was that the Tamil language of the ancient thought could not be applied for official purposes. My hon. Leader, Dr. John himself has said that Tamil contains one of the best literature possible, and that it is an excellent language that could be used for official purposes. It was only to show that Tamil could be made the language of administration, I chose to speak in Tamil. Let me make this clear that I did not want to spite anyone."

* DR. V. K. JOHN :—"I am obliged to my friend Mr. T. M. Narayanaswami Pillai for saying that the object in his talking in Tamil was to prove that it was practicable to make Tamil as the official language, and not to spite others. But everybody knows that Tamil could be made the official language. In fact, if I want to speak in Malayalam, I could very well do so. But then many of my friends cannot understand me. That is why I say, in this House, composed as it is, it is better for hon. Members to talk in a language which a majority of us know, viz., in the English language." In fact that was why Mr. Ummer Koya, has never spoken in Malayalam. Even though it is his mother-tongue, he talks only in English so that all can understand him."

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DEPUTY CHAIRMAN :—“ The hon. Member Sri T. M. Narayanaswami Pillai has said that it was not his object to spite others by talking in Tamil.”

* Dr. V. K. JOHN :—“ I do not want to mention any more names. What I say is, let Government bring in a Bill saying that the official language of the State shall be Tamil. But that you have not done. You cannot make Tamil the official language by speaking in Tamil, when others in the House cannot follow. I may suggest to my friends both in the Council and in the Assembly to learn all the languages, so that they can at least understand them, even though they may not be able to talk in those languages. I never objected to an hon. Member only knowing Tamil, speaking in Tamil. But I am objecting to a person who talks in Tamil when he knows English equally well. One must move in this matter with understanding. We are all brethren. I may try to persuade my Malayalee friends that Tamil language should be adopted as the official language in the interest of the State. It is in their interest. Tamil is spoken by the large majority of people in this State. Certainly Tamil is a senior language when compared to Malayalam. But let us not develop language affinity, as is being done now, by certain members talking in Tamil even though they know English. It is not good. As I said before, I can understand an hon. Member knowing Tamil only and not knowing English, talking in Tamil. I only say let us not tackle the ‘ language problem ’ in this way, by moving resolutions and motions in the other House and in the Council. Bring in a Bill under Article 345. Tamil is undoubtedly the senior and more superior of the three languages and is fit to be the official language of this State. I will support if such a Bill comes. Then those Members who do not know Tamil, will try to learn Tamil when they come to this Assembly or Council. I myself will learn it. In fact everyone should learn Tamil when it becomes the official language of the State, just as English has become the official language of Great Britain even though there are three languages, viz., Welsh, Scotch and English, in Great Britain. Therefore, I would suggest to my friends to bring in a Bill under Article 345 to make Tamil the official language of the State. Then we might say to our Malayalee and other friends to learn the Tamil language also as it has become the official language.

“ There is also another aspect to this question. We are a nation. We must have a national language. Under the Constitution, Hindi would become the national language, fifteen years after the commencement of the Constitution. I welcomed it. It may be a difficult thing. But we must make an attempt. There is a movement in South India that we must not learn Hindi. I say it is very unwise to do so. You must either amend the Constitution or learn Hindi which is the national language. Formerly, years ago, a century ago, English was introduced and one section

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of the community—I do not mind mentioning the name of that community—the Brahmans studied English. They qualified themselves in that language and passed examinations and came up with the result the non-Brahman movement came and created a communal division in this State. It is a wrong thing to do. Now the agitation is that the non-Brahmans should not learn Hindi. If they did so, they will be in the same hard position as they were before. A few years later there will be a movement to cut away South India from the North because all the jobs and other things will be taken away by Brahmans. That again would be a wrong thing to do. We must try our very best, in my humble opinion, to learn the Hindi language. Especially our younger generation should learn the Hindi language and, if possible, we can make it the official language of the State. I say only if possible. If it is not possible then make the Tamil language the official language. But if it is possible Hindi should be made the official language of the State like every other State because we want to be a nation. We should not think that we in the South are an independent State. We want to have correspondence with other States, we want to send our men to Parliament. How can we send our men to Parliament unless we learn Hindi because that will be the language spoken in the Lok Sabha and the Rajya Sabha after some years. (An hon. Member : Even now Hindi is spoken there.) Therefore, I would suggest and strongly suggest that the Government should make up their mind about this language controversy, and say of the three languages, English, Tamil and Hindi, which they are going to adopt as the official language. If the Government make up their mind that Tamil should be the official language, that does not prohibit anybody learning Malayalam or Kannada, and talking in those languages. If the choice is left to me I would say Hindi should be the official language and that it should be taught at school. We are a big nation and we must have a national language. English language is an international language and I would even prefer that language being adopted as the national language. We should not hold a narrow view that because English was first spoken in England and Englishmen conquered us and ruled over us, we should not have English as the official language. English is not the language of the Englishmen alone now, it is the language of many people, Americans and others. All over Europe and even in Russia English is taught at schools. But we need not call it the official language of India. We can learn it for national and international purposes. But the one thing we must remember is this. When we learn a language we must learn the best language which can give us advanced ideas in science, literature, economics and in many other things. Now our languages are not developed. That must be admitted. Tamil is not so well developed as English is. But I am sure that in course of time, say in hundred years or fifty years, Tamil can be developed. So also Hindi is not so well developed as English. It can develop only in course of

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time. So what I would suggest is that our boys should be compulsorily taught three languages at school. At least the official regional language and English should be taught compulsorily. If Tamil were to be the official State language, teach Tamil in all schools, even including Malabar and South Kanara. There is nothing wrong in boys learning this language. They are allied languages, Malayalam, Kannada and Tamil. But I would prefer that the script should be the same for all languages in India. For Hindi, although it is given in the Constitution that the script should be of the Devanagiri type, I would rather prefer the Roman script, for, if it were in Roman script even foreigners can learn our language and our language may become a world language. Somehow they have provided that the script should be the Devanagiri script. It does not matter. We can change the Constitution and have Roman script instead.

"Therefore, Sir, I ask, why bring in this language controversy now, without introducing a Bill and passing it into law, that the official language of the State should be Tamil. Why should we force that language in the Legislature and Government without passing a legislation to that effect? I think it is a wrong thing to do. Let us first of all introduce a Bill and pass it into law. Let us go according to the Constitution. If such a Bill were to be introduced I would certainly support it. After we pass the Bill into law, let us say, 'this is our official State language. You people who do not know the official State language ought to study it, because we are going to speak in Tamil. Then everybody, even people who can speak in English and other languages, will speak in Tamil.' The correct method to follow in this matter is therefore to bring in a Bill first according to the Constitution. I, therefore, submit that this resolution, even as my hon. Friend, Sri Annamalai Pillai pointed out, should be worded in a different way. Why should this be confined to Chingleput, North Arcot and South Arcot alone? Why should it not be extended to all the districts of this State? Why should he not use his influence and see that this language is extended to Malabar and South Kanara also? The hon. Member Sri Annamalai Pillai was very vehement and even asked the mover of the resolution to withdraw the resolution and bring in another to cover all the districts. I quite agree with him. After all the language of a State should be the language known to the majority of people. After all as was pointed out, language is a means of communication and the official language of a State should be one which is known to the majority of the people. The mover of the resolution has got an excellent principle underlying his motion. He appears to think that the proceedings which affect a large number of people should be conducted in the language known to the people, that is in Tamil in Tamil districts, Malayalam in Malayalam district and Kannada in Kanarese districts. But when we make Tamil as the State language, then all the proceedings should be conducted in Tamil and it should be taught in other parts of the

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State where Tamil is not spoken. I would, therefore, submit to the hon. Mover of the resolution to withdraw his present resolution and bring in a more comprehensive one. I would advise him rather to bring in a Bill to make Tamil the official language. Then we can transact our business in Tamil. But at the same time we should see that we do not create prejudices in other people's minds who are non-Tamilians by saying: 'I will only talk in Tamil though I know English. You need not understand. You can get out of the House.' That should not be the attitude when English is understood by a large majority of Members in this House. Even the hon. Member Sri Annamalai Pillai can understand English. Then why should we not talk in English? When we have the official language as Tamil, then the burden is shifted on to others who do not know Tamil, to learn Tamil. Have tutors to teach those who do not know Tamil. I would even ask the Government to appoint tutors to teach the official language to hon. Members coming into the Legislature."

DEPUTY CHAIRMAN :—"Do you mean to suggest that teachers should be appointed by Government to teach Tamil to hon. Members."

* DR. V. K. JOHN :—"Yes, Sir, because we are going to make Tamil the official language. It does not take much time to learn a language. Actually people coming to Madras State from other States learn Tamil easily, because Tamil is the language spoken here. That stage we reach only when we pass a law that Tamil should be the official language. Till that time I would ask my friends who are enthusiastic in pushing Tamil as the official language—I use the word 'push' in quotation—to go slow. Do not offend or create a sort of prejudice in others who do not know Tamil. Let us go slow. In this connexion I would appeal to my Malayalee and Kannadiga friends to study this question. We want to have an official language. We cannot have a large number of official languages even though under the Constitution you can have more than one language as the official language. From every point of view, I am sure, Tamil should be the official language of this State. I am quite sure if you put it sympathetically to them, they will understand and support you. Now, you are trying to force Tamil by speaking in Tamil which some people do not understand. Let us go slow. Not slow, let us go quick. But let us go in order in accordance with the provisions of the Constitution. This is my submission, Sir, and I hope by speaking in the manner I did, I have not offended anybody. I thought as a student of Constitution and as a lawyer member of this House, I was under an obligation to explain the principles of law in the Constitution to the House. I would strongly appeal again to those who want to push forward Tamil language to bring in and support a Bill, and not force it by speaking in Tamil which some of the people do not understand, because Tamil is still not the official language.

12-30
P.M.

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SRI G. KRISHNAMOORTHY :—“ Sir, will the Government see to it that at least teachers who have been posted as librarians and are designated as such are made eligible for this concession as a first step? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ If other concessions are applicable to employees of aided institutions, there need not be distinction between those employed as teachers and librarians as such. ”

[Note.—The asterisk * at the Commencement of a speech indicates revision by the Member.]

II.—ANNOUNCEMENT BY THE HON. CHAIRMAN.

ELECTION OF NINE MEMBERS TO THE COMMITTEE OF PRIVILEGES

MR. CHAIRMAN :—“ I have to inform the House that the following candidates were nominated for election of nine members to the Committee of Privileges for the financial year 1955-56 :—

- (1) Sri V. Bashyam Ayyangar.
- (2) Srimathi Jothi Venkatachellum.
- (3) Sri Alexander Gnanamutta.
- (4) Sri Mohamed Raza Khan.
- (5) Sri P. P. Ummer Koya.
- (6) Sri S. P. Sivasubramanya Nadar.
- (7) Dr. V. K. John.
- (8) Sri K. Bhashyam.
- (9) Sri C. Perumalswami Reddi.

“ As the number of candidates nominated is equal to the number of vacancies to be filled, viz., nine, I hereby declare them to have been duly elected to the Committee of Privileges. ”

“ Under Rule 154 (4) of the Madras Council Rules, I have nominated Sri Mohamed Raza Khan to be Chairman of the Committee. ”

III.—MOTION UNDER RULE 21 (3) OF THE COUNCIL RULES.

* SRI T. PURUSHOTHAM :—“ Sir, I move—

“ That under rule 21 (3) of the Madras Council Rules, item No. III regarding Amendment to the Madras Legislative Council Rules, be taken up after the non-official resolution left over from the previous non-official day (19th March 1955). ”

“ After the discussion on the non-official resolution left over from the previous day is finished, we shall take up item No. III. ”

MR. CHAIRMAN :—“ The question is—

“ That under rule 21 (3) of the Madras Council Rules, item No. III regarding Amendment to the Madras Legislative Council Rules, be taken up after the non-official resolution left over from the previous non-official day (19th March 1955). ”

The motion was carried.

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IV.—NON-OFFICIAL BUSINESS.

Resolution.

MEASURES FOR CONDUCTING THE PROCEEDINGS IN THE DISTRICT OFFICES OF CHINGLEPUT, SOUTH ARCOT AND NORTH ARCOT IN TAMIL (DISCUSSION)—cont.

SRI T. M. NARAYANASWAMY PILLAI :—“ கனம் தலைவர் அவர்களே, நண்பர் கஜபதி நாயகர் அவர்கள் கொணுவந்திருக்கும் தீர்மானமானது ரொம்ப மிதமாகவே இருக்கிறது. வரம்புக்கு உட்பட்டிருக்கிறது. இன்று காலை கனம் மந்திரி ஸ்ரீ பக்தவத்சலம் அவர்கள் சொன்னது, ரொம்பவும் இந்த கவுன்சிலில் உள்ள மெம்பர்களுக்கு ஒரு ஊக்கத்தைக் கொடுக்கத் தக்கதாக இருக்கிறது. தமிழ் ஆட்சிமொழி ஆவதுபற்றி ஒருவிதமான எதிர்ப்பும் இல்லை. தமிழ் மொழியை ஆட்சிமொழியாகச் செய்வதில் சர்க்காரும் பொம்பவும் ஆர்வம் கொண்டிருக்கிறார்கள். ஆனால் எப்படிச் செய்வது, எப்போது செய்வது என்பதை மட்டும் பிரச்சனையாகக் கொண்டு ஆலோசனை செய்துகொண்டிருக்கிறார்கள் என்று கனம் மந்திரி அவர்கள் சொன்னார்கள். அப்படியிருந்தால் இந்தத் தீர்மானத்தை அவர்கள் ஒப்புக்கொள்ளும்படியாகக் கேட்டுக்கொள்ளுகிறேன். இது அவர்கள் கொண்டிருக்கும் எண்ணத்திற்கு ஒரு முதற்படியாகவே இருக்கும். இதில் ஏதோ சட்டத்திலுள்ள கஷ்டமோ அல்லது செலவு அதிகப்படும் என்று சொல்லக்கூடிய கஷ்டமோ இருப்பதற்கில்லை. மேலும், அனுபவ சாத்தியமாகவும் இருக்கிறது. தவிர, கனம் மந்திரி அவர்கள் இப்பொழுது ஒவ்வொரு ஜில்லாவிலும் இருக்கக்கூடிய அலுவலகங்களில் தமிழிலே நடவடிக்கைகள் நடந்துகொண்டு வருகின்றன என்று தெரிவித்தார்கள். அப்படி இருக்குமானால் எதிர்காலத்தில் தமிழ் ஆட்சி மொழியாக இருக்க வேண்டுமென்ற கொள்கைக்கும், இப்பொழுதிருக்கும் நிலைமைக்கும் ஒரு வழி வகுக்க வேண்டியது அவசியமாகிறது. அதற்கும் இது உதவியாக இருக்கும். தனித்தனி தாலுக்காவில் அலுவலங்களிலுமட்டும் தமிழில் நடவடிக்கைகள் நடைபெற்றுப் போதாது; அதேபோல் தனித் தனி ஜில்லாவில் மட்டும் இருந்தாலும் போதாது; நம் ராஜ்யம் முழுவதிலும் தமிழ் ஆட்சி மொழியாக இருக்க வேண்டும். அதற்கு முதற்படியாக மூன்று ஜில்லாக்களுக்கும் இங்குள்ள செகரடேரியட்டுக்கும் இடையே கடிதப் போக்குவரத்து தமிழிலேயே நடைபெறுவது அவசியம். அந்த முறையில்தான் நண்பர் ஸ்ரீ கஜபதி நாயகர் அவர்கள் கொணுவந்திருக்கும் தீர்மானம் மூன்று ஜில்லாக்களுக்கு அமல் நடத்துவதோடு மட்டுமல்லாமல், செகரடேரியட் அலுவலகத்திற்கும் இடையே தொடர்ந்து கடிதப் போக்குவரத்துக்கள் நடக்கவேண்டுமென்று கூறப்பட்டிருக்கிறது. மூன்று ஜில்லாக்களுக்கு மட்டும் நடந்தால் போதாது. அல்லது ஒரு ஜில்லாவுக்கு மட்டும் தமிழ் மொழியில் நடத்தினாலும் போதாது. அத்தான் செகரடேரியட்டுக்கும் மூன்று ஜில்லாக்களுக்கும் இடையே தமிழில் நடவடிக்கைகள் நடைபெறவேண்டும். அப்பொழுதுதான் அது உண்மையிலேயே வளரமுடியும். அது மிகவும் விசேஷமாகும். இது கட்டாயம் செய்யவேண்டியதுமாகும். ஆகவே அரசாங்கத்தினுடைய கொள்கைக்கு அடிப்படையாக இருக்கும் இத்தீர்மானத்தை ஏற்றுக்கொள்வார்கள் என்றே நம்புகிறேன். ஆனால் இதிலே சில கஷ்டங்கள் ஏற்படுமென்று அரசாங்கம் கூறலாம். தமிழை ஆட்சிமொழியாக்குவதுபோல், கன்னடக்காரர் மலையாளக்காரர்கள் இருக்கின்றார்களே, அவர்களுக்கும் சலுகை காட்ட வேண்டுமானால் பல கஷ்டங்கள் ஏற்படலாம் என்று கூறலாம். அப்படி சர்க்காருக்கு இடையூறுகள் ஏற்படுவதற்குமுன் அதற்கு வேண்டிய முன்நடவடிக்கைகள் செய்யவேண்டியது அவசியம். ஆனால் இப்படி கஷ்டங்கள் இருக்கின்றனவே என்று சொல்லிக்கொண்டே இருந்தால், ஒருநாளும் எதுவும் ஆட்சிமொழியாக முடியாத கஷ்டம்தான் இருந்துகொண்டிருக்கும். ஆகையால் முதற்படியாக ஒன்றை ஆட்சிமொழியாகச் செய்வதற்கு நமது ஸ்ரீ நாயகர் அவர்கள் கொண்டு வந்திருக்கும் தீர்மானத்தை முழு மனதுடன் ஆதரிக்கவேண்டியதாக இருக்கிறது. ”

“ நமக்குச் சுதந்திரம் கிடைத்தது. அந்த சுதந்திர உணர்ச்சியின் காரணமாக கட்டாயமாக அந்தந்த ஜில்லாக்களில் தாய்மொழியில் எல்லா வற்றையும் நடத்திவந்தால்தான் அந்தச் சுதந்திரம் அடைந்ததன்

756 MEASURES FOR CONDUCTING THE PROCEEDINGS IN THE DISTRICT
OFFICES OF CHINGLEPUT, SOUTH ARCOT AND NORTH ARCOT
IN TAMIL

[Sri M. Bhaktavatsalam] [26th March 1955]

கின்றது. பதினேந்து வருஷம் பொறுத்துப் பார்த்தாலுங்கூட, இந்திய அரசாங்கத்திலிருந்து எல்லாக் கடிதப்போக்குவரத்துக்களும் ஹிந்தியிலேயே வந்தாலுங்கூட, அது நமக்கு ரொம்பச் சிரமத்தைத்தான் அளிக்கும். எவ்வளவு முயன்று கற்றாலும், நம்முடைய பங்கை சரியான முறையில் அளிக்க முடியாது. இன்னுமுள்ள 10 வருஷங்களிலே அதற்குத் தயாராக மாட்டோம். ஆகவே நாம் இன்னும் காலம் கொடுக்கவேண்டுமென்று தான் கேட்கவேண்டியிருக்கும். மத்திய அரசாங்கத்திலே கான்ஸ்டிடியூஷனிலே சட்டம் செய்தாலும், நாம் இன்னும் கொஞ்ச காலம் ஆகுமென்று சொல்லி, அதுவரை நமது பங்கைக் கொடுக்க முடியாது என்று சொல்லி திருத்தவேண்டி தான் வரும். அப்படித்தான் கொடுக்கவேண்டியிருக்குமென்பதை மனதில் வைத்துக்கொள்ளவேண்டும். ஆகவே அதை அடிப்படையாகக் கொண்டுதான் நம்முடைய ராஜ்ய விவகாரத்தையும் பார்க்கவேண்டும்.

“அவசரப்பட்டுச் செய்தால், எந்தக் காரியமும் பாதிக்கப்படும். இதை நன்கு உணரவேண்டும். அப்படி நிதானமாகச் செய்யாவிடில், சிரமங்களே உண்டாகும். ஒழுங்காக எல்லோரும் பலனடையக்கூடிய முறையில் காரியங்களைச் செய்யவேண்டுமானால் இன்னும் கொஞ்சம் அதிக கவனம் செலுத்தவேண்டும். திருச்சிராப்பள்ளியில் நடைமுறையில் எவ்வளவு தூரம் நடைபெறுகின்றது என்பதைப் பார்ப்பதற்காக முதன் முதலில் ஆரம்பிக்கப்பட்டது. அது எந்த அளவில் இருக்கின்றது என்பதைப் பார்க்கவேண்டும். அதை முதன் முதலில் நல்லமுறையில் நடைபெறச் செய்ய வேண்டும். அதிலே என்னுடைய யோசனையாகும். இப்போது இன்னும் சில ஜில்லாக்களுக்கு இதை அமுல் செய்யவேண்டுமென்று கனம் அங்கத்தினர் கஜபதி நாயகர் அவர்கள் கொண்டுவந்திருக்கும் தீர்மானம் இங்கு குறிப்பிடத்தக்கது. இன்னும் சில ஜில்லாக்களுக்கு அல்லாமல், எல்லா ஜில்லாக்களுக்குமே அந்தந்தப் பிராந்திய மொழிகளிலே தமிழிலும், மலையாளத்திலும் நடத்தப் பார்க்கலாம். ஆனால் அதைத் தொடங்குவதற்கு முன் திருச்சியை முதலில் சரிப்படுத்திக்கொள்ளவேண்டும். அதுதான் முக்கியம். அதற்கு இங்கு திருச்சியைச் சேர்ந்த கனம் அங்கத்தினர் நாடா யணசாமி பிள்ளை அவர்கள் இருக்கின்றார்கள். அவர் நாளை முதற்கொண்டு கொஞ்சம் இதில் விசேஷ கவனம்செலுத்த வேண்டும். நாளைக்கு 12-50 p.m. நானும் திருச்சிக்குப் போகிறேன். அவரும் திருச்சிக்கு வருவார். இனிமேல் சட்டசபையும் அதிகம் இருக்காது. ஆகவே அவர் தீவிர கவனம் செலுத்தவும் வசதியாக இருக்கும். கலெக்டருடன் பேசி அதற்கு ஆவன செய்யலாம். நானும் அதுபற்றி கலெக்டருக்குச் சொல்லுகிறேன். இரண்டொரு மாதங்களில் கனம் அங்கத்தினர் அக்கறை செலுத்தி, பரீட்சார்த்தமாக சரிவர நடைபெறுவதற்கு என்ன வழிவகைகள் என்பதை முடிவு செய்தால் அதை அப்படியே அரசாங்கம் ஏற்றுக்கொள்ளும். அவ்வாறு செய்யும்வரை பொறுத்திருந்து பார்த்து, பிறகு வேறு ஜில்லாக்களுக்கும் செய்யும் யோசனைப்பற்றி பார்க்கலாம். அவ்வாறு முதலில் செய்து கொண்டு, பின்னர் மற்ற ஜில்லாக்களுக்கு எவ்வளவு சீக்கிரத்தில் இந்த ராஜாங்க மொழியைக் கொண்டு வரமுடியுமோ அதற்கான முயற்சிகளைச் செய்யலாம். ஆகவே இதையெல்லாம் பார்ப்பதற்கு இதை ஒருபடியாக வைத்துக்கொள்ளலாம். பிறகு அதைக்கொண்டு முன்னேறலாம். பிரஜைகளுக்கு, அதாவது இந்த நாட்டு மக்களுக்கு நன்மை செய்யவேண்டுமென்பதுதான் இந்த அரசாங்கத்தினுடைய எண்ணமும். ஆகவே அவர்களுக்கு எவ்வளவு தூரம் நன்மை செய்யமுடியுமோ, அவ்வளவு தூரம் இதைப் பார்த்துக்கொண்டு நன்மை செய்யலாம். ஆகவே இந்தத் தீர்மானத்தை மேலும் வற்புறுத்தாமல், கனம் அங்கத்தினர் அவர்கள் வாபஸ் வாங்கிக்கொள்ளுமாறு கேட்டுக்கொள்ளுகிறேன்.”

SRI A. GAJAPATHY NAYAGAR :—“கனம் மன்றத் தலைவர் அவர்களே, என் மதிப்பிற்குரிய நண்பர் டாக்டர் ஜான் முதலடியாக தமிழ் ஆட்சி மொழியாகவேண்டுமென்று சட்டத்தைப் படித்தார். அதன் பேரில் திட்டங்களை வகுக்கவேண்டுமென்றார். சட்டத்தை நாமும் அறி

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வோம். அதனை உணர்ந்தோம்; உணர்ந்துதான் தமிழ் ஆட்சி மொழியாக வேண்டுமென்று இந்த சட்டசபையில் ஒரு மசோதா ஏற்கெனவே கொண்டு வந்தேன். அப்போது அதனை நமது மாகாணத் தலைவர் அவர்களே தடுத்துவிட்டார்கள். ஆயினும் அது இப்பொழுதும் உயிருடன்தான் இருக்கிறது. அப்போது நான் தனியாக இருந்தே வாதித்தேன். காலம் குறை செய்துவிட்டேன். அந்தக் காலத்தில் தமிழ் ஆட்சி மொழியாகக் கொண்டுவரக்கூடாது என்று சொன்னார்கள்.

“தமிழ் மொழி ஆட்சி மொழியாக இருந்தால் எல்லா நடவடிக்கைகளும் தமிழ் மொழியிலேயே நடைபெறும். அதற்காகத்தான் இப்பொழுது மூன்று ஜில்லாக்களுக்கும் சென்னைவாழ்செக்ரேடரியட்டிலும் தொடர்பு ஏற்படுத்த வேண்டுமென்று இந்தத் தீர்மானத்தின் மூலமாக கேட்கிறேன். ஆட்சி மொழியாகவேண்டுமென்பதுதான் எல்லோருடைய அவா.”

“ஒரு ஆணும் ஒரு பெண்ணும் மணம் செய்துகொண்டால்தான் குடும்ப வாழ்க்கையை நடத்துவதாக அர்த்தம். அதுபோல ஒரு ராஜ்யத்தை ஆண் என்றும், மொழியைப் பெண் என்றும் வைத்துக்கொண்டு ராஜ்யத்திற்கும் மொழிக்கும் தொடர்பு ஏற்பட்டால்தான் ஆட்சி ஒழுங்காக நடைபெறமுடியும். தமிழ் ஆட்சி மொழியாக வேண்டுமென்று மசோதா கொண்டுவந்தபோது நான் ஒருவனை தனியாகப் பேசினேன். யாரும் அதற்கு ஆதரவு கொடுக்கவில்லை.

“கவர்னர் பெருமான் தமது பிரசங்கத்தில்கூட தமிழ்மொழி ஆட்சி பற்றி ஒன்றும் சொல்லவில்லை. அந்த சமயத்தில் நான் வருத்தம் தெரிவித்து ஒரு தீர்மானம் கொண்டுவந்தேன். அப்பொழுது அதை வாபஸ் வாங்கிக்கொள்ளுங்கள் என்று சொன்னார்கள்.”

“இப்பொழுது நாடோடித் தமிழ் வேண்டும் என்று சொல்கிறார்கள். நான் ஆங்கிலம்தான் படித்து உத்தியோகம் வகித்தேன். தமிழ் ஓரளவுத் தான் படித்திருக்கிறேன். ஆனால் தமிழில் உள்ள ஆர்வத்தினால் இப்பொழுது நன்கு தமிழைப் படித்தும் அதைப்பற்றி பேசியும் வருகிறேன். நான் இப்பொழுது என்ன சொல்கிறேன் என்றால், சட்டம் செய்யாது இந்தக் காலத்தில் திட்டம் ஒன்றும் செய்துவிடமுடியாது. அது என்றைக்கும் இழுக்கு உண்டாகும். ஏற்கெனவே திருச்சிராப்பள்ளி ஜில்லாவில் நடவடிக்கைகள் தமிழில் இருக்கவேண்டும் என்று திட்டம் செய்யுமிருக்கிறார்கள். அது ஒழுங்காக நடக்கிறதா என்பது தான் இப்பொழுதுள்ள கேள்வி. திருச்சியில் திட்டமாக அங்கு என்ன வேலைகள் நடந்து இருக்கின்றன. திட்டம் வகுக்கவேண்டுமென்று கனம் ஓ. பி. ராமசாமி ரெட்டியார் அவர்கள் சொன்னார்களே, அதற்கெல்லாம் என்னநடவடிக்கைகள் எடுக்கப்பட்டன? கனம் மந்திரி அவர்கள் மனதில் கைவைத்து சொல்வார்களா? அப்படியிருந்தால் 100 ஆண்டுகள் ஆனாலும், தமிழ் வராது. திருச்சிராப்பள்ளியை எடுத்துக்கொண்டால் அங்கே ஒரு கலெக்டர் ஒரு குமாஸ்தாவைப் பார்த்து பரிசாசமாக “வாங்க ஓட்டக்கூத்தரே” என்று அழைப்பார். மற்றொருமுறை “வாருங்கள் புகழேந்திப் புலவரே” என்று பரிசாசமாகப் பேசுவார். இப்படி நிகழ்ந்தால் தமிழ்மொழி எப்படி வளரும். இந்த மாதிரியாகத்தான் தமிழை தமிழரல்லாதார் அவமானப்படுத்துகிறார்கள். இது ஒருபுறம் இருக்கட்டும். நான் தமிழ் மொழியே ஆட்சிமொழியாக இருக்கவேண்டுமென்று ஒரு மசோதா கொண்டுவந்த சந்தர்ப்பத்திலே அதை வேண்டாமென்று தடுத்தார்கள். அதனை உடனடியாக கொண்டுவரமுடியாது என்று சொன்னார்கள். இப்பொழுது திருச்சியில் ஐந்து ஆண்டுகளாக பரிசீலனை செய்த திட்டம் இன்னும் சரியாக நடைபெறுவதாகத் தெரியவில்லை. அங்கேயும் சப்டேஜ் (substage) செய்துவைத்திருக்கிறார்கள். நல்ல தமிழன் இதைக்கண்டு சும்மாயிருப்பானா? ஆனால் கனம் பக்தவத்சலம் அவர்களுக்கு தமிழில் ஆர்வம் இல்லை என்று நான் சொல்லவில்லை. ஆர்வம் உண்டு. ஆனால் இதில் என் கவனம் செலுத்தவில்லை என்பதுதான் எனக்குப் புரியவில்லை.”

**758 MEASURES FOR CONDUCTING THE PROCEEDINGS IN THE DISTRICT
OFFICES OF CHINGLEPUT, SOUTH ARCOT AND NORTH ARCOT
IN TAMIL**

[Sri A. Gajapathy Nayagar]

[26th March 1955]

திருச்சிராப்பள்ளியில் கொண்டு வந்திருக்கும் திட்டம் ஏதாவதும் முன்
நேற்றமடைந்ததா? உண்ணியில் அப்படி முன்வைக்கக் கொண்டு
வேண்டும் என்ற எண்ணம்கூட இருப்பதாகத் தெரியவில்லை. அதை
எப்படிச் செய்தால் பயன் அடையலாம். ஏதாவது கொண்டு வரலாம்
என்று புரிந்துகொள்ளவில்லையே? திருச்சிராப்பள்ளியில் தமிழ் ஆட்சி
மொழியாக நடைபெறுகிறது என்று சொல்லிக்கொண்டு ஆண்டுட்டியில்
குதிரை ஒட்டிக்கொண்டிருக்கிறார்கள். ஒரு இடத்திலேயே பரீட்சை செய்துக்
கொண்டிருப்பதாகச் சொல்லுகிறார்கள். தமிழை உண்மையாக நாட்டு
மொழியாகச் செய்யவேண்டுமானால், சென்னை நகரம் ரெக்டெரியட்டில் அது
புகுத்தப்படவேண்டும். அப்போதுதான் தமிழ் நாட்டு மொழியாக ஏற்படும்.
அப்போது தமிழின் சொல்வகையும் அதிகமாகும். அதைத்தான் இந்தத்
தீர்மானத்தில் வற்புறுத்தியிருக்கிறேன். இந்தத் தீர்மானத்தில் இடைபட்டவர்கள்
இருப்பதாகத் தெரியவில்லை. நான் அப்படி வருக்கவேண்டும் என்று
சொல்லவில்லை. ஆக திட்டம் மெருக்கள் என்றுதான் சொல்லுகிறேன்.
உங்கள் இஷ்டம்போல் ஒரு காலகாலம் ஏற்படுத்தலாம் என்றுதான்
கேட்கிறேன். எத்தனை ஆண்டுகள் ஆகும் என்று கால அளவு சொல்
லங்கள் என்றுதான் கேட்கிறேன். நாம் சுருந்திரம் அடைவதற்குக்கூட
மௌண்ட் பாட்டனிடம் ஒரு கால அளவைக் கேட்டு வாங்கிக் கொண்டதினால்
தான் அந்தக் குறிப்பிட்ட காலத்தில் சுருந்திரத்தைப் பெற முடிந்தது.
அதைத்தான் செய்யும்படி கேட்டுக்கொள்ளுகிறேன். மக்களைக்
கலந்துசெய்யுங்கள். இதற்காக அரசியலார் தயங்கக்கூடாது. தயங்கவும்
மாட்டார்கள்; அவர்கள் கூட்டாயம் கொண்டுவருவார்கள் என்ற
நம்பிக்கை எனக்குண்டு. அந்த ஒரு நம்பிக்கைக் கொடுத்தால், நான்
கொடுத்த தீர்மானத்தை வாபஸ் வாங்கிக்கொள்ளாததாயாக இருக்கிறேன்.

“தமிழ் வரவேண்டுமென்று பேசுகிறார்கள். பேசிப் பிரயோஜனம்
இல்லை. நன்றாக உணர்ச்சியோடு தமிழ் மக்களின் எண்ணத்தில் பரவச்
செய்வதற்கு ஏற்ற முயற்சி எடுக்கவேண்டும். அந்த முயற்சி எடுப்பதற்கு
எவ்வளவு காலம் ஆகுமென்று திட்டம் வருக்கவேண்டும். இந்திய
அரசியலார்கூட 15 வருஷத்திற்குள் இந்தியை அரசாங்க மொழியாக
கொண்டுவரவேண்டுமென்ற ஒரு திட்டம் வருத்திருக்கிறார்கள். ஆனால்
நம்முடைய தமிழைப் பொறுத்தவரையில் என்ன நடவடிக்கை எடுக்கப்
போகிறார்கள். திருமென ஆட்சிமொழி ஆகவேண்டுமென்றால், அப்போ
முது என்ன செய்யப்போகிறார்கள். தமிழை ஆட்சிமொழி ஆக்குவதற்கு
முன் அதற்கு வேண்டிய முன் ஏற்பாடுகளை செய்தார்களா? இந்தியை
வளர்ப்பதுபோல் தமிழை வளர்க்காமல் சுயமாம இருந்துவிட்டு திருமென
தமிழை ஆட்சி மொழியாகச் செய்யவேண்டும் என்று சொல்வதில் பயன்
இல்லை. அதை உணர்ந்துதான் ஸ்ரீ அண்ணாமலை பின்னை அவர்கள் எல்லா
ஜில்லாக்களிலுமே தமிழ் உடனடியாகக் கொண்டுவருவதற்கு ஒரு திட்டம்
வருக்கவேண்டுமென்று சொன்னார்கள்.

“கனம் பக்தவத்சலம் அவர்களும் திருச்சிக்குப் போவதாக சொன்
னார்கள். போகட்டும்; ரொம்பவும் சந்தோஷம். உண்மையாக நல்ல
முயற்சி எடுத்துக்கொள்ளுங்கள். நான் அதை வரவேற்கிறேன். முயற்சி
செய்தால்தான் எதையும் செய்யமுடியும். கற்றுக்கொண்டால் எதுவும்
வரும். நானும் கொஞ்ச நாட்களாக அக்கறை எடுத்துக்கொண்டு இப்பொழுது
கற்றுக்கொள்வதால்தான் ஓரளவு பேச முடிகிறது. அதற்குமுன் நானும்
ஆங்கிலத்தில்தான் பேசிவந்தேன். ஆகவே முயற்சி வேண்டும். இதற்
கெல்லாம் ஒரு முடிவான எண்ணம் வேண்டும். இதுமாதிரியாக ஏன்
சொல்லுகிறேன் என்று சொன்னால் சமீபத்தில் ஆந்திர தேசத்திய ஒவ்
வொரு ஆபீசருக்கும் ஒரு அகராதியைக்கொடுத்து அதிலுள்ள சொற்களை
பயன்படுத்திக் கொண்டுவருகிறார்கள். அவர்கள் அவ்விதம் செய்யும்போது
நாம் ஏன் செய்யக்கூடாது. அந்த அளவுக்கு நம் மனம் மாறவேண்டும்.
அதற்கான முயற்சிகள் செய்யவேண்டும். அப்படிச் செய்தாலொழிய எந்தக்
காரியமும் செய்யமுடியாது. இதையெல்லாம் என்போன்றவர்களால்

**MEASURES FOR CONDUCTING THE PROCEEDINGS IN THE DISTRICT 759
OFFICES OF CHINGLEPUT, SOUTH ARCOT AND NORTH ARCOT
IN TAMIL**

26th March 1955]

[Sri A. Gajapathy Nayagar]

செய்யமுடியாததுதான். ஆனால் அதிகாரத்தில் இருக்கிறவர்கள் உறுதி
யாகச் செய்யமுடியும். அப்படி கனம் மந்திரியார் அவர்கள் ஒரு உறுதி
யளித்தால் நான் வாபஸ் வாங்கிக்கொள்ளுகிறேன்.”

THE HON. SRI M. BHAKTAVATSALAM :—“கனம் சபா
நாயகர் அவர்களே, நான் உறுதிசூறவேண்டியதில்லை. கனம் அங்கத்
தினர் ஸ்ரீ கஜபதி நாயகருக்கு தாய்மொழியில் எவ்வளவு ஆர்வம் இருக்
கிறதோ, அதைக்காட்டிலும் இந்தப் பக்கத்தில் இருக்கும் எனக்கும் என்
னுடைய சகாக்களுக்கும் கொஞ்சமும் குறைவில்லை என்பதை அவருக்கு
தெரிவித்துக்கொள்ளுகிறேன். அவர்கள் ஏதோ தங்களுக்குத்தான் ரொம்
பவும் ஆர்வம் இருப்பதாக பெருமையுடன் சொல்லிக்கொள்கிறார். எப்படி
யிருந்தாலும் அரசாங்கமும் இதைப்பற்றி கவனம் செலுத்திக்கொண்டு
தான் இருக்கிறது என்ற உறுதியை சொல்ல விரும்புகிறேன்.”

SRI A. GAJAPATHY NAYAGAR :—“கனம் மந்திரி அவர்கள்
சொன்ன உறுதியின் பேரிலே நான் கொண்டுவந்த தீர்மானத்தை வாபஸ்
பெற்றுக்கொள்ளுகிறேன்.”

With the permission of the House, the resolution was with-
drawn.

**V.—AMENDMENTS TO THE MADRAS LEGISLATIVE
COUNCIL RULES.**

SRI T. PURUSHOTHAM :—“Under Rule 187 of the Madras
Legislative Council Rules, I move for leave to amend the rules as
under :—

“Add the following new rules after Rule 179 :—

(5) Committee on Public Accounts—

“179-A. Five members of the Council shall be elected
for every financial year to associate with the Public
Accounts Committee of the Assembly. The election of
Members will be held in such manner as the Chairman
may direct.”

(6) Committee on Estimates—

“179-B. Five Members of the Council shall be elected
for every financial year to associate with the Estimates
Committee of the Assembly. The election of Members
will be held in such manner as the Chairman may
direct.”

Hon. Members may be aware that I made a pointed reference to
this in my speech on Saturday and the Hon. Minister for Finance
very kindly agreed on behalf of Government that if rules were
amended, he would take up the motion in the Assembly and see
that necessary sanction was accorded for the association of the
necessary Council Members on the two Committees. I therefore
seek the leave of the House for referring to this amendment
amending the rules accordingly.”

SRI K. BHASHYAM :—“He has already got the leave.”

[26th March 1955]

MR. CHAIRMAN :—“ That was only with reference to the change in the order of business. The present question is whether the House gives permission to amend the rules as proposed by Sri T. Purushotham. Then, a Committee will be appointed, under Rule 188 of the Council Rules.”

DR. V. K. JOHN :—“ I do not think there could be any objection to this. In fact I want to congratulate Sri T. Purushotham on having brought in this amendment. He is the ‘ live wire ’ of the House, Sir.”

SRI E. H. PARAMESWARAN :—“ I second the amendments moved by Sri T. Purushotham.”

MR. CHAIRMAN :—“ Under Rule 187 of the Madras Council Rules, I now read the draft amendments, and ask whether the hon. Member has leave of the Council. The amendments have been circulated to hon. Members of this House and are also included in the agenda. They read as follows :—

‘ Add the following new rules after Rule 179—

(5) *Committee on Public Accounts*—

“ 179-A. Five Members of the Council shall be elected for every financial year to associate with the Public Accounts Committee of the Assembly. The election of Members will be held in such manner as the Chairman may direct.”

(6) *Committee on Estimates*—

“ 179-B. Five Members of the Council shall be elected for every financial year to associate with the Estimates Committee of the Assembly. The election of Members will be held in such manner as the Chairman may direct.”

I wish to know whether the hon. Member has the leave of the Council.

“ Since no member objects, I take it that the hon. Member has the leave of the House.

“ Under Rule 188 of the Madras Council Rules, the draft amendments have now to be referred to a Select Committee. Six Members of the Select Committee have to be elected by the Council by means of the single transferable vote in accordance with the regulations framed in this behalf, the Chairman, Deputy Chairman and the Hon. the Minister for Finance and the mover of the motion being ex-officio members of the Committee. One of the members of the current panel of Vice-Chairman is to be nominated by me as a member of the Committee. I fix 3 p.m. to-day as the hour within which nominations may be handed over to the Secretary.

“ If the number of candidates nominated exceeds the number of vacancies to be filled in, namely, six, then there will be an election between 12 noon and 2 p.m. on Tuesday, the 29th March 1955.

26th March 1955] [Mr. Chairman]

“ We shall pass on to the next item. Mr. T. M. Daivasikhamoney Achariar can now move his non-official resolution.”

SRI MOHAMED RAZA KHAN :—“ Some of the hon. Members of the Council are going to Neyveli, thanks to the patronage of the Hon. the Minister of Industries. We are supposed to start at 2 o'clock. So I request that we may adjourn now.”

MR. CHAIRMAN :—“ All right. I now adjourn the House to meet again at 3 p.m. on Tuesday, the 29th March 1955.”

The House then adjourned.

[26th March 1955]

APPENDIX.

[Vide answer to starred question No. 264 asked by Dr. V. K. John (on behalf of Dr. A. Sreenivasan) at the meeting of the Legislative Council held on 26th March 1955, page 731 supra.]

Conditions of tender for catering to the Nurses Mess of the Government General Hospital, Madras.

1. The contractor will be required to serve unadulterated food of the types of menu required as enumerated in the Annexure. Faulty or unfit or unwholesome food will be rejected and supplemented by emergency purchase at the risk of the contractor. The Dean has the right to suggest alterations in the menu to suit local conditions, season, etc.
2. The contractor should quote the rate per head he will charge for supplying the various diets cooked at the hospital with the servants available at the hospital paid from Government funds and served under the supervision of the contractor.
3. The contractor will deposit a sum of Rs. 1,500 as security for the due and faithful performance by the contractor of his contract and will sign an agreement bond for the fulfilment of his contract.
4. The contractor shall not at any time for any ground whatsoever claim any revision or modification of the rate charged.
5. Habitual supply of poor quality and quantity of food for three consecutive occasions will entail cancellation of the contract on a two months' notice.
6. The contractor should give two months' notice if he intends giving up his contract.
7. The contractor shall be paid his bills on or after the 10th of the following month.
8. The contractor shall be given the use of crockery and cutlery of the hospital and he shall pay for all losses by breakage, etc.
9. In case the contractor fails, neglects or refuses to supply food of the quality and quantity required, he shall forfeit the deposit amount.
10. The deposit shall be paid back to the contractor on completion of the contract after the year.
11. The contractor will be required to produce a solvency certificate for property worth at least Rs. 10,000.
12. The decision of the Dean in all matters shall be final.

26th March 1955]

ANNEXURE.

Morning—6-30 a.m.	.. ..	..	A cup of coffee.
Breakfast—(Variety) 8-15 a.m.	.. ..	..	Two large purees and potatoes or Two iddalis and chutney or Two slices of bread. Half an ounce of butter and either vegetables, egg, or mutton side dish (the latter two, once a week). One plantain daily with a cup of tea.
Lunch—(Non-vegetarians) 1 p.m.	.. ..	..	Rice with mutton curry. Fish twice a week. Vegetables once a week with fugath, butter-milk and pepper water daily.
Vegetarians	.. ..	..	A cup of curds. Sambar. Fugath and chutney.
Tea—4 p.m.	.. ..	..	Hot stuff or sweets with tea.
Dinner—7 p.m.	.. ..	..	Rice and mutton curry. Pepper water. Eggs once a week. (Non-rice eaters)—Two slices of bread, side dish either beef or mutton. Vegetarians—Curry and fugath.
Night nurses	.. ..	..	Coffee and savoury. Chicken once a month. Daily hot bath.

THE MADRAS LEGISLATIVE COUNCIL.

Tuesday, the 29th March 1955.

The House met in the Council Chamber, Fort St. George, at three of the clock, the Deputy Chairman (SRI A. M. ALLAPICHAJ) in the Chair.

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

Number of thefts occurred in the South Arcot district.

* 266 Q.—SRI M. ETHIRAJULU : Will the Hon. the Chief Minister be pleased to state—

(a) how many thefts were reported to have occurred in South Arcot district talukwar during the years 1952-53 and 1953-54;

(b) how many of those cases have been detected;

(c) how many of them have been left undetected; and

(d) the value of the property involved in each theft?

THE HON. SRI M. BHAKTAVATSALAM (on behalf of the Hon. the Chief Minister):—“(a) to (d) A statement * is placed the the table of the House.”

Opening of high schools by local bodies.

* 267 Q.—SRI V. V. RAMASWAMI : Will the Hon. the Minister for Finance and Education be pleased to state the definite policy adopted by Government in the opening of high schools by local bodies?

THE HON. SRI C. SUBRAMANIAM :—“The attention of the Member is invited to the question No. 124 answered on 15th February 1955.”

SRI V. V. RAMASWAMI :—“ஏற்கனவே ஒரு இடத்தில் மூன்று பாரங்களுடன் இடைநிலைப்பள்ளிகள் இருந்தால், அந்த இடத்தில் வேறு ஹைஸ்கூல் ஆறு பாரங்களுடன் ஏற்படுத்தவேண்டுமென்று, விண்ணப்பம் கொடுக்கப்பட்டால், அதற்கு இடம் கொடுப்பார்களா?”

THE HON. SRI C. SUBRAMANIAM :—“இது அந்த இடத்தைப் பொறுத்திருக்கின்றது அந்த இடத்தில் ஒரு மிடிஸ்ஸ்கூல், ஒரு ஹைஸ்கூல் ஏற்கனவே இருந்தாலும், மேலும் ஆறாவது பாரம்வரை ஒரு பள்ளிக்கூடம் ஏற்படுத்தவும் இடம் கொடுப்பார்கள். ஆகவே பொதுவாக ஒரு கேள்வி கேட்டால் பதில் சொல்வதற்கு முடியாது.”

SRI V. V. RAMASWAMI :—“ஏற்கனவே மாணேஜ்மெண்டில் உள்ள பள்ளிக்கூடங்களில் ஆட்சேபணைகள் தெரிவிக்கப்பட்டால் சமாதானம் கொடுத்தபின்னர்தானே அனுமதி கொடுக்கப்படும்?”

THE HON. SRI C. SUBRAMANIAM :—“இன்னொரு பள்ளிக் கூடத்தின் அபிப்பிராயத்தையும் கேட்கிறார்கள். ஆனால் அவர்களுடைய ஆட்சேபணைகள் சரியானதா என்பதையும் யோசித்துத் தான் செய்வார்கள்.”

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[Dr. V. K. John] [26th March 1955]

I hope, Sir, in very quick time we will pass that Bill into law and that Tamil will be the official language of this State which consists of three component parts."

SRI K. BHASHYAM :—“ Sir, I move for closure. Rule 78 of the Rules of Procedure of the Madras Legislative Council reads :

“(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.

“(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.”

We have discussed the matter for more than one hour last time and for nearly two hours this time. I think the subject has received all attention. I, therefore, move that the question be now put. Under the rules, it means the mover has got no right of reply."

* DR. V. K. JOHN :—“ May I suggest, Sir, that as this is an important matter and has assumed a very important form now the discussion may be continued.”

MR. CHAIRMAN :—“ The Hon. Minister may reply now. The mover of the resolution will then reply to the debate. The motion will then be put to vote.”

THE HON. SRI M. BHAKTAVATSALAM :—“ கனம் தலைவர் அவர்களே, இப்பொழுது விவாதிக்கப்படுகின்ற தீர்மானத்தின் அடிப்படைக் கருத்தைப்பற்றி எவ்வித ஆட்சேபமோ, அபிப்பிராய பேதமோ எந்த அங்கத்தினருக்கும் இல்லை. தாய் மொழியில் ஆட்சி நடைபெற வேண்டுமென்பதை யாரும் ஆட்சேபிக்கவில்லை. என்னோரும் ஒப்புக்கொள்ளக் கூடிய கொள்கையே. ஆனால் பல மொழிகள் பேசுகின்ற ஒரு ராஜ்யத்திலே ஒரு மொழியை அரசாங்க மொழியாகக் கொண்டுவருவது நம்முடைய தேசத்தைப் பொறுத்தமட்டில் தேசத்தினுடைய அரசியல் அமைப்பு ஐக்கிய முறையில் இருக்கின்றதென்பதை எதிர்க்கட்சி உப தலைவர் அவர்கள் மறந்துவிடக்கூடாது. இந்தியாவுக்கெல்லாம் ஒரு அரசாங்க மொழியாக ஹிந்தி மொழி கூறப்படுகின்றது. அது தேசத்தில் பெரும்பான்மையோர்களால் பேசப்படுகின்ற மொழி. ராஜ்யங்களுக்கெல்லாம் அந்த ஹிந்தி மொழி அரசாங்க மொழியாக இருக்க வேண்டுமென்று அவர்கள் சொல்லுகின்ற அபிப்பிராயத்தை நாம் எக்காலமும் ஒப்புக் கொள்ளவில்லை. ஆனால் கான்ஸ்டிடியூஷனில் இடமிருக்கிறது. இந்திய ராஜ்யமானது பல ராஜ்யங்கள் சேர்ந்து இணைக்கப்பட்டதாகும். அது ஒரு ஐக்கிய முறை. அதன்படிதான் நடந்து வருகிறது. மத்திய அரசாங்கம் அல்லாத ராஜ்யங்களுக்கெல்லாம் இந்திய தேசத்தின் அரசாங்க மொழி ஹிந்தி மொழி. அது ரொம்ப சரியானது. அதற்குச் சட்டமும் இருக்கிறது. ஆனால் ஒவ்வொரு ராஜ்யத்திலும் பெரும்பாலோர் பேசுகின்ற பாஷைகள் வேறு. அதனால் பெரும்பாலோர் இதை எதிர்ப்பார்கள். நம் ராஜ்யத்தைப் பொறுத்தமட்டில், அரசாங்க மொழியாக ஹிந்தியைக் கற்றுக்கொள்ள வேண்டியதுதான். அப்படி ஹிந்தியைக் கற்றுக்கொண்டால்தான் நமக்குரிய பங்கை நாம் அனுபவிக்க முடியும். ஹிந்தியைக் கற்றுக்கொள்வது ஒரு விஷயம். ஆனால் அந்த மொழியைக் கொண்டு நம்முடைய ராஜ்யத்தை நடத்துவது வேறு விஷயம். நம்முடைய ராஜ்ய விவகாரங்களை நம்முடைய தாய் மொழியில் நடத்தினால்தான் நாம் பலனடைய முடியும். அதை உணர்ந்து கான்ஸ்டிடியூஷனில் 345 ஆர்டிகி

MEASURES FOR CONDUCTING THE PROCEEDINGS IN THE DISTRICT 763
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26th March 1955] [Sri M. Bhaktavatsalam]

லிலும், மற்றவைகளிலும் அதற்கு இடம் கொடுத்திருக்கிறார்கள். ஆனால் நம்முடைய ராஜ்யத்திலே இந்த பிரச்சினையெல்லாம் எப்படி எப்பொழுது நடத்துவது என்பதைத்தான் நாம் இப்பொழுது கவனிக்கவேண்டும்.”

DR. V. K. JOHN :—“ I think the Hon. Minister knows Article 345 of the Constitution. The Article reads :

‘Subject to the provisions of Articles 346 and 347, the Legislature of a State may by law adopt any one or more of the languages in use in the state or Hindi as the language or languages to be used for all or any of the official purposes of that State.’

THE HON. SRI M. BHAKTAVATSALAM :—“ That is exactly what I said, Sir. There is option under the Constitution. So far as I am concerned, I can never agree to have any other language as the official language of the State, than the regional language.

“இப்பொழுது சுதந்திரம் வந்த பிறகு, ஆட்சி மொழியை எப்படி அமைக்கலாம் என்பதுதான் பிரச்சனாக இருந்துவருகிறது. அதைப் பற்றி கவனம் செலுத்தி வருகின்றோம். நான் முன்பே சொன்னேன், இதையெல்லாம் பிரச்சனாக எடுத்துக்கொள்ள வேண்டாமென்று. ரொம்ப நாளாகவே, அதாவது பிரிட்டிஷ் ஆட்சியிலேயே கிராமங்களைப் பொறுத்தமட்டில் அங்கெல்லாம் எல்லா நடவடிக்கைகளும் தமிழிலே தான் இருந்து வந்திருக்கின்றன. இதையெல்லாம் நான் கிராமங்களில் சென்று பார்த்திருக்கின்றேன். அங்கேயுள்ள முன்சீபு, கணக்குப்பிள்ளை ஆகியோரும் நில ரிக்கார்டுகள், மற்றுமுள்ள ரிக்கார்டுகளையெல்லாம் அன்றி லிருந்தே தமிழில்தான் எழுதி வந்திருக்கின்றார்கள். அதேபோல் கிராமங்களுக்குத் தாசில்தார், ரெவின்யூ இன்ஸ்பெக்டர் முதலானவர்கள் வருவது, வியாபாரம் செய்யப்படுவது போன்ற கணக்குகள் எல்லாம் தமிழில்தான் இருந்து வந்திருக்கின்றது. இதெல்லாம் ஒரு கொள்கையல்லவோ, அல்லது ஒரு பிரச்சனையாகவோ அன்று கொள்ளவில்லை. சொசைலியை உத்தேசித்து அப்பொழுதே கிராமங்களில் பிரயோஜனப் படுத்தி வந்திருக்கிறார்கள். ஆகவே இதை இன்னும் வற்புறுத்தக்கூடாது என்பதுதான் என்னுடைய எண்ணம். இந்தச் சட்டசபையில் தமிழில் பேசுவதைப்பற்றி கனம் எதிர்க்கட்சி உபதலைவர் ஆட்சேபிக்கவில்லை என்று சொன்னார்கள். நாங்கள்கூட இப்பொழுது பெரும்பாலும் தமிழில் தான் பேசி வருகின்றோம். பேசுவது எல்லோருக்கும் முடியும். தமிழிலேயே பேசுகின்றபோது, நாங்களும் தமிழிலேயே பதில் பேசுகின்றோம். கேள்வியை தமிழில் கேட்டால், நாங்களும் தமிழிலேயே பதில் சொல்லுகின்றோம். தவிர, பெரும்பாலும் தமிழ் பேசப்படுகின்ற விஷயங்களானால், நாங்களும் அதற்கு தமிழிலேயே பதில் சொல்லுகின்றோம். சாதாரணமாக ஆங்கிலத்திலே சொல்லுகின்றோம். சிலர் தமிழிலே பேசுகின்றார்கள். அவ்வாறு பேசுவது பிறருக்குப் புரியவில்லை. ஆகவே அது ரொம்பப் தவறு என்று கனம் எதிர்க்கட்சி உபதலைவர் அவர்கள் சொன்னார்கள். எது எப்படி என்பது டிரெஷரி பென்னியிலுள்ள எங்களுக்குத் தெரியும். ஆனால் நான் ஒன்று சொல்ல விரும்புகின்றேன். எப்படித் தமிழிலே பேசுவதை புரிந்துகொள்ள முடியாமல் ஒரு சிலர் இருக்கிறார்களோ, அதைவிட அதிகம்பேர் ஆங்கிலத்திலே பேசினால், ஆங்கிலம் தெரிந்திருந்தாலும் சரிவர புரிந்துகொள்ள முடியாதவர்கள் அதிகம் பேர்கள் இந்தச் சபையில் இருக்கின்றார்கள். நான் அவர்களைப்பற்றிக் குறை கூறுவதாக நினைக்கமாட்டார்கள் என்று நம்புகிறேன். உண்மையை எடுத்துச் சொல்லுகிறேன். எதையும் புரிந்துகொள்ளாமல் நாம் முன்னேறிவிட முடியாது. அதை நாம் கவனிக்கவேண்டும். இப்பொழுது நான் சொல்லுவதை தவறுதலாக நினைக்கக்கூடாது. கனம் அண்ணாமலைப் பிள்ளை அவர்கள் சற்றுமுன் எதிர்க்கட்சி உபதலைவர் அவர்கள் பேசியதைப் புரிந்துகொள்ள முடியவில்லை. ஆங்கிலம் பேசுவதை அவரால் புரிந்து கொள்ள முடியவில்லை. ஆகவே இந்தச் சந்தர்ப்பங்களில் தமிழிலே

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SRI G. KRISHNAMOORTHY :—“ Will the Government instruct the district boards not to open high schools before they are in a position to pay Government scales of pay to the teachers in elementary schools? ”

THE HON. SRI C. SUBRAMANIAM :—“ Even apart from that, they are in a bad way financially. So, they have been advised not to open new schools.”

Mechanics' posts sanctioned for the Madras Government Press as on 1st November 1954.

* 268 Q. -SRI T. PURUSHOTHAM: Will the Hon. the Minister for Public Works be pleased to state—

(a) the number of (1) general head mechanics, (2) senior mechanics, and (3) auxiliary mechanics' posts sanctioned for the Madras Government Press as on 1st November 1954 and their scales of pay; and

(b) whether there are any posts of mechanics for Lino and Mono departments sanctioned by the Government and if so, their number and scales of pay?

THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI :—“ (a) & (b) A statement * is placed on the table of the House.”

SRI T. PURUSHOTHAM :—“ As there is discrepancy with regard to the number of head Lino mechanics as stated in the answer and as shown in the Budget, may I request the Government to take up this matter with the Controller of Stationery and Printing with a view to ensure the proper allocation of the posts of head mechanics in the general and Lino departments? ”

THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI :—“ I shall see if it can be done.”

SRI T. PURUSHOTHAM :—“ Will the Government examine how many lino-type machines are lying idle in the Press and see that suitable and adequate staff is posted to the Lino department with a view to ensure the satisfactory maintenance of these costly machines? ”

THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI :—“ I shall take note of this fact.”

SRI K. BHASHYAM :—“ May I know whether these posts have been filled up or whether they are lying vacant and how many of them are vacant? ”

THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI :—“ I have no information on that point. A separate question may be given notice of.”

* Printed as Appendix II on page 805 infra

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SRI K. BALASUBRAMANYA AYYAR :—“ May I take it that those machines are not kept idle? ”

THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI :—“ That information is not with me. Only information with regard to the various categories of staff was wanted. I have placed such a list on the table of the House.”

SRI T. PURUSHOTHAM :—“ May I know whether the claims of suitable and experienced senior mechanics in the Lino department are also considered for promotion as head mechanics in preference to juniors in the general department? ”

THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI :—“ I think the Controller will certainly take note of the existence of hands available before making appointments.”

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

II.—ANNOUNCEMENT BY THE DEPUTY CHAIRMAN.

(1) SRI R. V. KRISHNA AYYAR'S REPLY TO THE RESOLUTION ON HIS RETIREMENT.

DEPUTY CHAIRMAN :—“ I have to announce to the House that I have received a letter, dated the 26th March 1955, from Sri R. V. Krishna Ayyar, Secretary to the State Legislature (on leave), Madras, acknowledging in suitable words the resolution passed by the Madras Legislative Council on 24th March 1955.

(2) MESSAGE FROM THE GOVERNOR.

“ I have also to announce to the House that I have received the following messages, dated the 9th March 1955 from the Governor of Madras :—

“(1) In pursuance of Article 207, clause (3), of the Constitution of India, I, Sri Prakasa, Governor of Madras, hereby recommend to the Madras Legislative Council the consideration of the Madras Appropriation Bill, 1955.”

(2) In pursuance of Article 207, clause (3), of the Constitution of India, I, Sri Prakasa, Governor of Madras, hereby recommend to the Madras Legislative Council the consideration of the Madras Appropriation (No. 2) Bill, 1955.”

(3) MESSAGE FROM THE ASSEMBLY.

“ I have also to announce to the House that I have received the following messages, dated 28th March 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 Appropriation Bill, 1955 (L. A. Bill No. 5 of 1955) as passed by the Assembly on the 28th March, 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, and

(2) In accordance with rule 114 of the Madras Assembly Rules, I transmit a copy of the Madras Appropriation (No. 2) Bill, 1955 (L. A. Bill No. 6 of 1955) as passed by the Assembly on the 28th March 1955 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.”

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III.—GOVERNMENT BILLS.

(1) THE MADRAS APPROPRIATION BILL, 1955 (L.A. BILL NO. 5 OF 1955).

3-10
p.m.

* THE HON. SRI C. SUBRAMANIAM :—“ Sir, I move—
‘That the Madras Appropriation Bill, 1955 (L.A. Bill No. 5 of 1955), as passed by the Assembly, be taken into consideration.’

I do not propose to make any speech at this stage, Sir. I eagerly await the fresh and new points which the hon. Members may be pleased to make.”

SRI MOHAMED RAZA KHAN :—“ We expect to put forward new points.”

DEPUTY CHAIRMAN :—“ Motion moved—

‘That the Madras Appropriation Bill, 1955 (L.A. Bill No. 5 of 1955), as passed by the Assembly, be taken into consideration.’”

* SRI M. P. GOVINDA MENON :—“ Sir, during the general discussion on the Budget in the Council last time I rather very vehemently placed before this House the grievances of my district and even went to the extent of pointing out that this Government had been calculatingly and deliberately neglecting my district in various matters. At the time of the reply by the Hon. the Leader of the House, unfortunately I was not here. I am one of those, Mr. Deputy Chairman, who have burnt their boats in the cause of struggle for freedom of this country and I have to depend upon my daily work for livelihood. That is the only reason. My absence should not be taken as want of courtesy to the House, to the Chairman or to the Leader of the House. I am very sorry I was not present. I am sorry, to-day the hon. Leader of the Opposition, a distinguished countryman of mine is not present in the House to-day. The hon. the Leader of the Opposition who was little moved by my speech had been easily converted by the Hon. Sri M. Bhaktavatsalam. Clever as he is and distinguished as he is in various walks of life, he is famous in medical world, educational world and in the international sphere. Such a great man Dr. Lakshmanaswami Mudaliyar was easily hoodwinked by capable, clever, cunning, crafty, Hon. Sri M. Bhaktavatsalam.”

SRI V. CHAKKARAI CHETTY :—“ Are words like ‘cunning’ and ‘crafty’ parliamentary?”

* SRI M. P. GOVINDA MENON :—“ It is no surprise to me that he all on a sudden turned round and said, ‘why not issue press notes in Malabar?’

“The impression left on me was this. Instead of making some provision for amenities to the people in the district of Malabar, they must be satisfied with press notes. When rural electrification is going on, on a large scale in Tamilnad and when almost every

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village is benefited by that scheme, the villagers in my district must be satisfied with series of press notes issued by this Government! The other day the Hon. Sri M. Bhaktavatsalam was dealing with some figures at the time of his reply. I do not want to cover the entire field. The time at my disposal is very short and I shall deal with one or two points. The population of our State—if I am wrong, I may be corrected—is roughly 356 lakhs, out of which my district contributes—the Hon. Sri A. B. Shetty used to comment upon that fact also—47 lakhs, i.e., 13.3 per cent. If you take the population into consideration we form a big percentage, a good percentage in the population of the State and that also must be taken into consideration when Government allot funds for amenities to the people. After all the State is looking to the convenience and comforts of the people at large. When we wanted medical facilities the Hon. A. B. Shetty said ‘you are multiplying fast’. In this year’s budget Rs. 11 crores has been provided for the electrification of 2,500 villages. I respectfully ask the Government ‘out of this amount what have you provided for the district of Malabar?’ Out of this big amount Government have provided only a little more than Rs. 5 lakhs for electrification of the villages in the district of Malabar. If I am wrong, the Hon. Minister can correct me. Last year there was a provision of some small amount for electrification in the Malabar district. I come from a place called Ottapalam and there was a provision of about Rs. 3½ lakhs in the last year’s budget for the electrification of that area. But that has not been done yet.

“I am happy that at least Tamil people are getting some benefits. The hon. Member Sri Annamalai Pillai who is a veteran Congressman and with whom I have fought many a battle and for whom I have great respect, said the other day ‘If you want to remain here study Tamil, or else you will have to get out’. He was not sympathetic towards the people of Malabar when he was criticising. Whatever it is, I am happy that at least the villages in Tamilnad are getting amenities. I am not unhappy on that ground only. I say that my district also should be taken into consideration when making provisions for these kind of amenities to the people of the State.

“The Hon. the Chief Minister promised to have an extensive tour in my district in the near future. I welcome that. Whenever the Chief Minister comes to the district the people of the district will be glad as they will be having an opportunity to place facts and figures before him and also represent their grievances in person.”

SRI N. ANNAMALAI PILLAI :—“ கனம் தலைவர் அவர்களே, கனம் நண்பர் கோவிந்த மேனன் அவர்கள் பேசும்போது, பட்ஜெட்டைக் கூலம் ஆற்றிலே கொண்டுபோய் போடவேண்டுமென்று சொன்னார்கள். அவர்கள் பேசியது குற்றமல்லவா? இது பார்லிமெண்டரி வார்த்தையா என்று கேட்கிறேன்? இப்போது, நான் சொல்வதற்காக வந்ததப்பா மாட்டார்கள் என்று நினைக்கிறேன். நான் கூறுவதை முற்றிலும் மனதில் வைத்துக்கொண்டு, இனிமேல் சற்று ஜாக்கிரதையாக பேசும்படி கேட்டுக் கொள்ளுகிறேன்.”

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* SRI M. P. GOVINDA MENON :—“ He asked me in Malabar whether I understood Tamil. I did understand it. I am told that the Hon. the Chief Minister will be going to Malabar district on an extensive tour. That is a good opportunity for the people of Malabar to make representations. Unfortunately the Hon. the Chief Minister is not present now. When we, Members, are absent, we are taken to task. The Hon. the Chief Minister may have other important duties to perform. I do not complain about his absence. Anyway, with great respect I would tell him, ‘ If you go to Malabar with empty hands, you will be simply aggravating the situation that has been created there already. There is a feeling that this Government deliberately made Malabar unhappy, as far as administration is concerned. They did not want to do justice to the district of Malabar. The Hon. Sri Kamaraj Nadar wants to undertake an extensive tour in Malabar. It is better for him to announce at the time of his tour something by way of provision for electricity and other amenities for the district.’ ”

DR. A. SREENIVASAN :—“ Mr. Deputy Chairman, I would like to know whether any personal harm would be caused to the Hon. Chief Minister if he goes with empty hands to the Malabar district.”

* SRI M. P. GOVINDA MENON :—“ I thought that the Hon. the Chief Minister would care more for the party in power and his country than for his person. I am under the impression that he is more anxious about the people of his country than about his person. The Hon. the Chief Minister is above personal considerations. If he had been present here, I would have appealed to him personally, ‘ If you go to Malabar it is better before you go you make some provision out of the funds allotted for this year’s budget for the amenities of Malabar.’ ”

3-20 p.m. “ Take the matter of handloom. Our district has got some important factories. But no provision is made for helping handloom industry in the district of Malabar in this year’s budget. The Hon. Sri B. Parameswaran is here. There is a lot to be done for the Harijans of Malabar. He himself will confess that nothing has been done for providing house-sites or any other amenities for the poor Harijans. This is the position for the last so many years.”

THE HON. SRI B. PARAMESWARAN :—“ On a point of order, Sir. I have not confessed, but I said that there was yet a lot to be done. I did not say that nothing had been done.”

* SRI M. P. GOVINDA MENON :—“ I am glad that he concedes, if not confesses, that there is a lot to be done for the Harijans. (An hon. Member : ‘ Not only in Malabar but in other districts also.’) This shows that the attention of the Government has been drawn to the fact that Malabar district has been neglected by the Government. The British Government neglected our Malabar district. In the matter of irrigation when crores of rupees were being spent in the rest of the Composite State of Madras, only a

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small sum of three thousand rupees odd were spent in Malabar in the course of one hundred and fifty years on irrigation. But after we became independent, when our own people took over the reins of administration, we thought that there would be a different treatment to Malabar. There has always been the feeling that we have been neglected by the Britisher. Of course now there are the Malampuzha, Mangalam and Walayar Projects. These are only the beginnings of irrigation projects in Malabar. What have the Government done regarding minor irrigation schemes in the district of Malabar? Regarding the Malampuzha Project I am tempted to tell a story. I hope the hon. Member Mr. Raza Khan will excuse my telling the story. The story is rather not in good taste. But I think I must tell that story. This Government are taking credit for the Malampuzha Project. The story is that a father was fondling his wife’s child very much. The mother of the child turned round and said, ‘ What right have you to fondle the child but for your neighbour?’ I ask this Government whether they had any contribution to make to the Malampuzha Project? The whole expenditure on this project is met by the Central Government, and they can take the credit for this project. I ask this Government, but for the help of the Central Government, whether they would have taken up this project. My conviction is that before the Hon. the Chief Minister goes to Malabar, he must really consider the conditions in Malabar.”

THE HON. SRI M. BHAKTAVATSALAM :—“ Sir, may I know whether the hon. Member maintains that the Government of India gave us a subsidy or grant for taking up this Malampuzha Project? ”

* SRI M. P. GOVINDA MENON :—“ That is my information, Sir. Subsidy was given to this Government. If I am wrong, I may be corrected.”

THE HON. SRI C. SUBRAMANIAM :—“ The hon. Member needs to be better informed in this regard. No doubt with reference to all items of capital expenditure we get loans from the Government of India. But that does not mean that the Government of India have given grants in respect of every scheme. If the hon. Member should consider that it is the Government of India’s grant that is being utilized in respect of every scheme, he can have no claim against this Government and no grievance also against this Government.”

* SRI M. P. GOVINDA MENON :—“ The Government of India loan is accepted and this Government add to it for being spent in other parts of this State.”

THE HON. SRI C. SUBRAMANIAM :—“ It is not being added to.”

* SRI M. P. GOVINDA MENON :—“ Sir, I have no complaint against Sri Annamalai Pillai taking me to task. But my own

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district Member Sri Parameswaran is trying to out Herod Herod (Interruption.) I do not want any personal benefit. I am only voicing the feelings of the people of Malabar."

THE HON. SRI C. SUBRAMANIAM :—" Simply because the hon. Member has burnt his boats politically, he should not injure the interests of the people of Malabar as such."

* SRI M. P. GOVINDA MENON :—" I am not injuring the interests of the people of Malabar. But if I raise my voice here, it has got its effect, and I am able to draw the attention of the Government to the conditions in Malabar. I do not care what happens to me personally. It is only to bring to the notice of the Government the position in Malabar that I raise my voice here. The hon. Member Sri Parameswaran took me to task for saying all this. He is too ready to worship. But I have got a great feeling towards my young Friend Sri Unmer Koya. He has got a future. He is a young man with a bright future. I would like to remind him, Mr. Deputy Chairman, of the words of the greatest Parliamentarian of to-day Mr. Winston Churchill, and what I am going to say has been reported in yesterday's papers. He said, 'Your first duty is to your country, your second duty is to your constituency, and your third duty is to the party to which you belong'. My young Friends, who, I say have got a future, must know this. I have got a soft corner for them. Let us not sacrifice the interests of Malabar."

" Sir, I shall conclude my speech with one more point. All of us, at least the Treasury Bench and the Congress Party, are gloating over the success in elections in Andhra. I share that feeling with them. I would have been unhappy if that had been otherwise. I am not sorry that the result is what it is. What is the reason for it? The reason is this. Last time in 1952 the very same Andhra showed a different result. But this time it has shown a better result. According to some of us the reason is that there was a feeling of frustration as far as the Andhra districts in the Composite State were concerned. That feeling is now removed. Therefore it is that there is this change."

THE HON. SRI C. SUBRAMANIAM :—" If the hon. Member wants to go away from Madras State, we will not be sorry for it."

* SRI M. P. GOVINDA MENON :—" We are confronted with the saying, 'You get away if you want'. It is no question of going away. Malabar is part of this State. I am now quoting the words of the Finance Minister uttered in the Assembly. He said that so long as Malabar remained in Madras State it would be treated justly. Justice must be done to Malabar. I am saying this not for the sake of Malabar alone but for the sake of the whole State. The feeling of frustration in one part of the State is not good for the whole State. The feeling of frustration in one part of the State will have a reaction which we did not anticipate. Only to point this out, I had to speak at great length. I want not only

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Malabar but all the districts in our State to prosper. Malabar has been neglected by the Treasury Bench. The Government must have a totally different outlook regarding the district of Malabar."

" The hon. Member Sri Annamalai Pillai objected to my saying (during the budget discussion) that the budget should be thrown into the Cooum river. That was his complaint. I think perhaps Cooum river is not quite a good place for throwing the budget into. This Appropriation Bill, as regards my district, is a Misappropriation Bill. We are denied our share of the facilities and amenities. I would with great respect to Annamalai Pillai say, 'Let this Bill be not thrown into the Cooum river but into the Bay of Bengal'."

DEPUTY CHAIRMAN :—" Hon. Members will confine their speeches to five minutes. Sri E. H. Parameswaran will now speak."

SRI E. H. PARAMESWARAN :—" We shall be given more time than five minutes, Sir."

DEPUTY CHAIRMAN :—" Seven minutes, I give."

* SRI E. H. PARAMESWARAN :—" Sir, I support the motion of the Hon. Minister for Finance that the Appropriation Bill be passed. I am sorry that I have to speak so soon after the hon. Member Sri M. P. Govinda Menon. He made so many references to me and also to other hon. Members. I feel that no useful purpose would be served by Sri Govinda Menon representing the interests of Malabar in the manner he did. When we spoke the other day we said what we felt. But we were not able to agree with the proposition that this Government had deliberately and consistently neglected the interests of Malabar. What I said was that when once a person was elected to the Legislative Assembly or the Legislative Council he should remember the famous words of Lord Macaulay that he was no longer a member of that particular constituency but a member of the State or the country at large. We have to view matters from the point of view of the general interests of the State as a whole and not of a particular district or taluk or village. In answering some of his criticisms, we said that there were the Malampuzha scheme, the Walayar scheme and the Mangalam scheme. I, as a representative of the teachers, also had occasion to point out that as far as the teachers of Malabar were concerned, they were quite thankful to the Government because the Government had directed payment to the teachers of Malabar direct, a thing which had not been done in any of the other districts. Anyhow, I do not want to harp on this theme and speak about the steps taken to improve the conditions in Malabar or about the alleged neglect of Malabar. I am sure that if matters are represented properly to the Government by the Members of the Assembly and the Council, this Government will not neglect the interests of Malabar or for that matter of any other district."

" Sir, I have one or two observations to make. There is a 3-30 supplementary provision of eighty-one lakhs of rupees under p.m. Education and the Hon. the Minister said that it was for increased

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expenditure on account of the arrears of advance teaching grants and also for the single-teacher schools. With regard to the single-teacher schools, several hon. Members have made the suggestion that experienced teachers should be put in charge of the single-teacher schools, and that inexperienced teachers who are now heads of the single-teacher schools should be transferred to larger schools where there are six or seven teachers. I would request the Hon. the Minister for Education kindly to consider this matter because there is very great discontent about the working of the single-teacher schools.

"While I am on the subject of single-teacher schools, I feel it my duty to offer my congratulations to the Government and the Hon. the Minister for Education in particular on the very bold announcement that was made regarding pension for teachers in all elementary schools. I feel very proud that this Government have set an example in this respect. Our teachers have been asking for a pension scheme combined with compulsory insurance along with the provident fund scheme. I am very glad that the Hon. the Minister for Education in his reply to the debate in the Assembly announced that the Government had decided to introduce a system of pension for elementary school teachers, teachers working not only in aided schools but in schools under local bodies also. The scheme covers roughly about 85,000 teachers in the whole State and this is an achievement of which the Government of Madras can be proud. This is certainly a step in the direction of nationalization of education which many of us feel is a right step. I would only request the Hon. the Minister to consider if it will not be possible to extend this pension scheme to teachers getting small salaries in middle and high schools also. On a rough calculation, I find that 85,000 teachers will be getting this benefit and there will be only about 10,000 more teachers in middle and high schools getting low salaries. I find again on a rough calculation that some 15,000 rupees will be required if this benefit is to be extended to the teachers in middle and high schools.

"With regard to midday meals, Sir, I do not know which Government was responsible for the abolition of the system of midday meals. It was of course a retrograde step. We were able to do much by way of provision of midday meals to poor children studying in schools. I am happy that this Government have decided to introduce the system of midday meals for poor children in elementary schools. Only the other day, Sir, the Hon. the Chief Minister said that he was trying to devise some system whereby midday meals could be given to children suffering from poverty. Sir, so many parents are not able to send their children to school only on account of poverty and not because they do not want to educate their children. There is the problem of clothing. Children are not able to go to school properly dressed. They do not get proper food. So, if this system of midday meals is introduced, it will be a great step in the direction of eradication of illiteracy in the country.

"Sir, you have warned me that the time at my disposal is short and I shall not exceed the time-limit fixed for me. I once again

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thank the Government for having taken the important step of providing pension for elementary school teachers and I am sure in course of time, the Government will also introduce the system of compulsory insurance for all teachers in the State. With these remarks, I have great pleasure in supporting the motion that the Appropriation Bill be passed."

SRI K. BALASUBRAMANYA AYYAR:—"Mr. Deputy Chairman, Sir, I was a little sorry—why little—I was very sorry that my hon. Colleague, Mr. Govinda Menon, should have lost his temper and his reason should have been clouded by anger. I was also sorry that he should have used in respect of the Hon. Mr. M. Bhaktavatsalam, words like 'cunning' and 'crafty'."

* THE HON. SRI M. BHAKTAVATSALAM:—"Sir, I did not mind it at all although the expressions were totally unparliamentary. I know the meaning given in the dictionary for 'crafty' is 'deceitful' and that is the synonym given in the book for that word. But I did not mind the expressions because I knew the hon. Member was in an utter state of frustration. I did not at all attach any serious importance to those words."

* SRI M. P. GOVINDA MENON:—"Sir, there was nothing wrong in what I said. Had I gone wrong, you would have pulled me up and I would have withdrawn those words. Even now, facts are there. The Hon. the Minister said it was due to frustration. But the frustration is not personal but of the district."

SRI K. BALASUBRAMANYA AYYAR:—"Sir, I am not on any point of order since the Hon. the Minister himself did not choose to object to the remarks. But so far as this House is concerned, I am very anxious that the dignity of the House should not suffer. At no time would I like—even though I may be in the Opposition—such remarks being made. Knowing as I do the Hon. Mr. M. Bhaktavatsalam, I can say that he would never be a party to acts which would warrant such statements on the part of anybody. I am not speaking against anybody here when I say this. I leave it there.

"Sir, certain facts were mentioned by the Hon. the Leader of the House when he replied to the general discussion on the Budget the other day. These facts were not controverted by the hon. Member, Mr. Govinda Menon. If he had controverted them and proved his case and convinced us that the Hon. the Leader's statement was mere coloration, then I would have very much appreciated his stand not only with indignation but also with exasperation for the attitude taken by the Government. But the absence of such a thing makes me feel that I should not fully sympathize with him, though I am as much in favour of things being done for Malabar as are done for every other district. Then, Sir, we must also have due regard to the circumstances of the case. How far each district contributes to the general exchequer—this alone should be the criterion in deciding how much should be spent in that area, if the Government want to be impartial in such

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matters. Take for example irrigation. The main districts which are a source of supply of food alone are more in need of irrigation facilities. In the very nature of things, it is only these districts that contribute vitally to the production of food every year. In this respect there is bound to be some difference in the treatment meted out to the various districts. But I cannot accuse the Government of Madras of being partial to any district and illiberal and unjust to any other district. Malabar has been there for a long time. Many of my friends from Malabar are here. They are occupying high positions in all parts of the country. They are doing very good work. (Sri M. P. Govinda Menon : 'Perhaps it is because of this, you do not give them anything'.) But you have not proved that the Government have not given you anything. That is the unfortunate predicament in which I am. I know the facts mentioned by the Hon. the Leader of the House in his reply to the general discussion on the Budget. Does the hon. Member still maintain that these are not facts and that nothing has been done for Malabar?

"Sir, sometime has been taken by me to explain the position of the Government. I am glad that the hon. Member, Mr. Parameswaran, has welcomed some of the steps that the Government have taken. He particularly made mention about the pension scheme of the Government. I am encouraged to ask for a little more and I would request the Hon. the Minister for Education to consider the claims of the secondary grade trained teachers also in this matter. I am sorry their claims have not been considered. After all their salary is not much—some Rs. 45 rising up to Rs. 75 before they retire from service.

3-40
p.m.

"The salary that is given to a postman in our State is being given to these teachers. They are not able to live within that salary. If this pension is given to all the secondary-grade teachers, then a lot of discontent in their ranks would be removed. Their faces would become cheerful. The boys studying under them would also become cheerful. It will be an encouraging step and the boys would be trained well. That is what I want to say so far as this aspect is concerned. I welcome really the generosity and the far-sighted vision of the Hon. Minister for Education in having given pension to all elementary school teachers. It will go a long way to encourage them in their work.

"I would like to say another thing. This Appropriation Bill deals with various items which have to be provided for and we cannot say anything against them. One thing I would request this Government to do. Our Government should fully utilize all the money that is provided for in the Second Five-Year Plan. The Second Five-Year Plan envisages an outlay of Rs. 7,355 crores. That is the figure that has been estimated according to the recent figures, I saw. For industry they propose to spend Rs. 2,000 crores. Our Prime Minister has been insisting on heavy industry being started first, then medium industries and small-scale industries later. While the First Five-Year Plan emphasized on irrigation and electricity schemes, it has been legitimately and properly stated

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that under the Second Five-Year Plan the emphasis would be on industry and transport. Therefore now is the time for the Madras Government to be wakeful and vigilant and to press upon the Central Government for various capital outlay schemes for heavy industries in our State. Why not this Madras Government press upon the Central Government for the location of a Steel Plant in our State? That is what I want to ask. The Centre is thinking of other centres but not our State. It is our legitimate duty to impress upon the Central Government for the location of a steel plant here in our State. (Hear, hear.) The reasons for it are two-fold. Of all States, I make bold to say, the labour is still larger in our State than in any other State in India. It is a demonstrable fact. If you go to Bombay and if you see many of the industrial concerns there, if you see the mills there, you will find starving labourers who have all been recruited from this State. They are Tamil and Malayalee labourers. (An hon. Member : 'What about Telugus'!) Telugu labourers are only few. That is what I saw. Secondly our State is more suited for the purpose of starting heavy industries than other States. The Hon. Sri M. Bhaktavatsalam the other day convened a conference of the industrialists from the private sector to discuss the Second Five-Year Plan. Unfortunately in our State, on account of the recent income-tax proposals which the Union Finance Minister announced while presenting the Union Budget for 1955-56, the back of the private sector stands to be broken. The super-tax level has been lowered. The income-tax slab has been increased. The unearned income and allowances have been completely thrashed and the entertainment allowance has been cut into. That is what we find in the recent income-tax proposals outlined by the Union Finance Minister while presenting the Union Budget for 1955-56. These proposals which he has outlined, are bound to seriously affect the middle-classes and the higher middle-classes in our State. Our State contains very few rich people. Under the level of persons earning from Rs. 5,000 to Rs. 15,000 annually, a large number of people come in. People earning Rs. 2 lakhs and above annually are very few in our State. When such is the case, with the recent income-tax proposals outlined in the recent Union Budget, and with the taxation proposals that were also outlined the purchasing power and the investing power of our people will be seriously affected. Therefore I fail to see how any real substantial help could be got from the private sector in the matter of investment; on account of the low purchasing power of the lower-income group which is predominant in our State, it is the duty of this Government to ask the Central Government to start heavy industries in our State not only for the purpose of enriching our State but also for the purpose of solving the unemployment that is looming large in our State and for the purpose of raising the level of income in our State. Our State is also suited for starting heavy industries because of the skilled labour, which we possess. Therefore it is I say that it is the duty of the Madras Government to impress upon the Centre to start heavy industries in our State. Already the Second Five-Year Plan is being finalized and the sooner it is done, the better for us. That is my point.

[Sri V. V. Ranaswami] [29th March 1955]

கமிட்டியை ஏற்படுத்தும்போது அதனுடைய கஷ்டங்களை, அவ்விடத்தில் நிவாரணத்திற்கு
லாம் என்பதற்காகவே இவை கேட்பதற்கு வியாபாரிகளையும் அந்தக் கமிட்டி
யில் நியமித்துக்கொண்டு இப்போது வரக்கூடிய 9 கோடி ரூபாய் வருவாய்
குறையாமலே, எப்படியெல்லாம் சுமுகமாக இந்த விலை அளவகி
மிருந்து வசூலிக்கலாம் என்பதற்கு அவர்களுடைய யோசனையைக் கேட்டு
சர்க்கார் கட்டாயம் ஒரு கமிட்டியை ஏற்படுத்த முன்வர வேண்டுமென்று
மீண்டும் கேட்டுக்கொள்கிறேன்.

“பொதுவாக, தமிழ்நாட்டிலே இப்போது ஒரு உணர்ச்சி ஏற்பட்டிருக்கிறது. அதாவது இன்னும் இந்த தமிழ் பற்றி எத்தனை தமிழ்ப்பொருள்
ஆட்சிமொழியாக வரவேண்டுமென்ற கருத்து மக்கள் மனதிலே நிரப்பி
யிருக்கின்றது. அமைச்சர்கள் அவர்களும், தங்களுக்கு அந்த உணர்ச்சி
இருக்கிறது என்று திருப்பதி திருப்பிச் சொல்வது எங்களுக்கு மிளிர்ச்சி
தருவதாக இருக்கிறது. ஆனால் தமிழ்நாட்டுக்கு பற்றாத மனப்பான்மை இருப்பதினாலே, இந்தக் காரியத்தைத் தீவிரமாகச் செய்யமுடியாமல் இருப்ப
ருக்கும் திருப்பதி செய்யக்கூடிய நிலைமையில் நடுத்தரக்கொள்ளை எல்லா
யிருக்கின்றது. அவ்வாறு கூறப்படும் வருவாய்துறை விட்டுக்கொடுக்கும்
மனப்பான்மை இருப்பதினாலே, மற்றவர்களும் அதைச் சர்க்காரை வைத்துக்
கொண்டு தீவிரமாக நடவடிக்கை எடுக்கமுடியாமல் செய்யப்பட்டு வரு
கின்றது. நமது மாகாணத்தைப் பொறுத்தவரையில் எவ்வளவுதூரம் நம்
முயற்சிகள் செய்யப்பட்டிருக்கின்றது? ஆந்திரர்கள் எவ்வளவுதூரம் நம்
அரசாங்கத்திலிருந்து பிரிந்த பிறகு முயற்சி செய்திருக்கிறார்கள் என்பதைப்
பார்க்கவேண்டும். அவர்கள் எவ்வளவு சீக்கிரம் தங்களை மாகாணத்தை
அமைத்துக்கொண்டார்கள் என்பதைப் பார்க்கவேண்டும். ஆனால் தமிழ்நா
ட்களமட்டும் இன்னும் பரந்த மனப்பான்மையிலே இருந்துகொண்டிருக்கி
றார்கள். கனம் சுப்பிரமணியம் அவர்கள் தமிழ்மொழிப் பிரச்சனை வரும்
போது சென்னை மாகாணத்தைப் பொறுத்தவரையில் இப்போது ஒரு
முடிவுக்கும் வரக்கூடாது; இன்னும் நம்முடைய மாகாணத்திலே மலை
யாள மக்கள் மற்றும் சில இனத்து மக்களெல்லாம் இருக்கிறார்கள்
என்று கூறி வருகின்றார்கள். இந்தக் காரணத்தையெல்லாம் சொல்ல
தால் நம்முடைய நிலைமையை இன்னும் உறுதிசெய்ய முடியாமல்
இருக்கின்றது. ஆகவே இப்படியெல்லாம் சொல்லாமல், கல்வித் திட்டத்தி
லேயும், மற்றுமுள்ளவற்றிலும் தமிழ் மொழியின் நிலை என்ன? ஆங்கில
மொழியின் நிலை என்ன? ஹிந்தி மொழியின் நிலை என்ன? எதை
எப்படி எந்தக்கட்டத்தில் நாம் பின்பற்றவேண்டுமென்ற ஒரு உறுதியைச்
சீக்கிரம் செய்து, ஒரு திட்டமான முடிவு சொல்லவேண்டுமென்று கேட்டுக்
கொண்டு முடித்துக்கொள்ளுகிறேன்.”

* SRI K. BHASHYAM :—“Sir, discussion on the Appropriation Bill is something like an investigation into a thing after everything has been done. Of course, we have discussed the subjects covered by the Bill already. What we are now doing is not to discuss what has already been discussed but to meet the points raised during the discussion.

“Some controversy has been started about what the Government have done so far as Malabar is concerned. I should like to State, without entering into details of any remark made by one person or another, a few facts about what has been done. The hon. Member hailing from Malabar said that so far as capital outlay for irrigation and other schemes was concerned, there had been no adequate provision made for Malabar. I can tell him that out of Rs. 619 lakhs provided in the Budget by way of grants, a sum of Rs. 100 lakhs has been earmarked for Malabar. That works out to 16 per cent of the total amount. That means an excess of 2½ per

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[Sri K. Bhashyam]

cent considering the proportion of population. So far as electrification schemes are concerned about which the hon. Member was very eloquent, I am sure he will appreciate what the Government have done so far. For distribution of power in the villages of Edathanatti, Pyllore, Panangathari, Chungathara, etc., we are providing three lakhs of rupees. A blanket grant of Rs. 4 lakhs has also been provided for for distribution of power in Pudiyaagam, Ramaseri, Theneri, Nambakode, Ethanoor, etc. Regarding acquisition of electrical undertakings, a sum of Rs. 3 lakhs has been provided in the Budget for Malabar and a total of Rs. 12½ lakhs for South Kanara. Therefore, so far as electrification schemes are concerned, no complaint can be made against the Government in respect of grants made for Malabar.

“As regards roads also, a good slice has been given to Malabar. Out of Rs. 170 lakhs, a provision of Rs. 48 lakhs has been made for Malabar. What else can be done so far as this aspect is concerned? I should also like to point out that there are transmission and distribution schemes in Palghat, Tirur, Ponnani, Mahadi, Badagara and Quilandy. These have been stated in the speech of the Hon. Sri Bhaktavatsalam.

“So far as education is concerned, there is the usual Government contribution. There are two polytechnics, one in Malabar and another in Mangalore. There is the Hydrogenation Factory in Kozhikode. There is a cattle-farm in Malabar and South Kanara.

“There are 63 fisheries schools in South Kanara and Malabar. 4 p.m.
There are only four such schools in the East Coast. Therefore, Sir, I wanted to point out these things to the hon. Member Sri Govinda Menon so that he may not go away with a grievance that this thing or that thing has not been done to Malabar. It is not as if we want to neglect Malayalees. In fact, my sincere wish is that they must continue to be with us. After all there is no use in dividing. There is enough division in our country. There need not be further division at all. I would like the Malayalees to continue with us. In fact there are more Malayalees outside Malabar. One of my friends used to remark ‘They are catching all jobs in all places.’ In fairness to the Government, I must say that the remarks made by the hon. Member Sri Govinda Menon are not quite fair. I would like the hon. Member to go with a feeling that much is being done to Malabar, that something is still waiting for Malabar and that something more also will be done. Malayalees will also gain if they continue to be with us.”

SRI MOHAMED RAZA KHAN :—“At the outset, although it is not part of the debate, let me strongly protest against the manner in which invitations have been sent to us to attend a party this evening. It is stipulated in the invitation cards that Members should bring the invitation cards with them. I think it is an insult to the Members of the Legislature that a note like this should be added in the invitation asking us to attend the function and at the same time to bring the invitation cards also with us. I only bring it to your notice, Sir, as the invitation is also in your name.”

[29th March 1955]

SRI M. P. GOVINDA MENON :—" What function is that? "

SRI MOHAMED RAZA KHAN :—" There is a party in honour of Sri R. V. Krishna Ayyar on his retirement and in the invitation card it is stated ' please bring this card with you '."

MR. CHAIRMAN :—" I have not seen the proof copy of this invitation. All that I know about the function is originally it was fixed for the 28th instant, but, as it was not suitable, it was changed to 29th. If I had seen the proof, I would certainly not have tolerated this note to the M.L.Cs., viz., ' please bring this card with you.' "

THE HON. SRI C. SUBRAMANIAM :—" For Ministers also the same invitation cards have been issued."

SRI MOHAMED RAZA KHAN :—" Ministers are also Members of the Legislature. Then only they became Ministers.

" I do not like this time to argue or add anything to what has been said on the Appropriation Bill by my hon. Friend, Sri M. P. Govinda Menon. I can say only in passing that a very good debate for two hours was rather spoiled by the vehemence with which he spoke. I may concede, Sir, because I also claim to know something about Malabar, that they may have a good case and they may have a grievance. But unfortunately a good case has been spoiled by bad advocacy. Therefore, I feel that if really my hon. Friend, Sri M. P. Govinda Menon wanted that something more should be done to the district of Malabar, he should have put it in a better way, so that it would have its effect on the Treasury Benches. However, it is a matter entirely for the Government or the Hon. Minister to reply to him.

" I am happy the other day the Hon. Finance Minister made a reference to the protest on the taxation proposals while replying to the debate and said that he is surely taking note of the fall in prices as far as agriculture is concerned and if conditions remain like this and if prices show a further downward tendency, the Government may drop the surcharge on land revenue. Having given that assurance, I do not like to embarrass him with any further argument on this subject.

" With regard to taxation proposals on tobacco, it is no question of an individual being affected to the extent of a few annas at all. I know that many of the hon. Members here or in the other House are smokers and any further incidence of taxation may mean a few annas per day or a few rupees per month. But the fact is this. Just a year or so before the Government themselves considered the whole taxation structure as far as tobacco is concerned and they themselves of their own accord said ' There is no case to tax these beedies and other cheap cigarettes because they are being used by the poorer section of the people '. It was not because of the persuasion of hon. Members of this House or of the other House but because the Government themselves felt that there is a case to drop taxation on these things. Having done that, it does not stand to

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reason that just within a year or 18 months Government should come and say ' We want money and therefore, we tax it '. There should be certain finality in these matters, particularly when the Government are concerned. This tax will surely hamper the beedi industry and the tobacco industry as a whole. It may look very easy. I know even people engaged in these industries were making huge profits at a time. But times have now changed. Therefore, I want the Hon. Minister for Finance to examine these things. The number of memorandums submitted to him and the deputation of the Chambers of Commerce will really impress upon him that this is a case which the Government should consider in all its aspects. I do not like to take much time on this subject because I know I am talking on the Appropriation Bill.

" The other day the hon. Finance Minister said that in the matter of helping small-scale industries the State-Aid to Industries Act will be worked liberally. Therefore, the Government are in a mood to help these small-scale industries. Might I bring to the notice of the hon. Finance Minister that in reply to a question which I raised some two or three months before, it was pointed out that a sum of Rs. 50 to Rs. 75 lakhs is due from the people who have taken loans for a period of 4 or 5 years. So far I find there has been no recovery. I want to know from the Government what steps have been taken to recover these amounts which are due from a long time. At the same time I may point out to the hon. Minister for Finance that while they should be anxious to help these small-scale industries they should be careful to see that loans are paid to people who will be able to pay them back to the Government.

" Sir, there is a controversy going on in our State with reference to the medium of instruction in schools and languages. No doubt the Leader of the Opposition is not here to-day. But the other day the Hon. Finance Minister asked him as to how he would solve the problem. While I am one with him and others that our regional languages, particularly Tamil, Malayalam and Kanarese should be encouraged and students should be taught in their own mother-tongue, at the same time I am asking the Hon. Minister ' Are our languages so developed as to be adopted as the medium of instruction in teaching science, agriculture and other such complicated subjects when students come to the colleges? ' Even now there is a general feeling or a complaint that the standard has gone down considerably because most of the students are studying in their own mother-tongue. The Hon. Minister for Finance put a very pertinent question ' When students are reading the subjects in Tamil or Malayalam all along and suddenly when they come to the college, if you ask them to learn the subjects by English, how would they adjust? ' But I am asking this question, Sir. Supposing you have the regional languages as the medium of instruction in colleges also and if these students want to go to medical, engineering or agricultural colleges or study advance science, how are they going to adjust? ' Therefore, it is also going to be a different problem. If a boy who has learnt science or other such

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[Sri M. Bhaktavatsalam]

[26th March 1955]

பேசுவதைத் தவறு என்று சொல்வது சரியல்ல என்று நான் நினைக்கிறேன். நம் அரசாங்கத்தைப் பொறுத்தமட்டில் ஒரேமாதிரியாகத்தான் நடந்து கொண்டு வருகின்றது. ஆனால் பத்திரிகையில் தான் ஒவ்வொரு நாளைக்கு ஒரு மாதிரியாக எழுதப்பட்டு வருகின்றது. ஒரு நாள் ஒரு பத்திரிகையில் 'இன்று தமிழ் சரிந்து விட்டது' என்று வெளியிடப்பட்டிருந்தது. என்ன சரிந்து விட்டதோ தெரியவில்லை. இது என்னைத் தமிழோ? யார் சரிந்து விட்டார்களோ தெரியவில்லை. இம்மாதிரியாக ஒவ்வொரு நாளைக்கு ஒரு கொள்கையாக எழுதப்பட்டு வருகின்றது. ஆனால் என்னைப் பொறுத்தமட்டிலும், என்னுடைய சகாக்களைப் பொறுத்தமட்டிலும் இதிலே ஒன்றும் அர்த்தமிருப்பதாகத் தெரியவில்லை. அவ்வாறு நாங்கள் எதையும் மாற்றிக்கொள்ளவும் இல்லை. எங்களுடைய ஒரே கொள்கையை அனுசரித்துத்தான் வருகின்றோம். அதிலே மாற்றவேயில்லை.

“இப்போது கனம் அங்கத்தினர் கஜபதி நாயகர் அவர்கள் கொண்டு வந்திருக்கும் தீர்மானத்தில், மூன்று ஜில்லாக்களுக்குத் தமிழை நடைமுறைக்கு கொண்டுவருவதோடு அல்லாமல், செகரடேரியட்டுக்கும் அவை எங்கும் நடக்கின்ற போக்குவரத்துக்கள் எல்லாம் ஆங்கிலத்திலே இருப்பதற்குப் பதிலாகத் தமிழிலேயே இருக்கவேண்டுமென்று கூறப்படுகின்றது. மூன்று ஜில்லாக்களுக்கு மட்டும் வேண்டுமா அல்லது இன்னும் உள்ள எல்லா ஜில்லாக்களுமே இருக்கட்டுமா என்று சொல்வது மற்றொரு பிரச்சனை. இந்த தீர்மானத்தை அரசாங்கம் அப்படியே அமுலாக்குவது சாத்தியமா என்பதைப் பார்க்கவேண்டும். எல்லா ஜில்லாக்களுக்கும் தமிழிலே விவகாரங்கள் நடைபெறுவதைச் செய்வதும் சரியல்லாம். ஆனால் ஜில்லாக்களுக்கும் செகரடேரியட்டுக்கும் இடையே தமிழிலே கடிதப் போக்குவரத்துக்கள் செய்வதென்றால் இது பொதுமக்களைப் பொறுத்த விஷயமல்ல. கலெக்டரோ, என்ஜினியரோ, மற்ற ஆபீசர்களோ செகரடேரியட்டிலிருக்கும் செகரடிகளுக்கு எழுதும் கடிதப் போக்குவரத்துக்கள் பொதுமக்கள் சம்பந்தப்பட்டதல்ல. சாதாரணமாக, எக்ஸ்சிக்யூடிவ் என்ஜினீர், ரூபரின்டென்டென்ட் என்ஜினீர் ஆகியோர் சீப் என்ஜினீயர் அவர்களுக்கு அலுவலக விஷயங்களைத் தமிழிலே எழுதினால், அது பொதுமக்களுக்குச் சம்பந்தமில்லை. இப்போது நாம் இந்த மாதிரியான முறைகளில் அனுபவ சாத்தியமாக தமிழை ஆட்சி மொழியாக செய்ய முடியுமா என்பதைப் புரிந்துகொள்ளவேண்டும். அவர்கள் கொள்கைப் பிரச்சனையாக இதைக் கருதக்கூடாது. பொதுமக்களிடத்தில் பேசுவதற்கு உதவுமே ஒழிய, அனுபவ முறையில் (practical) இது இப்போது கஷ்டமாகும். ஒரு என்ஜினியரோ, கலெக்டரோ அல்லது ஒரு அதிகாரியோ செகரடேரியட்டிலிருக்கும் சீப் செகரடரிக்கு தமிழிலே கடிதப் போக்குவரத்து வைத்துக்கொள்வதென்றால் அவர்களுக்கு சாத்தியப்படாது. அந்த நிலைமையில்தான் இன்று அவர்கள் இருக்கின்றார்கள். நம்முடைய கனம் அங்கத்தினரோ சில வேளைகளில் உற்சாகமாகப் பேசுவதற்கு ஆங்கிலத்திலே பேசினால்தான் ரொம்ப எபெக்டிவாக இருக்குமென்று சொல்லி பேசுகிறார்கள். இப்படிப் பேசும்போது என் வாயிலேயே ஆங்கில சொல் தான் வருகின்றது. அதை விட்டுவிட்டு, அதிகாரிகள் எல்லாம் செகரடேரியட்டுக்கு தமிழிலேயே கடிதப்போக்குவரத்துக்கள் வைத்துக்கொள்வதென்றால் அது எவ்வளவு தூரம் இன்றைக்கு முடியுமென்பதைப் பார்க்கவேண்டும். அப்படிச் செய்வதால் இன்றைக்கிருக்கும் நிர்வாக இயந்திரத்தை ஒழுங்காக நடைபெறச் செய்யமுடியுமா? திறம்படச் செய்யமுடியுமா? அப்படி செய்வதால் எவ்வளவுக் கஷ்டங்கள் ஏற்படும், அது எவ்வளவு தூரம் சாத்தியப்படும் என்பதையெல்லாம் கவனிக்கவேண்டும்.

“திருச்சிராப்பள்ளியில் ரொம்ப நாளைக்கு முன்னரே அதாவது 5 ஆண்டுகளுக்கு முன்பே அப்போது இருந்த அரசாங்கம் அந்த ஒரு ஜில்லாவில் மட்டும் முதலில் தமிழில் அந்த ஜில்லாவிற்குள்ளேயே கடிதப் போக்குவரத்துக்கள் நடத்த ஏற்பாடு செய்யப்பட்டது. ஒவ்வொரு ஜில்லாவிலும் அங்குள்ள விவகாரங்களை எல்லாம் அந்தந்தப் பிராந்திய மொழியிலே

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IN TAMIL

26th March 1955]

[Sri M. Bhaktavatsalam]

நடத்த ஏற்பாடுகள் செய்யவேண்டுமென்ற எண்ணத்தோடுதான் திருச்சிராப்பள்ளியிலும், ஆந்திராவில் கீழ்க் கோதாவரியிலும் எடுத்துக்கொள்ளப்பட்டது. அது இன்னும் திருச்சியில் பரீட்சார்த்த நிலைமையிலேயே இருப்பது ரொம்பவும் விசனிக்கத்தக்கது. இதுவரையில் அங்கு நடைபெற்று வந்திருக்கும் முறையும் திருப்திகரமாகவே இல்லை. இன்னும் வசதிகள் செய்ய ஏற்பாடுகள் செய்யப்பட்டு வருவதாகத்தான் சொல்லப்பட்டு வருகின்றது. அவர்களால் ஏற்படுத்தப்பட்டிருக்கும் சில தமிழ்ப் பெயர்கள் என்னால் ரூபகம் வைத்துக்கொள்ளக்கூட முடியவில்லை. சிலர் ரூபகம் வைத்துக்கொண்டு கூறலாம். ஆனால் என் நினைவுக்கு வரக் கூடியதாய் அந்த வார்த்தைகள் இல்லை. அங்கிருக்கும் கலெக்டர் தமிழர்தான். இருந்தாலும் இம்மாதிரியான புதுப் பெயர்களை எல்லாம் நினைவு வைத்துக்கொள்வது என்றால் சற்று கடினம்தான். அதைத்தவிர, மற்றொரு கஷ்டம் என்னவென்றால், திருச்சிராப்பள்ளி ஜில்லாவைப் பொறுத்தவரையில் ஒருவர் ஒரு ஆங்கிலச் சொல்லுக்கு ஒரு அர்த்தத்தை உபயோகப்படுத்தி எழுதுவார். தென் ஆற்காட்டிலுள்ள மற்றொரு ஒரு அர்த்தத்தை உபயோகித்து வரலாம். இருவருக்கும் இடையே அந்த வார்த்தைக்கு அர்த்தம் புரிந்துகொள்ள முடிவதில்லை. நாம் இப்போது தமிழை நடைமுறைக்கு கொண்டுவர முயற்சிப்பதெல்லாம், சாப்பிடுவதற்கோ அல்லது மற்ற வேறு எதற்கோ அல்ல. ஒருவருக்குள் ஒருவர் அர்த்தத்தை, எண்ணத்தை சலபமாக வெளியிட்டுக் கொள்வதற்காகவே. ஆகவே இந்த மாதிரியான கஷ்டங்களும் ஏற்படுமென்பதை கவனிக்கவேண்டும். பிறர் வெளியிடும் கருத்தானது நாம் புரிந்துகொள்ளக்கூடிய முறையில் அமைந்திருக்கவேண்டும். புதியதாக வார்த்தைகளை சிருஷ்டிக்கவேண்டுமென்று சிலர் கூறினார்கள். அவ்வாறு சிருஷ்டிக்கவேண்டிய அவசியமும் இல்லையென்று நான் கருதுகிறேன். சிலர் ஆங்கிலம் வளர்ந்திருப்பதற்காகக் கூறினார்கள். பிரிட்டிஷ் ஆட்சியானது இவ்வளவு நாள் இருந்து கொண்டு வந்த காலத்திலுங்கூட, தாசில்தார், உஷூர், செரிஷ்தார் ஆகிய வார்த்தைகள் அப்படியே இருந்துகொண்டுதான் வந்தன. அவைகளுக்கு எல்லாம் புது வார்த்தைகள் சிருஷ்டிக்கவில்லை. அதையே நாமும் பின்பற்றவேண்டியதாகத்தான் இருக்கும்.

“இப்போது கனம் எதிர்க்கட்சித் தலைவர் அவர்கள், இந்தத் தீர்மானம் கொண்டுவருவதால் பயனில்லை; சட்டம் கொண்டுவர வேண்டுமென்று சொன்னார்கள். 345 ஆர்டிகிள்படி இதற்கு ஒரு சட்டம் செய்யவேண்டுமானால், அதை மாற்றவேண்டும். அதைத் தவிர இந்தப் பக்கத்தில் இருக்கக்கூடிய கனம் அங்கத்தினர் அண்ணாமலைப் பிள்ளை அவர்கள், இந்தத் தீர்மானம் இருக்கவேண்டியது தான்; ஆனால் மூன்று ஜில்லாக்களுக்கு என்று இல்லாமல் ஏன் எல்லா ஜில்லாக்களுக்கும் என்று இருக்கக்கூடாது என்று சொன்னார்கள். இப்போது சட்டம் கொண்டுவர வேண்டுமென்று சொல்லுகிறார்கள். ஆனால் திடீரென்று ஒரு சட்டம் செய்யவேண்டுமானால் அது எவ்வளவு தூரம் முடியும். அதை எவ்வளவு தூரம் நிறைவேற்றலாம் என்பதைப் பற்றியும் கவனிக்கவேண்டும். இதையெல்லாம் தெரிந்துகொள்ளாமல் சட்டம் செய்வதால் பயனில்லை. மற்றொருவர், இப்போது இதுவரையிலுமே ஐந்து வருஷமாகிட்டே, இன்னும் என் தமிழ் ஆட்சி மொழி செய்யாமல் இருக்கிறார்கள் என்று கூறுகிறார்கள். வால்தவம்தான். ஆனால் மற்றொன்று. இந்தியாவைப் பொறுத்தமட்டில் மத்திய அரசாங்கத்தார் கான்ஸ்டிடியூஷனில் பெரும் பாலோர் பேசுகின்ற ஹிந்தி மொழியை ராஜாங்க மொழியாகச் செய்ய வேண்டுமென்று ஒரு ஆர்டிகிள்ஸ் சட்டம் ஏற்பாடு செய்து, 15 வருஷங்களில் அமுலுக்கு கொண்டுவர வேகமாக வேலை செய்துவருகிறார்கள். வேகம் இருப்பது இயற்கை. அதைப்பற்றி நாம் குறைகூற முடியாது. பதிலேயே வருஷத்திற்குள் அமுலுக்குக் கொண்டுவர, இப்பொழுதே அவர்கள் ஆரம்பித்து நடத்திவரலாம். நாமும் அப்படி இப்பொழுதே ஆரம்பித்துவிட்டாலும்கூட, அந்தக் காலத்திற்குள் நல்ல முறையில் செயலாற்ற முடியுமென்று எனக்குத் தோன்றவில்லை. ஐயம்தான் ஏற்படு

[Sri Mohamed Raza Khan] [29th March 1955]

subjects in Tamil is asked to take up medical or engineering studies, it is impossible for him to understand the subject at all. Before trying to adopt the regional languages as the medium of instruction in the colleges, Government should feel themselves satisfied that they have got sufficient books on science, mathematics and so on. Unless and until it is done, it will be a great setback as far as education is concerned. I know the Hon. Minister for Education is not having definite ideas on settled principles. He may have his own ideas to gauge public opinion. I say nothing against the policy which he intends. But I only request him not to do anything in haste because education is such a difficult problem, particularly in a country where we have a number of different languages. Any policy adumbrated by the Government will affect the educational progress and growth of the people for a longer time.

“ One more thing which I would like to refer to is Neiveli. Thanks to the arrangements made by the Hon. Minister for Industries. Fifty or sixty members of the Legislature paid a visit to Neiveli and we were really very much impressed with the work that has been done there. We are really happy at the interest which is being taken by the officials. There is a feeling that the Government of Madras have not yet clarified as to why it is that they want that they should be exploited by the Government of India. Is it a question of finance or resources? There is a feeling among a good number of Members of the Legislature that the Government of Madras themselves should undertake this work. If finance is the impediment, can we not get a loan from Government of India? We can pay them some reasonable interest. This project should not be taken up by the Government of India. I do not say this in any spirit of competition. But we Members feel that Neiveli project is the only hope as far as the industrial progress of this State is concerned. When we have no major irrigation projects to be taken up while other States are taking up major irrigation projects, may I ask whether it is too much to impress upon the Government of India to give us some subsidy or other help so that we can undertake the Neiveli project ourselves? We do not know why this project was handed over to the Central Government for execution. No doubt there is the question of getting 25 per cent of the profit from the Government of India. I think the Hon. Minister concerned will clarify this point.”

* **SRI A. SUBRAMANYAM** :—“கனம் பேரவைத் தலைவர் அவர்களே, செலவுத் திட்டத்தை சந்தேகாஷ்டிதூண்டி கொண்டு வரப்பட்டிருக்கும் வரவு சில விஷயங்களை கனம் மந்திரி அவர்களுக்கு வரவேற்கின்றோம். மேலும் சில வார்த்தைகள் கூற விரும்புகின்றேன்.

“உபாத்தியாயர்கள் விஷயத்தில் பென்ஷன் முறை கையாண்டிருப்பது பற்றி மிகவும் சந்தோஷப்படுகிறேன். இருந்தாலும்கூட உபாத்தியாயர்களின் வாழ்க்கைத்தரத்திற்கு உகந்த சம்பளத்தை நாம் அவசியம் நிர்ணயிக்கவேண்டும். ஏனெனில் அவர்கள்தான் இந்த நாட்டு மக்களின் அறிவு வளர்ச்சிக்கும், பெரிய உத்தியோகஸ்தர்களாக இருப்பதற்கும் அதனால் பல சட்ட திட்டங்களைச் செய்வதற்கும் ஆதிகாரணமாக இருக்கிறார்கள். இந்த சட்டபையிலும், இந்தக் கவுன்சில் தலைவராக இருப்ப

29th March 1955] [Sri A. Subramanyam]

வரும் கணம் முதன் மந்திரி, கணம் மந்திரியார்கள் கனம் அங்கத்தினர்
கள் உள்பட பதவி வகிப்பதற்கு அடிப்படைக் காரணஸ்தர்களாக இருந்த
வர்கள் ஆரம்ப ஆசிரியர்கள்தான் என்பதை நாம் மறந்துவிடக்கூடாது.
அவர்களால்தான் நாம் இந்த சட்ட திட்டங்களை எல்லாம் மாற்றவும்,
சேர்க்கவும் செய்யமுடிகின்றது. குறிப்பாகச் சொல்ன்போனால் இந்திய
ஐனதிபதி, இந்திய பிரதமர் முதலியவர்களுக்குக்கூட ஆரம்ப ஆசிரியர்கள்
முதன் முதலில் குருவாக இருந்த காரணத்தினால்தான் இன்று இப்பேர்ப்
பட்ட ஒரு பெரிய பதவியை வகிக்க முடிகின்றது. அவர்கள்தான் எல்லோ
ருக்கும் எனியாக இருந்து வருகிறீர்கள். அப்படி அவர்கள் எல்லோ
ருக்கும் எனிபோல் இருந்து எல்லோரையும் மேல்பதவிக்கு ஏற்றி வருகின்
ருக்களே தவிர, அவர்கள் நிலைமை அன்று இருந்ததுபோலவே இன்றும்
இருக்கவேண்டியிருக்கிறது. அந்த நிலை மிகவும் பரிதாபகரமானதாகும்.
இதை அரசாங்கத்தார் நன்கு கவனிக்கவேண்டும். ஏதாவது ஒரு ஆலோ
சனைசெய்ய முடிவுக்கு வரவேண்டும். ஏதோ எட்டில் ஒரு பங்கு, நாலில்
ஒரு பங்கு பென்ஷன் வசதி செய்துகொடுத்திருக்கிறோம், அந்த நன்மை
போதுமென்று சொல்லிவிட்டால் போதாது. அதை ஒரு பெரிய நன்மை
யாகவும் கருதமுடியாது. இன்று உபாத்தியாயர்கள் மிகவும் வறுமையால்
கஷ்டப்பட்டுக்கொண்டிருக்கிறார்கள். ஆரம்ப ஆசிரியர்கள் ஏதோ கொஞ்சம்
படித்திருந்தாலும், ஆரம்பகாலத்தில் பிள்ளைகளுக்கு அறிவைப்புக்கட்டக்
கூடியவர்கள் என்பதை நாம் மறந்துவிடக்கூடாது. அவர்கள்தான் அறிவு
வளர்ச்சிக்கே மூலகாரணமாக இருப்பவர்கள். அவர்கள் இன்று மிகவும்
வறுமையால் வாடுகின்றனர். அவர்களுடைய வாழ்க்கைத் தரத்திற்கேற்ற
பணவசதி கிடையாது. போதிய அளவு சாப்பிடுவதற்கு கூட அவர்கள் வசதி
யில்லாமல் கஷ்டப்படுகின்றனர். சிலர் கூழுக்குடித்து ரைக்கூடிய நிலைமை
யில் இருக்கிறார்கள். பிள்ளைகளுக்கு பாடம் சொல்லிக்கொடுத்துவிட்டு,
யில் இருக்கிறவதற்கு கூட அவர்களிடம் பணவசதியில்லை. கிராம ஆசிரியர்
பால் சாப்பிடுவதற்கு கூட அவர்களிடம் பணவசதியில்லை. கிராம ஆசிரியர்
களாக இருந்தாலும் அவர்கள்தான், ஐனதிபதி முதற்கொண்டு பெரிய
பெரிய உத்தியோகத்தில் இருக்கக்கூடியவர்கள் வரையில் முதலில் பாடம்
சொல்லிக்கொடுத்து, முன்னுக்குக் கொண்டுவர காரணஸ்தர்களாயிருந்த
வர்கள். ஆனால் அவர்களுடைய நிலைமைதான் முன்னுக்கு வருவதற்கே
வழியில்லாமல் விடப்பட்டிருக்கிறது. ஆகவே இதையெல்லாம் சற்று
ஆலோசித்து, அவர்களுடைய வாழ்க்கைத் தரத்திற்கு உரிய ஒரு சம்பளத்
தையாவது திட்டவட்டமாக வரையறுக்கவேண்டும். இந்த வாழ்க்கைத்
தரத்திற்குந்த சம்பளத்தை அவர்களுக்கு திருப்தியெய்து கொடுத்து
விட்டால், இப்பொழுது செய்துள்ள பென்ஷன் வசதிகூட அவர்களுக்குத்
தேவையில்லை. அவர்களுடைய வாழ்க்கைக்கு என்ன செலவாகும் ?
அவர்களுடைய குறைகள் என்ன ? அவர்களுடைய துணிமணி வசதிக்கும்,
சாப்பாட்டிற்கும், அவர்களுடைய பிள்ளைகள் படிப்பு வசதிக்கும், வைத்திய
வசதிக்கும் வீட்டு வசதிக்கும் ஆகிய இவைகளுக்கெல்லாம் என்ன செல
வாகும் என்பதை உடனடியாக அரசாங்கம் வரையறுத்து அவர்களுக்கு
உதவியெய்ய வேண்டுமென்பதை மறக்கக்கூடாது ; அதை உடனடியாக
அவர்களுக்குச் செய்யவேண்டும்.

“அடுத்தது, பிற்பட்ட இனத்தார் விஷயத்தைப் பற்றி சில விஷயங்கள் குறிப்பிட விரும்புகின்றேன். எதோ கல்வி விஷயத்தில் மூன்றாவது படி வம்வரை இலவசமாக படிக்கக் கூடிய வசதி எல்லோருக்கும் பொதுவாக செய்யிருந்தாலும்கூட, பிற்பட்ட இனத்துப் பிள்ளைகளுக்கு எஸ்.எஸ்.எல்.சி. வரையில் இலவசமாகப் படிப்பதற்கு வசதி செய்துகொடுக்கமுன்வரவேண்டும். அப்படிச் செய்தால்தான் பிற்பட்ட இனத்தவர்கள் முன்னுக்கு வரமுடியும். அதேபோல் சர்வீஸ் கமிஷனில்கூட பிற்பட்ட இனத்தவர்களுக்கு அதிக அநேகபோல் சர்வீஸ் கமிஷனில்கூட பிற்பட்ட இனத்தவர்களுக்கு அதிக பிரதிநிதித்துவம் வழங்கப்படவேண்டும். சர்வீஸ் கமிஷனில் மொத்தம் ஐந்து அங்கத்தினர்கள் இருந்தால் பிற்பட்ட இனத்தைச் சேர்ந்தவர்கள் மூன்று பேர்களை அதில் அங்கம் வகிக்கும்படி செய்யவேண்டும். அப் பொழுதுதான் பிற்பட்ட இனத்தாருக்கு உரிய சலுகைகளை நியாயமாக அளிக்கவாய் தரமுடியும். அதைத் தவிர பிற்பட்ட இனத்தவர்களுக்கு உத்தியோகத்தில் சலுகைகள் செய்து தரவேண்டும். நூற்று நூற்பத்தி என்று இனத்தவர் இந்தப் பிற்பட்ட வகுப்பிலே இருக்கின்றார்களே, அவர்

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that their districts have been discriminated against. It is only local needs that are to be attended to with reference to priorities assigned to them. On the whole, Malabar has been done the greatest disservice by the criticism of the hon. Member, Mr. Govinda Menon. I hope the Government will not be affected by it in its policy. I hope the Malayalees also will not be affected in their interests. The criticism was made and was answered and I do hope that it will not be repeated.

"Sir, having said all this, I now come to the Appropriation Bill which covers an expenditure of nearly 112 crores of rupees. It is absolutely necessary to bear in mind—and I am sure that the Hon. the Finance Minister will bear it in mind—the fact that there must be saving in expenditure. I am a bit agitated over expenditure on certain items such as Police, Jails, etc. Large expenditure has been incurred on these items as compared with that in the past or in other States. I am afraid we are spending more. I would suggest to the Hon. the Minister for Finance that in respect of each department of the Government such as Police, General Administration, Jails, etc., he might collect figures from States similarly situated and see how much they are spending on such items. In Hyderabad the expenditure on Police is only a fraction of what we are spending here. Of course, this State is bigger than Hyderabad but unfortunately the expenditure is too much. I hope the Government will enquire into all this.

"Then, Sir, we must cut down expenditure on fads such as khadar and Prohibition. The other day, I read in the newspapers a report of the Government submitted to the Planning Commission about Prohibition. They reported that the Ramamurthi Committee's findings in respect of the Andhra State are equally appropriate for this State also. According to this Committee, Prohibition has ceased to prohibit. I would be very happy if we can enforce Prohibition effectively. But if we can only create a cottage industry for illicit distillation of arrack, etc., it is high time we looked into the whole question again. We started very well. But have we succeeded? It is said that people do not take any interest in it. I do not care, Sir, about the loss of revenue consequent on the introduction of Prohibition as it was collected from poor people. What about the expenditure on its enforcement? What about the demoralization attendant on the failure of enforcement? Actually the jails are full nowadays with persons convicted of Prohibition offences. I would request the Government to look into the matter seriously. They should not think they will lose their dignity or reputation if they go back on their Prohibition policy. Is Prohibition there in West Bengal? Is there Prohibition in our Capital, Delhi? There is nothing of the kind in Travancore-Cochin, in Mysore and Bangalore. And are not people healthy there? Are not those States creating a Welfare State? I would like such fads to be given up.

"I have another observation to make and that is in regard to payment of compensation to former zamindars. I find that a provision of 22 lakhs of rupees is made for this purpose. Sir, I have

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always said that we must collect some money from those who have benefited by our action. Who are benefited by the abolition of the zamindaris? It is the ryots. Why not collect some money from them and pay that money to the erstwhile zamindars by way of compensation? The Uttar Pradesh Government have collected nearly 110 crores of rupees from persons who have benefited from the assignment of lands to them. The money that the Government spend by way of compensation to the erstwhile zamindars can very well be utilized on nation-building activities, for opening more schools, more hospitals, etc. Are we not going to collect a betterment contribution from the people in respect of our irrigation projects? Why not we do so in this case also? I would once again request the Government to consider this question.

"Coming to capital expenditure, Sir, large sums of money are being spent on capital works. I would like the Government to see whether they have worked out the returns that they may get from these. Take irrigation and electricity. Have they found out whether it is worthwhile to spend so many crores of rupees on the various projects that they have undertaken? If so, have they published their findings? I say the public must know all this. The previous Governments were attending to certain capital works and the present Government have been handed down the legacy. We must know how these works will fare. Take electricity again. I do not say that it will not yield any return. But if the purchasing power of the people goes down, they cannot buy electricity. Then, Sir, when the Government are spending so many crores of rupees, the House and the people should know how the money is spent and what the result of the spending is. Let us now come to education. It is said that large sums of money are being spent on education. The Government say they are spending ten crores of rupees. Sir, an expenditure may be a waste or may be beneficial. When they are spending twice or thrice the amount they were spending some years ago on education, the progress should be known to all of us in the form of number of schools newly opened, number of the boys and girls who have been newly attracted to schools, etc.

"I would only hope that at least next year, we can expect the foundations for a Welfare State to be truly laid, through Co-operation. The Government have not made sufficient provision for the development of Co-operation. Sir, stress is laid on the establishment of co-operative institutions and local self-governing bodies on a sound basis. It is only if there are efficient local self-governing bodies and efficient co-operative societies, we can create and promote a Welfare State. I want the Government in spending money on these two things to be anxious to see that something is done in establishing the true foundations on which alone we can create a Welfare State."

* THE HON. SRI C. SUBRAMANIAM :—"Mr. Chairman, Sir, 4-30
for the last one month the Legislature of this State has discussed p.m.
in detail the budget proposals of this Government. Hon. Members
of the Legislature have made various criticisms. Ultimately with

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the passage of this Appropriation Bill they will be providing the money asked for by Government. So far as the work of the Legislature is concerned it will be over to-day with the passing of this Appropriation Bill and with giving the necessary sanction for Government to draw upon the Consolidated Fund of the State for the purpose of executing the various schemes. But the real work begins only hereafter. It is easy enough to get the sanction from the Legislature. But hereafter it is the duty of the Executive, it is the duty of the various administrative departments to see that this money is properly utilized and the greatest advantage is got for the people of our State. It shall always be our endeavour to see to it that moneys provided for by the Legislature are properly utilized so that people will get the maximum benefits from out of this expenditure (which will in some cases be huge expenditure) that will be incurred during the course of next year. Sir, I do know that when Government takes upon a scheme and proposes to work it out, it is not able to do it as economically as a private person may be able to do. But that is inherent in the very nature of things. But every effort should always be made to see that there is avoidance of wastage at every point. That will always be our endeavour and I am glad for that purpose this Council also will be associated and I hope it would be approved by the Assembly also. I am referring to the association of some Members of the Council in the Estimates Committee, which committee will go into the estimates of the various departments and suggest ways and means to effect economy and to avoid wastage and to improve matters. I am sure the Deputy Leader of the Opposition who has been advocating that there should be greater economy and money should be properly utilized, will be there on the committee. I am eagerly awaiting for his valuable suggestions to see that the money is properly utilized. We should not after having made all speeches shirk the responsibility when asked to shoulder that responsibility. Therefore I am hoping that as he is just nodding his head now, he won't nod his head when the membership of the Estimates Committee is offered to him. I just mentioned this to show that Government are fully aware of the necessity for economy, for the necessity to be on the watch and see that there is no wastage due to negligence or due to corruption, whatever it might be. In that I am sure the co-operation of all the Members of the Legislature would be available to Government.

"With reference to the speech of the hon. Member Sri M. P. Govinda Menon in opening the debate, I am rather sorry for it. I am not angry. As has been pointed out by the Deputy Leader of the Opposition and also by other hon. Members, he did not advance the interest of Malabar. He is not an ordinary man. He is an intelligent man. Therefore I do not think he made the speech for the purpose of advancing the interests of Malabar as such. It is something else which has been reflected in his speech. (An hon. Member: 'May be for cheap popularity?') It is not even for cheap popularity. I wish it is so. That is not going to make him popular. It was a sense of frustration which was exhibited in his

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speech. It was a frustration not for the people of Malabar. But it was a personal frustration. After having been worsted in the elections, himself personally and his party to a great extent, I was not surprised when he made that speech. I am glad he did not make a even worse speech. All these things in public life, all these victories and defeats will have to be taken in a spirit of equanimity and the hon. Member Sri M. P. Govinda Menon does not stand to advance his own interest by making such speeches. On the other hand people will know that it is not merely by making such speeches that you get things done. On the other hand you make the people to be against you, by making such speeches. Therefore I am sure that if he thinks in calmer moments he would realize that he had given an exhibition more of his frustration than what was necessary. I may assure him that it is not the intention of Government to discriminate against Malabar. I have got the figures with reference to each year which I submitted to the States Reorganization Commission to show how Malabar was being subsidised by the other parts of the State. It is not necessary for me to go into those figures now. If I do so, it will embitter things further. It will create bitterness against Malabar. That is not necessary. But I could mention that Malabar has been living upon the income from the other parts of the State. It is not a question of being discriminated against. As I already stated in another place, if the Auditor-General or anybody else is put on the job and if he is asked to verify what has been the revenue of Malabar and what has been the expenditure on Malabar all these years, he will surely find that we have not at all discriminated against Malabar. There is no use of making such speeches. After all it is not as if Malabar can be self-sufficient and can live on its own. Many of the Malayalees are occupying high positions in Tamilnad and some of them are in low positions also. Is it good in the interests of those Malayalees working in Tamilnad, if the hon. Member makes such a speech, which would infuriate others? Therefore I would request the hon. Member to make amends for his speech, not in this House but in his own district. When he goes to his district, let him say to the people that he had made a wrong speech, if he really has got the interest of the people of Malabar in his heart. But if he wants to gain personal popularity by making such speeches, then it is a different thing. I can only say that he cannot gain popularity by making such speeches. He has been worsted in the elections. Even for the success of the Congress in Andhra, he says it was due to separation. If he thinks that he would also win and his party also would win by separation, I think it is a wrong presumption, even though I do not know what will be the fate of the party to which the hon. Member belongs. But apart from that it is no use casting aspersions and speaking without figures. I have already stated with reference to elementary education that we are spending Rs. 6 crores. Out of that we are spending 26 per cent for the elementary school teachers of Malabar, i.e., 1½ crores. Thus we are spending 26 per cent on Malabar whereas they are entitled only to 13-1/3 per cent on the basis of population and 7 per cent on the basis of the revenue derived from that district. In spite of all these

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the hon. Member has got the boldness to come and say that Government do not care for the people of Malabar and their interests have not been properly looked after. On the other hand we are trying to function as one unit without showing any discrimination either for South Kanara or Malabar. We are trying to hold the balance even between the people of the State as a whole. I will give the assurance in all sincerity and in all solemnity that as long as we continue to be here, even though there may be many M. P. Govinda Menons and others speaking like that, in spite of all that, we will continue to render justice to the people of Malabar. Ultimately when we render accounts to the people of Malabar, in case they are going out, they will go out with a grateful heart that in spite of their difficulties, the Government have been doing their best to better their lot by spending on Malabar not on the basis of the revenue obtained from the district, not on the basis of the population of the district, but taking into account the needs of the district. Taking into account the needs of Malabar, we have been taking care to see that moneys from other parts of the State are spent in Malabar to satisfy the needs of Malabar district. I do not think I need say anything further about this. As a matter of fact this has been dealt with by the Leader of the House and I also had to deal with it in a more detailed manner in the other House also. Therefore let us not speak without any basis and let us not speak without looking into the figures. And even when we speak without looking into the figures, let us also be careful in the use of words also with reference to personalities.

4-10 P.M. "The hon. Member Sri V. V. Ramaswami made a suggestion that a committee should be appointed to go into the problem of sales tax. It is a very difficult problem, I do agree. That is why the Taxation Enquiry Commission has devoted considerable attention to this question of sales tax and made certain recommendations. Before we appoint any other committee, those recommendations will have to be properly scrutinized and examined. Appointment of a committee is the easiest thing to do for anything. But the Taxation Enquiry Commission has taken very great care to tour the entire country and consider the entire aspect with reference to Central and State finances and has made certain recommendations. I am sure the hon. Member would have noted the recommendations that they have made to all the States. The imposition of a multi-point tax has been advocated. If it is said that we should give up what has been recommended for the entire India, and that we should adopt a single-point levy, that cannot be done without further careful examination and thorough investigation. As far as I am concerned, I am prepared to have an open mind. As far as we are concerned, we cannot afford to give up the sales tax and we cannot afford to reduce the collections by way of sales tax because that has become our main source of revenue. But subject to that, I am always open to conviction. If by the imposition of a single-point tax it will be possible to collect the entire amount that we are now collecting, I would be the first person to adopt it. But there are very many difficulties. I have devoted some thought to this problem

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and I may tell the hon. Member that even though it may be easy to say, 'Adopt single-point levy and make it sufficiently high so as to collect the amount now collected', the change would be for the worse. It would be a worse headache than the existing system because once we adopt the system of single-point levy, then we will have to prove at every point that a particular commodity has or has not been assessed to sales tax already. Therefore, simply for the purpose of having a change, we should not jump into the fire from the prying pan. I would counsel patience to the hon. Member Sri Ramaswami and to all those merchants who assembled at Kumbakonam and passed a resolution advocating the levy of a single-point tax. I may assure the merchant population and also the Members of this House that this problem is not an easy one. As far as I am concerned, I am definite about it that it would create much greater difficulties than we are facing now.

"Then, incidentally, the hon. Member Sri Mohamed Raza Khan referred to the tax on cigarettes, cheaper cigarettes, beedis and chewing tobacco and cited that this very Government had taken a decision 18 months ago not to tax these items. May I tell him that nothing is final in this world? Government Orders are never final. We have to review the decisions as things go on. There is no use of saying that there is inconsistency. There is bound to be inconsistency because there can be consistency only if the situation also does not change. When we are growing and changing, we have to take decisions according to the changing circumstances. Therefore, there is no use of quoting some statement made 18 months ago that the Government would not tax cheaper cigarettes and other types of tobacco. We will have to take decisions as things change. In view of the changing circumstances and taking into account the requirements of the State, we have come to the conclusion that it is necessary to tax these items also. But I may give this assurance that as far as this tobacco is concerned, we are trying to adopt a single-point levy. I think the Bill has been published. (Sri M. P. Govinda Menon: 'It has been published'.) It is very easy to adopt a single-point levy as far as this item is concerned because it is a controlled commodity. It is a commodity controlled by the Central Excise Department. It cannot move from one point to another without a permit. Therefore, we will be able to know whether a particular item has already been taxed or not. Various merchants represented that there should not be a multi-point levy. More than all that, the difficulties of the petty traders will be avoided. The various shopkeepers, the panwalas and others should not be harassed by being required to maintain and submit their accounts to Sales Tax Officers. Therefore, the Government have decided that there should be a single-point tax as far as this item is concerned. I am sure when the Bill comes before this House, it will be welcomed.

"A point was made with reference to Neiveli Lignite Project. Hon. Members may be assured that the interests of the State will in no way be jeopardised by the arrangement we are making, that

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is, the participation of the Central Government in the exploitation of the lignite available in Neiveli. At whatever point we are ready to take over, the Government of India are prepared to hand it over to us. Moreover, in respect of schemes involving large expenditure, it is better that the Central Government are in the picture. After all, when the lignite is exploited, it will have to be used here. There is no question of this lignite being taken to any other place. Therefore, we should first see that we get out the lignite as early as possible and utilize it for the purpose of developing our own industries and for the purpose of production of thermal power. That is our first objective now. For that purpose, it does not matter whether the State Government are in the picture or the Central Government are in the picture. What we want is lignite and the use of the lignite for the development of our industry and for the production of power. That is the only thing we have in mind and we are doing everything for that purpose.

"The hon. the Deputy Leader of the Opposition made a point with reference to Police expenditure and asked me to compare this expenditure with the expenditure incurred in other States on Police. I may tell him that I have made a comparative study of the Police expenditure in this State as also in the various other States because I had recently to attend a conference of the Home Ministers in Delhi and this was a relevant point which I had to go through. I may tell him that as far as the bigger States are concerned—leave alone small States like Coorg and the sparsely populated State of Assam—as far as the Part A and Part B States are concerned, our State is the one spending least on Police. Even taking the number of policemen compared with the population, we have got the least number of policemen. But I am glad to say that the efficiency of our Police is such that with regard to investigation of crime and successful prosecution of criminals, we almost stand first. In respect of that, we may be proud of our Police force and policemen. Therefore, the hon. Member need not go with the impression that the other States are doing well and that they are spending less on the Police services and that we are extravagant in that respect. On the other hand, we are extravagant only in respect of the developmental aspect of the State and not the Police aspect. Therefore, I may tell the hon. Member that with reference to expenditure on Jails and Police, we are not extravagant. On the other hand, we are spending the least amount on Police.

4-50
p.m.

"With reference to capital expenditure also Dr. John was saying that we should take an account and find out whether it is worthwhile spending these amounts. I do agree with him that a scrutiny should be made. That scrutiny is not made after the execution of the scheme, but even before taking up any scheme, an estimate is prepared and then the various returns from the scheme are estimated. Then we find out whether it is worthwhile to take up the scheme. Whether it is an irrigation scheme, or

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electricity scheme or industrial scheme, even before taking up any scheme, a proper scrutiny and examination is made. But formerly when Britishers were here, they calculated on the basis that when they invest a certain capital on a scheme, as Government they should get sufficient return, i.e., 6 per cent return to cover the interest and a little more profit over and above that. But we cannot take such an attitude now. We cannot take only the returns to the Government. We have to take into account the returns to the community and the benefit which a particular scheme may confer on the community as a whole. We have to consider what is the total return to the community from this expenditure. When the community represented by the Government spends money and as a result of that, apart from the income to the Government if the community derives a large amount of benefit, it is taken as a really profitable scheme. That is the method we are adopting before we decide to take up a scheme. We consider not only the specific returns to the Government alone but the benefits conferred on the people also. That is why we are able to take up a large number of capital schemes and I have no doubt that the hon. Members would agree that people also are being benefited by these schemes. There is no question about it. A large number of electricity schemes, irrigation schemes, tube-well schemes, educational schemes, road schemes, etc., are being taken up and there is no doubt that the country is being developed as a result of which the people are also deriving benefit. Sir, it would always be the attempt of this Government not merely to ask for the sanction of monies from the Legislature, but to see that the monies are properly utilized for the development of our country, for the prosperity of our people and to the ultimate happiness of our people. Thank you, Sir."

MR. CHAIRMAN :—"The question is—

'That the Madras Appropriation Bill, 1955 (L.A. Bill No. 5 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.

The Schedule was put and carried.

Clause 1 and the Preamble were put and carried.

* THE HON. SRI C. SUBRAMANIAM :—"Sir, I move—

'That the Madras Appropriation Bill, 1955 (L.A. Bill No. 5 of 1955), as passed by the Assembly, be passed.'

MR. CHAIRMAN :—"The question is—

'That the Madras Appropriation Bill, 1955 (L.A. Bill No. 5 of 1955) as passed by the Assembly, be passed.'

The motion was carried and the Bill was passed.

[29th March 1955]

THE MADRAS APPROPRIATION (NO. 2) BILL, 1955 (L.A. BILL NO. 6 OF 1955).

* THE HON. SRI C. SUBRAMANIAM :—“ I beg to move—

That the Madras Appropriation (No. 2) Bill, 1955 (L.A. Bill No. 6 of 1955), as passed by the Assembly, be taken into consideration.”

DR. V. K. JOHN :—“ The amount sought to be appropriated is rupees seventeen crores, forty-four lakhs and odd. May I express the hope that in the next year when supplementary Appropriation Bill is brought up, the amount will be very much less.”

SRI K. BHASHYAM :—“ There is no question of the amount being more or less. With the expanding activities of the Government, it is impossible to say what is going to happen hereafter.”

* SRI G. KRISHNAMOORTHY :—“ Mr. Chairman, Sir, let me congratulate the Government on the bold step they have taken with regard to old age provision for teachers. I should specially congratulate the Hon. Finance Minister and the Hon. Chief Minister on this very bold step. In fact I have been insisting upon old age provision for teachers for the last over 15 years. This is really a bolder step than the very bold step taken last year. The educational concession granted last year would benefit a teacher only till retirement and in the case of teachers without children, there would be no benefit whatsoever. But here is a step which recognises the service of a teacher as a national service and which fulfils my long aspiration that the body that worked should be enabled to keep life in it after retirement. Mr. Chairman, Sir, we were all very glad on seeing the first notification that pension would be granted to all teachers whose maximum salary would be within Rs. 100. But the next day the clarification came and suddenly some of our hopes were shattered and we were able to find that there was a discrimination among teachers. I do not know how the opinion crept in the Government that secondary grade teachers serving in middle schools were different from second-grade teachers as classified in the clarification. In fact the second-grade Drawing Masters and the second-grade Pandits are drawing the same salaries drawn by the secondary grade teachers in middle schools. I hope the Government would kindly go to the rescue of these teachers also as the amount that would be involved in extending this concession would be very little. Even if the salary should be higher in the case of B.T. teachers it will only work out to 30 per cent of what has been allotted now and in the case of secondary grade teachers it will only work out to 20 per cent of what has been allotted now. On the whole the Government will have to incur 50 per cent of the present allotment as extra cost, in case the Government extend the benefit to the other teachers also. I hope the Government will do this. There should not be any discrimination in the case of old age provision. Old age is common to all.

* Printed as Appendix IV on pages 809-811 infra

[29th March 1955] [Sri G. Krishnamoorthi]

Dire necessity in old age is common to all and discrimination in the matter of old age provision cannot last long. Instead of the Government postponing the payment to the next year or the year after next, they will do well to avoid discrimination and even in this year itself very shortly in a week or two issue an order stating that this concession will be extended to all the other teachers as well. After all it is a deferred payment and Government are not going to incur all the expenditure immediately. We were rather expecting a still more explanatory statement from the Government that this old age provision has been given to the teachers recognising their service as national service in the cause of the nation. Somehow or other we were able to find a few lines in the daily newspapers that this has been calculated with reference to the average age of the teacher or some such thing and because it does not involve immediate expenditure to the Government, it has been granted. Of course, the Government have done a very bold thing. Government have recognised the teachers' service as national service and when that has been the case I think the Government will come forward boldly to extend it to the other teachers as well. I welcome this old age provision because the principle underlying this concession is a very great one. Really the status of the teacher has been enhanced. Even the shopkeeper will regard the teacher as a great person because he is paid a few rupees in his old age. The teacher will have regard from his own wife also in the house, as he will be getting Rs. 10 or Rs. 12 till he dies. So, the status of the teacher is raised. But unless and until the status of the other teachers also is raised, I think teachers will have a grievance in this respect.

“ With regard to the other immediate needs of the teachers, Government need not spend a pie out of the Exchequer. They can easily collect *Guru Dakshina* now. Inasmuch as they have made education free up to the end of III Form, parents would not grudge to pay Re. 1 or Rs. 2 a month. Publishers can at least pay 25 per cent of their profits because it is the teachers who write the books. I really want that the Commercial Tax Officers be authorized under a statute to go to the publishers and declare 25 per cent of their net profits as contribution towards the teachers maintenance fund to be raised by the Government to pay the teachers house rent allowance and an increase in salary.

“ As regards administrative points, I may just refer to them in one or two minutes. A lot of Government Orders are being passed with reference to the scale of pay and status of teachers. It can be said on a plain paper that people with such and such qualification will be appointed for such and such job on such and such scale. There should not be any disparity. Pay should be personal according to qualifications. In the case of manual training instructors it has been said that people who were drawing Government scales are not eligible for Government scales now as in the printed sheet of scales used for audit purposes the column

[29th March 1955]

SRI MOHAMED RAZA KHAN :—" That should come from this side! "

* THE HON. SRI C. SUBRAMANIAM :—" Sir, I have nothing more to say. I shall certainly look into the matters referred to by the hon. Member Sri M. Ethirajulu. But it is not such an easy thing. As a matter of fact at Coimbatore we put up these dhobi khanas in many places. We found it difficult to persuade these workers to go and occupy them. It is not merely a question of putting up dhobi khanas. They think that they should go only to their traditional places where they have been washing clothes. But still this is a problem which has got to be tackled not only with reference to washermen but also with reference to various workers in various towns and villages. It will always be the endeavour of the Government to see that those people who work for the community are better provided for.

" As far as the debate on the supplementary grants are concerned, we have been off the mark, and I do not think there is any need for any reply from me. The only thing is that Dr. John said that next year the demand should be less, and Sri K. Bhashyam has given a fitting reply to Dr. John. Unless Dr. John wants the Government not to take up the many schemes for the improvement of this State, he cannot expect the Government not to bring forward supplementary budgets. On the other hand we should take up many more new schemes for execution and come forward with supplementary budgets.

" I thank you, Sir, and the House for the co-operation that has been given in passing this Bill."

MR. CHAIRMAN :—" The question is—

" That the Madras Appropriation (No. 2) Bill, 1955 (L.A. Bill No. 6 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.

The Schedule 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 Madras Appropriation (No. 2) Bill, 1955 (L.A. Bill No. 6 of 1955), as passed by the Assembly, be passed."

MR. CHAIRMAN :—" The question is—

" That the Madras Appropriation (No. 2) Bill, 1955 (L.A. Bill No. 6 of 1955), as passed by the Assembly, be passed."

The motion was carried and the Bill was passed.

29th March 1955]

IV.—AMENDMENTS TO THE MADRAS LEGISLATIVE COUNCIL RULES.

SRI T. PURUSHOTHAM :—" Mr. Chairman, Sir, I beg to present the report of the Select Committee on the amendments to the Madras Legislative Council Rules and move—

" That the amendments be taken into consideration'.

Sir, I have already spoken on the need for associating the Members of this House on the Public Accounts Committee and the Estimates Committee of the Legislative Assembly. The Select Committee's report is before the House. These rules are based on the procedure obtaining in the Lok Sabha for the association of the Members of the Rajya Sabha with the Public Accounts Committee. It is proposed that the Members of this House should be associated with the Public Accounts Committee and the Estimates Committee of the Assembly. The enabling provision therefor has to be included in the Council Rules.

"It may be stated that these committees are not in the nature 5-10 of Joint Committees of both the Houses. The Members of this P.M. House are to associate with the Public Accounts Committee and the Estimates Committee of the Assembly. I trust hon. Members will agree to these rules as now revised by the Select Committee, and we should express our gratitude to the Government and the Hon. the Minister for Finance in particular for their kind support."

DR. V. K. JOHN :—" Sir, I second the motion and in doing so I would like to pay very good compliments to the hon. Member, Mr. T. Purushotham, for the initiative he took in this matter and to the Hon. the Minister for Finance for the suggestion he made with reference to which Mr. Purushotham took the initiative."

SRI MOHAMED RAZA KHAN :—" Sir, I wish to join my Deputy Leader in paying tribute to the hon. Member Mr. Purushotham and to the Hon. the Finance Minister. I have never seen before a suggestion being made by the Minister, its being taken up at once and implemented, all within three days. Within three days, so much has been done and that shows the interest Mr. Purushotham takes in the affairs of the House. At the same time, we are glad that the Leader of the other House was also responsible for this motion being brought in here. Now that the resolution is before the House let us hope it will be accepted and the other House also will agree to its substance, so that Members of the Council also may serve on these two important bodies."

* SRI K. BHASHYAM :—" Sir, on this occasion, I must say that some credit for the initiative should go to me also because at an earlier stage I wanted an amendment to the rules on the lines of the resolution before the House. Apart from this, I am glad that there is co-operation between the two Houses of the Legislature. One thing I would like to point out here. This House represents the people as much as the other House, though in different ways.

[Sri K. Bhashyam] [29th March 1955]

We represent institutions, so to say, which are really ruling the country. We have got the graduates' constituency, local bodies' constituency and the Assembly constituency. Then we have the teachers' constituency. All these are representative institutions and we are as much representative of the people as the Legislative Assembly is. So, there is no use of saying that the Assembly is more important than the Council or the Council is more important and that it contains persons who can pride themselves by saying they are wiser. Both the Houses are necessary and both contribute a good deal to a proper discussion of measures that are brought before them. Therefore, I am glad there is co-operation between the two Houses and I hope the same thing will extend to other spheres of activity also."

* THE HON. SRI C. SUBRAMANIAM:—"Sir, I have nothing to add to what has already been said. This is only an enabling provision that is being made now. I am hoping that it will be possible for me to move a resolution in the other House and request this House to nominate Members to these committees to be associated with the deliberations of those committees. Ere long, I hope, the committees will begin to render valuable service."

* SRI T. PURUSHOTHAM:—"Sir, I thank the hon. Members for their kind words. I do not deserve all that has been said. (Sri Mohamed Raza Khan: You do.) I am only anxious that this House should do some useful and efficient work and it is with that view that I have moved this resolution."

MR. CHAIRMAN:—"I shall now put the motion to vote. The question is—

'That the amendments be taken into consideration'."

The motion was carried and the amendments were taken into consideration.

MR. CHAIRMAN:—"I shall now put the amendments to vote. The question is—

'Add the following new rules after rule 179:—

(5) *Committee on Public Accounts*—

179-A. The Council may elect for every financial year such number of members of the Council as may be fixed by the Chairman to associate with the Public Accounts Committee of the Assembly. The election of members will be held in such manner as the Chairman may direct.

(6) *Committee on Estimates*—

179-B. The Council may elect for every financial year such number of members of the Council as may be fixed by the Chairman to associate with the Estimates Committee of the Assembly. The election of members will be held in such manner as the Chairman may direct."

29th March 1955]

The amendments were carried.

SRI T. PURUSHOTHAM:—"Sir, I move—

'That the amendments be passed'."

The motion was put and carried and the amendments were passed.

MR. CHAIRMAN:—"Under rule 190 of the Madras Council Rules, I am to inform the House that a copy of the amendments to the Madras Legislative Council Rules passed by the Council to-day (29th March 1955) has been signed by me.

"I now adjourn the House to meet again on Tuesday, the 5th April 1955, at 11 a.m."

The House then adjourned.

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

* 1. Notification issued with G.O. Ms. No. 462, Home, dated 22nd February 1955, regarding rule amending schedule to the Madras Motor Vehicles (Taxation of Passengers and Goods) Act, 1952 (Madras Act XVI of 1952).

† 2. Bill passed by the Assembly and received therefrom in the Council:

(i) The Madras Appropriation Bill, 1955 (L.A. Bill No. 5 of 1955).

(ii) The Madras Appropriation (No. 2) Bill, 1955 (L.A. Bill No. 6 of 1955).

* Laid on the table of the House on 24th March 1955.

† Sent by Sri T. Purushotham on 28th March 1955.

APPENDIX I.

[29th March 1955]

[Vide answer to starred question No. 266 asked by Sri M. Ethirajulu at the meeting of the Legislative Council held on 29th March 1955, page 765 supra.]

Statement showing the number of cases of thefts reported to have occurred in South Arcot district, talukwar, during the year 1952-53 and 1953-54, the number of cases detected and undetected.

Taluk.	1952-53.				1953-54.			
	Cases reported.	Detected.	Undetected.	Total value of property involved.	Cases reported.	Detected.	Undetected.	Total value of property involved.
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
Cuddalore	484	254	195	Rs. 29,828	464	271	149	25,136
Villupuram	337	208	96	21,781	224	127	80	18,986
Tindivanam	224	117	91	15,510	200	108	71	10,599
Gingee	183	106	50	9,666	88	49	34	6,305
Chidambaram	301	141	133	28,208	357	188	144	21,344
Vridhachalam	325	144	146	30,053	388	152	142	19,087
Tirukoilur	306	176	93	21,101	247	120	94	15,245
Kallakurichi	174	104	37	11,499	169	77	53	12,260

NOTE.—The figures in columns (5) and (9) show the total amount of the property involved for each taluk.

[29th March 1955]

APPENDIX II.

[Vide answer to starred question No. 268 asked by Sri T. Purushotham at the meeting of the Legislative Council held on 29th March 1955, page 766 supra.]

(a) The number (1) General Head Mechanics, (2) Senior Mechanics and (3) Auxiliary Mechanics posts sanctioned for the Madras Government Press as on 1st November 1954 and their scales of pay—

Designation of posts.	Number of posts.		Scale of pay per mensem.	Remarks.
	Permanent.	Temporary.		
(1)	(2)	(3)	(4)	(5)
Head General Mechanics.	4	1	Rs. 70-4-110	Temporary post of one head general mechanic has been continued up to 31st August 1955.
Senior (General) Mechanics.	Nil.	Nil.	45-3-60-EB-2½-85.	....
Auxiliary Mechanics.	2	Nil.	30-2-40-1-50	....

(b) Yes, Sir, the particulars are furnished below—

Name of Department.	Designation of posts.	Number of posts.		Scale of pay per mensem.	Remarks.
		Permanent.	Temporary.		
(1)	(2)	(3)	(4)	(5)	(6)
Lino department.	Head Lino Mechanics.	1	1	70-4-110	Temporary posts of one Head Lino Mechanic and one Senior Mechanic have been continued up to 31st August 1955.
	Senior Mechanics ..	1	1	45-3-60-EB-2½-85.	
	Junior Mechanics ..	2	2	35-2-55-EB-1-65.	Temporary posts of two junior mechanics have been continued up to 14th August 1955.
Mono department.	Auxiliary Mechanics..	2	..	30-2-40-1-50	..
	Head Mono Mechanic.	1	..	70-4-110	..
	Senior Mechanics ..	..	..	45-3-60-EB-2½-85.	..

[29th March 1955]

APPENDIX III.

[Vide item III (1) on page 768 supra.]

L.A. BILL NO. 5 OF 1955.

(As passed by the Assembly.)

A Bill to provide for the appropriation of moneys out of the Consolidated Fund of the State for the service of the financial year commencing on the 1st April 1955.

WHEREAS it is necessary to provide for the appropriation of moneys out of the Consolidated Fund of the State for the service of the financial year commencing on the 1st April 1955;

Be it enacted in the Sixth Year of the Republic of India as follows:—

1. *Short title.*—This Act may be called the Madras Appropriation Act, 1955.

2. *Appropriation out of the Consolidated Fund for the financial year commencing on the 1st April 1955.*—The State Government may appropriate out of the Consolidated Fund of the State, for the financial year commencing on the 1st April 1955, a sum not exceeding one hundred and twelve crores, seventy-one lakhs, fifty thousand and four hundred rupees being moneys required to meet—

(a) the grants made by the Madras Legislative Assembly for that year, as set forth in column (3) of the Schedule; and

(b) the expenditure charged on the Consolidated Fund of the State for that year, as set forth in column (4) of the Schedule.

THE SCHEDULE.

Demand number.	Services and purposes.	Sums not exceeding.		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund of the State.	Total.
(1)	(2)	(3)	(4)	(5)
		RS.	RS.	RS.
I	Land Revenue Department ..	82,42,600	1,000	82,43,600
II	Excise Department ..	6,08,900	1,000	6,09,900
III	Stamps Administration ..	12,96,200	1,000	12,97,200
IV	Forest Department ..	67,62,300	1,000	67,63,300
V	Registration Department ..	40,39,700	1,000	40,40,700
VI	Motor Vehicles Acts Administration ..	10,32,600	66,05,500	76,38,100

[29th March 1955]

Demand number.	Services and purposes.	Sums not exceeding.		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund of the State.	Total.
(1)	(2)	(3)	(4)	(5)
		RS.	RS.	RS.
VII	General Sales Tax and Other Taxes and Duties Administration.	1,04,17,400	25,000	1,04,42,400
VIII	Irrigation ..	1,52,91,800	1,71,64,000	3,24,55,800
	Debt charges ..	..	3,09,43,300	3,09,43,300
IX	Head of State Ministers and Headquarters Staff ..	75,27,100	9,40,900	84,68,000
X	State Legislature.	32,74,900	51,200	33,26,100
XI	District Administration and Miscellaneous ..	3,02,64,900	10,100	3,02,75,000
XII	Administration of Justice ..	1,11,01,800	16,67,200	1,27,69,000
XIII	Jails ..	1,01,27,600	1,000	1,01,28,600
XIV	Police ..	5,24,63,600	1,000	5,24,64,600
XV	Education ..	10,51,90,300	1,000	10,51,91,300
XVI	Medical ..	3,15,99,800	1,000	3,16,00,800
XVII	Public Health ..	1,33,30,500	1,000	1,33,31,500
XVIII	Agriculture and Fisheries ..	1,90,11,200	1,000	1,90,12,200
XIX	Veterinary ..	45,44,800	1,000	45,45,800
XX	Co-operation ..	56,76,100	1,000	56,77,100
XXI	Industries and Cinchona ..	1,50,94,200	8,84,400	1,59,78,600
XXII	Harijan Uplift ..	1,09,36,600	1,000	1,09,37,600
XXIII	Labour including Factories ..	19,71,000	1,000	19,72,000
XXIV	Civil Works—Works ..	4,83,56,700	3,07,000	4,86,63,700
XXV	Civil Works—Establishment and Tools and Plant ..	1,24,56,100	1,000	1,24,57,100
XXVI	Civil Works—Grants-in-aid ..	66,59,700	..	66,59,700
XXVII	Electricity ..	5,50,71,100	2,33,25,900	7,83,97,000
XXVIII	Famine ..	1,50,000	5,00,000	6,50,000
XXIX	Pensions ..	1,80,53,400	3,54,200	1,84,07,600
XXX	Stationery and Printing ..	1,07,20,600	5,52,500	1,12,73,100
XXXI	Miscellaneous ..	1,06,70,300	5,000	1,06,75,300
XXXII	Community Development projects ..	2,68,84,400	1,000	2,68,85,400
XXXIII	Road Transport Schemes ..	1,20,43,200	2,54,500	1,22,97,700

[29th March 1955]

Demand number. (1)	Services and purposes. (2)	Sums not exceeding		Total. (5)
		Voted by the Legislative Assembly. (3)	Charged on the Consolidated Fund of the State. (4)	
		RS.	RS.	RS.
XXXIV	Compensation to Zamindars ..	22,00,000	..	22,00,000
XXXV	Capital Outlay on Irrigation ..	7,74,34,300	..	7,74,34,300
XXXVI	Capital Outlay on Industrial Development ..	33,31,900	..	33,31,900
XXXVII	Capital Outlay on Civil Works ..	97,40,100	..	97,40,100
XXXVIII	Capital Outlay on Electricity Schemes ..	11,78,64,500	..	11,78,64,500
XXXIX	Capital Outlay on Road Transport Schemes ..	27,61,100	..	27,61,100
XL	Commuted Value of Pensions ..	15,65,000	20,000	15,85,000
XLI	Capital Outlay on Schemes of State Trading.	3,75,03,500	..	3,75,03,500
XLII	Loans and Advances by the State Government ..	6,12,45,000	..	6,12,45,000
	Public Debt—Repayment ..	..	15,90,06,000	15,90,06,000
	Grand total ..	88,45,16,700	24,26,33,700	1,12,71,50,400

29th March 1955]

APPENDIX IV.

[Vide item III (2) on page 796 supra.]

L.A. BILL No. 6 OF 1955.

(As passed by the Assembly.)

A Bill to provide for the appropriation of certain further moneys out of the Consolidated Fund of the State for the service of the financial year which commenced on the 1st April 1954.

WHEREAS it is necessary to provide for the appropriation of certain further moneys out of the Consolidated Fund of the State for the service of the financial year which commenced on the 1st April 1954;

BE it enacted in the Sixth Year of the Republic of India as follows:—

1. *Short title.*—This Act may be called the Madras Appropriation (No. 2) Act, 1955.

2. *Supplementary appropriation out of the Consolidated Fund for the financial year which commenced on the 1st April 1954.*—The State Government may appropriate out of the Consolidated Fund of the State, for the financial year which commenced on the 1st April 1954, a further sum not exceeding seventeen crores, forty-four lakhs, sixty-five thousand and one hundred rupees being moneys required to meet—

(a) the supplementary grants made by the Madras Legislative Assembly for that period, as set forth in column (3) of the Schedule; and

(b) the supplementary expenditure charged on the Consolidated Fund of the State for that period, as set forth in column (4) of the Schedule—

THE SCHEDULE.

Demand number. (1)	Services and purposes. (2)	Sums not exceeding		Total. (5)
		Voted by the Legislative Assembly. (3)	Charged on the Consolidated Fund of the State. (4)	
		RS.	RS.	RS.
I	Land Revenue Department ..	3,14,600	..	3,14,600
IV	Forest Department ..	39,800	..	39,800
VI	Motor Vehicles Acts Administration ..	4,500	2,26,900	2,31,400
VII	General Sales Tax and Other Taxes and Duties—Administration ..	4,57,900	57,400	5,15,300

[29th March 1955]

Demand number. (1)	Services and purposes. (2)	Sums not exceeding		
		Voted by the Legislative Assembly. (3)	Charged on the Consolidated Fund of the State. (4)	Total. (5)
		RS.	RS.	RS.
VIII	Irrigation ..	22,85,100	..	22,85,100
IX	Head of State, Ministers and Headquarters Staff ..	7,60,000	8,300	7,68,300
XI	District Administration and Miscellaneous ..	1,21,92,800	21,600	1,22,14,400
XIII	Jails ..	..	100	100
XIV	Police ..	29,92,100	4,100	29,96,200
XV	Education ..	81,40,300	1,900	81,42,200
XVI	Medical ..	17,37,300	..	17,37,300
XVII	Public Health ..	500	..	500
XVIII	Agriculture and Fisheries ..	200	1,99,000	1,99,200
XIX	Veterinary ..	5,71,300	..	5,71,300
XX	Co-operation ..	12,35,200	1,000	12,36,200
XXI	Industries and Cinchona ..	9,83,400	..	9,83,400
XXII	Harijan Uplift ..	11,77,400	..	11,77,400
XXIII	Labour including Factories ..	2,33,700	200	2,33,900
XXIV	Civil Works—Works ..	38,26,100	..	38,26,100
XXV	Civil Works—Establishments and Tools and Plant ..	200	..	200
XXVI	Civil Works—Grants-in-aid ..	25,13,800	..	25,13,800
XXVII	Electricity ..	1,59,94,900	2,99,100	1,62,94,000
XXVIII	Famine ..	4,14,900	..	4,14,900
XXIX	Pensions ..	32,27,100	1,45,900	33,73,000
XXX	Stationery and Printing ..	20,01,200	8,200	20,09,400
XXXI	Miscellaneous ..	100	3,000	3,100
XXXIII	Road Transport Schemes ..	..	79,000	79,000
XXXV	Capital Outlay on Irrigation ..	200	..	200

29th March 1955]

Demand number. (1)	Services and purposes. (2)	Sums not exceeding		
		Voted by the Legislative Assembly. (3)	Charged on the Consolidated Fund of the State. (4)	Total. (5)
		RS.	RS.	RS.
XXXVI	Capital Outlay on Industrial Development ..	2,42,600	..	2,42,600
XXXVIII	Capital Outlay on Electricity Schemes ..	89,14,100	..	89,14,100
XXXIX	Capital Outlay on Road Transport Schemes ..	3,91,800	..	3,91,800
XL	Commuted value of Pensions ..	2,88,200	24,500	3,12,700
XLI	Capital Outlay on Schemes of State Trading.	10,24,43,600	..	10,24,43,600
	Total ..	17,33,84,900	10,80,200	17,44,65,100

APPENDIX V.

[Vide item IV on page 801 supra.]

REPORT OF THE SELECT COMMITTEE ON THE AMENDMENTS TO THE MADRAS LEGISLATIVE COUNCIL RULES.

To

THE HONOURABLE THE LEGISLATIVE COUNCIL,
MADRAS.

The Select Committee appointed to consider the amendments to the Madras Legislative Council Rules has the honour to make the following report.

2. The Committee was appointed on the 26th March 1955.

3. The Committee met in the Congress Party Room, Fort St. George, at 2-30 p.m. on Monday, the 28th March 1955, and considered the amendments. The Committee, after some discussion, adopted the amendments with some alterations. The amendments as adopted by the Committee are shown in the Annexure.

FORT ST. GEORGE,
28th November 1955.

P. V. CHERIAN,
Chairman.

[29th March 1955]

ANNEXURE.

AMENDMENTS TO THE MADRAS LEGISLATIVE
COUNCIL RULES.

"Add the following new rules after Rule 179:—

(5) *Committee on Public Accounts*—

179-A. The Council may elect for every financial year such number of members of the Council as may be fixed by the Chairman to associate with the Public Accounts Committee of the Assembly. The election of members will be held in such manner as the Chairman may direct.

(6) *Committee on Estimates*—

179-B. The Council may elect for every financial year such number of members of the Council as may be fixed by the Chairman to associate with the Estimates Committee of the Assembly. The election of members will be held in such manner as the Chairman may direct."

PROCEEDINGS OF THE SELECT COMMITTEE ON THE
AMENDMENTS TO THE MADRAS LEGISLATIVE
COUNCIL RULES.

Monday, the 28th March 1955.

(As approved by the Chairman.)

The Select Committee met in the Congress Party Room, Fort St. George, at 2.30 p.m. on Monday, the 28th March 1955.

The following members were present:—

1. Dr. P. V. Cherian (*Chairman*).
2. The Hon. Sri M. Bhaktavatsalam.
3. The Hon. Sri C. Subramaniam.
4. Sri Mohamed Raza Khan.
5. Sri K. Bhashyam.
6. Sri V. Bhashyam Ayyangar.
7. Sri T. Parushotham.
8. Srimathi Jothi Vencatachellam.
9. Srimathi S. Manjubhaskini.

The Secretary and Deputy Secretary to the State Legislature were also present.

The Select Committee went through the amendments proposed and approved of the same as amended below:—

"Add the following new rules after Rule 179:—

(5) *Committee on Public Accounts*—

179-A. The Council may elect for every financial year such number of members of the Council as may be fixed by the

29th March 1955]

Chairman to associate with the Public Accounts Committee of the Assembly. The election of members will be held in such manner as the Chairman may direct.

(6) *Committee on Estimates*—

179-B. The Council may elect for every financial year such number of members of the Council as may be fixed by the Chairman to associate with the Estimates Committee of the Assembly. The election of members will be held in such manner as the Chairman may direct."

The Committee authorized the Chairman to sign the report and present it to the Council for its acceptance.

FORT ST. GEORGE,
28th March 1955.

A. J. SABESA AYYAR,
Secretary to the Council.

[Sri K. Balasubramanya Ayyar] [29th March 1955]

"So far as medical and educational schemes are concerned, there should have been a larger expenditure provided for in the budget and in the Appropriation Bill also. It is necessary to convert all the elementary schools into basic schools as soon as possible. The increasing the number of single-teacher schools is not of so much use as the conversion of all elementary schools into basic schools. Similarly as per the recommendation of the Secondary Education Commission, all ordinary high schools should also be converted into multi-purpose higher secondary schools. (At this stage Mr. Chairman occupied the Chair.) There has been some little controversy about the necessity of raising the higher secondary school-course. I think the controversy is due to some confusion. It is for the purpose of increasing the number of years, whether it should be 3 or 4 years' course. If we have a four-year integrated higher secondary course the products of that higher secondary course may be in a better position, so that when they emerge from their course they would be better qualified to take up different walks of life. They would have a better academic status by undergoing the integrated course rather than rushing in for an academic course in the University without any real objective. That is the point in having a four-year integrated course. Therefore it is necessary that our Government should think of a capital outlay for the purpose of converting as many ordinary high schools as possible into multi-purpose higher secondary schools. For this they require large equipment, better trained teachers, more personnel and more buildings, etc. It is necessary that for all this, capital expenditure should be provided for. According to the 'Introduction to the Budget' prepared by the Finance Secretary, Mr. Varghese, which is a very notable document, it is pointed out that where there are financial schemes costing over 5 lakhs instead of spending for it from the current expenditure it is better to provide from capital outlay schemes. That seems to be the general tendency. Instead of spending the whole from the Revenue Account, we can say it is a capital outlay and spend it on the Capital Account and we can show a deficit under Capital Outlay schemes and ask for more grant and financial help from the Central Government to fill up our deficit under Capital Account. We need not show a deficit under Revenue Account by showing all the expenditure under the heads, education and medical, under the Revenue Account. Government should be very careful in dealing with these schemes and they should call upon the Union Government to give them more money, more loans and more grants so that they may spend that money to fill up their deficit under Capital Account. That would help our State very much."

3-50

*SRI V. V. RAMASWAMI :—"கனம் தலைவர் அவர்களே, இந்த வரவுசெலவுத் திட்டமானது அசெம்பிளியிலும், இந்த சட்டசபையிலும் நன்கு விவாதிக்கப்பட்டு இறுதியாக ஒவ்வொரு இலாகாவிற்கும் வேண்டிய செலவினங்களை அந்தந்தத் துறை அமைச்சர்களால் குறிப்பிட்டு அசெம்பிளியில் நிறைவேற்றப்பட்டு, இங்கு ஒப்புதலுக்காக வந்திருக்கிறது. ஆகவே இந்தக் கட்டத்திலே பொதுவாக சில குறைகளைச் சொல்ல இயலுமே தவிர மற்ற எவ்வித மாற்றங்களையும் செய்வதற்கு இடமில்லை.

29th March 1955] [Sri V. V. Ramaswami]

ஆகையால் முதலில் ஒவ்வொரு ஜில்லாவிலும் அரசாங்கத்தாரால் செய்யப் பட்டிருக்கும் வளர்ச்சித் திட்டங்களைப் பார்க்கும்போது ஒவ்வொரு ஜில்லாவிலும் ஒரு பெரிய நீர்ப்பாசனத் திட்டம் அல்லது மின்சாரத் திட்டம் போன்ற ஏதாவது ஒரு திட்டம் செய்திருக்கும்போது, என்னுடைய தொகுதி யாகிய ராமநாதபுரம் ஜில்லாவில் மட்டும் எவ்விதமான ஒரு திட்டமும் இல்லாததுகண்டு வருந்தவேண்டியிருக்கிறது. மலையாளத்தார் குறை கூறும் மனப்பான்மையில் நான் சொல்லவில்லை. எங்கள் ஜில்லாவில் பெரிய ஆறுகளும் இல்லை, ஏரிகள் எதுவும் இல்லை. ஆகவே மேற்குத் தொடர்ச்சி மலைகளிலே பருவமழையால் ஏற்படுகின்ற தண்ணீர் பெருக்கை தொடர்ச்சி மலைகளிலே பருவமழையால் ஏற்படுகின்ற தண்ணீர் பெருக்கை உபயோகப்படுத்திக்கொண்டு, எப்படி இந்த ஜில்லாவிற்கு நீரைக் கொண்டு வந்து குளங்களிலும், ஏரிகளிலும் பயன்படும்படி செய்யலாம்; எப்படி நீர்த் தேக்கங்களையும், நீர்ப்பாசன வசதிகளையும் செய்துகொடுக்க முடியுமென்பதை ஆராய வேண்டுமென்று நான் குறிப்பாக அந்தத் துறை அமைச்சர் அவர்களைக் கேட்டுக்கொள்ளுகிறேன். மலையாளம் புறக்கணிக்கப்பட்டதாகச் சொன்னபோதிலும், எங்கள் ஜில்லாவைச் சேர்ந்தவராக முதலமைச்சரும் மராமத்து இலாகா அமைச்சரும் இருந்தபோதிலும், எங்கள் ஜில்லாவிற்கு எவ்வித நீர்ப்பாசன வசதியும் ஏற்படுத்தாதது வருத்தத்திற்குரியது. அங்கு பெரிய முனிசிபாலிட்டிகள் இருந்தாலும், குளங்கள் இருந்தாலும் குடி தண்ணீர், பாசன வசதி முதலியவை கிடையாது. ஆகவே அரசாங்கத்தார் எப்படியாவது அங்கே இந்த வசதிகளையெல்லாம் செய்துகொடுக்க முன்வர வேண்டுமென்று கேட்டுக்கொள்ளுகிறேன்.

"இப்போது நாட்டிலே பலவிதமான திட்டங்கள் அமுலில் இருக்கின்றன. தேசிய விஸ்தரிப்புத் திட்டம், சமூக நலத் திட்டம் போன்றவைகள் நாட்டிலே மக்களிடையே நன்கு பரவப்பட்டு வருகின்றன. குறிப்பிட்ட ஜில்லாக்களில் எடுத்திருந்தபோதிலுங்கூட ஒவ்வொரு பிரிக்காவிலும் இந்த சமூக நலத் திட்டம், தேசிய விஸ்தரிப்புத் திட்டம் போன்ற வேலைகளை மக்கள் எதிர்பார்க்கின்றனர். அதற்குத் தேவையான பண உதவியையும் கொடுத்து வருகின்றனர்; மேலும் கொடுக்கவும் தயாராக இருக்கின்றனர். ஆகவே மக்களுடைய இந்த உணர்ச்சியை, தாங்களும் இந்த வேலைகளுக்கு ஒரு பங்கு கொடுக்கவேண்டுமென்ற எண்ணத்தை பயன்படுத்தி, இந்த தேசிய விஸ்தரிப்புத் திட்டம், சமூக நலத் திட்டம் ஆகியவைகளை சீக்கிரம் எல்லா ஜில்லாவிற்கும், பிரிக்காவிற்கும் கொண்டுவரவேண்டுமென்றும், அதற்குரிய அதிகாரிகளைப் பிரித்து அல்லது கொஞ்சம் அதிகப்படுத்தி யாவது ஒவ்வொரு பிரிக்காவிற்கும், தாலுக்காவிற்கும் இரண்டு தாசில்தார்களை நியமித்து, இந்த வேலைகளைச் செய்வதற்கு வேண்டியத் திட்டங்களையெல்லாம் வகுக்க வேண்டுமென்று நான் அரசாங்கத்தாரை கேட்டுக் கொள்ளுகிறேன்.

"அடுத்து, விற்பனை வரி விஷயமாக சற்று சொல்ல விரும்புகிறேன். இந்த வரி வியாபாரிகளுக்கு பெரும் பீதியை ஏற்படுத்திக்கொண்டிருக்கின்றது. 1939-ம் ஆண்டிலே வந்த இந்தச் சட்டமானது எப்படி அமுலில் இருக்கின்றது. அது வியாபாரிகளை எப்படி பாதிக்கிறது. வியாபாரிகள் ஒழுங்காக வியாபாரம் செய்யமுடியாமல் எப்படியெல்லாம் தொல்லைகள் படுகின்றனர் என்ற விஷயங்களையெல்லாம் இன்னும் நன்கு ஆராய்ந்து பார்த்து, சர்க்கார் அதற்கு எந்தவிதமான நடவடிக்கைகளும் எடுக்காதது வருந்தத்தக்கது. சென்ற இரண்டு ஆண்டுகளுக்கு முன் கீழ் சட்டசபையிலே இதுபற்றி விசாரணை செய்வதற்கு ஒரு கமிட்டி நியமிப்பதற்கு அக்காலத்தில் இருந்த அமைச்சர் ஒப்புக்கொண்டிருந்தாலும், இப்போது 27-ம் தேதி கும்பகோணத்திலே நடந்த விற்பனை வரி மகாநாட்டிலே நான் தலைமை கும்பகோணத்திலே நடந்த விற்பனை வரி மகாநாட்டிலே நான் தலைமை வகித்து பங்குகொள்ளவேண்டியிருந்தது. அதிலே ஒவ்வொரு வியாபாரிகளும் இந்த விற்பனை வரியினாலும், தங்களையே கஷ்டங்களையும் எடுத்துக் கொண்டுள்ளார்கள். ஆகவே இப்படியெல்லாம் பல கஷ்டங்கள் இந்த வரியினால், அதிகாரிகளாலும் ஏற்படுவதால், இந்த நிலைமையை பரிசீலனை செய்வதற்காக ஒரு நிபுணர்கள்கொண்ட கமிட்டியை கட்டாயம் அரசியலரங்க நியமிக்கும்படி வற்புறுத்திக் கேட்டுக்கொள்ளுகிறேன். அப்படி இந்தக்

THE MADRAS LEGISLATIVE COUNCIL

Tuesday, the 5th April 1955.

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.

Protected water-supply and underground drainage schemes for municipalities in Ramanathapuram district.

* 269 Q.—SRI V. V. RAMASWAMI: Will the Hon. the Minister for Health be pleased to state—

(a) the number of municipalities in Ramanathapuram district which have at present protected water-supply and underground drainage;

(b) when the underground drainage scheme for the Virudhunagar Municipality was sanctioned, and whether it has been completed;

(c) whether there is any proposal for a comprehensive scheme of protected water-supply for Rajapalayam, Sivakasi, Srivilliputhur and Virudhunagar Municipalities; and

(d) if so, the estimated cost of the same?

THE HON. SRI A. B. SHETTY :—“(a) Two municipalities in the district have protected water-supply schemes. No municipality in the district has a drainage scheme.

“(b) No scheme has been sanctioned.

“(c) & (d) A protected water-supply scheme for Srivilliputhur is under execution and its estimated cost is Rs. 15·7 lakhs. The schemes for Virudhunagar and Rajapalayam are in the stage of investigation and the cost of those schemes cannot be furnished now. A scheme is yet to be investigated for Sivakasi.”

SRI V. V. RAMASWAMI :—“May I know whether there is a restricted drainage scheme sanctioned for Virudhunagar Municipality and if so, why has it not been taken up and completed?”

THE HON. SRI A. B. SHETTY :—“A restricted water-supply and drainage scheme for Virudhunagar has been drawn up.”

SRI V. V. RAMASWAMI :—“A comprehensive drainage scheme for Virudhunagar was sanctioned some ten years back. May I know the priority assigned to this scheme?”

THE HON. SRI A. B. SHETTY :—“The drainage scheme for Virudhunagar may probably be taken up in the second Five-Year Plan period.”

[5th April 1955]

SRI MOHAMED RAZA KHAN :—“ Is it not a fact that the Government of Madras have always been promising that all municipalities in the State will have protected water-supply and also drainage schemes? But still I think 90 out of 100 municipalities in the State do not have either protected water-supply or drainage schemes.”

THE HON. SRI A. B. SHETTY :—“ We have four water-supply schemes in operation. Improvements are in progress for 12 water-supply schemes. New schemes are under execution in eight municipalities. New schemes are under investigation in six municipalities. New schemes have yet to be taken up in fourteen municipalities. As regards drainage schemes, some schemes are in operation. Drainage facilities require improvement in nine municipalities. Schemes are under execution in seven municipalities and some of them have been partially executed. Schemes are under design or investigation in six municipalities. New schemes have yet to be taken up in the remaining municipalities.”

SRI ALEXANDER GNANAMUTTU :—“ What is the usual time taken for the execution of a water-supply scheme? ”

THE HON. SRI A. B. SHETTY :—“ It depends upon the scheme.”

SRI ALEXANDER GNANAMUTTU :—“ Does it usually take many years for the execution of a scheme? ”

THE HON. SRI A. B. SHETTY :—“ Some times it may. Now, we are having an accelerated scheme for water-supply in several municipalities.”

SRI V. V. RAMASWAMI :—“ A restricted drainage scheme for Virudhunagar was sanctioned in the year 1944 and the whole amount sanctioned has been placed at the disposal of the department by the Municipality as and when asked. But still the scheme has not yet been completed. May I ask the Hon. Minister whether the delay is due to the separation of the Sanitary Engineering work from the Chief Engineer? If so, will the Hon. Minister be pleased to expedite the scheme without further delay? ”

THE HON. SRI A. B. SHETTY :—“ The investigation and execution of schemes may be rather slow on account of various factors, viz., want of money, want of materials, want of staff, etc. But now all those difficulties are being overcome and I expect that in future the schemes will be expedited.”

SRI V. V. RAMASWAMI :—“ Will the Government take up the question of formulating a comprehensive scheme for all the municipalities, viz., Rajapalayam, Srivilliputhur, and Sivakasi so that there may be continuous supply of water to all these municipalities which are facing drought every year? ”

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THE HON. SRI A. B. SHETTY :—“ For Rajapalayam a supplemental investigation has been sanctioned. For Srivilliputhur, I have already stated that the work is nearing completion. For Sivakasi there is no protected water-supply scheme in operation and investigation will be taken up in its turn in the priority list.”

SRI G. KRISHNAMOORTHY :—“ Is there any truth in the belief of the people that these underground drainages are responsible for typhoid in those areas? ”

MR. CHAIRMAN :—“ Exactly opposite.”

THE HON. SRI A. B. SHETTY :—“ Underground drainage schemes cannot be responsible for typhoid. It is bad water that is responsible.”

Extension of educational fee concessions to the children of peons in aided institutions.

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

(a) whether the Government have any proposal to extend the educational fee concessions given to the children of teachers and clerks to the children of peons in aided institutions; and

(b) if not, the reasons therefor?

THE HON. SRI C. SUBRAMANIAM :—“ (a) & (b) Free education to the children of all persons having an income of Rs. 1,200 and below per annum is proposed to be introduced from 1955-56. All cases mentioned by the hon. Member will be covered by this concession.”

SRI G. KRISHNAMOORTHY :—“ Will Government kindly extend this concession so that children of peons may get free education from Forms IV to VI? ”

THE HON. SRI C. SUBRAMANIAM :—“ Sir, there are very many other cases also which will have to be considered. We have gone to the extent possible just now.”

SRI G. KRISHNAMOORTHY :—“ As only peons in aided institutions have been left out and peons in local body institutions and Government institutions are getting the concession and in view of the fact that the Government have come forward boldly to help the poor children in respect of education, will the Government kindly consider this case also because the cost will be low? ”

THE HON. SRI C. SUBRAMANIAM :—“ What about the peons and other poor persons in other walks of life? We have to take into consideration every poor person. That is why without any consideration of categories we have just now introduced free scholarship for children of all persons coming within the income-group of Rs. 1,200. We shall consider further concessions later on.”

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SRI G. KRISHNAMOORTHY :—“ Do the Government know that only one category of institutions called peons are denied this privilege, whereas clerks, teachers and others are given this privilege? ”

THE HON. SRI C. SUBRAMANIAM :—“ Sir, that question will have to be considered later on. I am afraid we cannot give further concessions at this stage.”

Levy of sales tax on foodstuffs.

* 271 Q.—SRI A. SUBRAMANYAM (on behalf of Sri T. V. Devaraja Mudaliyar) : Will the Hon. the Minister for Land Revenue be pleased to state—

(a) whether there is any proposal to discontinue the levy of sales tax on foodstuffs such as coconut and milk as was done in the case of onion, potatoes, plantain leaves and betel leaves; and

(b) if not, why not?

THE HON. SRI M. A. MANICKAVELU :—“ (a) & (b) There is no proposal to exempt coconuts from levy of sales tax as it is considered that they are not perishables. The question of exempting milk from levy of sales tax is under the consideration of the Government.”

SRI A. SUBRAMANYAM :—“ தேங்காய் அழுக்கிடுவதாலும், பால் கெட்டுவிடுவதாலும் அவைகளுக்கு ஏதாவதும் இந்த வரியிலிருந்து விலக்கு அளிக்கப்படுமா என்பதுதான் என்னுடைய கேள்வி? ”

THE HON. SRI M. A. MANICKAVELU :—“ Coconut is not such a perishable article as vegetables and fish.”

SRI A. SUBRAMANYAM :—“ சமீபத்தில் திருச்சிராப்பள்ளியில் நடைபெற்ற தேங்காய் வியாபாரிகள் மகாநாட்டில் நம்முடைய முதன் மந்திரி அவர்கள் இந்த வருஷ பட்ஜட் முடிவடைந்துவிட்டதால் அடுத்த வருஷம் கவனிப்பதாகக் கூறியிருக்கிறார். அடுத்த வருஷத்தில் இது விஷயத்தைக் கவனித்து வரியிலிருந்து விலக்கு அளிக்கப்படுமா என்று கேட்கிறேன்.”

THE HON. SRI M. A. MANICKAVELU :—“ அந்தமாதிரி சொல்லியிருக்கலாம். இந்த வருஷம் அநேக விஷயங்களை கவனிக்கவேண்டியிருக்கிறது. அடுத்த வருஷத்தைப்பற்றி பிறகு பார்த்துக் கொள்ளலாம்? ”

SRI MOHAMED RAZA KHAN :—“ Apart from milk which the Government are considering to exempt from the levy of sales tax, are they considering the exemption of other perishable commodities? ”

THE HON. SRI M. A. MANICKAVELU :—“ Sir, only milk is under consideration.”

SRI T. M. DAIVASIKHAMANI ACHARIAR :—“ Will the Government consider the question of exempting perishable green chillies from sales tax? ”

THE HON. SRI M. A. MANICKAVELU :—“ We have already exempted certain vegetables from sales tax. I think the hon.

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Member draws attention to the fact that chilli does not come under that category. It is not a perishable article. Probably on that account it has not been exempted.”

DR. V. K. JOHN :—“ Will the Hon. Minister examine and see that no sales tax is imposed on essential food articles? ”

THE HON. SRI M. A. MANICKAVELU :—“ It is a very large question. That is not under consideration now.”

Flood havoc in Cuddalore.

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

(a) whether it is a fact that Cuddalore is being subjected to havoc by floods every year; and

(b) if so, what measures the Government propose to take to avoid damages thereby to lives and properties of the people therein?

THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI :—“ (a) No. Cuddalore is subjected to floods during the years when there are excessive rains lasting several days or a series of successive storm periods that cause floods.

“ (b) A proposal for forming a system of flood banks to protect Cuddalore town from floods was initiated in 1947, but it was deferred in 1951 on account of the poor finances of the State at that time. The proposal has since been revived and the Government are awaiting a report from the Chief Engineer.”

SRI M. ETHIRAJULU :—“ வெள்ளத்தடுப்பு வேலையைக் கவனிப்பதற்கு மத்திய சர்க்கார் 10 கோடி ரூபாயில் ராஜாங்கங்களுக்கு ஒதுக்கப்பட்ட ரூபாய் எவ்வளவு என்று சொல்ல முடியுமா? ”

THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI :—“ A separate question may be put.”

SRI M. ETHIRAJULU :—“ இந்த ராஜ்யத்தில் ஏற்படக்கூடிய வெள்ளத் தடுப்பு வேலையை உடனடியாகக் கவனிப்பதற்கு இரண்டாவது ஐந்தாண்டுத் திட்டத்தில் இதைச் சேர்க்க முடியுமா? ”

THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI :—“ This is a question being considered by this Government. The report of the Chief Engineer is awaited. The question of including it in the Five-Year Plan or otherwise will be considered afterwards.”

Repairs to Tiruvendipuram anicut in South Arcot district.

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

(a) whether the Government have received any representation in or about October 1954 in regard to repairs to the Tiruvendipuram anicut in South Arcot district; and

(b) if so, the action taken thereon?

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

“(b) The requests in the petition have been examined in consultation with the Chief Engineer (Irrigation) and the Collector.

It is proposed to provide screw-gearing shutters to the existing scour vents in the anicut and also construct five additional scour vents with screw-gearing arrangements. It is also proposed to excavate a leading channel in the river bed upstream of the scour vents and to construct a few groynes on the left side upstream of the point where there is a concave bend of the river, with a view to encourage accretion on the left side and to divert the flow on to the right. The Superintending Engineer has been instructed to carry out the above improvements expeditiously as it is expected that after these are carried out there will be sufficient heading up of water in front of the anicut.”

SRI M. ETHIRAJULU :—“தென் ஆற்காடு ஜில்லாவை ஸர்பிளஸ் எரியா என்று சொல்லப்படுகிறது. ஆனால் சிதம்பரம் தாலுகாவைத் தவிர மற்ற இடங்களெல்லாம் வறண்ட பூமியாக இருப்பது எல்லோருக்கும் தெரியும். ஆகையால் சிதம்பரத்திற்கு அருகாமையில் ஓடும் வெள்ளாற்றின் ஜலத்தை வடலூர் பக்கத்தில் இருக்கக்கூடிய பின்னலூர் வழியாகத் திருப்பி வறண்ட பூமியாகிய குறிஞ்சிப்பாடி, குள்ளஞ்சாவடி போன்ற இடங்களுக்கு நீர்ப்பாசன வசதி செய்து கொடுக்க முடியுமா என்று கேட்கிறேன்?”

THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI :—“It is a separate question. That has no bearing on the question that has been put here.”

Utilization of the waters of the Palar river for irrigation purposes in North Arcot and Chingleput districts.

* 274 Q.—SRI T. PURUSHOTHAM: Will the Hon. the Minister for Public Works be pleased to state—

(a) the details of the agreement, if any, reached hitherto between the Governments of Madras and Mysore in the matter of letting out the waters of the Palar river for purposes of irrigation in North Arcot and Chingleput districts in Madras State;

(b) whether the Madras Government have investigated into the causes for the present fall in the freshes in the Palar river flowing into Madras territory, and if so, what they are;

(c) whether the Madras Government have taken up the matter with the Mysore Government, and if so, with what result and whether the Government will be pleased to place the correspondence on the table of the House;

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(d) whether the Madras Government addressed the Central Government to effect a settlement with the Mysore Government in the matter of letting out the waters of the Palar river for irrigation purposes in Madras territory and if so, when and whether any further move has been made in the matter; and

(e) whether any representations have been received by the Madras Government from the ryots of Palar basin in this matter and if so, the action taken thereon?

THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI :—“(a) The Palar is one of the rivers coming within the scope of the agreement of 1892 between Madras and Mysore Governments and no new anicut or reservoir which would result in the diversion of water from the river beyond certain limits can be constructed by Mysore without the previous consent of Madras. An understanding was reached in regard to the Bethamangalam tank in Mysore State in 1902 when the Mysore Government proposed to increase the capacity of the Bethamangalam tank. They then agreed that the waters of this tank would be used only for domestic and industrial purposes of the Kolar Gold Fields and that the yearly draw-off of 72 m.c.ft. would not at any time be increased by them without a previous reference to the Madras Government. In 1933 the Mysore Government agreed to examine whether, and to what extent, it would be possible to supply the information asked for by the Madras Government and if so, at what cost.

“(b) & (c) Certain suggestions made in 1949 for getting more water in the Palar were examined by the Government in consultation with the Chief Engineer, but it was ultimately found that no steps could be taken as suggested. But the question of unlawful interception of supplies in the river in the limits of Mysore had been examined from time to time during the previous three decades and in that process the Government of Mysore had been addressed for information several times and the information actually obtained had not been helpful for arriving at a definite conclusion. The Government have not, however, dropped the matter.

The Government do not consider that any useful purpose will be served by placing the correspondence on the table of the House.

“(d) No representation was sent to the Union Government as assumed in the question, but while sending a reply to that Government regarding a reference from them, this Government requested them in June 1954 to use their good offices in the matter of supply to this Government of full and correct information by Mysore regarding the capacity of and the use of waters in the works in the Palar basin in Mysore limits. This Government are now considering a proposal to request the

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Government of India to constitute a council under Article 263 of the Constitution of India to make enquiries into the matter and suggest suitable remedies. The proposal envisages the council being comprised of persons not belonging to either of the two States involved.

"(e) A memorandum on the subject setting forth the resolutions passed at the North Arcot-Chingleput Ryots' Conference held at Kaveripakkam on 26th December 1954, has been received in January 1955. After examination it is proposed to address the Government of India as stated above."

SRI T. PURUSHOTHAM :—" Have the Government investigated into the complaint voiced on the floor of the House by the ex-Chief Minister Sri O. P. Ramaswami Reddiar with regard to this question, Sir, that Palar water is being directed to more lakes within Mysore than were stipulated in the 1892 agreement referred to by the Hon. Minister? "

THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI :—" For the last three decades this question has been engaging the attention of this Government and there is no positive proof for the Government to establish the fact that they have violated the provisions of the agreement."

SRI MOHAMED RAZA KHAN :—" I want to make a submission. The question is very important, but the reply is rather lengthy. Therefore, Members may not try to put supplementary questions unless the reply is placed on the table of the House. Further, the Minister's speech was a little bit terrific so much so that we could not cope with the speed. Therefore, I request him to place the reply on the table of the House tomorrow so that Members may be able to put supplementary questions."

DR. V. K. JOHN :—" We may have this matter discussed at length on the floor of this House in the form of a half-hour debate."

MR. CHAIRMAN :—" Let the Hon. Minister reply to the suggestion made."

THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI :—" Regarding speed, this is the first time I hear that I have not been understood. I shall try to slow my speed."

SRI MOHAMED RAZA KHAN :—" The reply is really important. But it has been a lengthy one."

THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI :—" It cannot be placed on the table of the House. As regards discussion, it is for the Hon. Chairman to decide."

DR. V. K. JOHN :—" He is interested in speed."

THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI :—" That is a different question."

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SRI T. PURUSHOTHAM :—" Have the Government any records to show that more water is being impounded now in Bethamangalam tank than what was allotted to Mysore under the agreement referred to by the Hon. Minister? "

THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI :—" In respect of the Bethamangalam tank they raised the bund level by 9 feet with the concurrence and express approval of this Government in 1902 and they gave an assurance that they were doing that for the purpose of offset against drought years for storage, and in that case they would never draw beyond 72 m.c.ft. That agreement has not been violated. That is what the Government of India have also said recently."

SRI T. PURUSHOTHAM :—" With reference to the answer to clause (c), may I invite attention to the statement in the Mysore Gazetteer itself that the entire water of the Palar is being intercepted within Mysore and in view of the fact that more than 75,000 acres under the Palar basin this side require water from the Palar, may I know whether the Government have sought a solution to this problem by negotiation with the Mysore Government by high-level Ministerial talks as they have successfully done in the case of Periyar waters with the Travancore-Cochin Government? "

THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI :—" That is what we are trying to do. The point is we can only ask the Government of India to interfere under Article 263 of the Constitution of India to appoint an impartial body to inquire into the whole question and that we are proposing to do now. We cannot do it ourselves. The Mysore Government are saying that they have not violated the agreement. They are at a standstill now. The only course open to us is to make a proposal to the Government of India to appoint a body to go into this question."

SRI T. PURUSHOTHAM :—" May I know whether the present reference to the Central Government on this Palar question relates to Palar only or is it a general reference to set up a council under Article 263 of the Constitution to deal with all such cases? "

THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI :—" Only with reference to the Palar question."

SRI T. PURUSHOTHAM :—" Will not the Government take this up as a general question in view of the necessity for pooling the water resources in South Indian States so that we can utilize all the available waters of the rivers in South India to the maximum extent possible instead of allowing them to go waste into the sea? "

THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI :—" Sir, we need not apprehend any difficulty with reference to other questions. As and when they arise, they can be efficiently tackled. So long as Article 263 is there, we need not worry."

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SRI V. V. RAMASWAMI :—“இந்தப் பாலாறு சம்பந்தமாக செக்ஷன் 263-ப்படி மத்திய அரசாங்கத்திற்கு எழுதியாகிவிட்டதா?”

THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI :—“We propose to address them.”

DR. A. SREENIVASAN :—“Do the Government know that three gold mines in Kolar have been closed down and that the water used by those mines has been impounded by the Mysore State? Further, to-day's papers carry the news that most of the mining activities in Mysore State will come to an end because of the royalty imposed by the Government being doubled, and it is likely that the water used by them also may be impounded by the Mysore State?”

THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI :—“We have no information about these things. Only the Council we have asked for can go into all this.”

DR. V. K. JOHN :—“Considering the great importance of this matter, may I suggest that we have a half-hour discussion on this subject so that we can know and appreciate the present position clearly?”

THE HON. SRI C. SUBRAMANIAM :—“May I say a word, Sir? This is an inter-State problem and I do not think any discussion here will lead to any solution. It may be left to the Government to tackle it as best as they can. Perhaps a discussion here may create further difficulties.”

MR. CHAIRMAN :—“I do not think any discussion will help as the Hon. the Finance Minister has said. We can have as many supplementaries as we want. Any half-hour discussion will not enable the Government to arrive at any agreement with the other State.”

DR. V. K. JOHN :—“May I ask whether the Government of India are sympathetic with regard to the position taken up by the Government of Madras?”

THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI :—“I am not a mind-reader.”

MR. CHAIRMAN :—“Where is the need for a half-hour debate, when there is not even one more supplementary forthcoming?” (Laughter.)

Supply of water from Mysore State into Palar river for irrigation in North Arcot and Chingleput districts.

* 275 Q.—SRI T. PURUSHOTHAM: Will the Hon. the Minister for Public Works be pleased to state—

(a) whether any representation has been received by Government from the Chairman of the Standing Committee of the North

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Arcot-Chingleput Ryots' Conference held in the Madras State in December 1954 regarding supply of water from Mysore State into Palar river for irrigation in the above two districts;

(b) whether it is a fact that the Government of India were addressed by the Government of Madras to use their good offices towards a satisfactory agreement with the Government of Mysore in this matter and with what result;

(c) whether it is a fact that the Government of India have addressed a communication to the Madras Government regarding the sharing of the waters of the Palar river; if so, whether the Government will be pleased to lay the correspondence on the table of the House;

(d) what steps are proposed to be taken to bring about an early settlement between Mysore and Madras Governments so that the supply of waters to the Palar river from Mysore might be assured without interception; and

(e) whether this was referred to the Government of India by the Madras Government for decision under Article IV of the 1892 agreement between Madras and Mysore Governments and if not, the reasons therefor?

THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI :—“(a) A memorandum on the subject setting forth the resolutions passed at the North Arcot-Chingleput Ryots' Conference held at Kaveripakkam on 26th December 1954 has been received in January 1955.”

“(b) No representation was sent to the Union Government as assumed in the question but while sending a reply to that Government on a reference from them, in June 1954 this Government requested them to use their good offices in the matter of supply to this Government of full and correct information by Mysore regarding the capacity of and the use of waters in the works in the Palar basin in Mysore limits.

“(c) No. No useful purpose will be served by placing copies of the correspondence on the subject on the table of the House.

“(d) This Government are now considering a proposal to request the Government of India to constitute a Council under Article 263 of the Constitution of India to make enquiries into the matter and suggest suitable remedies. The proposal envisages the Council being comprised of persons not belonging to either of the two States involved.

“(e) No. There is no case at present for action under the Article quoted.”

SRI T. PURUSHOTHAM :—“Will the Hon. the Minister enlighten us when this matter will be taken up with the Government of India?”

THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI :—“We are proposing to address them. Any time we will send the communication.”

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SRI MOHAMED RAZA KHAN :—“ How do the Government reconcile the two propositions—a half-hour debate will not help the solution of the problem; at the same time, the Revenue Minister presiding over a conference can help to solve the problem? ”

THE HON. SRI M. A. MANICKAVELU :—“ I only participated in it.”

THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI :—“ When the half-hour debate cannot solve it, we do not claim that a conference can solve it.”

SRI K. BHASHYAM :—“ It was said that the Government of India would be addressed. Instead of making a specific proposal, will it not be good if Ministers are left free to negotiate with the Government of India and the Mysore Government? ”

THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI :—“ The Mysore Government say in reply to repeated representations that they have not violated the agreement. We are unable to get further information. Therefore we have got to approach the Government of India to help us more or less as an arbitrating body. After they appoint a Council and after that Council goes into the question and gives its findings, we must take further action. That Council has to go into the agreement and see whether it has been violated or the terms of the agreement abused. After its findings are available, we can ask the Government of India to interfere or intervene on our behalf and remedy the whole situation. Till then nothing can be done.”

SRI K. BHASHYAM :—“ Even if there is no violation of the agreement, cannot this Government make a representation to the Central Government to see that the whole question is reconsidered and the agreement entered into long ago re-examined and that a new agreement is entered into so as to allow us a reasonable supply of water from Palar? ”

THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI :—“ All these things will come afterwards. We need not waste our time over it now. The Council is more or less a fact-finding committee and let it gather particulars. Afterwards let us think about all this.”

SRI T. PURUSHOTHAM :—“ Will the Hon. the Minister for Public Works take a trip to Delhi and make a personal approach to the Government of India in the Ministries concerned? ”

THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI :—“ That will not help much. After all we are now asking for the constitution of a fact-finding body. We are not going to make any representation supplying fresh facts. No extra facts will be placed at their disposal. Any personal trip on my part to Delhi will not serve any purpose but I have no objection to make a trip to Delhi on a holiday if the hon. Member wants it.”

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DR. A. SREENIVASAN :—“ Are the Government of Madras entitled to any compensation if it is found that the Government of Mysore have violated the agreement? ”

THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI :—“ All that will arise only after the fact-finding body gives its opinion.”

SRI T. PURUSHOTHAM :—“ Will the Government forward a copy of the Council proceedings on this subject to the Central Government along with their communication requesting the constitution of the Arbitration Council? ”

THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI :—“ Proceedings of this House? ”

DR. V. K. JOHN :—“ May I know when this Government approached the Government of India under Article 263 for the appointment of a Council for co-ordination between the two States? ”

THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI :—“ It is proposed. We are going to address the Government of India.”

DR. V. K. JOHN :—“ May I suggest that you approach the Government of India as quickly as possible to take action under Article 263 of the Constitution? ”

THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI :—“ We are proposing to do it almost immediately.”

Electric current charges for the Avadi Session of the Indian National Congress.

* 276 Q.—SRI V. GURUNANDAN ROW : Will the Hon. the Minister for Public Works be pleased to state—

(a) the expenditure incurred by the Government in giving electric connexions and on account of electric current charges for the Avadi Session of the Indian National Congress; and

(b) whether the Government will be pleased to place on the table of the House a copy of the agreement, if any, entered into between the Government and the Indian National Congress for the supply of electricity?

THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI :—“ (a) An expenditure of Rs. 4,193 was incurred on account of laying lines, etc., in giving temporary supply of electricity to the 60th Session of the Indian National Congress at Avadi and a sum of Rs. 7,673-13-0 is payable by the Reception Committee towards current consumption charges. According to the rules governing temporary supply of electricity such expenditure will have to be reimbursed by the consumer. The Reception Committee has already paid Rs. 8,210 on this account and the balance will be collected expeditiously.”

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" (b) No agreements are entered into with the consumers in the case of temporary supply of electricity."

DR. V. K. JOHN :—" Would it not be in order for the Government to make a contribution towards the expenditure on the Avadi Session of the Congress in the matter of supply of electricity? "

THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI :—" That question does not arise. We have collected the money and there is no question of supply gratis. If the hon. Member wants it, let him bring in a resolution."

Number of Baby Taxis plying in the City of Madras.

* 277 Q.—SRI T. PURUSHOTHAM: Will the Hon. the Minister for Religious Endowments and Transport be pleased to state—

(a) the number of Baby Taxis plying in the City of Madras as on 1st February 1955;

(b) the number of applications for licence to ply Baby Taxis received by the Commissioner of Police, Madras, from the date of its introduction till 1st December 1954;

(c) the prescribed authority to consider and select the licensees; and

(d) whether the Government have considered the desirability of (i) increasing the number of Baby Taxis in the City of Madras, and (ii) introducing the same in the mufassal stations?

THE HON. SRI B. PARAMESWARAN :—" (a) 106.

" (b) 430.

" (c) The Regional Transport Authority in the mufassal and the Road Traffic Board in the City are the competent authorities to grant contract carriage permits which include Baby Taxis.

" (d) There is no proposal pending with Government for increasing the number of Baby Taxis in the City and there have also been no representations to this effect. As regards the mufassal, the Government have accorded approval to the proposals of the Central Road Traffic Board for the introduction of Baby Taxis in Malabar and Tanjore districts. The question of introducing Baby Taxis in other districts is under consideration."

11-30 a.m. SRI T. PURUSHOTHAM :—" Are these licences being granted in the order of priority with reference to the date of the applications? "

THE HON. SRI B. PARAMESWARAN :—" I do not think these licences would be given on the order of priority. Every case would be gone into according to merits."

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SRI MOHAMED RAZA KHAN :—" What is the exact number of baby-taxis prescribed to be run in the City of Madras? "

THE HON. SRI B. PARAMESWARAN :—" One hundred and six baby-taxis are now running in the City. We have not prescribed any number."

DR. V. K. JOHN :—" Will the Government give an assurance that in the granting of these licences, no favouritism would be shown? "

THE HON. SRI B. PARAMESWARAN :—" That is the usual aspersion which the hon. Member is always indulging in. I do not think that such unwarranted insinuations warrant any reply."

SRI T. PURUSHOTHAM :—" As it is evident from the answers given to clauses (a) and (b) of the question that there is a large number of applications still pending showing the demand for baby-taxis, will the Government sanction the issue of more licences for baby-taxis to be put on the roads in the City? "

THE HON. SRI B. PARAMESWARAN :—" Government would consider the granting of sufficient number of licences for baby-taxis to cope with the public demand."

SRI V. GURUNANDAN ROW :—" Is there any restriction as to the age of the baby-taxis, whether they are of 1950 or 1951 model; before they are registered as taxis? "

THE HON. SRI B. PARAMESWARAN :—" I do not think it is so. Public taxis which are considered to be really useful and serviceable are directed to be run on the roads."

SRI MOHAMED RAZA KHAN :—" Is the Hon. Minister aware that there is a growing demand in the City for these baby-taxis? There has been a representation to the Commissioner of Police that more licences should be given for plying more baby-taxis? Therefore will the Government take a decision prescribing the maximum number of baby-taxis that could ply in the City, consistent with the present public demand? "

THE HON. SRI B. PARAMESWARAN :—" We cannot be going on increasing the public taxis here and there. As I said before to cope with public demand, enough licences would be given for plying of baby-taxis."

SRI ALEXANDER GNANAMUTTU :—" Will the Government think of allowing the plying of baby-taxis in other mufassal districts than the two districts mentioned? "

THE HON. SRI B. PARAMESWARAN :—" That proposal is under the consideration of Government. I have said so in an answer to a previous question."

DR. V. K. JOHN :—" Have the Government made any estimate or have they conducted any survey regarding the demand for these baby-taxis in the City? "

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THE HON. SRI B. PARAMESWARAN :—“ There is no need to make any survey. The Board meets periodically and whenever it feels that there is need for granting more licences for the plying of baby-taxis the required licences would be given. As I have already said even now there are 430 applications for the grant of licences. These applications would be gone into and enough permits to cope with the public demand for baby-taxis would be given. Therefore there is no need to make any survey regarding the demand for these baby-taxis in the city.”

SRI M. ETHIRAJULU :—“ பொதுமக்கள் செலாகியத்தை முன்னிட்டு, பெரிய டாக்ஸிகளுக்கு போடப்பட்டிருக்கும் மைலுக்கு 12 அணு என்றிருக்கும் கட்டணத்தைக் குறைப்பதற்கு ஏதாவது சர்க்காரில் யோசனை இருக்கிறதா ? ”

THE HON. SRI B. PARAMESWARAN :—“ இப்போது சின்ன டாக்ஸி விஷயத்தைப்பற்றிப் பேசப்படுகிறது. பெரிய டாக்ஸியில் போவதற்கு கஷ்டப்படுபவர்கள் சின்ன டாக்ஸியில் போகலாம். பெரிய டாக்ஸியில் இதுவரையில் 4 பேர் போகலாம் என்று இருந்தது. ஆனால் இப்போது 5 பேர்கள் போகலாம் என்று உத்திரவு போட்டிருக்கிறார்கள்.”

UNSTARRED QUESTIONS.

Exemptions granted under the Madras Shops and Establishments Act, 1947.

24 Q.—SRI V. GURUNANDAN ROW : Will the Hon. the Minister for Agriculture be pleased to lay on the table of the House a list of all the exemptions of persons or classes of persons, establishments or classes of establishments under the Madras Shops and Establishments Act, 1947, which are now in force; and to state—

(a) in how many of the above cases the Government have consulted the employees before passing the order of exemption;

(b) in how many cases permanent exemption has been granted; and

(c) in how many cases exemption has been granted from all the provisions of the above Act?

A.—A list of exemptions granted is placed on the table of the House.

(a) In none of the cases were the employees consulted.

(b) 86.

(c) 24.

Full fee concession to the children of women teachers.

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

(a) whether the children of women teachers employed in institutions managed by local bodies and also of those in Government employ are eligible for full fee concession for their studies;

(*) Printed as Appendix on pages 836-840 infra.

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(b) whether this concession is allowed to the children of Local Fund women teachers studying in Government high schools and, if not, the reasons therefor; and

(c) whether any representation has been received by the Government for equality in treatment of children of all women teachers and if so, the orders passed thereon?

A.—(a) The children of women teachers employed in institutions managed by local bodies and also of those in Government employ are eligible for full fee concession provided the income of such teachers employed in institutions managed by local bodies together with the income if any of their husbands does not exceed Rs. 50 a month and that in the case of widows the income does not exceed Rs. 75 per month and that in the case of women teachers in Government educational institutions the pay should not exceed Rs. 100 per month and in the case of widows the pay should not exceed Rs. 125 per month.

(b) This concession is not allowed to the children of women teachers in the employ of a local board or municipal council studying in a Government High School as originally it was intended to grant the concession to the children of women teachers working in Government schools only, on financial grounds.

(c) There does not seem to have been any representation from anybody for equality in treatment.

Application for grant of free lands for cultivation or housing.

26 Q.—SRI T. M. DAIVASIKHAMANI ACHARIAR : Will the Hon. the Minister for Land Revenue be pleased to state—

(a) whether any application was received from the rural Viswakarma industrialist of Ayyampet, Tanjore district, for grant of free lands for cultivation or housing; and if so, when;

(b) whether these essential village industrialists are treated as village artisans for the above purpose; and

(c) in which districts grants of land or house-sites have been made or are proposed to be made to the rural industrialists such as carpenters, blacksmiths, wheelrights and plough and loom-makers?

A.—(a) Yes, Sir.

(b) There is no special provision for treating the village industrialists as village artisans for the purpose of assignment of lands.

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- (c) There are no proposals for grant of land or house-sites to the rural industrialists as such. Agricultural lands are being assigned to the landless poor according to the existing instructions.

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

* SRI T. M. DAIVASIKHAMANI ACHARIAR :—“ On a point of information, Sir. On the 26th March, you were pleased to call me to move the non-official resolution which stood in my name . . . ”

MR. CHAIRMAN :—“ If the hon. Member wants any information about any decisions which I have made, he must ask me in my Chamber and not here in the House.”

SRI T. M. DAIVASIKHAMANI ACHARIAR :—“ Yes, Sir.”

II.—ANNOUNCEMENTS BY THE HON. CHAIRMAN.

(1) ACTS ASSENTED TO BY THE GOVERNOR.

MR. CHAIRMAN :—“ I have to make the following announcements with reference to the Acts assented to by the Governor :—

“(1) The Madras Plantations Agricultural Income-tax Bill, 1954 (L.A. Bill No. 30 of 1954), passed by the Madras Legislature on the 18th March 1955 received the assent of the Governor on the 27th March 1955 and has been published as Act No. V of 1955 in Part IV-B of the Fort St. George Gazette, dated the 30th March 1955 ;

(2) The Madras Appropriation Bill, 1955 (L.A. Bill No. 5 of 1955), passed by the Madras Legislature on the 29th March 1955 received the assent of the Governor on the 31st March 1955 and has been published as Act No. VI of 1955 in Part IV-B of the Fort St. George Gazette, Extraordinary, dated the 31st March 1955 ; and

(3) The Madras Appropriation (No. 2) Bill, 1955 (L.A. Bill No. 6 of 1955), passed by the Madras Legislature on the 29th March 1955 received the assent of the Governor on the 31st March, 1955 and has been published as Act No. VII of 1955 in Part IV-B of the Fort St. George Gazette, Extraordinary, dated the 31st March 1955.”

(2) MESSAGES FROM THE ASSEMBLY.

MR. CHAIRMAN :—“ I have also to announce to the House that I have received messages from the Hon. the Speaker, Madras Legislative Assembly, transmitting copies of the following Bills as passed by the Assembly :—

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| (1) On 31st March 1955. | The Madras Court Fees and Suits Valuation Bill, 1954 (L.A. Bill No. 25 of 1954). |
| (2) On 31st March 1955. | The Madras City Civil Court (Amendment) Bill, 1955 (L.A. Bill No. 7 of 1955). |
| (3) On 1st April 1955 .. | The Madras Cinemas (Regulation) Bill, 1954 (L.A. Bill No. 52 of 1954). |
| (4) On 1st April 1955 .. | The Presidency Small Cause Courts (Madras Amendment) Bill, 1955 (L.A. Bill No. 8 of 1955). |

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[Mr. Chairman]

- (5) On 2nd April 1955 .. The Tanjore Chattram Endowment (Utilization) Bill, 1955 (L.A. Bill No. 10 of 1955).

and signed by him for the concurrence of the Council; and

“ I have also to announce to the House that I have received the following message, dated the 2nd April 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 Madras General Sales Tax and the Madras Tobacco (Taxation of Sales and Registration) (Amendment) Bill, 1955 (L.A. Bill No. 9 of 1955), as passed by the Assembly on the 2nd April 1955 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.”

* DR. V. K. JOHN :—“ Sir, we have four Bills on the Agenda. I request, Mr. Chairman, that these Bills may be taken up not today but tomorrow afternoon. We shall try to co-operate with Government and see that these Bills are disposed of by tomorrow and the day after that. Copies of these Bills were served on us only yesterday afternoon. We had no time to go through them. Of course we are entitled to give notice of amendments now. But we had no time to go through these Bills and none of us, on this side, had therefore the time to give notice of any amendment. I request therefore that these Bills may be taken up not today but tomorrow afternoon. We shall try to minimize discussion and see that they are disposed of by tomorrow and the day after that.”

* SRI K. BHASHYAM :—“ I would like to support what the Deputy Leader of the Opposition has said. This Bill, the Madras Court Fees Bill, was circulated and it was received by us yesterday in our houses at a time when we had left our home for our offices. We really saw it only in the evening. In the agenda it has been said that this Madras Court Fees Bill had been sent to us as early as 2nd April 1955. It is not correct. It has been supplied to us only yesterday evening. Another thing, Sir. With regard to the Bills passed by the Assembly and which come up here, according to the rules it is said that they may be taken as soon as possible . . . ”

THE HON. SRI C. SUBRAMANIAM :—“ I am agreeing to these Bills being taken up tomorrow. Therefore I do not think the hon. Member need go on discussing about rules and all that.”

* SRI K. BHASHYAM :—“ I do not want to dispute what the Hon. Minister has said. Let the Bills be taken up tomorrow. In fact that is what I want. But I want some additional information may also be given by the Hon. Minister. I want some information. Regarding this Madras Court Fees Bill, I want the Hon. Minister to furnish us with figures regarding the expenses which Government incur with regard to Administration of Civil Justice. That requires some time. That is why I want to say this now so that when the Bill is being discussed, the Hon. Minister can give us the required figure. Besides, the Court Fees Bill is a very difficult one. It is not as if we can talk on it off-hand and pass it straightway, especially a.m. 11-40

[Sri G. Krishnamoorthi] [29th March 1955]

'Government scale' is left blank. In the case of the pandits there is still the question of reducing the number of periods to make them eligible for B.T. scales, and I was assured again and again on the floor of this House that it was under the active consideration of the Government. If really Government make up their mind and remove this period bar, that will be a great relief.

"Finally, I would request the Government to see that the matter of grant of Rs. 3, referred to by me recently, is dealt with by them sympathetically. Though the Committee may consider all these things, it is a matter for urgent action by the Government. The grant of this Rs. 3 is going perpetually to enrich the managements. I would request this Government to pass orders to the managements saying that the grant of Rs. 3 made in April 1954 is an additional benefit to the teacher over and above what the teacher was getting before that date. Thank you, Sir."

5 p.m.

SRI M. ETHIRAJULU

கனம் சபாநாயகர் அவர்களே, கனம் நிதி அமைச்சர் அவர்கள் கொண்டு வந்திருக்கும் இந்த உப வரவுசெலவு திட்டத்தை ஆதரித்து ஒருசில வார்த்தைகள் சொல்ல விரும்புகிறேன். நான் அதிகப்படியாக ஒன்றும் சொல்லப்போவதில்லை. சென்ற இரண்டு மூன்று வருஷங்களாக இந்த வரவுசெலவு திட்டத்திலே நான் அடிக்கடி சலவைத் தொழிலாளர்களின் நலனை அதிகப்படியாக கவனிக்கும்படி குறிப்பிட்டுவந்திருக்கிறேன். அதன் சார்பாக கனம் நிதி அமைச்சர் அவர்களை பலமுறை தனிப்பட்ட முறையில் கேட்டிருக்கிறேன். அதற்கான 33 நிதியை ஒதுக்கி அந்தத் தொழிலாளர்களுடைய நலனையும் அவர்களுடைய சுகவாழ்வையும் சுகாதாரத்தையும் விருத்திசெய்ய வேண்டுமென்று கேட்டுக்கொண்டிருக்கிறேன். அவர்கள் பொதுமக்களுக்கு உழைக்கக் கூடிய சலவைத் தொழிலாளர்களுக்கு இருவரை ஒன்றும் செய்துகொடுக்கப் படவில்லை. அவர்கள் வெய்யிலிலும் காணலிலும் காய்ந்துகொண்டு உழைப்பே லட்சியம் என பொதுமக்களுடைய துணியை சலவை செய்துகொண்டிருக்கிறார்கள். அவர்கள் சூரிய வெப்பத்தில் காய்ந்து மிகவும் வருந்தி உழைக்கிறார்கள். ஆகவே அவர்களின் பரிதாபநிலையைப் பார்த்து அவர்களுக்கு இந்த டோபிகானு விஷயத்தில் சர்க்கார் கொஞ்சம் கவனம் செலுத்தி எப்படியாவது அவர்களுக்கு வசதி செய்து கொடுத்தால் மிகவும் நன்றாக இருக்கும் என்று நினைக்கிறேன். அவர்களுக்கு இந்த நன்மை செய்யாததினால், அவர்கள் சுகாதார வசதி குறைந்து கடுமையான சூரிய சிலருக்கு யானைக்கால் வியாதியும், கடுமையான சரமும் எலும்புருக்கி நோயினால் மிகவும் கஷ்டப்படுகிறார்கள். ஆகவே சர்க்கார் இதையெல்லாம் யோசித்து எப்படியாவது டோபிகானு ஏற்படுத்துவதற்காக கொஞ்சம் நிதி ஒதுக்கி சூரியவெப்பத்தினாலும், நோயினாலும் மிகவும் கஷ்டப்பட்டுக்கொண்டிருக்கிற சலவைத் தொழிலாளர்களுக்கு வசதி செய்துகொடுக்கவேண்டுமென்று கேட்டுக்கொள்ளுகிறேன்.

"அதுமட்டுமல்ல. இந்த டோபிகானு விஷயத்தில் முனிசிபாலிட்டிகள் தான் இதற்கு வேண்டிய நடவடிக்கை எடுக்கவேண்டும் என்று சர்க்கார் சட்டம் இருப்பதாக சொல்லப்படுகிறது. அப்படியானால் சர்க்கார் எல்லா முனிசிபாலிட்டிகளுக்கும் ஒரு தாக்கீது அனுப்பி டோபிகானுவைக் கட்டாயமாக கட்டிக்கொடுக்க வேண்டுமென்று உத்தரவு போட வேண்டுமென்று கேட்டுக் கொள்ளுகிறேன். அப்படி செய்தால்தான் ரொம்பவும் நன்றாக இருக்கும். நாம் ஏழை தொழிலாளர்களுக்கு பெருத்த நன்மை செய்தவர்களாவோம்.

"அடுத்தபடியாக சைதாப்பேட்டை ஆற்றிலே வேலைசெய்யும் தொழிலாளர்களை எடுத்துக்கொண்டால் அவர்கள் செய்யும் தொழிலை பாதிக்கப்பட்டிருக்கிறது. ஆயிரக்கணக்கான மக்கள் அங்கு வேலைசெய்து

29th March 1955] [Sri M. Ethirajulu]

கொண்டிருக்கின்றனர். அவர்கள் அவ்வளவு பேரும் இன்று இன்னி யரிங் காலேஜ் அறுகாமையில் கட்டியிருக்கும் மார்மலாங் அணை உடைப் பட்டிருப்பதால் அவர்கள் நல்ல முறையில் சலவைத் தொழில் செய்ய முடியாமல் நல்ல ஓலத்தோடு உப்புதலும் கலந்து சலவைத் தொழிலையே பாதிக்கிறது. இந்த அணை இப்படியிரிங் காலேஜிலும் பொதுமக்களாலும் கட்டப்பட்ட ஒரு அணை அதன் நடு மத்தியில் கொஞ்சம் உடைப்பு ஏற்பட்டிருப்பதனால் அதிலிருந்து உப்பு தண்ணீரானது இந்த ஆயிரக்கணக்கான சலவைத் தொழிலாளர்கள் வேலை செய்யக்கூடிய இடத்திற்கு வருவதனால் அவர்கள் வேலை செய்யமுடியாமல் பாதிக்கப்படுகிறார்கள். அதற்காக அவர்கள் சர்க்காருக்கு ஒரு மகஜர் கொடுத்திருக்கிறார்கள். இதுவரை சர்க்கார் ஒன்றும் கவனிக்கவில்லை. நாலாம் நேரிலே சென்று என்ஜினியரிட திலும், மாமரத்து இலாகா மந்திரி அவர்களிடமும் சொல்லியிருக்கிறேன். அமசாங்கம் கல்லூரி அதிகாரிக்கு இதற்குத் தகுந்த நடவடிக்கை எடுக்கச் சொன்னால் அவர்கள் உடனடியாகக் கவனிப்பார்கள். அப்படி இல்லாவிடில் 1,000 ரூபாய் செலவுசெய்தால் இந்த உடைப்பை சரிசெய்து இதில் உப்பு தண்ணீர் பாயாதவாறு குறுக்கே அணை போடலாம் அல்லது கலெக்டருக்கு உத்தரவுவிட்டு இதை சரி செய்யலாம். இந்த உடைப்பு சரிப் படுத்தப்பட்டால்தான் சைதாப்பேட்டையிலுள்ள சலவைத் தொழிலாளர்கள் உயிர் வாழமுடியும். இல்லாவிட்டால் அவர்கள் அந்த இடத்தையேவிட்டு தொழில் செய்யாது முடிவிடக்கூடிய நிலைமையான ஏற்படும். இதையெல் லாம் அரசாங்கம் யோசித்து உடனடியாக இவர்களுக்கு வழிசெய்யவே ண்டுமென்று கேட்டுக்கொள்ளுகிறேன். இல்லாவிட்டால் கார்ப்பரேஷனுக் காவது ஒரு தாக்கீது அனுப்பி இதைச் செய்யும்படியாகச் சொல்லலாம். ஆதலால் இந்த உப பட்டியலிலே ஒரு 50 ஆயிரம் ரூபாய் ஒதுக்கி சலவைத் தொழிலாளர்களுடைய கஷ்டங்களை போக்க அவர்களின் நலனை கவனிக்கு மாறு கனம் நிதி மந்திரி அவர்களை கேட்டுக்கொள்ளுகிறேன். அப்படி செய்தால் ஏழை தொழிலாளர்கள் சுகாதார வசதிபெற்று நல்ல நிலைமை யில் தொழில்செய்யமுடியும். இதை கைநழுவ விடக்கூடாது என்று மிகப்பணிவுடன் கேட்டுக்கொள்ளுகிறேன்.

"அடுத்தபடியாக ஜில்லா கலெக்டருக்கு அதிக பலர் கொடுத்திருக்கிறார்கள். அவர்கள் கலெக்டர் தங்களை கடவுள் என்றே நினைத்துக்கொண்டு பொது மக்களின் குறைகளை சரியாக கவனிக்காமல் இருந்து வருகிறார்கள். பொதுமக்களுடன் நன்கு பழகுவது கிடையாது. ஆகவே சர்க்கார் கலெக்டர் என்ற பெயரை மாற்றவேண்டும். அது வெள்ளைக்காரன் ஆட்சியில் வைத்த பெயரானதால் அதை எடுத்துவிட்டு அவர்களுக்கு District Administrator என்று பெயரை கொடுக்கவேண்டும் என்று கேட்டுக்கொள்ளுகிறேன். அப்படி செய்தால்தான் பொதுமக்களுக்கும் அவர்கள் பெரிய ஆபீசர்கள் அல்ல என்று பயமில்லாமலே நெருங்குவார்கள். ஜனங்களுக்கும் இப்பொழுது இருக்கும் மனப்பான்மையும் மாறும். அப்பொழுதுதான் மக்களிடத்திலும் சுமுகமாக பழகவேண்டுமென்று மனப்பான்மை ஏற்படும்.

"மேலும் கலெக்டர் தாலூகா ஆபீசுக்குச் சென்று சோதனைபோடுவது கூடகிடையாது. பொதுவாக அவர்கள் தாலூகா ஆபீசுக்கு சென்று சோதனைபோடாமல், சோதனை போட்டதாக குறிப்பில் எழுதி வருகிறார்கள். கனம் மந்திரி அவர்கள் சுற்றுப்பிரயாணத்தின்போது திடீர் சோதனை செய்தால் தெரியும்.

"குறிப்பாக இந்த டோபிகானு விஷயத்தில் நன்றாக கவனம் செலுத்தி அவர்களுக்கு ஓரளவு நிதி ஒதுக்கி சுகாதாரவசதி செய்வதோடு முக்கியமாக சைதாப்பேட்டை தொழிலாளர்களுடைய நிலைமையை உடனடியாக மாற்றி அமைக்க உடனடியான நடவடிக்கை எடுக்கவேண்டுமென்று கேட்டுக்கொள் ளுகிறேன்."

SRI T. PURUSHOTHAM:—"Just a word, Sir, as we are on the last stage of the budget. I rise to congratulate the Hon. Sri C. Subramaniam on his sound financial policy and able and efficient administration of the finances of this State."

[Sri K. Bhashyam]

[5th April 1955]

when many of the hon. Members here may not be familiar with the Bill and the Court Fees Act as such. One has to look into it and read through it at least to persuade our friends in the Assembly for the purpose of suggesting certain improvements to the Bill. With regard to the other Bills that have come up before the House, we have been very indulgent and accommodative. Every time a Bill was passed in the other House in the morning, we were asked to pass it here in the afternoon and we have done so. So, we are not punctilious about these things. But, the real difficulty about the Court Fees Bill is that we want some time to go through it. In respect of this matter, I would very much like that the requirements of the rules are complied with. Sir under rule 124 . . .

* THE HON. SRI C. SUBRAMANIAM :—“ Sir, I wish to interrupt the hon. Member to say that he need not refer to the rules and all that. We are prepared to accommodate hon. Members of this House by agreeing to take up the Court Fees Bill day after tomorrow for consideration. So far as the other Bills are concerned, we may take them up tomorrow for consideration. After passing these Bills tomorrow we may take up the Court Fees Bill day after tomorrow. I am sure the hon. Member will be able to grasp the substance of the Bill in no time, but he perhaps wants some time for others. Whatever it is, I have absolutely no objection to taking up the Court Fees Bill day after tomorrow, Sir.”

MR. CHAIRMAN :—“ Is not the Hon. Minister presenting the Bills today? ”

* THE HON. SRI C. SUBRAMANIAM :—“ No, Sir, not in this atmosphere.”

* SRI K. BHASHYAM :—“ Sir, the Hon. Minister for Finance and Law was kind enough to say that the Court Fees Bill may be taken up day after tomorrow. I only want to point out that this has become the rule rather than an exception. I request that the rules may be followed and proper time be given in future.”

* THE HON. SRI C. SUBRAMANIAM :—“ Sir, I am really sorry that the hon. Member is making this complaint. We adjourned the Council to the 5th April, that is today, in order that there may be sufficient time for hon. Members of this House to consider the Bills passed by the Assembly. Sir, the Court Fees Bill was passed long ago in the Assembly and it was also transmitted to this House.”

MR. CHAIRMAN :—“ The Court Fees Bill was passed in the other House some time back and hon. Members of this House have had enough time to read the Bill and learn it also. It was only a question of giving notice of some amendments. So, this need not be made as a serious complaint that proper time was not given.”

* SRI K. BHASHYAM :—“ Sir, it is a matter of opinion. We know our difficulties in the matter. Sir, you are occupying a position as between the Government and hon. Members of the House. We are to deal with a difficult Bill. We have to carefully look into it and give our suggestions in respect of the Bill. It is for this

[5th April 1955]

[Sri K. Bhashyam]

purpose only I was saying that we wanted some time to go through the Bill. It is only after going through the Bill we can make our suggestions for the consideration of the House and the Government.”

MR. CHAIRMAN :—“ This Court Fees Bill will be taken up day after tomorrow. The other Bills will be taken up tomorrow. The House will now adjourn and meet again tomorrow at 2-30 p.m.”

The House then adjourned.

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

1. Notification No. II issued with G.O. No. 154, Health, Education and Local Administration, dated 4th February 1955, regarding inclusion of certain area within the limits of the Salem District Board.

2. (i) G.O. Ms. No. 525, Home, dated 28th February 1955, regarding rule-amending Schedule II to the Madras Motor Vehicles Taxation Act, 1931 (Madras Act III of 1931).

(ii) Notification No. 214, issued with G.O. Ms. No. 525, Home, dated 28th February 1955, regarding certain amendments to notifications under the Madras Motor Vehicles Taxation Act, 1931 (Madras Act III of 1931).

3. Notification No. II issued with G.O. No. 1509, Health, Education and Local Administration, dated 29th October 1954, regarding exclusion of certain area from the limits of the Tirunelveli District Board and inclusion of the same within the limits of Tuticorin Municipality.

4. Notification No. II issued with G.O. No. 1589, Health, Education and Local Administration, dated 13th November 1954, regarding exclusion of certain area from the limits of the South Kanara District Board and inclusion of the same within the limits of Mangalore Municipality.

5. Bills passed by the Assembly and received therefrom in the Council—

^a (a) The Madras Court Fees and Suits Valuation Bill, 1954 (L.A. Bill No. 25 of 1954).

^b (b) The Madras City Civil Court (Amendment) Bill, 1955 (L.A. Bill No. 7 of 1955).

^a (c) The Madras Cinemas (Regulation) Bill, 1954 (L.A. Bill No. 52 of 1954).

^b (d) The Presidency Small Cause Courts (Madras Amendment) Bill, 1955 (L.A. Bill No. 8 of 1955).

^a Sent by post on 2nd April 1955.

^b Sent by post on 1st April 1955.

[5th April 1955]

APPENDIX.

[Vide answer to unstarred question No. 24 asked by Sri V. Gurusundaran Row at the meeting of the Legislative Council held on 5th April 1955, page 830 supra.]

STATEMENT I.—*List of permanent exemptions granted under the Madras Shops and Establishments Act, 1947, from all the provisions of the Act.*

Serial number and establishments and persons exempted.

- 1 (i) Advocates' chambers, (ii) doctors' consulting rooms, (iii) dispensaries attached to doctors' consulting rooms, (iv) nursing homes, hospitals and other institutions for the treatment of the care of the sick, the infirm, the destitute or the mentally unfit.
- 2 Research Laboratory, Madras.
- 3 Office of the Registered Accountants and Auditors.
- 4 Offices of the Air Service Companies operating in this State.
- 5 All establishments whose activities are mainly educational and hostels attached to such establishments.
- 6 All establishments run by the Indian Coffee Board in the State of Madras.
- 7 Accountant and the Chief Cashier of branches of all banks in the State of Madras.
- 8 Offices of the Agents of the Labour Department of United Planters' Association of South India.
- 9 Offices of the Income-tax Practitioners.
- 10 Establishments of the Ceylon Emigration Commissioner and Ceylon Labour Commissioner.
- 11 Madukkarai Military Canteen at Coimbatore.
- 12 Office, book-shops, library of the Dakshina Bharat Hindustani Prachar Sabha, Madras.
- 13 Book-stalls in Railway premises.
- 14 (a) Book-stalls run by Higginbothams, Limited, in harbour premises.
(b) Persons employed in factories in any kind of work.
- 15 Persons employed on contract basis in handloom establishments (subject to certain conditions).
- 16 The Egmore Benefit Society Third Branch, Madras.
- 17 Gold, silver and other jewellery workers on contract basis (subject to certain conditions).
- 18 All-India Spinners' Association Khadi Vastralayas in this State.
- 19 Young Women's Christian Association, Madras.
- 20 All persons employed in Jinnady Processing Industry and who are paid on the basis of the amount of work turned out and not by measure of time (subject to certain conditions).

5th April 1955]

STATEMENT II.—*List of permanent exemptions granted under the Madras Shops and Establishments Act, 1947, from certain provisions of the Act.*

Serial number and establishments and persons exempted.

Sections from which exempted.

- | (1) | (2) |
|---|------------------------|
| 1 Establishments engaged in the manufacturing of ice | Sections 7 and 11 (1). |
| 2 (i) Petrol bunks, (ii) chemists and druggists shops, (iii) shops and establishments situated within 100 yards of railway premises, bus stands under the control of local bodies, theatres and places of public amusements or entertainments, (iv) shops situated within vegetable markets under the control of local bodies, (v) motor transport undertakings, (vi) Shipping department of commercial establishments, and (vii) departments engaged in recording transactions in day cash-books in commercial establishments. | Sections 7 and 13. |
| 3 Stalls and refreshment rooms situated in the premises which are factories, stalls and refreshment rooms where in 500 or more workers are ordinarily employed; and within a radius of 100 yards of any of the gates of such factories provided they are run by the management of the factory or by any association connected with the factory. | Do. |
| 4 Establishments engaged in purchasing, taking delivery, weighing, clearing, dyeing, stocking and despatching groundnuts in South Arcot district. | Do. |
| 5 Potato mundies situated within the limits of the Mettupalayam Municipality. | Section 7 (1). |
| 6 All establishments situated in the Adivaram of Palni Municipality, Madurai district, on Krithigai days. | Do. |
| 7 All Shops and establishments situated in Nagore Town portion of Nagapattinam Municipality on Thursday nights. | Do. |
| 8 Shops situated inside the premises of theatres | Do. |
| 9 Dyeing establishments in all districts in the State | Do. |
| 10 All dispensaries which are kept open during nights | Section 9. |
| 11 Employees in shops | Section 9 (2). |
| 12 All shops dealing exclusively in all or any of the following articles:—Vegetables, meat, fish, dairy produce, bread, flowers, medicines, surgical appliances, bandages or other medical requisites including tooth paste, tooth brushes and medicated soaps. | Section 11 (1). |
| 13 Shops exclusively dealing in all or any of the following articles:—(i) Fruits, (ii) betel leaves, (iii) plantain leaves and (iv) eggs. | Do. |
| 14 Hair-dressing saloons attached to the Connemara Hotel, Madras. | Do. |
| 15 Refrigeration and air-conditioning departments of the following companies:—(i) Messrs. Addison and Company, (ii) Messrs. Richardson and Cruddas, (iii) Messrs. Beardsell and Company, Limited, (iv) Messrs. Mohamed Ebrahim and Company and (v) Messrs. Spencer and Company, Limited. | Do. |
| 16 Refrigeration and air-conditioning departments of the following companies:—(i) Messrs. Binny and Company (Madras), Limited, (ii) Messrs. Gillanders Arbuthnot and Company, (iii) Messrs. Gordon Woodroffe and Company (Madras), Limited, and (iv) Messrs. Volkart Brothers. | Do. |
| 17 All shops in the area within the jurisdiction of Tiruppurur Panchayat on Krithigai days. | Do. |

[5th April 1955]

<i>Serial number and establishments and persons exempted.</i>		<i>Conditions, if any.</i>
3	All registered co-operative societies in the State	All the provisions subject to the adoption of special by-laws.
4	Shops and establishments employing 3 and less than 3 workers in the State.	All the provisions subject to maintenance of visit book.

STATEMENT IV.—*List of exemptions granted under the Madras Shops and Establishments Act, 1947, from certain provisions of the Act.*

Temporary (for one year).

<i>Serial number and establishments and persons exempted.</i>		<i>Conditions, if any.</i>
1	Establishments carrying on manufacturing process with the aid of electrical energy.	Sections 7 (1) and 11 (1).
2	Onion mundies in Tiruppur, Coimbatore district (seasonal).	Section 11 (1).

THE MADRAS LEGISLATIVE COUNCIL.

Wednesday, the 6th April 1955.

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

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

Employment of Gurkas as watchmen in Government offices

* 278 Q.—SRI M. ETHIRAJALU : Will the Hon. the Chief Minister be pleased to state the number of Gurkas who are now employed as watchmen in the Government offices in the Madras State?

THE HON. SRI M. BHAKTAVATSALAM (on behalf of the Hon. the Chief Minister) :—“ One hundred and ninety-nine.”

SRI M. ETHIRAJALU :—“ கூர்க்காக்களுக்கு பாஷை தெரியவில்லை. மேலும் நமது ராஜ்யத்தில் வேலையில்லாத திண்டாட்டத்தைப் போக்க இந்த ராஜ்யத்தில் இருக்கக்கூடியவர்களை நியமிக்க முடியுமா என்று கேட்கிறேன் ?”

THE HON. SRI M. BHAKTAVATSALAM :—“ கூர்க்காக்களை நியமிக்காவிட்டால் வேலையில்லாத திண்டாட்டத்தை போக்கி விடமுடியாது. சரிவர பாதுகாப்பதற்கு அவர்கள் உபயோகப்படுகிறார்கள். மேலும் அவர்களுக்கு மொழி தெரியாததும் ஒரு அனுகூலமாக கருதப்படுகிறது.”

Rural Police stations in the State not connected by road.

* 279 Q.—SRI V. V. RAMASWAMI : Will the Hon. the Chief Minister be pleased to state—

(a) the total number of rural Police stations in the State which are not connected by road; and

(b) whether there is any proposal before the Government to give telephone connections to all rural Police stations and to provide them with jeep cars?

THE HON. SRI M. BHAKTAVATSALAM (on behalf of the Hon. the Chief Minister) :—“ (a) Six.

“(b) Provision of telephone at all Police stations wherever telephone facilities are available, but have not been availed of so far, will be considered by Government. No distinction has been made between rural and town stations but telephone facilities are not likely to be available at rural places.

There is no proposal to provide jeeps for rural Police stations.”

[6th April 1955]

Laying of new pipe lines from Red Hills to Avadi in connection with the Avadi Congress Session

* 281 Q.—SRI V. GURUNANDAN ROW : Will the Hon. the Minister for Health be pleased to state—

(a) whether the Government have given any special grant to the Corporation or any other Local Authority or Municipality for laying any new pipe lines from Red Hills to Avadi for the supply of water in connection with the Avadi Session of the Indian National Congress;

(b) the amount, if any, spent by the Government in this connection;

(c) whether the Indian National Congress paid any amount towards the cost of laying and maintaining such pipe lines incurred by the Government or the Local Authority; and

(d) whether the Government will be pleased to place on the table of the House a copy of the agreement, if any, entered into between the Local Authority or Government and the Indian National Congress for the supply of water in connection with the Congress Session at Avadi?

THE HON. SRI A. B. SHETTY :—“(a) No, Sir.

“(b) Does not arise.

“(c) The Congress authorities made their own arrangements for supply of water to Avadi. The Government loaned pipes and pump sets to the Congress on hire at the prescribed rates.

“(d) A copy* of the Government Order issued regarding the supply of water is placed on the table of the House.”

SRI K. BALASUBRAMANYA AYYAR :—“Will the Government issue a general statement that they had done nothing to promote the Indian National Congress Session held at Avadi?”

SRI V. CHAKKARAI CHETTY :—“Would it be advisable for the Government to do it now . . .” (Interruption.)

“Because people will ask why Government should come forward and make a declaration like that just at this time. They ought to have done it at the very beginning.”

MR. CHAIRMAN :—“Is there no reply to the question?”

THE HON. SRI C. SUBRAMANIAM :—“The hon. Member has answered the question himself.”

* Printed as Appendix I on page 894 infra.

[6th April 1955]

SRI MOHAMED RAZA KHAN :—“Why should the Madras Government be denied the name that they have directly or indirectly helped the Congress and that was why it was such a grand success?”

THE HON. SRI A. B. SHETTY :—“The success of the Avadi Session of the Congress was a great compliment to the Tamil Nadu Congress Committee.”

Extraction of bauxite in Salem district

* 282 Q.—SRI V. V. RAMASWAMI : Will the Hon. the Minister for Agriculture be pleased to state—

(a) whether bauxite is available in Salem district and if so, where;

(b) whether any company or individual is at present removing bauxite from the above areas;

(c) if so, how much bauxite is being removed; and

(d) whether the Government propose to undertake the extraction of bauxite themselves?

THE HON. SRI M. BHAKTAVATSALAM :—“(a) Yes, Sir; in the Shevaroy Hills, Yercaud.

“(b) Yes, Sir, the Shevaroy Bauxite Products Company, Limited, who hold a mining lease.

“(c) On an average, a quantity of about 1,100 tons of bauxite is being extracted annually.

“(d) No, Sir.”

Cultivation under food crops and under commercial crops in the State

* 283 Q.—SRI V. V. RAMASWAMI : Will the Hon. the Minister for Agriculture be pleased to state—

(a) the total acreage of cultivation in the State under food crops and under commercial crops;

(b) the total quantity of manure, chemical and green at present in demand for agricultural purposes in the State;

(c) whether there has been any deficit in the supply of manure and, if so, how it is proposed to make up such deficit; and

(d) whether there is any scheme to make the State self-sufficient in food and in supply of cotton?

THE HON. SRI M. BHAKTAVATSALAM :—“A statement is placed on the table.”

* Printed as Appendix II on pages 894-895 infra.

[5th April 1955]

Serial number and establishments and persons exempted.	Sections from which exempted.
(1)	(2)
18 All stalls run by licensees in railway premises in the State of Madras.	Section 14 (1)
19 All shops within the limits of Tiruvallur Municipality on newmoon days.	Do.
20 All stalls and refreshment rooms situated within the bus stands under the control of local bodies.	Do.
21 All shops in municipal division (Kodambakkam) on Krithigai days.	Do.
22 All shops in Palani Municipality on Krithigai days.	Do.
23 All shops carrying on the business of funeral undertakings.	Do.
24 All shops in the State of Madras so far as receiving of goods into the shops is concerned.	Do.
25 All shops dealing mainly in aerated waters.	Do.
26 Premises No. 50, First Agvabaram, Salom, in respect of business connected with Insurance Agent.	Do.
27 Shops where the work of tanning of raw skin and hides is carried on.	Do.
28 Shops situated inside the premises of theatres.	Do.
29 Establishments of independent handloom weavers.	Do.
30 Dyeing establishments in all districts in the State.	Do.
31 Out Agencies run on behalf of Southern Railway in the State.	Sections 13 and 15.
32 Mylapore Hindu Permanent Fund, Limited, Madras.	Section 13 (1).
33 Madras Government Servants' Co-operative House Mortgage Bank, Limited, Gopalapuram, Madras.	Do.
34 Offices of the Combined Booking Agency in the district of South Kanara.	Do.
35 Nungambakkam Saswatha Danarakshaka Nidhi, Limited, Madras.	Do.
36 All establishments situated in the Adivaram of Palani Municipality, Madurai district, on Krithigai days.	Do.
37 All shops and establishments situated in Nagore Town portion of Nagapattinam Municipality on Thursday nights.	Do.
38 All banks in the State of Madras for half-yearly and annual closing of accounts.	Do.
39 All cinema theatres in respect of censor and trade shows.	Do.
40 Electric Supply Corporation in the State of Madras.	Do.
41 Telephone operators of the Mudis Group Office of the Bombay-Burma Trading Corporation, Limited, Coimbatore.	Sections 13 (1) and 14 (2).
42 Local delivery sections of Sri Rama Vilas Service, Limited, Madras, in Madras Central, Egmore and Harbour premises.	Section 13 (1).
43 Scheduled banks in the State for the half-yearly closing of accounts.	Sections 14 and 15.
44 All insurance companies in the State for the half-yearly closing of accounts.	Section 14.
45 Messrs. Burmah-Shell Oil Storage and Distributing Company, of India, Limited, in respect of shipping clerks.	Sections 14 (1) and 15.
46 Fixed number of stenographers in commercial establishments in the State of Madras.	Section 14.
47 All persons engaged in entering and clearing ships, loading and unloading cargo and attending to customs and port formalities in all ports.	Sections 14 (1) and 15.

5th April 1955]

Serial number and establishments and persons exempted.	Sections from which exempted.
(1)	(2)
48 Ticket clerks of the combined booking Agency, Mangalore.	Section 14 (1) and 15.
49 Employees in establishments other than shops.	Section 14 (2).
50 Theatres and places of public amusement or entertainment in the State of Madras.	Sections 14 (2) and 15.
51 All restaurants, eating houses and residential hotels.	Section 15.
52 Non-scheduled banks in the State for the half-yearly closing of accounts.	Sections 14 and 15.
53 All commercial establishments in the State for the half-yearly and annual closing of accounts.	Do.
54 All branches of Imperial Bank of India in the State of Madras, conducting Government transactions in respect of the last working day of each financial year.	Do.
55 Sweepers and cleaners working in establishments other than shops.	Do.
56 Staff employed by the City Transport, Limited, Coimbatore, in the bus-stand and booking offices.	Section 15.
57 Staff employed by the Anamalais Bus Transport, Limited, Pollachi, in their bus stands and booking offices.	Do.
58 Staff employed in the restaurants and refreshment rooms by Messrs. Spencer and Company in railway stations.	Do.
59 Madras Provincial Co-operative Bank.	Section 25 (2).
60 Messrs. Spencer and Company, Limited, Madras and its branches in respect of wages of persons employed.	Section 32 (1).
61 Persons employed on contract for fixed period.	Section 41.
62 Imperial Bank of India, Madras.	Section 34.
63 All petrol bunks and storage depots for petrol and other petroleum products in the State of Madras.	Chapters II and III.
64 Watchmen.	Do.
Messengers.	Chapters II and III [except sub-sections (2) and (6) of section 11 and sub-sections (1) and (4) of section 16].
65 Stock yards at Salt Cotaurs, Tata Iron and Steel Company, Limited, Madras.	Chapter II subject to certain conditions.
66 The booking offices of the Gobald Motor Service, Limited, at Mettupalayam, Tiruppur, Dharapuram, Gobichettipalayam, Erode and Satyamangalam.	Section 13 (1).

STATEMENT III.--List of exemptions granted under the Madras Shops and Establishments Act, 1947, from all the provisions of the Act.

Temporary (for a period of one year).

Serial number and establishments and persons exempted.	Conditions, if any.
1 Madurai Devi Bala Vinotha Sangeetha Sabha (camping at Madras).	All provisions
2 Devi Nataga Sabha, Madras	Do.

[6th April 1955]

SRI V. V. RAMASWAMI :—“ரோடு வசதியில்லாத கிராமங்களில் இருக்கின்ற இந்த போலீஸ் ஸ்டேஷன்களுக்கு உடனுக்குடன் அதிகாரிகள் போக்குவரத்து வைத்துக்கொள்வதற்கும், மற்ற விஷயங்களைத் தெரிவித்துக் கொள்வதற்கும் இங்கு டெலிபோன் வசதியும், ஜப்பகார் வசதியும் வேண்டியிருப்பதால், சீக்கிரம் அவைகளை வசதி செய்து கொடுக்க நடவடிக்கை எடுக்கப்படுமா?”

THE HON. SRI M. BHAKTAVATSALAM :—“டெலிபோன் வசதி களைச் செய்து கொடுப்பதோடு ரோடுகளையே போட்டுவிடலாமென்று அரசாங்கத்தால் கருதப்படுகிறது.”

SRI M. ETHIRAJULU :—“இப்போது நம் அரசாங்கத்திற்கு இந்தக் கிராமங்களுக்கு-ரோடு வசதிகளைச் செய்துகொடுப்பதோடு, இந்த கிராமங்களுக்கு ஒரு அவுட்போஸ்ட் போலீஸ் ஸ்டேஷனையும் ஏற்படுத்த முடியுமா என்று கேட்கிறேன்?”

THE HON. SRI M. BHAKTAVATSALAM :—“போலீஸ் அவுட்போஸ்ட் ஏற்படுத்தவது அபிவிருத்தித் திட்டத்திலே ஒன்றாக கருதப்படவில்லை.”

Absorption of Andhra officers working in Madras State in the vacancies arising in the Andhra State

* 280 Q.—**SRI ALEXANDER GNANAMUTTU** : Will the Hon. the Chief Minister be pleased to state—

(a) whether it is a fact that Andhra officers working in Madras State are not absorbed in the vacancies that arise in the Andhra State; and

(b) whether it is a fact that Tamil officers are, on the other hand, reverted to the Madras State?

THE HON. SRI M. BHAKTAVATSALAM (on behalf of the Hon. the Chief Minister) :—“(a) As a rule, all Andhras have been permanently allotted to the Andhra State. A few Andhra officers have been retained in this State temporarily till the Andhra State is in a position to absorb them as corresponding or other suitable posts are not available in that State now. These officers are being absorbed by the Government of Andhra as and when corresponding or other suitable posts become available in that State.

“(b) 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 Andhra Affairs and his Committee. Though these officers are required to serve the Andhra State for a period of two years, it is open to the Government of Andhra to return them to this State within the two-year period after giving three months’ notice to this Government and to the officers concerned. In cases where they consider that the services of these officers are no longer required, the Government of Andhra are returning them to this State after giving three months’ notice to this Government and to the officers concerned.”

[6th April 1955]

SRI ALEXANDER GNANAMUTTU :—“Sir, is it not a fact that there are so many Andhra officers in the Educational Department who are not absorbed in the Andhra State even though there are suitable vacancies?”

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

SRI MOHAMED RAZA KHAN :—“May I know, Sir, whether there are Tamilian officers working there in the Andhra State and who have been absorbed in vacancies in our State?”

THE HON. SRI M. BHAKTAVATSALAM :—“Yes, Sir. There have been transferred Tamil officers working in the Andhra State. Some of them are being returned to this State.”

SRI V. V. RAMASWAMI :—“ஆந்திர நாட்டிலிருந்து சென்னைக்கு வரக்கூடிய உயர்தர அதிகாரிகள் யார்? அவர்கள் எவ்வளவு நாட்களில் இந்தத் தமிழ்நாட்டுக்கு வரக்கூடும் என்பதைத் தெரிவிக்க முடியுமா?”

THE HON. SRI M. BHAKTAVATSALAM :—“இந்த விவரங்களுக்கு எல்லாம் நோட்டீஸ் வேண்டும்.”

DR. V. K. JOHN :—“There are so many Tamil officers who know Telugu. If they know Telugu why should they come back?”

THE HON. SRI M. BHAKTAVATSALAM :—“Even if Tamil officers know Telugu, even if some of them claim Telugu as their mother tongue, Andhras do not admit them as Andhras.”

DR. V. K. JOHN :—“There are Andhra officers in Madras who know Tamil. Why should they be sent back to Andhra? Should they not be here?”

THE HON. SRI M. BHAKTAVATSALAM :—“Sir, that depends on the merits of each case. They are not invariably sent out.”

SRI MOHAMED RAZA KHAN :—“How are these officers classified as Andhra or Tamil officers? Is it according to the place of birth or according to the language which they know?”

THE HON. SRI M. BHAKTAVATSALAM :—“Officers belonging to this State are considered to be non-Andhra Officers.”

SRI A. M. ALLAPICHAJ :—“Is there anything in the Constitution or in any rule that Andhra officers would not be appointed by our State or people belonging to Tamilnad should not be appointed by the Andhra State?”

THE HON. SRI M. BHAKTAVATSALAM :—“Sir, there is no such provision in the Constitution but it is for the States concerned to take their own decision.”

[6th April 1955]

Applications for temporary exemption from untrained teachers in the Pudukkottai area

* 284 Q.—SRI G. KRISHNAMOORTHY: Will the Hon. the Minister for Finance and Education be pleased to state with reference to the answer to the supplementary questions to starred question No. 88 answered on 22nd December 1954—

(a) whether any applications for temporary exemption for the school-year 1954-55 were received from untrained teachers in the Pudukkottai area; and

(b) if so, whether the exemption asked for has been granted?

THE HON. SRI C. SUBRAMANIAM:—“(a) No, Sir.
“(b) Does not arise.”

SRI G. KRISHNAMOORTHY:—“As I have information that an application for temporary exemption has been submitted by a teacher who has not been paid salary throughout the school-year, will the Government kindly see that he is given exemption?”

THE HON. SRI C. SUBRAMANIAM:—“The hon. Member might pass on the information to me and I shall look into it.”

SRI G. KRISHNAMOORTHY:—“I am referring to the application of one untrained teacher working in a Secondary School in Ramachandrapuram who has been working throughout this year without receiving salary. Will the Government kindly look into it?”

THE HON. SRI C. SUBRAMANIAM:—“These individual cases need not be referred to in the House in the form of a question. Individual representation can be made to the Minister.”

MR. CHAIRMAN:—“That is not a supplementary question.”

Modified scheme of adult education in Community Project and National Extension Service areas.

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

(a) the financial implications of the modified scheme of adult education in Community Project and National Extension Service areas; and

(b) the amount of grant expected from the Central Government for the above purpose?

THE HON. SRI C. SUBRAMANIAM:—“(a) The estimated expenditure on the scheme in a full year is about Rs. 7½ lakhs.”

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“(b) A 50 per cent grant towards the expenditure on the scheme debitable to the Education Budget in each year is expected from the Government of India.”

Resolutions submitted by the Tenth Conference of the Tamil Nad Village Officers' Association held at Madras

* 286 Q.—SRI P. P. UMMER KOYA (on behalf of Sri T. Purushotham): Will the Hon. the Minister for Land Revenue be pleased to lay on the table of the House a copy of the resolutions submitted to Government by the Tenth Conference of the 'Tamil Nad Village Officers' Association held at Madras in 1953, showing the orders passed or action taken by Government on each of the resolution?

THE HON. SRI M. A. MANICKAVELU:—“A statement is placed on the table of the House.”

SRI T. PURUSHOTHAM:—“With reference to Resolutions Nos. 13 and 14 contained in the Statement placed on the table of the House, it is stated that the principle has been accepted by the Government but the question has been deferred for the present. May I know why it has been deferred?”

THE HON. SRI M. A. MANICKAVELU:—“The hon. Member ought to have known the implications of it by now. We have to find finances and that too a big sum for implementation. That is the only reason why it has been deferred.”

SRI T. PURUSHOTHAM:—“May I know whether the Government have considered, in disposing of these cases, the recommendations of the Subrahmanyam Committee with regard to the hereditary system of village officers, etc., and if so, what the decision of the Government is in respect of these matters?”

THE HON. SRI M. A. MANICKAVELU:—“That is a big question which will probably come under the general land revenue reform.”

SRI T. PURUSHOTHAM:—“With reference to the answer just now given by the Hon. Minister, may I know whether the Government would consider the appointment of a committee of officials and non-officials to consider the hereditary system and other resolutions passed at the Conference of Village Officers, on which action has not been taken so far?”

THE HON. SRI M. A. MANICKAVELU:—“I submit that no committee is necessary. What is wanted is more money. Therefore, let the hon. Member suggest some way of getting more money.”

[6th April 1955]

SRI T. PURUSHOTHAM :—“ May I know whether there is any objection to the village officers being entrusted with the execution of village works under the Local Development Works Scheme? ”

THE HON. SRI M. A. MANICKAVELU :—“ I do not know how it arises. A separate question may be put.”

Working of the shutters in the Karikkalavakkam taluk

* 287 Q.—SRI T. PURUSHOTHAM : Will the Hon. the Minister for Public Works be pleased to state—

(a) whether a Member of the Board of Revenue inspected the Karikkalavakkam tank, Trivellore taluk, Chingleput district, recently and made a report to the Government about the working of the shutters in the said tank on the southern side;

(b) if so, whether the Government will be pleased to place a copy of the report on the table of the House; and

(c) whether the Government have taken a final decision in the matter and if so, the orders passed thereon?

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

“ (b) The Government consider that no useful purpose will be served by placing a copy of the report on the table of the House.

“ (c) Yes. Orders have been issued to proceed with the work of converting the existing calingula into a weir and providing screw gearing shutters to the scour vents. Instructions have also been issued to the Chief Engineer to lower the sill level of three of the vents to plus 89.0 feet and keep the existing sill level of 92.45 feet for the other three vents.”

UNSTARRED QUESTIONS

Manufacture of articles in the Madras Penitentiary, Central Jail, etc.

* 27 Q.—SRI T. M. DAIVASIKHAMANI ACHARIAR : Will the Hon. the Minister for Finance and Education be pleased to state—

(a) the articles manufactured in the Madras Penitentiary, Central Jail and Certified School, Chingleput and the Central Jails at Cuddalore, Tanjore, Tiruchirappalli, Vellore and Salem;

(b) whether they are manufactured with the aid of prison labour or outside labour or both;

(c) whether they are made available to the public for sale; if so, how and through what agencies;

(d) why these articles of jail manufacture are not exhibited in public museums or exhibitions;

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(e) whether articles manufactured with prison labour are sold at a cost less than the market price and if not, why not; and

(f) the aggregate cost or turnover of jail-made goods of all jails in the State during the year 1953-54?

A.—(a) to (f) A statement furnishing the information is placed on the table of the House.

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

II.—POINT OF INFORMATION *RE*. PRESS STATEMENTS ON THE UTILIZATION OF THE PALAR RIVER WATERS.

SRI MOHAMED RAZA KHAN :—“ Yesterday the Hon. Minister for Public Works while replying to a number of supplementary questions regarding the dispute between the Mysore and Madras States over the sharing of Palar waters was reported to have said :

‘ The Madras Government are considering a proposal to request the Government of India to constitute a Council under Article 263 of the Constitution of India to make enquiries into the matter and suggest suitable remedies ’

It is also reported in the Press that enquiries at the Secretariat show that the Madras Government have sent a communication to the Government of India suggesting the constitution of such a Council under Article 263 of the Constitution. The Hon. Mr. Manickavelu is also reported to have told newspaper reporters that a reply from the Government of India was being awaited which implies that the communication has already been sent from here. Sir, two contradictory statements of Hon. Ministers appearing in the Press on the same day will not give good impression as far as the Government are concerned. I want a clarification in respect of this matter.”

THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI :—“ At that time I was not aware that a communication had been sent. Afterwards I learnt that a note to that effect has been circulated amongst us. That is why I said that it was proposed to send a communication to the Government of India. In fact my Colleague was telling me that it had been sent but I told him that I would verify it. So, there is no contradiction in the matter.”

SRI MOHAMED RAZA KHAN :—“ In that case an explanation is due from the Hon. Minister for Revenue because he did not correct the Hon. Minister for Public Works when he said that a communication was proposed to be sent. At that time he ought to have corrected him by saying that a communication had already been sent.”

THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI :—“ In fact he was telling me that a communication had been sent but I wanted to verify it.”

* Printed as Appendix IV on pages 897-899 infra.

[6th April 1955]

III.—ANNOUNCEMENT BY THE HON. CHAIRMAN.

NOMINATION OF SRI P. P. UMMER KOYA TO CERTAIN COMMITTEES IN PLACE OF SRI T. PURUSHOTHAM RESIGNED.

MR. CHAIRMAN :—“ I have to inform the House that Sri T. Purushotham has resigned his seat in the Business Advisory Committee and the Committee on Government Assurances and that in his place I have nominated Sri P. P. Ummer Koya, as a member of the Business Advisory Committee and the Committee on Government Assurances.”

IV. PRIVILEGE MOTION—(WITHDRAWN).

MR. CHAIRMAN :—“ The House will remember that on 24th March 1955, I made a statement that I will in due course give my decision on the motion of privilege moved by Sri T. Purushotham.

“ I have given very careful consideration to this Motion.

“ I want, in the first place, to impress upon the House the importance of perfect equality between the two Houses and also the fact that in every respect the Houses are totally independent one of the other.

“ Sri T. Purushotham's resolution refers to a statement made by the Hon. the Presiding Officer of the other House on 18th March 1955 in which he mentioned the number and hours of sittings of this House and that of the Assembly.

“ Though this statement cannot be considered to be a breach of privilege, the inference that the Chairman has more power than he is entitled to can be drawn. In fact, a well-known Madras daily newspaper, in its edition of the 19th March 1955, stated in its report of the proceedings of the Legislative Assembly of the 18th March :

“ The Chairman had, however, as much voice as the speaker.”

So, Sri Purushotham cannot be said to be wrong in his interpretation of the statement of the Speaker but as I am very anxious to maintain an atmosphere of cordiality and mutual understanding between the two Houses and their presiding officers, I have decided not to take any further action beyond making this statement. In the circumstances, I request Sri Purushotham to withdraw his motion.”

SRI T. PURUSHOTHAM :—“ Sir, I bow to your ruling and withdraw the Motion. May I be permitted to add that my only object in moving the motion was that the dignity of this House and the Chair should not in any manner be detracted.”

2-50 p.m. SRI MOHAMED RAZA KHAN :—“ Mr. Chairman, Sir, the Chair can also make a similar statement here on the floor of this House as to the number of days and the number of hours we have sat. We are also anxious to sit for longer hours, but there are certain matters over which we have no right to discuss, particularly Demands for Grants. Such a statement will also help as far as the public are concerned.”

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MR. CHAIRMAN :—“ I do not think such a statement is necessary.”

SRI T. PURUSHOTHAM :—“ Sir, may I bring to your notice that a press communique was issued yesterday with regard to the programme of the Government for implementing the Second Five-Year Plan and it has appeared in one of the papers this morning? It is usual to place such press releases on the table of the House when the House is sitting. It would be a happy convention if such press communiques are placed on the Table of the House when the Houses of the Legislature are sitting. If not, the communique will appear in the Gazette and we will come to know of it.”

THE HON. SRI M. BHAKTAVATSALAM :—“ Yes, Sir. The Government will consider the suggestion and they will arrange to place it before the House.”

MR. CHAIRMAN :—“ Now, we shall proceed to the business before the House.”

V.—GOVERNMENT BILLS.

(1) THE MADRAS GENERAL SALES TAX AND THE MADRAS TOBACCO (TAXATION OF SALES AND REGISTRATION) (AMENDMENT) BILL, 1955 (L.A. BILL NO. 9 OF 1955).

* THE HON. SRI M. A. MANICKAVELU :—“ Sir, I move—
That the Madras General Sales Tax and the Madras Tobacco (Taxation of Sales and Registration) (Amendment) Bill, 1955 (L.A. Bill No. 9 of 1955), as passed by the Assembly, be taken into consideration.”

This taxation on cigarettes and certain varieties of cigars and cheroots is not new. We have already passed an Act called the Tobacco (Taxation of Sales and Registration) Act in the year 1953. Hon. Members are aware of the circumstances under which that Act was passed. Previous to the passing of that Act, the Central Government were levying an excise duty and they were paying a contribution from that, which we were having. When that was in operation, we were prevented from taxing these articles. The Central Government said that we were at liberty to have our own taxation and stopped the contribution they were paying. That was why the Act of 1953 was passed. But under that Act certain categories of cigarettes, cigars and cheroots were not taxed. Cigarettes which were sold at less than three pies were not taxed, because that was considered to be the poor man's luxury or vice, whatever it may be. Now, it is proposed to tax that variety of cigarettes also, that is, cigarettes which are priced low. Hon. Members need not think that by taxing that variety of cigarettes, the price of cigarettes will go up. It will not go up. It will be sold only at the old rate, viz., at three pies, and therefore this tax will not fall on the consumer. It has been so arranged that the manufacturers of that variety of cigarettes will adjust it in their margin of profit and therefore, in effect, there

[Sri M. A. Manickavelu] [6th April 1955]

will be no increase in the price of cigarettes. They will be sold at the rate of three pies alone. (Sri Alexander Gnanamuttu: 'Sir, may I know who are the manufacturers?') The Imperial Tobacco Company, etc. With regard to cigarettes and cheroots which cost less than 2 annas, it is proposed to tax them under the General Sales Tax Act, but the tax will be only at one point. In the case of raw tobacco, it will be liable to tax only at the point of the first purchase effected in the State of Madras by a dealer and there also the rate is too low. It will be taxed at the rate of six pies for every rupee. I say 'low', because the average number of transactions that an article undergoes before it reaches the consumer is four or five. So half an anna is not a big sum, considering that it is a single point tax. These are the amendments that have been proposed in this Bill. I hope the House will agree to this reasonable measure."

MR. CHAIRMAN:—"Motion moved—

'That the Madras General Sales Tax and the Madras Tobacco (Taxation of Sales and Registration) (Amendment) Bill, 1955 (L.A. Bill No. 9 of 1955), as passed by the Assembly, be taken into consideration.'"

DR. V. K. JOHN:—"Mr. Chairman, Sir, I am sorry I cannot agree that this is a reasonable measure. I think that this is a most unpopular measure, at the same time, a very oppressive measure. In spite of the promise that the dealer will pay out of his pocket, in practice it will be a burden on the poor man. The poor man cannot escape it. Some method will be adopted to put the burden on the poor man. Sales tax, as I have very often said, is a very regressive measure of taxation. The burden falls on the poor man. It adds to the cost of living. It reduces the purchasing power of the people. Therefore, we must first settle the principles upon which sales tax should be imposed. Somehow or other, from the time this was imposed, we have been trying to collect more and more money out of this taxation and we have amended this Act many times and included many articles almost every year, but nevertheless the collections from the sales tax are going down. There have been diminishing returns from this tax, (Interruption by the Hon. Sri C. Subramaniam.) Of course, we have excluded a few articles this year. I would therefore suggest to the Government that we must first settle the principles on which sales tax should be imposed. If it adds to the cost of living, if it is a burden on the poor man, if it reduces the purchasing power of the public and if ultimately it will result in diminishing returns, then let us fix the principles first.

"I would suggest that there should be no sales tax on articles produced in this State. Thereby we may encourage production in our State and the price of things produced here would be cheaper. Let us evolve some principle. (The Hon. Sri C. Subramaniam;

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[Dr. V. K. John]

'Sir, can we discriminate like that?') I do not mind imposing sales tax on articles which are not produced here and which are imported. Generally speaking, I am against it, but I am certainly against sales tax being levied on articles produced in this State and particularly on articles which are consumed by the poor man. If a man has to purchase a beggar's bowl, he has to pay some tax upon it. If we want to purchase some rice, tobacco or some article of necessity, we have to pay sales tax. It is this sales tax which is ruining our State and we are bringing in measure after measure in respect of this tax instead of abolishing it altogether. I appeal to the Government to lay down the principles on which we will have a progressive form of taxation. Let us take income-tax. A man getting an annual income of Rs. 4,200 has to pay income-tax and even there for the first Rs. 3,000 there is no tax. Why is it so? It is because it affects the purchasing power of the people. In America the policy is to put more money into the hands of the people so that their purchasing power may be increased. Two dollars is paid to a worker for every hour's work. He gets about Rs. 2,000 a month. He can even purchase a car. There the purchasing power of the people is high, production is high and the income which the Government derive is also high. Here we are doing just the opposite. We are making the cost of living high and we are taking away the purchasing power of the people. The result is, there is the diminishing return and people are impoverished. I ask the Government to consider very seriously the principles on which this regressive form of taxation is imposed." 3 p.m.

SRI V. CHAKKARAI CHETTY:—"Mr. Chairman Sir, I am unable to say whether the very fine assurance given by the Hon. Minister will satisfy the people. Sir, it is stated that even Gods smoked. I do not know whether this taxation measure will affect not the Gods in the other world but the Gods in this world and I mean by Gods the people who are accustomed to smoke. The use of tobacco helps in soothing the nerves. I myself smoke and it remains to be seen how it is going to affect my pocket. I do not know whether the people who sell cigars, cheroots, cigarettes, etc., are going to increase the prices of these articles. We are thankful for the assurance given by the Hon. Minister that this tax is not going to be a heavy burden upon the poor people. Anyhow, the hon. Deputy Leader of the Opposition has voiced the principal objection that 'Sales Tax' is an oppressive taxation and that this kind of taxation should be abolished. Just at the present time when unemployment is on the increase, we ought not to introduce measures which will touch the pockets of poor people. Although I thank the Hon. Minister for the assurance given, I also endorse the protest lodged by the hon. Deputy Leader of the Opposition that Sales Tax is an irrational measure. The Sales Tax seems to be a gold mine for the Government because

[Sri V. Chakkarai Chetty] [6th April 1955]

they derive a large portion of revenue out of that. If this tax is abolished, the Government itself will topple down and will not be able to continue its work. Therefore, the levy of this tax is enthusiastically upheld by the Government. Although the income derived from the taxation on tobacco is somewhat on the decline, still it is considered an oppressive burden by poorer classes of people who are accustomed to smoke. The people living in northern areas, especially those living in the Andhra area are accustomed to smoke to a greater degree than the people living in our State. But it remains to be seen how far this taxation measure is going to affect the poor people. I have seen some printed representations from merchants of this State dealing in tobacco protesting against this measure and saying that this tax ought not to be imposed and that either it should be withdrawn or that the mischief in the measure must be minimised. I think the Government also must have received a copy of these representations. I have no hesitation in saying that although we may give some kind of general approval, yet we do not do it enthusiastically and except for the sake of Government requiring finances we are not in favour of sales tax at all."

* SRI K. BHASHYAM :—" Mr. Chairman Sir, generally I am against taxation of food articles. But, so far as tobacco is concerned, according to me, it is a luxury article. In fact, every student in the high school, every student studying in a college smokes and spends a good deal of the money of his parents in smoking. Tobacco is not a good article. I do not think therefore there can be any objection to the taxation on tobacco. Hon. Members may think that I am a purist, because I am talking in this fashion. I would like to point out that while necessary food articles require to be exempted, unnecessary food articles need not be exempted. But, we all know, Sir, that this practice of smoking is prevalent among the poor people, that they have taken to the habit of smoking very largely, and that the use of tobacco in some form or other has become such a necessity that it has almost become a food article. It is really difficult to make a reconciliation in this matter. If we really want to reduce the consumption of tobacco and products manufactured out of tobacco like cigarettes, there must be some sort of taxation on tobacco."

SRI ALEXANDER GNANAMUTTU :—" Is this taxation going to prevent students from smoking? "

* SRI K. BHASHYAM :—" I expect so, Sir, and I hope that the teachers who are in charge of the pupils will set an example to them. What I want to point out in this connection, is this. The habit of smoking is prevalent among poor people also and

6th April 1955] [Sri K. Bhashyam]

they find some consolation in smoking, just as they found in drinking. But on this score, people may say that drinking is also a necessary food article and that it ought not to be prohibited. I welcome this tax because it imposes a tax on an unnecessary article and a luxury.

" I am not able to understand the assurance given by the Hon. Minister that poor people are not going to be affected as a result of this taxation measure. The Hon. Minister who is piloting this Bill has given an assurance that the Company dealing with the manufacture or sale of cigarettes, etc., will not increase their prices. My point is this. I wish to know how the Government are going to see that prices of these articles are not raised. The companies dealing with these products will not give up their profits. There must be some provisions in the Act itself which will have a compulsive force and which will prevent them from increasing the prices. The present management of Messrs. Spencer & Co. may be agreeable to keep the prices of cigarettes, etc., at the present level of prices itself. But what is to happen later on if this agreement is not kept up by the company? This sort of solution to the problem of traders charging higher rates for cigarettes, etc., as a result of passing this measure, is not a dependable solution at all. The agreement that the Government have arrived at cannot be enforced by statute in a Court of law because there are no binding provisions in the main Act itself. Besides, there are numerous small dealers in this State dealing in tobacco and products manufactured out of it and suppose they charge higher prices for them. There are no provisions in the Bill to prevent them from doing that. Therefore, Sir, I do not feel any consolation in the fact that the manufacturers have assured the Government that the prices of cigarette, etc., will not be increased as a result of passing this measure."

* SRI A. GAJAPATHY NAYAGAR :—" கனம் மன்றத் தலைவர் அவர்களே, இந்தப் புகையிலை வரியைத் தனிப்பட்ட ஒதாவில் நான் விரோதமாகக் கொண்டு வரவில்லை. புகையிலை அதாவது புகை இல்லையென்றால் என்னுடைய சொல்லிக்கொண்டு புகையை விட்டுக்கொண்டே சிலர் இருப்பது எனக்கு மனவருத்தமாக இருக்கிறது. சினிமாவுக்குப் போனால் அங்கே ஒரே புகை, வண்டியிலே சென்றாலும் அங்கும் ஒரே புகை, மொட்டைப் பசங்களுள்ளும் இப்போது பீடி, சிகரெட் பிடிக்க ஆரம்பித்துவிட்டார்கள். அவர்கள் பக்கத்தில் பெரிய மனிதர்களும் உட்கார்ந்துகொண்டு புகை பிடிக்கும் பெரும் கேடான பழக்கம் இன்று வந்துவிட்டது. நம் நாட்டிலே கள்ளைக் குடிக்கக்கூடாது. மற்றும் கஞ்சா அருந்தக் கூடாது என்றெல்லாம் சட்டம்செய்திருக்கிறார்கள். காரணம் அதனால் உடல்நலம் கெட்டுவிடும் என்று சொல்லுகிறார்கள். ஆனால் புகையிலை நஞ்சாக இருக்கிறதே? கள்ளைக் குடித்தாலும் குடிக்கலாம், இந்தப் புகையிலையைக் குடிக்கக்கூடாது என்று குடித்தாலும் குடிக்கலாம், ஏன்? கள் என்பது ஒருவித உணவு, ஆனால் நான் சொல்லுகிறேன். ஏன்? கள் என்பது ஒருவித உணவு, ஆனால் புகையிலையோ கொடிய நஞ்சு. இது என்னுடைய சொந்த அபிப்பிராயம். மேலும் இது வீண் செலவு. இன்று ஆண்களும், பெண்களும் புகைப் பிடிக்கக் கற்றுக்கொண்டார்கள். ஒரு நாள் நாள் ஒப்பிட்டுப் பார்த்துக்கொள்ளுங்கள். அங்கு ஒரு பெண் வந்திருந்தாள். நெருப்பு பெற்றுக் கொடுங்கள் என்று கேட்டாள். காரணம் அவள் சிகரெட் பிடிக்கிறாள்."

THE MADRAS GENERAL SALES TAX AND THE
MADRAS TOBACCO (TAXATION OF SALES
AND REGISTRATION) (AMENDMENT) BILL, 1955
(L.A. BILL NO. 9 OF 1955)

[Sri A. Gajapathy Nayagar] [6th April 1955]

அதற்காக என்னிடம் நெருப்புப் பெட்டி இருக்கிறதா என்று கேட்கிறான். ஏன் சொல்லுகிறேன். இன்று இதெல்லாம் நாகரீகமாகவும், வீண் செலவாகவும் போய்விட்டது.

3-10 p.m. "ஒருவர் ரூ. 2,500 சம்பளம் வாங்குவார். ஒரு நாளைக்கு 50 சிகரெட் அல்லது 1 டின் சிகரெட் வாங்கி அதற்காக ரூ. 2½ செலவு செய்வார். ஆனால் அவரை தர்மத்திற்காக 2½ அணா கொடு என்றால், அப்படி கொடுக்க மனமே வராது. இப்படி சிகரெட் குடிப்பதால் அவர்களுக்கு தர்மசிந்தனையே அழிந்துவிடுகிறது. மேலும் சிகரெட் குடிக்கத்தான் எண்ணம் போகிறது. நம் நாடு உஷணப்பிரதேசம். மேலும் இது நஞ்சு. ஆகவே இந்த மசோதாவை முழுதும் வரவேற்கிறேன். அதைத் தடுக்கும் முறையில் 25-க்கு மேல் வயது வந்தவர்கள்தான் புகை பிடிக்கலாம் என்று ஒரு சட்டம் கொண்டுவந்தால், அதை நான் முதலில் வரவேற்பேன் என்பதைச் சொல்லிக்கொண்டு, இந்த வரியை நான் ஆதரிக்கிறேன்."

SRI MOHAMED RAZA KHAN :—"Sir, it is so difficult for me to talk immediately after a member of my party has given full support to this Bill. But he has expressed his individual opinion. As far as the subject matter of the Bill is concerned, it can be a taxation measure as was properly stated by the Hon. Minister for Finance and that the Government want some more money and therefore they feel that they should tax. I quite appreciate it. The issue before us is not whether smoking is good or bad. Nobody could, by any stretch of imagination, take this Bill as a sort of preventive measure. This is not a preventive measure. Instead of paying three pies the people will pay four pies, or instead of spending Rs. 20, they may be spending Rs. 22 or Rs. 23. Therefore, under no circumstances this can be a preventive measure and any amount of argument in support of this Bill is not going to change the circumstances. Situated as we are, discussing the taxation measure, let us not go into the effect, good or bad, of smoking. There may be a better platform where we can also produce thousand and one arguments. I can say with your permission, Sir, that eminent personanities, politicians and statesmen have been the heaviest smokers possible not only in our country but throughout the world. Even the man who has retired last night has been the heaviest smoker possible. I leave it at that.

"At the very outset the Hon. Minister for Revenue himself said that at one stage they thought that tobacco should be exempted from the purview of the tax because it is a poor man's luxury. He now says 'As we feel that we should have some more money, we want to have this taxation.' I quite understand and appreciate his point. However, I feel that this is a Bill which ought to have gone before a Select Committee, because it is not so simple as it looks to be. It is not a question whether it is a multi-point sales tax or single-point sales tax. Far from it, if you see the facts of it, it is more than a multi-point sales tax, as far as I could understand it. Incidentally, I may congratulate the Hon. Minister for Finance on his determination and tenacity with

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which he got this Bill through in the other House and brought it up here, because I heard, Sir, that there was a demand from outside that the matter should be referred to a Select Committee so that they might have a chance of placing their grievances before the Hon. Ministers for Finance and Revenue. The Government may or may not accept their suggestions. That is a different thing."

THE HON. SRI C. SUBRAMANIAM :—"May I inform the hon. Member that the persons, who are affected by this Bill, not the smokers, but the merchants and producers, are more than satisfied with the provisions of the Bill?"

SRI MOHAMED RAZA KHAN :—"Sir, I have no reason to contradict what the Hon. Minister said. But that is my information from what I gather from the number of memoranda which had been sent to hon. Members of the Legislative Council and the Assembly. We are not here to plead their case. We are not interested in them. The only point of view of the legislators here is whether these cigarette-making and beedi industries which are nothing but cottage industries would be affected by the operation of this tax. That is what I want to submit, Sir. If really the Hon. Minister says that they themselves were satisfied that the industries are not going to be crippled, after all we have no valid objection. My whole point is this. Being a cottage industry in this State, and when it is the desire of the Government that cottage industries should be improved as those industries give a chance for further employment, my only anxiety and the actual consideration is whether the Government can make out a case that the industry by itself will not be affected by this fresh taxation.

"Sir, even in the clauses of this Bill, it is stated that there will be a tax at two points. One is when they purchase tobacco and the other is when they manufacture tobacco either in the form of a cigar or beedi. Therefore, the tax will ordinarily be one anna. But the Hon. Minister had added a proviso. If I understand it correctly, anybody has to pay one-anna. He is paying half-anna on the purchase of the tobacco, but he will be given a rebate at the time, when the cost of manufacture is calculated. Therefore, the point remains, whatever it is, that the tax will come to one anna in the rupee."

THE HON. SRI C. SUBRAMANIAM :—"If a person has paid tax on the purchase of raw tobacco, then he is given rebate to that extent when he pays sales tax on the manufactured tobacco. Therefore, where is the question of paying one anna? He has to pay only half-anna on the manufactured tobacco. That is all."

SRI MOHAMED RAZA KHAN :—"Possibly, I may be wrong. But I want the point to be clarified. He pays half-anna on the purchase of tobacco. I do not know whether excise duty is excluded from it, or it is also included. That is another point. When his

[Sri N. Annamalai Pillai]

[6th April 1955]

கிருர்கள். இதை யாரும் ஆட்சேபிக்கமாட்டார்கள். ஆகையாக புகையிலை போடுவதால் நோய் வருகிறது என்பதை எல்லோரும் அங்கு கொள்ளுகிறார்கள்.”

* DR. A. SREENIVASAN :—“ On a point of information, Sir. The hon. Member Sri Annamalai Pillai quoted Agasthiyar. I would like to know whether at the time when Agasthiyar was in existence, tobacco was available in this country. It was not.”

SRI M. P. GOVINDA MENON :—“ மூன்று அண்ணாமலை பிள்ளைக்கு பீடி பிடிக்கிற பழக்கம் இருக்கிறதா ? ”

* SRI N. ANNAMALAI PILLAI :—“ எவ்வளவு இப்பொழுது பீடி பிடிக்கிற பழக்கம் உடையது. டாக்டர் அவர்கள் அகஸ்தியர் காலத்தில் புகையிலை இல்லை என்பதாகச் சொன்னார்கள். அந்தக் காலத்தில் இருந்ததா, இல்லையா என்பதில் இப்பொழுதுள்ள பிரச்சனை. அகஸ்தியருடைய நூலிலே புகையிலை பெரிதல்ல என்று சொல்லப்பட்டிருக்கிறது. அப்படி சொல்லி இருக்கும்போது அந்தக் காலத்திலே கப்பாயம் புகையிலை இருந்திருக்கவேண்டும். ஆனால் இன்று டாக்டர் அவர்கள் சொல்வதற்கு என்ன ஆதாரம் இருக்கிறது. அதற்கு ஆதாரம் கொண்டுவந்து காட்டினால் நான் ஒப்புக்கொள்வதற்கு தயாராய் இருக்கிறேன்.”

DR. A. SREENIVASAN :—“ நான் அதற்கு ஆதாரத்தைக் காட்டுகிறேன்.”

* SRI N. ANNAMALAI PILLAI :—“ டாக்டர் அவர்கள் கண்டிப்பாக ஆதாரத்தை இந்தச் சட்டசபையிலே கொண்டுவந்து காட்டுவார்கள் என்று நினைக்கிறேன்.”

SRIMATHI S. MANJUBHASINI :—“ It was called ‘Brahmapatram’. So it must have been in existence.”

* SRI N. ANNAMALAI PILLAI :—“ மூலம்தான் மஞ்சபாஷினி பிரம்மபத்ரம் என்று சொல்லுகிறார்கள். பிரம்மபத்ரம் என்ற பெயரில் எத்தனையோ இருக்கிறது. அவர்கள் எந்த பிரம்மபத்ரத்தை சொல்லுகிறார்கள் என்று நான் தெரிந்துகொள்ள விரும்புகிறேன். புகையிலை உபயோகிப்பதால் நோய் நிச்சயமாக உண்டாகிறது. இந்த காரணத்தினால் இதை அடியோடு ஒழிப்பதற்கு சர்க்கார் ஒரு சட்டம் கொண்டுவரவேண்டும். இல்லாமற்போனால் மேல் நாட்டில் ஒரு வஸ்துவை வேண்டாமென்றால் கொஞ்சம் கொஞ்சமாக குறைத்துக்கொள்வதற்கு வழி செய்து அதன்மேல் அதிகமான வரியைப் போட்டு நாளடைவில் குறைத்து மறைந்து போகும்படி அதிகமான வரியைப் போட்டு நாளடைவில் குறைத்து மறைந்து போகும்படி செய்வார்கள். அந்தமாதிரியான முறைகளைச் சர்க்கார் கொண்டுவந்து நாளடைவில் இதைத் தடை செய்வதற்கு வழி செய்யவேண்டும்.”

“ இப்பொழுது கொண்டுவந்திருக்கும் புகையிலை வரியானது மிகமிக அவசியமானது. இந்த புகையிலை அநியாயமாக ஜனங்கள் நோய்க் காளாகிறார்கள். அதனால் ஆஸ்பத்திரிக்குச் சென்று மிகவும் கஷ்டப்பட வேண்டியிருக்கிறது. இதையெல்லாம் நிவர்த்தி செய்வதற்கு இந்த சிகரெட்டின்மீது எவ்வளவு அதிகமான வரி விதிக்க முடியுமோ அவ்வளவு வையும் விதித்து மக்களை நல்லவர்களாகச் செய்வதற்கு வழி செய்வதென்றே மென்று கேட்டுக்கொண்டு என் வார்த்தைகளை முடித்துக்கொள்கிறேன்.”

* THE HON. SRI M. A. MANICKAVELU :—“ Sir, to start with the hon. the Deputy Leader of the Opposition, I may say he had no particular objection to the provisions of this Bill. That was why as usual he went on talking about the general question of

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sales tax and said that it was bad. He did not raise any objection to the rate of this tax or to the single-point or multi-point levy. So, he raised only the usual objection to the imposition of sales tax. He has no objection to the Bill as such.”

* DR. V. K. JOHN :—“ I would remind the Hon. Minister that we are discussing at this stage only the principles of the Bill and not the various clauses. I have very serious objection to the rate proposed.”

* THE HON. SRI M. A. MANICKAVELU :—“ Even though he may have very serious objection, the trend of his speech was only against the principle of sales tax and not against this Bill. It was said that an assurance by a company that the price would not be increased would not suffice and that it was open to them to raise the price. But I shall give one or two reasons why they will not raise the price. In the first place, they will not raise the price because that will affect the sale of that variety of cigarette. It would be known that when the Tobacco Taxation Act of 1953 came into operation, certain varieties of cigarettes, I mean the high class cigarettes, were given up by many of these smokers and they took to the cheaper variety because the price of the higher variety of cigarettes was too much. So, even very fastidious smokers had to give up the high class cigarette and take to the cheaper variety. Here, if the cigarette manufacturing company raise the price, that means that they will drive the smokers to take to beedis which are cheaper. So, in their own interest, they will see that the price is as it is now. That is one reason. There is also another reason why the price of cigarette will not be raised. Now it is sold at three pies each. If on account of this tax, its price is to be raised, it can be fixed at four pies only, that is 1/12th of an anna will be the addition in its price. Now this small pie is not current. It has gone out of circulation. So, if it is priced at four pies, it is very difficult to sell it for that price and to find the coin for it.”

“ Then, my Hon. Colleague, the Minister for Finance, points out to me that if the price is raised to four pies, the sales will come under the higher slab in respect of assessment. The tax will be higher. So, the dealers will not raise the price. Persons who are accustomed to this class of cigarettes need not worry about any rise in price. (Interruption by Sri Alexander Gnanamuttu.) That is a thing for hardened smokers like my friend.”

“ Sir, it was suggested that this taxation measure would have a reformatory aspect. I wish it were so; but I know there are many who smoke and who cannot do without it. As my hon. Friend Mr. Bhashyam pointed out, students especially have taken to smoking in larger numbers. Even women students smoke and it is a pity. But this taxation will not affect them. It will not put a stop to smoking. The tax is very small and it will not operate as a preventive measure at all so far as smoking is concerned. The Government have not thought of this Bill in that light.”

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SRI V. GURUNANDAN ROW :—“ May I know how much of extra revenue the Government are going to get by means of this taxation? ”

* THE HON. SRI M. A. MANICKAVELU :—“ It may be some thirty or forty lakhs of rupees. I can put it only roughly. As I have already said when I moved the Bill, the principle is nothing new. We are already committed to this principle of taxation and as regards cigarettes, this slight increase will not affect the price of cigarettes at all. As regards other articles—tobacco and its derivatives—the tax is so low that it will not affect their prices either.

“ Sir, my Friend, Mr. Raza Khan, said that there was double taxation. I do not know how he is able to infer there is double taxation. The process of taxation is this. Now raw tobacco is taxed at the purchase point. Some of the raw tobacco is converted into manufactured products like beedi or cigar. Then the manufacturer will be taxed on the first sale of such products. Now these two taxes—one at the purchase point in respect of raw tobacco and the other at the sale point of the manufactured product—will not be operative at the same time. If, however, tax is levied twice, then there will be a rebate allowed to the assessee in respect of the double tax paid by him. So, there will be no taxation twice.

“ Then, Sir, the same Member was saying that the Hon. the Minister for Finance was introducing this measure. It is the Revenue Minister that is doing it and I do not know why he was confused. Probably he has a grudge against me. He wanted some concession to be shown to the beedi manufacturers and in fact I have taken into consideration their case also. That is why in their case the tax is leviable only at the first point. It will not affect the beedi manufacturers. Small-scale manufacturers will not come under the purview of the Bill at all because the tax can be levied only if the turnover is Rs. 10,000. Most of the beedi manufacturers are small-scale manufacturers whose turnover is less than Rs. 10,000. In fact, the bigger manufacturers say that they have a grievance in that they will be taxed while the other small manufacturers will not be taxed. They feel they are at a disadvantage as compared with the small-scale manufacturers who have got the advantage of not paying tax. Sir, this exemption is intended only to encourage cottage industries and that is why we are still sticking to the turnover limit of Rs. 10,000. In the case of most of the beedi manufacturers the tax will be so low that it can be adjusted in the margin of profit itself. It will not be passed on to the consumer. They will not do it in the interests of the industry itself. The consumer will not have to pay this tax and, as Mr. Annamalai Pillai pointed out, it will not come from the poor people.”

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SRI MOHAMED RAZA KHAN :—“ I am thankful, Sir, to the Hon. the Minister for Revenue for clarifying the position in regard to the mode of taxing. But I want to know from him one thing. Suppose the turnover of a beedi or cigar manufacturer is ten lakhs of rupees. This manufacturer would be paying to the Central Government by way of excise duty a considerable sum in respect of the articles covered by the turnover; at times even fourteen or fifteen annas in the rupee. I want to know whether in calculating his turnover for the purpose of assessment to sales tax, the payment made by him by way of excise duty will be taken into account and given due allowance.”

* THE HON. SRI M. A. MANICKAVELU :—“ In calculating the turnover, the excise duty that is paid is deducted. It will not be taken into account just as in the matter of payment of income-tax the insurance premium paid by the assessee is deducted from the income of the individual concerned.”

MR. CHAIRMAN :—“ The question is—

“ That the Madras General Sales Tax and the Madras Tobacco (Taxation of Sales and Registration) (Amendment) Bill, 1955 (L.A. Bill No. 9 of 1955), 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 MOHAMED RAZA KHAN :—“ Sir, I move the amendments standing in my name, namely,—

“ In the proposed item (vii) of section 5, for the words “ six pies ” substitute the words “ three pies ”

“ In the proposed item (viii) of section 5, for the words “ six pies ” substitute the words “ three pies ”.”

My amendment is very simple. I have already given due credit to the Hon. the Revenue Minister that he is as anxious as the Hon. the Minister for Finance to get as much revenue for the State as he can. We concede that whatever revenue is collected, is only for a definite or set purpose. But at the same time, let me point out one cardinal principle enunciated by various economists and also brought home to the Government by the hon. the Deputy Leader of the Opposition many times that before we launch upon any fresh scheme of taxation, a case must be made out that the particular industry or the commodity that is to be taxed is in a position to pay that tax. I am not out to defend the Deputy Leader of the Opposition. He needs no defence from me. He has

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sales come to Rs. 4 or Rs. 5 lakhs, he will get a proportionate rebate for the tax which he has already paid on raw tobacco. I think that is the position."

THE HON. SRI C. SUBRAMANIAM :— "Whatever tax is paid will be given as rebate. It is enough if he pays the balance. Or else, he pays in full and gets a refund of the amount of tax already paid."

SRI MOHAMED RAZA KHAN :— "The statement of the Hon. Minister for Finance may be correct. I leave the matter at that. However, my reading of the situation is that he has to pay something more than half-anna. Otherwise, the Hon. Minister for Finance would have simplified the whole issue by saying 'when there is a first sale, you pay six pies to the Government'. The matter would have ended there. From the way in which the clause is drafted, I have got a doubt or suspicion, unless it is clarified. However, the Hon. Minister for Finance was kind enough to bring in a proviso wherein a rebate is given and the proviso reads thus :

'Provided that where a dealer who has paid tax in respect of his turnover relating to goods included in clause (vii) has also paid the tax on the purchase of raw tobacco used in the manufacture of such goods under clause (viii) he shall be entitled to a rebate to the extent of tax paid in respect of the raw tobacco so used.'

Here also there is a small defect. I think it might not have been brought to the notice of the Hon. Minister. The proviso says 'in respect of his turnover relating to goods included in clause (vii)'. I think it must be item (vii). There is some defect in the drafting itself. Similarly 'in the manufacture of such goods under clause (viii)' should be 'in the manufacture of such goods under item (viii)'. I think that has been overlooked by the department. If it is so, it may be corrected.

"With regard to the tax on cigars, etc., I do not like to make any suggestion in the matter. After all it is not a question of people paying quarter-anna or half-anna. When at one stage the Government say that they would exclude a certain thing from the operation of the tax, there is no point in trying to tax that thing within 17 or 18 months. If really the Hon. Minister for Finance feels that these two industries are not going to be affected and that the tax will be working at the minimum of 3 per cent, I am satisfied. But if the Hon. Minister for Finance or Revenue at any time finds that the industries are being affected by this taxation measure, I hope they will be too willing to make necessary amendments. After all, our anxiety is that the people who are employed in these industries, not a few thousands but lakhs, and particularly when their complaint is that they are getting a poor wage, and particularly at a time when their demands are also increasing, should not be affected. We want that there should be contented labour and maximum employment. Whether smoking is bad or good, is beside

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the point. As was promised by the Hon. Minister for Finance, if at any time we find that this taxation measure is working very harshly on these two industries, I think he will be the first man to come forward and make necessary amendments."

* SRI N. ANNAMALAI PILLAI :— "கனம் சபாநாயகர் அவர் 3-20 p.m. களே, இந்தப் புகையிலை வரி மிகவும் அவசியமானது. ஏனென்றால் பெரும் சிகரெட்டினாலே ஜனங்களுக்கு வியாதி உண்டாகிறது. பெரும் பாபேலார் வேடிக்கைக்காகவும், நாகரீகத்திற்காகவும், கௌரவத்திற்காகவும் அல்லது சந்தோஷமாக இருப்பதற்காகவும் இதைப் பிடிக்கிறார்கள். மனிதன் உணவில்லாமல் தரித்திரத்தில் மூழ்கி தத்தளித்துக்கொண்டிருக்கும் போது இந்த தேசத்திலே சிகரெட்டிற்காக பணத்தை செலவிட்டு கஞ்சிக்கு இல்லாதவர்களை தவிக்கவிடுவது கொஞ்சமும் நியாயமில்லாத காரியமாகும். பணம் ஒருவரிடத்தில் இருக்கிறதென்றால் அந்தப் பணமானது பணக்காரர் பணம் சொந்தமானதல்ல. அதெல்லாம் இந்த தேசத்தின் பொது சொத்து. சட்டத்தின் பேரிலேதான் ஒருவரிடத்தில் குவிந்திருக்கிறது. அந்தச் சட்டமானது ஒழிக்கப்படாமலானால் பணம் இல்லாதவர்களுக்கு அவை களைப் பிரித்துக் கொடுக்கப்படும். அதற்காகத்தான் இப்போது பல கட்சிகள் தோன்றி எப்படி சமத்துவத்தை ஏற்படுத்துவது என்பதைப்பற்றி பெரியதொரு ஆலோசனை செய்துகொண்டிருக்கின்றன. நானும் அதைப் பற்றி ஆலோசனை செய்துகொண்டுதான் இருக்கின்றேன். இப்பொழுது சர்க்கார் நிலச் சீர்திருத்தம் எப்படிக் கொண்டுவருவது என்பதுபற்றி ஆலோசனை செய்துவருகிறது."

"சாதாரணமாக சிகரெட்டு பிடித்து வீணாக்கக்கூடிய பணத்தை நாட்டின் வறுமையைக் களைவதற்கு உபயோகிக்கக்கூடிய முறையில் வழி செய்வேண்டும். நண்பர் கஜபதி நாயகர் கூறுவதுபோல் புகையிலையைக் குடிப்பதனால் தர்மசிந்தனையே அழிந்துவிடுகிறது. தர்மத்திற்காக இரண்டரை கொடு என்றால் கொடுக்கமாட்டார்கள் என்று அவர் சொல்லுவது உண்மையே. ஆனால் இன்றைக்கு ஒரு சிகரெட்டுக்கு 2 அணை, 2½ அணை கொடுத்து வாங்குகிறார்கள். நானும் முன்பெல்லாம் சிகரெட்டு பிடித்திருக்கிறேன். கொஞ்ச நாள் நானும் சிகரெட் வியாபாரம் செய்திருக்கிறேன். அப்பொழுதெல்லாம் தம்பிடிக்கு 2 சிகரெட் விற்பது. ஆனால் காலக்கிரமத்தில் ஒரு சிகரெட் 1½ அணை, 2 அணைவாக விற்கும் அளவுக்கு வந்துவிட்டது. அப்படி இருந்தும் ஜனங்கள் பணம் கொடுத்து வாங்கி சிகரெட் பிடிக்கிறார்கள்."

"இந்த நிலையை மாற்றுவதற்கு மதுவிலக்குச் சட்டம் கொண்டு வந்ததுபோல் ஒரு சட்டம் கொண்டுவந்தால் சிகரெட்டினால் வரும் நோயை நம் நாட்டிலே வராமல் தடுக்க முடியும். சிகரெட்டினால் காச நோய் உண்டாகிறது. எனக்குக்கூட இந்த சிகரெட்டைப் பிடித்ததினால் காச நோய் உண்டாயிற்று. அதை நிறுத்திவிட்ட பிறகு நோய் நின்று விட்டது. இது என்னுடைய சொந்த அனுபவம். இதை டாக்டர்கள் ஒத்துக்கொள்கிறார்கள்."

DR. A. SREENIVASAN :— "நான் ஒத்துக்கொள்ளமாட்டேன்."

* SRI N. ANNAMALAI PILLAI :— "டாக்டர் சீனிவாசன் அவர்கள் இதை ஒத்துக்கொள்ளமாட்டேன் என்று சொல்லுகிறார். ஆனால் நான் இதைப்பற்றி வைத்திய நூலில் படித்திருக்கிறேன். வைத்திய நூல் புகை பிடிப்பதனால் இந்திரியம் நீத்துப்போகிறது என்று சொல்லுகின்றது. மனிதன் காலக் கிரமத்தில் சக்தியைக் கொஞ்சம் கொஞ்சமாக இழந்துவிடுகிறான் என்று வைத்திய சாஸ்திரத்திலே படித்திருக்கிறேன். டாக்டர் அவர்கள் படித்தது ஆங்கில நூலாக இருக்கலாம். ஆனால் நான் படித்தது அகஸ்தியருடைய சித்த வைத்தியமாகும். புகையிலை போடுவது கெடுதல் என்று எல்லோரும் ஒப்புக்கொள்ளு

THE MADRAS GENERAL SALES TAX AND THE
MADRAS TOBACCO (TAXATION OF SALES
AND REGISTRATION) (AMENDMENT) BILL, 1955
(L.A. BILL NO. 9 OF 1955)

[Sri Mohamed Raza Khan] [6th April 1955]

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p.m.

been bringing this point to the notice of the Government always and I know the Government would not accept it in nine cases out of ten. If wisdom dawns upon the Treasury Bench at least on the one occasion I have pointed out, that will do and it will certainly help the economy of the State. I thought that when the Bill was first introduced, the Hon. Minister for Finance and the Hon. the Minister for Revenue, both combined, would put it as 3 pies per rupee as in the case of many other commodities. But now it is 6 pies per rupee. Therefore . . .

THE HON. SRI C. SUBRAMANIAM :—“ But for other articles, there is the multi-point sales tax.”

SRI MOHAMED RAZA KHAN :—“ Particularly the Hon. Minister for Revenue says that this tax cannot be passed on to the consumers because the nature of the trade is such, viewed from all points of view, I think the present tax of 6 pies per rupee will work very hard. I think it would be reasonable if the Government were to fix the tax at 3 pies per rupee initially when they first introduce the Bill. After the Bill is passed and after seeing the Act working for some years, they can increase the tax to 6 pies per rupee, if they are satisfied that that increase is justified. It would be logical, therefore, when the Bill is introduced that the sales tax should be only 3 pies per rupee and not 6 pies per rupee as proposed in the Bill. Therefore I think my amendment for changing the tax from 6 pies per rupee to 3 pies per rupee would be accepted.”

* DR. V. K. JOHN :—“ I am seconding the amendment moved by Sri Mohamed Raza Khan. I want to say a word or two. In this matter if I was given the power, I would have reduced the tax from 6 pies per rupee to one pie per rupee. I do not know whether the Hon. Minister for Revenue had read the extracts of the report of the Taxation Enquiry Commission headed by Dr. Mathai. Dr. Mathai had suggested $\frac{1}{2}$ per cent for a multiple taxation at one point. Half per cent works out to one pie per rupee. That means that if you tax at 4 points, it will work out to 2 pies. But here a huge figure of 6 pies per rupee is fixed.”

THE HON. SRI C. SUBRAMANIAM :—“ The Hon. Deputy Leader of the Opposition must quote correctly, when he quotes something from Dr. Mathai's report. What Dr. Mathai has said is at one point we can have higher taxation, but at every other point it should not be more than $\frac{1}{2}$ per cent or 1 per cent. Therefore at one point we may have as much tax as we like. But when it comes to be levied at other points, it should be of a small percentage, viz., $\frac{1}{2}$ per cent or 1 per cent. We have fixed the tax here, in this Bill, only at one point. At one point, we can fix the tax as much as we like, according to Dr. Mathai's report. We have fixed it at 6 pies per rupee. The question of fixing the tax at other points does not arise here, because only at one point, the

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tax is levied. Therefore we have followed Dr. Mathai in the report he has given to us and not deviated from his report, as is sought to be made out by the Deputy Leader of the Opposition.”

* DR. V. K. JOHN :—“ As much as 30 per cent of the turnover is being taxed under this Bill. I ask is this just. Is it right to tax 30 per cent of the turnover? Is it right for this Government to collect as much as 30 per cent of the turnover as tax? How much will a man make as profit when he does business? He may make 10 per cent of his turnover as profit. But you collect 30 per cent of the turnover as tax. You have given the figures in this Bill. Thirty per cent is a horrible amount for taxation purposes. Do you share the loss of the businessman? If he gets loss, do you share it? No. But at the same time you impose 30 per cent of the turnover as tax. This must certainly pass on to the poor man who buys this material. I have got friends here who say that people should not smoke. But smoking has come to stay. People do smoke. If it is the intention of Government that people should not smoke, let them prohibit it. But, Sir, many of the Ministers do smoke. I know that the Chairman of this august Council also smokes. I do not think there is anything wrong in smoking. When that is the case, if you impose 30 per cent of the turnover as tax, is it just? Even income-tax is not levied like this. If a man gets Rs. 10,000 as his income, the income-tax is on his income and it works out to very much less than 30 per cent. It may be 10 per cent or so. Therefore if only the Government were to consider this huge amount, viz., of taxing 6 pies in the rupee, they should not feel proud of the way in which they are managing the affairs of the State.”

* THE HON. SRI M. A. MANICKAVELU :—“ The Hon. Deputy Leader of the Opposition usually takes objection to our giving retrospective effect to any legislative measure. I take objection to his talking retrospectively about an Act which was passed in the year 1953. I do not know whether the Deputy Leader of the Opposition was present at the time when that Bill was passed. Had he been present, he would have voiced his strong opposition. Probably he had not been present at that time. I do not know why he was not present. In the present Bill, the taxation is only with regard to the last category of cigarettes, where we have fixed the percentage at $3\frac{1}{2}$ per cent. But he is referring to 30 per cent and all that, which is not in this Bill and which I think it is not appropriate to talk at this stage.

“ With regard to Mr. Raza Khan's amendment, he took objection to our mentioning it as a clause and not as an item. If there are clauses and sub-clauses, we could have put it as an item. But there was only one category and therefore what we have done will not create any confusion. (Sri K. Balasubramania Ayyar : ‘ It is an item here, but when it is incorporated in the Act, it would be

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a clause. That is what he said.') I accept the explanation given by an experienced lawyer. Therefore I would request the hon. Member, Sri Raza Khan, to withdraw his amendment."

SRI MOHAMED RAZA KHAN :— "The Hon. Minister for Revenue tried to make a point that the Deputy Leader of the Opposition talked something retrospectively. May I tell him that during last year when 1/3rd of the members of the Council were elected, for nine days, the newly elected members including the present Leader of the House, were not allowed to sit in the Council, simply for passing the Bill providing for that taxation of 30 per cent of the turnover. Therefore the Hon. Minister for Revenue cannot blame the Deputy Leader of the Opposition that he was not present at the time when that Bill was passed."

THE HON. SRI C. SUBRAMANIAM :— "That does not mean that every hon. Member should go on talking about the provision in a Bill, which had been passed long ago."

SRI MOHAMED RAZA KHAN :— "At the time when the new Members were elected, for nine days they were not allowed to sit in the Council. Therefore if the Deputy Leader of the Opposition talks something on a provision in a Bill passed 18 months ago, I do not think he is wrong."

MR. CHAIRMAN :— "Are you pressing your amendment, Mr. Raza Khan?"

SRI MOHAMED RAZA KHAN :— "Yes, Sir."

MR. CHAIRMAN :— "The question is—

'In the proposed item (vii) of section 5, for the words "six pies", substitute the words "three pies";

In the proposed item (viii) of section 5, for the words "six pies," substitute the words "three pies";"

The amendments were lost.

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 :— "Sir, I move—
'That the Madras General Sales Tax and the Madras Tobacco
(Taxation of Sales and Registration) (Amendment) Bill,
1955 (L.A. Bill No. 9 of 1955), as passed by the Assembly,
be passed.'"

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MR. CHAIRMAN :— "The question is—

'That the Madras General Sales Tax and the Madras Tobacco
(Taxation of Sales and Registration) (Amendment) Bill, 1955
(L.A. Bill No. 9 of 1955), as passed by the Assembly, be passed.'"

The motion was carried and the Bill was passed.

(2) THE MADRAS CITY CIVIL COURT (AMENDMENT) BILL, 1955
(L.A. BILL NO. 7 OF 1955).

THE HON. SRI C. SUBRAMANIAM :— "Sir, I move—

'That the Madras City Civil Court (Amendment) Bill,
1955 (L.A. Bill No. 7 of 1955), as passed by the Assembly,
be taken into consideration.'

This is a simple measure dealing with the jurisdiction of the City Civil Court. Hon. Members are aware that as far as Madras City is concerned, we had a system of courts existing here different from the mufassal courts. The original jurisdiction was being exercised and is being exercised in the City by the High Court and by the establishment of the City Civil Court. Original suits up to the value of Rs. 2,500 were dealt with by the City Civil Court and later on its jurisdiction was increased to Rs. 10,000. Now we are increasing the pecuniary jurisdiction of the City Civil Court to Rs. 50,000. There has been an agitation that the Original Side of the High Court should be abolished in its entirety and the system of judiciary in the City should also be brought in line with that which is in existence in the mufassal. But, taking into consideration the historical aspect and also taking into consideration the various representations made by the Advocates' Associations and other bodies and also after consultation with the High Court, we decided to bring forward this measure which would not abolish the Original Side of the High Court, but at the same time would relieve the congestion in the High Court to a very great extent. Sir, the figure, Rs. 50,000, has been accepted by the High Court also. Therefore, I hope hon. Members of this House will agree to the passing of this Bill without pressing for amendments to reduce the amount or for any other purpose. With reference to technical amendments, if there were any, I shall certainly explain the position, if necessary, when those amendments are moved."

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MR. CHAIRMAN :— "Motion moved—

'That the Madras City Civil Court (Amendment) Bill, 1955
(L.A. Bill No. 7 of 1955), as passed by the Assembly, be taken into
consideration.'"

SRI K. BALASUBRAMANYA AYYAR :— "Mr. Chairman, I appreciate the Hon. the Finance Minister's expressing the hope that there will not be much opposition to the Bill that he has presently moved. But, unfortunately, the party that will be mainly affected, among the other parties, will be the Advocates. The Madras Advocates' Association is not in favour of this change. It

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are varieties of cases. Here sale deeds, conveyances, etc., are carefully drafted. We have also solicitors whose services are utilized for this purpose. By a careful drafting of these deeds by the lawyers here, lot of trouble in Court is avoided. Unnecessary litigation is also eliminated. In the City, there is much of litigation in respect of right to house properties and contracts. They are contracts relating to sale of goods, relating to the importing of goods or exporting of goods because after all this is a mercantile city; it is a port which brings in lot of traffic from outside not only from other parts of this country but also from other parts outside this country. Cases therefore deal with contracts entered into by persons not only with persons living within this city or within this country but also with persons living outside this country altogether. The nature of the litigation obtaining in the city courts is absolutely different from those obtaining in the mufassal courts. Mortgage suits are very few here and there is the right of sale to the mortgagee and that is taken advantage of. Hon. Members would have found a number of advertisements of sale of mortgaged properties. The mortgagee sells the property even without the help of the courts, as there is no question of dispute of titles. Therefore to say that there should be uniformity of procedure in respect of all matters between the mufassal courts and the city courts is something which is not quite correct and cannot be expected.

“ Apart from this there is another point which I would like the Government to consider. In respect of litigation, there is a sort of tradition in respect of this matter here. There are Solicitors trained in English law and procedure. A brief statement of the case is prepared and the Judges and others are in possession of the facts of the case without much difficulty. The Hon. Minister Sri C. Subramaniam is a mufassal lawyer. If only he had been practising on the Original Side in the High Court, he would have known it. I may tell him what is happening here. The rules here provide that there must be a list of documents at the time; otherwise the party is not allowed to put in these documents. That is the penalty imposed on the party for not filing the documents at the time. In the mufassal, this procedure is not taken advantage of. In the city, the Master looks into these matters before the case is put up before the Judge. So far as the preparation of the cases is concerned, the documents are bundled and both sides agree to this. In fact it is called ‘ the agreed bundle ’. All these cases are mostly contracts. It is only a question of construction of the contracts. All the correspondence is therefore bundled up according to dates and the ‘ agreed bundle ’ is given to the Judge. Therefore so far as preparation of the case is concerned, it is a perfect system that is adopted here. Then, the Judges dealing with those cases are High Court Judges. So far as English practice is concerned, all litigations go before the Judges at Westminster. Sometimes they go in circuit no doubt. But the other cases are all decided by High Court Judges themselves, sometimes sitting in London and sometimes in circuit. The system followed here is very much like the English

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practice. This really adds to the efficiency of the administration and the satisfactory nature of the disposal of the cases. In this connection, Sir, I may say the persons really affected are not the lawyers practising on the Original Side of the High Court? In fact I am not practising on the Original Side of the High Court. If therefore, I say anything, it is not for the purpose of furthering my interest or the interests of those advocates practising on the original side. It is for the benefit of the very large number of litigants in the City of Madras, who are mostly merchants and who are affected by this legislation. Were these merchants consulted? Were the Chambers of Commerce who are interested in this measure, consulted? In fact I was told that one of the Chambers of commerce had not even seen this Bill because it was not sent to them for opinion. They have protested against it. It has however, been stated that the High Court had agreed to this measure.

“ So far as the question of uniformity is concerned, I want to make one more submission. This is not a new thing that the Government are attempting to do. Even as early as 1870, this seems to have been mooted. Let me quote what Sir Phillip Hudson, the then Executive Councillor, had stated even as early as 1870. He said ‘ Whether we have regard to efficiency of the Judges themselves, the maintenance of a good Bar, the impartial Administration of Justice for the protection of the people at large or any other of the objects which a good Executive Government must always keep in view, I am very decidedly of opinion that the substantial maintenance of the Original Side of the High Court is a matter of supreme importance ’. This was said as early as 1870. This has been found true even to-day. But the Hon. Minister might say: ‘ We want uniformity ’. I may tell him again that he has had no experience on the Original Side. Most of the advocates coming from the mufassal do not know what is happening here.

“ My submission further is, let the matter be referred to the Chambers of Commerce and the Government would find that they are satisfied with the preparation of the cases here in the City Courts. These merchants have also got cases in mufassal courts. They have experience of how it is done there and how it is done here in the City. They may well be asked on this matter. It is not as if, I repeat, I am arguing the case of the lawyers practising on the Original Side of the High Court. If as a result of this measure they don’t get briefs on the Original Side, they can get the same cases in the City Civil Court and make the same money. But my respectful submission is that we should not be led away by the fact that there must be uniformity as between the mufassal courts and the City courts. A serious step is being taken by Government. As I have already mentioned the administration of justice in the City is much more efficient than in the mufassal. This will be evident if you look at the comparative percentage of appeals going from the Original Side, and those coming from the mufassal. You will find the percentage is very little in respect of

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has made representations to the Hon. Minister and has also sent in a memorandum on this matter. While considering this Bill, I would request the Hon. Minister to take into account a very important aspect, viz., that the nature of litigation in Madras City is different in some respects from the nature of litigation in the mufassal. In the City there are many contracts, foreign contracts, and disputes relating thereto in respect of a number of commercial firms which require speedy trial in the way in which it is done in the Original Side of the High Court. For this purpose, it is better to have a Judge of the High Court and this has been done for a long time. Before we are asked to accept a Bill like this, it must first be explained why there should be a change. The reason for the change should be stated. (Interruption.) I do not know why there should be a change at all. We do not know whether this measure has been brought forward only for the purpose of relieving the congestion in the High Court especially on the Original Side. The Original Side has not been abolished and there is also no such move at present to do it. Therefore I do not see any reason why this Bill should be introduced. Is there any reduction in the expenditure? I do not expect any reduction in the expenditure. Even in the case of the City Civil Court, we have the Principal Judge, Additional Judges and Assistant Judges. The expenditure incurred on these Judges put together will be much greater than that incurred on a Judge of the Original Side of the High Court. The chief point is that the procedure followed by the Original Side is much more adaptable for purposes of determining the various kinds of suits, like matrimonial causes and commercial causes. Madras is the capital City. In this connection, I may incidentally point out that in some other Bill, not in this Bill which is under consideration, the term 'Presidency town' has been used. It is an anomaly. Hereafter, we are not to use that term. We are to use the expression, 'capital City'. Anyway, this may be looked into in respect of the other Bill. Now, coming to the point, Madras being the capital City, the number of commercial causes coming up will be much greater than in the mufassal. These are governed by the principles of English Law in respect of various matters. So far as litigation concerning commercial enterprises in the City are concerned, during and after the last War, so many contracts, I mean a number of foreign contracts also, had to be judged and decided by applying the principles of English Law. Therefore, I submit that the Government are taking away a very valuable privilege enjoyed by the clients in the City. Hitherto, they were enjoying the privilege of having their cases tried by a Judge of the High Court. Why should the Government deny them this privilege? All along there has been this practice. If this practice had not been in existence and if nobody knew of it till now, it is all right. But, in view of the fact that the clients have been enjoying this privilege till now and also in view of the fact that there are various other factors to be taken into account, viz., foreign contracts and things like that which come up before the Courts in this capital City, I think that it is not necessary that the jurisdiction of the Original Side of the High Court, to the extent

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mentioned in this Bill, should be abolished. I also think that it is not necessary that the clients should be deprived of the valuable right which they have been enjoying till now, viz., having their cases adjudicated upon by a Judge of the highest Court in the State. With regard to some of the provisions contained in the Bill, I have got certain objections which I will enumerate later. For the present, I only wish to point out that the procedure adopted in the Original Side of the High Court is more suited for generally determining a large number of cases that come up here for adjudication in the capital City. That is why, I state that this valuable right should not be interfered with at the present juncture."

* SRI K. BHASHYAM :—" Mr. Chairman, this is one of these measures which affect a number of people in the City. The justification for such a measure is not stated in the Statement of Objects and Reasons. Of course, it has been stated that there is a different system prevailing in the mufassal from the one prevailing in the City and that there must be a uniform system in the mufassal and also in the premier City of Madras. How far this argument is good has to be examined. I want to say in the first instance that the growth of the Original Side of the High Court has got a historical background. It has been there for quite a long time. It is as old as the East India Company itself. The nature of cases that are dealt with by the Original Side of the High Court in the City of Madras is quite different from the nature of cases that are dealt with in the mufassal Courts. This fact has to be taken into consideration. My submission is that there must always be some distinction between the premier City of Madras and the mufassal stations. Why should there be a Corporation in the City of Madras and only a Municipality in the mufassal? Why should the Government grant large sums of money to the Corporation in the City and why are they even stinting in the matter of making grants to the municipalities in the mufassal? The Corporation here is spending lakhs of rupees. The same cannot be said in the case of the Municipalities. Why should there be a Secretariat in the City of Madras alone? Why cannot the Government spread it all over the State? Again, why should the Governor be in Madras only? Why not he spend some time in Tanjore and some time in Tiruchirappalli and some time in some other place? So, there is no question of requiring uniformity in such matters between the City and the mufassal stations. As a matter of fact, there is some difference in procedure with regard to the cases that come up before the Courts in the City and the cases that come up before the Courts in the mufassal. It is not as if there is no difference between the City and the mufassal stations in respect of this matter. The population of the City is about 12 or 15 lakhs. As was pointed out by another hon. Member, the nature of litigation that comes up in the City is absolutely different from the nature of litigation in the mufassal. Litigation in the mufassal will, in a large number of cases, be in respect of agricultural lands. But in the City, there

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of this matter. Therefore, I feel that the raising of the jurisdiction from Rs. 10,000 to Rs. 50,000 is too high. I shall speak at length when the amendment, which I have given notice of, comes up for discussion.

"So far as appeals are concerned, there is also another difficulty. What is sought to be done, under this Bill, is this. We appoint the Principal Judge with the rank of a District Judge. I think, the District Judge will be appointed as the Principal Judge, and the Assistant Judges will come from mufassal courts. As it is, an appeal from the Assistant Judge would lie to the Principal Judge and he has to dispose of it himself or send it to other Assistant Judges. But I submit that difficulties will arise in respect of this matter. At the present moment, appeals lie to the High Court from the City Civil Court. Now if they are sent to the Principal Judge, there will be more delay and prolonged litigation and they will not be disposed of quickly. Therefore, it will be much better if the appeal should lie, as at present, direct to the High Court. Now what happens in the mufassal court? Suits involving a value of less than Rs. 3,000 are heard by the District Munsif and suits valued between Rs. 3,000 and Rs. 5,000 are to be heard by the District Judge. I do not know how unanimity in respect of this matter is kept up in this Bill. It is stated there that cases valued less than Rs. 5,000 can be tried by the Principal Judge on appeal. Sir, there is also one other serious difficulty involved in the matter. Power is given to the Principal Judge to transfer one case from one subordinate judge to another. I may tell the Government that it will be difficult to work it. Suppose a First-class Sub-Judge has been appointed and he decides a case and an appeal is preferred to the Principal Judge. There may be four or five Sub-Judges of a second grade. If the Principal Judge is to transfer that appeal to an ordinary sub-judge, the judge who is inferior and junior to the judge who first decided the case would hear it. Such things may happen. Perhaps instructions may be given to the Principal Judge not to do so but as a matter of fact such instructions cannot be given to him. As practical difficulties are involved in the matter, I hope the Hon. Minister will look into it.

"Now, I wish to refer to one other important matter. Sir, I can understand a measure being brought in for the purpose of governing the suits that would be handled hereafter. Now what is stated in the Bill is that as soon as it is passed, all the suits with a value of more than Rs. 5,000 pending disposal will stand transferred to the City Civil Court. That is why I have given notice of an amendment which gives exemption to suits in which issues have been framed or suits which are part-heard. I do not know how suits can be automatically transferred. First of all, they will have to be numbered and various processes have to be gone through. Further there will be delay in the disposal of cases"

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MR. CHAIRMAN :—"There are a number of Bills to be passed. So, let the Member finish his speech soon."

* SRI K. BHASHYAM :—"It is an important measure and I require more time. It is a matter affecting the administration of law and I have been commissioned by the Advocates' Association to impress upon the Government to drop the measure if possible or at least amend it suitably."

MR. CHAIRMAN :—"Let the hon. Member take five more minutes."

THE HON. SRI C. SUBRAMANIAM :—"The hon. Member, Sri Bhashyam, is attempting at the impossible."

* SRI K. BHASHYAM :—"If the Hon. Minister, Sri Subramaniam does not agree with what I have stated, perhaps he may be wiser than myself or I may be wiser than he."

THE HON. SRI C. SUBRAMANIAM :—"We are personally affected and we know the judgments are also affected." 4-20 p.m.

* SRI K. BHASHYAM :—"Sir, that is why I said I have no practice on the Original Side. There may be one or two cases. It may be that one of my friends has entrusted it to me or it may be that a person specifically wants that I should appear in the case. My practice is restricted to the appellate side."

DR. V. K. JOHN :—"Sir, is it in order to attribute motives to an hon. Member?"

THE HON. SRI C. SUBRAMANIAM :—"I never did that, Sir."

* SRI K. BHASHYAM :—"Sir, I don't expect the Hon. the Law Minister to say anything of the kind and I understand him all right. What I mean and what the Hon. Minister means is known to both of us. The question is how are the Advocates affected. Persons who are really engaged as lawyers will get the case either transferred or they will appear in the City Civil Court. After all, it is in this City itself. It is not in the mufassal. Therefore, to say that the Advocates will be affected is something which I cannot understand. We want efficient administration and speedy disposal of cases by a person eminently fitted to dispose of those cases. That is the anxiety on the part of the client. The Advocates will get their fees in any case, whether in the City Civil Court or in the High Court. Therefore, let us not attribute motives to the Advocates' Association. It is a cheap gibe to say that the lawyers will be affected. Therefore, I wish to point out that there is no advantage in any case, either in abolishing the Original Side altogether or raising the jurisdiction to such a high figure as Rs. 50,000. I oppose this measure altogether."

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appeals going from the Original Side of the High Court. It is because the Original Side judgments are very satisfactory. People are satisfied and do not take the matter in appeal. If you say the appeals from the mufassal courts is 5 or 10 per cent, it will be half per cent or even less in respect of cases from the Original Side of the High Court. Appeals on cases decided by the Original Side are very very few and appeals to the Supreme Court is practically nil. This only speaks of the efficiency of the administration of justice.

"I want to make another submission, Sir. Persons affected by this legislation are mostly litigants of the city, especially the merchants. Representatives of the various Chambers of Commerce ought to have been consulted before this legislation was undertaken by the Government. Government have stated in the Statement of Objects and Reasons that this Bill has been brought forward with a view to bring in uniformity of procedure in respect of the City and mufassal courts. It is not as if there is no uniformity now between the mofussil and city courts. In fact uniformity obtains even now. It is not as if the city litigant gets his litigation decided at a low cost. The Court Fees Act has been extended to the High Court also, that is to say, the city litigant pays as much to get a decision as a mufassal litigant does. Therefore it is not as if the city litigant has an advantage over the mufassal litigant. On the other hand the city litigant suffers under one disadvantage in that for every application he makes to the High Court, for the purpose of getting anything done, he pays Rs. 5 or even Rs. 10 for what you call 'notice of motion' or even 'chamber application', while the mufassal litigant can get such a thing done by paying eight annas or twelve annas. In addition to this, the city litigant pays for every day a sitting fee of Rs. 25. Though this is somewhat costly, the city litigant does not mind it because he gets efficient administration of justice. He need not go in appeal and spend on all other things.

"Therefore, Sir, my only submission is this. If there is efficiency in the administration of justice, why pull it down on a level with the mufassal courts? It is not good to do so. If the administration of justice in the mufassal is not so good as that in the city why not tone it up? How to do it is the question. Sir, if the Hon. Minister and others sit together in conference, we can consider how this could be done. We can, if necessary, improve the rules obtaining in mufassal courts. The procedure adopted on the Original Side of the High Court has been in force for a number of years. The same procedure may be used for mufassal courts also. (Interruption.) Every man invokes God for his own purposes, for his own success. People do it and there is no doubt about it. I do the same thing. But let us not quarrel over these small things, or invoke God at the present moment. Let us not disturb Him over this small matter. I only ask, why not tone up the administration in the mufassal and bring it up to the level of the City Courts?

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"Then I wish to refer to another matter. There are a number of persons being trained as lawyers. There are apprentices who are really attending the Original Side of the High Court and they get a better atmosphere in which to learn their business. They really imbibe the etiquette of the Bar in the High Court better than in the mufassal courts. Therefore, under these circumstances I think, a case can better be made out for the abolition of the City Civil Court itself or at least cutting down its jurisdiction. 4-10 p.m.

"Sir, it has been stated that the idea behind this Bill is to speed up the disposal of cases. I am told—of course it is a non-official information—that nearly 3,000 cases are pending now in the City Civil Court. Originally there was one Judge and now there are three Judges and a fourth Judge has also been appointed recently. Now if in addition to 3,000 cases already pending, another 1,000 cases are transferred to the City Civil Court after this Bill is passed, there will be further delay. As a matter of fact, two more Judges will have to be appointed to dispose of these cases. Of course, the Principal Judge will be of the rank of a District Judge. But sub-judges will come from mufassal courts. They do not have sufficient knowledge of the procedures and rules and how the 'rigour' of these rules should be enforced against litigants. They must be up to the mark and they must not lag behind. If, as a result of this measure, 70 per cent of the cases are transferred to the City Civil Court, I do not know how there will be more speedy disposal of cases. That apart, there is also another question involved in the matter. How are we going to get accommodation for six or seven Judges. Now, as it is, several courts function in one building. Some rooms give an appearance of hovels and they are dark. In these hot days it is impossible to hold the sitting of the court in a dark room without proper ventilation. Sir, if these courts are located in a certain specific place, it will be convenient to lawyers, it will be convenient to the litigant public and it will also be convenient to Judges. After all, the atmosphere in which these courts are situated should be congenial and every convenience should be provided and then only it will be convenient to dispose of cases. If a judge has not got a properly ventilated room, his feelings of disgust and discomfort are felt in his decisions. The lawyers and the clientele are the poor victims of this feeling. Therefore, I would request the Hon. Minister for Law to look into the question of accommodation also and see that proper housing and proper facilities are provided for them.

"Then I come to another matter. In the Bill it is proposed to extend the jurisdiction of the Madras City Civil Court to try cases of the value of Rs. 50,000. From 10,000 it has been raised to Rs. 50,000 which is a very big jump. Why not this be raised only to Rs. 20,000 or Rs. 25,000? As it is, the Government can, by notification, enhance the pecuniary jurisdiction of the Court to Rs. 20,000, see how it works and then go step by step in respect

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* DR. V. K. JOHN :—“ Mr. Chairman, Sir, I have experience of practice on the Original Side of the High Court where most of my practice is. I have also got practice in the City Civil Court and the District Court and I think I can speak with some authority and experience on this matter. The move now is to approximate one system to the other, the mufassal system to the City system. It is one of the fundamental responsibilities of a civilized State to provide a machinery for the administration of justice—a machinery which will be speedy, cheap, efficient and impartial. When courts of justice were introduced in this country by the British, they wanted to follow the principle obtaining in Britain. In England suits are tried by the High Court Judges. Even to-day you can file a suit in the High Court of England for any amount, even for 1 sh. or 1 d. Costs are in the discretion of the Court. Although there are County Courts, it is possible for any client to choose the High Court. On account of lack of communications and other factors, the Britishers thought that the system prevalent in England could not be introduced in the mufassal. They introduced the British system in three important commercial centres, Bombay, Calcutta and Madras. They introduced another system for the districts by constituting District Judges, Subordinate Judges and District Munsifs in the mufassal. Now, first of all, the question is which is the more efficient one. We have to take into account the efficiency, the cost, the speed with which things are done impartially and the confidence of the litigant public and say which is the more efficient one.

“ Suppose a High Court Judge tries a matter. He has got a particular status. He is more well versed in law. He has got greater experience. There is a world of difference between a trial by a High Court Judge and a trial in the mufassal by a District or Subordinate Judge. This can be understood by a person who has got experience of both. A litigant is satisfied with the judgment of a High Court. If you look into the statistics, you will find that there are very few appeals from the Original Side of the High Court to the Appellate Side of the High Court because people are satisfied that a learned Judge, a person of a very high status and of indisputable impartiality, has adjudicated the case. (The Hon. Member Subramaniam : “ Sir, is it right on the part of the hon. only talking a I am not imputing motives to anybody, but I am were a litigant, bout the confidence of the litigant public. If I by a High Court I would be more satisfied with the decision given Judge or a District Judge than a District Judge or a Subordinate tried by the highest Munsif. A litigant would like his case to be of bringing discredit to anybody. There is no question there will be great it to anybody. But it must be admitted that of the litigant public efficiency and it will inspire the confidence In my opinion, we if a High Court Judge were to try the suits. to big towns like Madurai where there are easy means of communication. There should be circuit Judges. In Britain also there is

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the question of distance, but there the Judges go in circuit. This will have a very good effect upon the litigant public, the lawyers and the Judges there. Suppose a High Court Judge sits and tries cases at Coimbatore for two months. That will create a better atmosphere in the administration of justice. If the Government want to approximate one system to another, they should have gone in the opposite direction, by following the British practice of having circuit Judges going to and sitting in mufassal centres. If that could be done, we would be raising administration of justice to a higher level than to-day. Instead of that, the Government are destroying that one efficient system of administration of justice which we are having for a long time.

“ Now let me dwell upon the procedure that is followed in the High Court. The Hon. Minister Sri C. Subramaniam may be familiar with the procedure obtaining on the Original Side of the High Court. The procedure adopted for the trial of cases is a quick one. In the District Court, the Judge has to write down the deposition of the witness himself whereas in the High Court a shorthand-writer takes down the questions and answers. The High Court Judge listens to and understands the case and makes notes for himself. It will perhaps take four or five days for a District Judge to do what the High Court Judge does in one day. Then, in the High Court all the documents are typed and they are read so that the trial of the case is over in a day or two. It would probably take a week or so in a District Court or Sub-Court. Further, judgment is delivered without much delay. Everything is fresh in the mind of the Judge and the case is not adjourned if it is part-heard. Sir, the present system which is followed in the High Court is a very efficient system and is conducive to speedy disposal of cases. Instead of adopting this system in the districts also, the Government are abolishing the system now followed in the High Court itself, and are trying to bring the mufassal system into the City. I say, Sir, that this is a wrong thing to do.

4-30
p.m.

“ What do we gain by adopting the system suggested by the Government? Is it cheaper? Certainly not. We will have to appoint more senior judges. I challenge the Government to give me figures to show how the system suggested by the Government is cheaper. Again, Sir, there will be delay in the disposal of suits by the City Civil Court. Almost every case disposed of by the City Civil Court will go in appeal to the High Court and consequently there will be lot of delay. But as, under the present system a majority of cases are decided by the Original Side of the High Court, they are not taken on second appeal at all. But if this Bill were to be passed into law, 90 per cent of the cases disposed of by the City Civil Court would in appeal to the High Court. Naturally this will require the strength of the High Court to be increased. The Government will not save anything as a

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result of passing this measure. The system will not be cheaper at all. The system will be much worse because a person who decides a case in the City Civil Court will not have the same reputation as a High Court Judge. Therefore, Sir, from the point of view of cheapness, from the point of view of speedy disposal of cases, from the point of view efficiency and from the point of view of confidence of the litigant public, the system which we are now following is a better one. The system which we are now following is the one adopted in Great Britain also. It is wrong, Sir, to adopt the mufassal system in the City. On the other hand if the present system which is adopted in the City is extended to mufassal areas also and if High Court Judges go on circuit to mufassal areas, there would be greater direction and guidance given to the District and Subordinate Judges.

"I wish to refer to one or two clauses in this Bill. I find from the provisions of clause 8 how thoughtlessly this Bill has been drafted by the Government. Clause 8 contains transitory provisions. It says that—

'All suits pending in the High Court on the date of the commencement of this Act and which would be within the cognizance of the Madras City Civil Court under the provisions of this Act shall stand transferred to the Madras City Civil Court.'

Sub-clause (2) of Clause 1 says that this measure will come into force on such date as the State Government may, by notification in the *Fort St. George Gazette* appoint. Suppose, Sir, the Government notify in the *Fort St. George Gazette* that this Act will come into force on the 1st of August this year. As per the provisions contained in clause 8 of this measure, all suits pending in the High Court on that date and which would be within the cognizance of the Madras City Civil Court shall stand transferred to the Madras City Civil Court. Even if in a case judgment has been reserved by the High Court, that case also, according to the provisions of clause 8, will have to be transferred to the City Civil Court. There may be part-heard cases on the 1st of August. There may be cases where a preliminary decree has been passed and final decree is awaited. But, under the provisions of clause 8, all these cases also will have to be transferred to the City Civil Court. I do not know whether the draftsmen of this Bill have ever considered the effects of this clause. In fact, Sir, when the Andhra Act was passed, a rule was made that those cases which were in the list prepared by the Chief Justice would alone be transferred to the Andhra High Court. That is a reasonable provision. All cases where the cause of action arose in the Andhra area were not transferred to the Andhra High Court and some of the cases were disposed of in the Madras High Court itself. I ask the Hon. the Minister in charge of this Bill to consider the effect of the provisions contained in this clause. According to the provisions contained in Section 24 of the Civil Procedure Code, the High Court can *suo motu* transfer any case from one court to another or from itself to another. Even without this clause 8, the High Court would transfer such of those

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cases which ought to be transferred to the City Civil Court, and they themselves would decide in cases where judgment is reserved or where a preliminary decree is given, etc. We need not have this clause 8 at all. In fact, when the Madras City Civil Court Act was previously amended enhancing its pecuniary jurisdiction from Rs. 2,500 to Rs. 10,000 no provision similar to clause 8 in this Bill was introduced in the amending Act. The Hon. Minister who is himself a lawyer will, I hope, consider the effect of the provisions in this clause, and see whether something cannot be done so that justice may be done to all people. I hope, he will look into this matter.

"I also wish to refer to another point with regard to provisions made for 'Appeals' in clause 6 of the Bill. I remember to have read a Privy Council decision in an Australian case that 'appeals are not a matter of procedure and that they are substantive rights.' When a man files a suit in a particular court, he immediately gets a right of appeal to a court which has the jurisdiction to entertain an appeal at the time he files a suit. The provisions in this clause 6 have not been clearly worded. The right of appeal is not a matter of procedure. It is a fundamental right. I do not think that the wording in clause 6 is so clear as to convert that right into a substantive right. I would like the Hon. Minister to investigate into this matter.

"Sir, up till this day, I was under the impression and I thought that my information was correct that the High Court recommended only enhancement of the pecuniary jurisdiction of the City Civil Court up to Rs. 20,000. But the Hon. Minister told us that the recommendation of the High Court was for the enhancement of the pecuniary jurisdiction up to Rs. 50,000. But so many people, men in authority from whom I can get correct information told me that it was Rs. 20,000 that the High Court recommended. It is for the High Court to make suggestions with regard to the question of increasing the pecuniary jurisdiction of the various Courts and it is for the Government to accept it. I was under the impression that the High Court recommended only Rs. 20,000, and anyhow I take the statement of the Hon. Minister that the High Court recommended Rs. 50,000.

"Before I close, I would like to make one more request. There is one great advantage for District Judges being posted as Principal Judge or as Additional Judges of the City Civil Court. It is not without some advantage. Leading lawyers in the Madras High Court will be appearing before them. I suggest to the Government to see that almost every District Judge gets a chance to become the Principal Judge or Additional Judge in the City Civil Court because he will go from here to the mufassal with some better idea as to how a case should be tried. The Civil Procedure Code practice is different. We might insist on the High

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be stated even from the Madras High Court or from any other High Court, but they are exceptions—on the whole, they have acted impartially and they have maintained their integrity of which we can be proud. Therefore, by comparing let us not bring down the integrity or impartiality of the subordinate judiciary in the mufassal. On the other hand, they have maintained a very high standard of integrity and impartiality. That I can vouchsafe. That being so, if a Subordinate Judge in a mufassal Court can exercise unlimited jurisdiction, whether it is Rs. 5 lakhs, 10 lakhs or one crore and apart from the value of the suits however involved those suits might be, if he is competent enough to try those suits and deliver judgment, I do not see how he would become incompetent because he happens to sit in the City Civil Court here. With great respect to hon. Members who opposed this on the ground that efficiency would go down and who said that it would be better if the case was tried by the High Court Judges in the City, I have to say that I am unable to agree with them. After all, when a person becomes a Subordinate Judge, he would have acted as a District Munsif for a pretty long period, generally about ten years, and he would have had a good deal of experience whereas a High Court Judge may be recruited straight from among the practising lawyers. The latter may not have had any experience in judging matters even though he might have been a very successful lawyer. But a District Munsif, after a good deal of experience in judging matters, becomes a Subordinate Judge and then tries suits up to Rs. 3,000 in the mufassal. So, I do not see why such a Subordinate Judge who is competent enough and who is, as a matter of fact, trying all suits involving various matters, whatever may be the value of the suits, is not competent enough to try a cause which arises in the City of Madras, and considering the change in circumstances, I do not see any difference between the City of Madras and the other important mufassal towns.

“Then, it was put on a higher level that this was a valuable right of the clients which was being taken away now. These valuable rights are not natural rights. These are only statutory rights, procedural rights, granted in respect of certain matters. Certainly, it is for the Legislature as the supreme body to take note of the changing circumstances and to make changes in procedure in respect of the Courts. It should not be considered a fundamental right. Even a fundamental right is a creation of the Constitution. It cannot be considered a natural right which is enjoyed by only the citizens of Madras and not others. It is a statutory right which has been given to have certain suits instituted on the original side. It should be open to a body competent to make that statute to alter that statute also. So, I do not accept this theory of valuable right vested in the clients being taken away as if it is something which is inalienable and which cannot be changed at any time.

“Then, the hon. Member Sri Bhashyam also argued from the aspect that these had been functioning very well and very

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efficiently and that the lawyers also had become accustomed to the practice here and that they were more diligent than lawyers in the mufassal in the preparation of cases and in the filing of documents. I do agree, but it is not because of the lawyers here. It is because of the circumstances prevailing in the City. It is because the educated section of the people live in the City. They have the documents with them and whenever a dispute arises, they are able to produce all the documents relating to that. Even if other documents are necessary, they get copies of them. Therefore, the efficiency of the Courts is not due to the greater efficiency of the lawyers but to the situation prevailing here. The clients in the City are educated; they preserve documents and when a suit is filed, they place the documents in the possession of the lawyers. But in the mufassal there are clients who are not educated, who are backward and who do not adopt businesslike methods. Therefore, if we insist on the same standard in the mufassal, no case can be carried on. At a very late stage, the client brings to the notice of the lawyer a certain document which is very important and which has been made available to him just then. That cannot be brushed aside. That is because of the circumstances prevailing in an area. But even in the mufassal circumstances are changing and lawyers and clients are more diligent in filing their documents than before. So, that need not be an argument to say that mufassal lawyers are of an inferior grade and that there is a better grade of lawyers in the City, and so also that there should be better judges in the City and that the judges in the mufassal are of an inferior type. That argument does not appeal to me even though it might appeal to some hon. Members.

“The hon. Member Sri Bhashyam referred to the argument about accommodation. I do agree that accommodation is wanting. But I may inform the hon. Member that the High Court have taken notice of that and that they have addressed the Government that further buildings should be put up for locating the City Civil Court and other quasi-judicial bodies which are sitting in the various parts of the City so that it may be convenient for all the lawyers to attend the Courts whenever they like. That is under the consideration of the Government. I am hoping to take it up sometime later on when the building programme will be taken up so that all the Courts and other quasi-judicial tribunals which are functioning in the City may be located in one block. That is under the consideration of the Government and we may take steps very soon for that purpose.

“A reference was made with regard to appeal direct to the High Court against the judgments of the City Civil Court which is being taken away. This is also in accordance with the procedure prevailing in the mufassal. All appeals against the judgments of the Munsif's Courts and Subordinate Courts up to a value of Rs. 5,000 can be heard by a District Judge. But in respect of judgments passed by the Munsif's Courts, a Subordinate Judge

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Court practice being followed as far as that can be accepted. High Court practice is very much better. I think it will be a good lesson for District Judges to be posted to Madras because being the metropolis there are more senior and eminent lawyers practising in the High Court.

"Another thing I would ask the Hon. Minister is not to increase the jurisdiction of the City Civil Court to Rs. 50,000 all on a sudden. Under Clause 2 the words 'ten thousand rupees' are substituted by the words 'fifty thousand rupees'. When we read Section 3 of the original Act, we will find 'such value not exceeding Rs. 10,000'. When we start, we can say Rs. 15,000 and later on Rs. 20,000 after a year when we have got the accommodation and after seeing how it works. Then, gradually we can increase it to Rs. 25,000, Rs. 30,000 and then to Rs. 50,000. You cannot abolish the Original Side of the High Court. But after all this is an indirect way of abolishing the Original Side. I would suggest to the Hon. Minister not to have Rs. 50,000 limit immediately, but to go slowly. He may now increase it to Rs. 15,000 or Rs. 20,000 and one year later it may be more. When Rs. 10,000 limit was fixed the Government were also eager about the Court-fees. But recently they made the Court-fees the same in the High Court as in the other courts. In London, there is no Court-fee at all and there is only a hearing fee. In Calcutta and Bombay there is no Court-fee in the Original Side of the High Court. In Madras we had Rs. 30 and later Rs. 225. Later we had the *ad valorem* Court-fee paid in the mufassal. Government are not losing any money by having the suits in the High Court. In fact Government will get more money as fee paid on applications in the High Court. I would, therefore, very seriously suggest to the Hon. Minister for Law to fix a lower limit and see how far it works, how far the litigant public have confidence and then slowly go up to Rs. 50,000. He need not go to the limit of Rs. 50,000 all on a sudden.

"I would strongly urge upon him to consider the question of deleting Clause 8 which will work great havoc and lead to the High Court transferring all the cases. Some cases may be very important, very complicated involving very difficult questions of law. Those cases may be kept in the High Court and others may be transferred to the City Civil Court. Therefore, if Clause 8 is deleted, under Section 24 of the Civil Procedure Code, the High Court is not bound to transfer all the cases, but can transfer cases. I know that the High Court will transfer 99 per cent of the cases within the pecuniary jurisdiction of the City Civil Court. I would, therefore, request the Hon. Minister to delete Clause 8 and also not to go up to Rs. 50,000 quickly, but in stages."

THE HON. SRI C. SUBRAMANIAM :—"Mr. Chairman, Sir, we have listened with great attention to all the arguments advanced by hon. Members. A question was posed why there should be a

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change at all in the existing system and I was put on my defence as far as that was concerned. We have got two systems prevalent, one in the mufassal and the other in the City. What is the justification for this difference? Originally it might be that trade, business and commerce were concentrated in the City. Not only that, they were all concentrated in the hands mostly of foreigners. Therefore, they wanted a system with which they were familiar. There were English Barristers who had come over here and set up practice and their interests also had to be taken into consideration by the then Government which had the interests of those persons in their heart of hearts. Original Side developed here because of those historical reasons. But, Sir, may I ask hon. Members whether business, trade and commerce are concentrated only in the City of Madras? I may claim, coming from Coimbatore, that it is as important as Madras from the industrial, trade and commercial point of view. So also Calicut which is a port town. Madurai is important enough and Tiruchirappalli is also important enough. Under those circumstances, we cannot say that different circumstances prevail in the City of Madras which do not prevail in other towns. Commercial causes are not peculiar to the City alone. There are commercial causes in Coimbatore, Tiruchirappalli and Madurai, and as a matter of fact they are now being tried as commercial causes under the special procedure laid down for commercial causes. There is nothing new. Because of the development of the entire country, other towns have also become as important as the City of Madras, if not more important in certain respects. Therefore, to claim certain importance to the City of Madras alone and to claim Original Side as a privilege to be retained in the City of Madras, I am unable to understand.

"Solicitors' system has gone here after the departure of Barristers. I do not think Solicitors as such are existing now except a few firms like King and Patridge. Generally what prevails in other towns prevails here. Advocates are also here and they are not assisted by Solicitors in the conduct of their cases. That being so and now that conditions have changed, I do not see why we should have a different system altogether in the City of Madras.

"Then, we have to find out whether the system in the mufassal has failed necessitating the introduction of the system which is prevalent in the City of Madras all these years. I can claim with a certain amount of intimate knowledge of the working of the judiciary in the mufassal towns—I would not say that they are on a par with High Court Judges, and after all we have to take into account the pay which a High Court Judge receives and the cadre from which High Court Judges are recruited and they are paid Rs. 3,000 even under the Constitution and before the Constitution Rs. 3,500 and Rs. 4,000 also—that the subordinate judiciary has played its part very well. As far as our judiciary are concerned—of course there are exceptions and exceptions can

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also can hear the appeal. That is the position there. Therefore, up to a value of Rs. 5,000, an appeal does not go to the High Court, but it lies to the District Court or the Subordinate Court, whatever it might be. Here also we want to provide that up to a value of Rs. 5,000 there should be an appeal only to a Subordinate Court and not to the High Court direct. So, we have said that all suits below Rs. 5,000 jurisdiction shall be appealed against to the City Civil Court itself. That is why we are creating two sections in the City Civil Court—one, a Principal Judge and Additional Judges of the cadre of District Judge, and two, Assistant Judges who would be of the cadre of Subordinate Judges. As against a decision of the Assistant Judge, an appeal is provided for to the Additional Judge or to the Principal Judge. That is, the Principal Judge may transfer it to the Additional Judge. But the Principal Judge and the Additional Judge will naturally be of the cadre of District Judges. So, a judgment of the Assistant City Civil Court Judge, provided the value of the suit is confined to Rs. 5,000, can be appealed against to the Principal Judge. It can be heard by him or by the Additional Judge. In respect of suits of a value of more than Rs. 5,000, appeal to the High Court direct will lie. Suppose the Principal Judge or the Additional Judge himself tries a suit whose value is less than Rs. 5,000. In that case, as in the case of a trial of a suit by a District Judge as an original suit, the appeal has to go directly to the High Court. Therefore, the confusion pointed out by the hon. Member Sri Bhashyam is not likely to arise. There is no room for that."

DR. V. K. JOHN :—"What about the City Civil Court Judge who has no time except to hear appeals?"

THE HON. SRI C. SUBRAMANIAM :—"Just like a District Judge, when we invest these Judges with sessions powers also later on by bringing in a Bill, such a Judge will also be hearing merely sessions cases and one or two trial suits also. There would not be any difference between the District Judges and the Principal Judge of the City Civil Court when we transfer this power."

"A point was raised with reference to clause 8 that all suits or appeals would stand transferred when that clause came into effect. But we are not giving immediate effect to it. We will give effect to it only after the expiry of the vacation so that suits may not be pending at half-stage. Even supposing it comes into effect, there are two methods of doing that. One method is to ask the High Court to transfer all suits which can be transferred."

5 p.m. "Another method is the High Court has got the power to withdraw any suit from any court to its own file. It can take into its own file all cases which are part-heard or which, it thinks, it should hear. So, it is only a matter of procedure. The High Court has preferred this provision to any other. We have been guided by the advice of the High Court in this matter."

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"Then, Sir, with reference to the question of raising the jurisdiction of the Court to 50,000 rupees, it was said that it should not have been done. Here again, we have consulted the High Court. After all, the High Court knows the entire state of affairs in the court, the nature of disputes in the suits and whether it is necessary for a High Court Judge to dispose of a particular suit on the Original Side. The High Court has advised us that as far as the City Civil Court is concerned, the jurisdiction should be raised to 50,000 rupees. Taking all these facts into consideration, I am afraid there is no justification for the stout opposition which has been put up by various hon. Members of this House. I know they are very good lawyers on the Original Side. I know Dr. John and others who have experience of the work done in the High Court. And it is not as if, Sir, we are bringing in this amendment here only. In Bombay and in Calcutta, they have already moved in this direction. The jurisdiction of similar courts there has been raised. I do not think we are taking any wrong step. I am convinced, we have taken a step in the right direction and I am sure the House will endorse it."

MR. CHAIRMAN :—"The question is—

'That the Madras City Civil Court (Amendment) Bill, 1955 (L.A. Bill No. 7 of 1955), 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. BHASHYAM :—"Sir, I move the amendment standing in my name, viz.—

'For the words "fifty thousand rupees," substitute the words "twenty-five thousand rupees".'

SRI K. BALASUBRAMANYA AYYAR :—"Mr. Chairman, Sir, I move the amendment standing in my name, viz.,—

'For the words "fifty thousand rupees," substitute the words "twenty thousand rupees".'

The amendments were duly seconded.

SRI K. BHASHYAM :—"Sir, I want to remove a misconception that has crept in in the speech of the Hon. Member in charge of the Bill. It is not a case of opposition to the Bill on the ground that the subordinate judiciary is either not efficient or not impartial or is incompetent. I have never suggested it nor do I do it now. What I say is the procedure prescribed by the High

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MR. CHAIRMAN :—" The question is—

' For the words " fifty thousand rupees ", substitute the words " Twenty-five thousand rupees " . '

The amendment was lost.

MR. CHAIRMAN :—" The question is—

' For the words " fifty thousand rupees ", substitute the words " twenty thousand rupees " . '

The amendment was lost.

Clause 2 was put and carried.

Clauses 3, 4 and 5 were put and carried.

Clause 6.

* SRI K. BHASHYAM :—" In view of the explanation given by the Hon. Minister, I am not moving my amendment, Sir. "

Clause 6 was put and carried.

Clause 7 was put and carried.

Clause 8.

MR. CHAIRMAN :—" Mr. K. Balasubramania Ayyar's amendment is a negative amendment which is out of order. He cannot move it. Mr. Bhashyam can move his amendment. "

* SRI K. BHASHYAM :—" Sir, I move the amendment standing in my name, viz.,—

' In sub-clause (1), add the following at the end :—

" except such suits in which issues have been framed " .

In the alternative

In sub-clause (1), add the following words at the end :—

" except suits which are part heard. " .

I am not moving the third part of my amendment, viz., ' omit sub-clause (2) of clause 8 ' .

" Sir, this clause 8 is the most difficult clause. I want Government to take a liberal view in this matter. I am making an appeal to them to take a liberal view. This measure is not an urgent measure. It is not as if any amendments could not be passed in this House and placed before the Assembly for its concurrence. We have plenty of time. This will come into force only when a notification is made by Government. Therefore, the amendment, which says that automatic transfer of all pending suits to the City Civil Court may be stopped, is a reasonable one which could be

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accepted. My amendment says that all suits except those in which issues have been framed and suits which are part-heard, may be transferred. Automatic transfer of all pending suits to the City Civil Court will work great hardship on the litigants. There are number of cases wherein persons have been briefed. Fees have been paid. In some cases, issues have been framed. Documents have been filed. In some cases, judgment has been reserved. In some cases, execution is pending. Some are pending before the Master. That is why I say if at one stroke you say that there should be automatic transfer of all these cases to the City Civil Court, it will cause great hardship to the litigants, to the lawyers, etc. That is why I say retrospective effect should not be given. Two things may at least be considered. The Chief Justice may be given discretion that in cases wherein it is to the convenience of the parties concerned in the case, those cases may be transferred to the City Civil Court. That was what was done when the partition took place and it has worked well. Secondly, let them leave the present cases, where they are. Again so far as appeals are concerned, wherein the value is more than Rs. 5,000 of course they would be heard by the High Court. But what about those cases whose pecuniary jurisdiction is less than Rs. 5,000? Are they to be decided by the Principal Judge of the City Civil Court? Persons have filed their cases of appeal in the High Court? Persons have filed their cases of appeal in the High Court, thinking that the lower Court's decision may be rectified. If we say that there would be automatic transfer of all those cases filed in the High Court, then it would cause great inconvenience to the parties concerned. I appeal to the Hon. Law Minister to take all these facts into consideration and take a liberal view in this matter and accept my amendment."

The amendment was duly seconded.

SRI K. BALASUBRAMANYA AYYAR :—" Mr. Chairman, Sir, we say a suit is pending till the judgment is delivered. Until the judgment is delivered, the suit is said to be pending. The automatic transfer of these cases to the City Civil Court will cause great hardship to the litigants and to the lawyer profession. Day by day cases are coming. When the first hearing is made, the case (original side) is continued every day. The Judge forms an impression on the evidences let in that case. That impression which the Judge has formed, is something which is of great fundamental value to the appellant. If we say that those cases would stand automatically transferred, then that impression which the Judge who is hearing the case has formed and which is of great value to the appellant, is lost to the appellant. Therefore this automatic transfer will create great inconvenience to the litigants. Therefore, it is better not to interfere with pending suits. Let them say all further suits which are instituted and whose pecuniary jurisdiction falls below Rs. 50,000 may be heard by the City Civil Court. Let not the present pending suits be interfered with. Not only will it cause inconvenience to the litigants but will create difficulties for the lawyers also. Some lawyer would have been engaged for a case. Fees would have been paid to him. If the case is transferred, he

[Sri K. Balasubramanya Ayyar] [6th April 1955]

may not be able to argue his case in the Court to which it has been transferred. The litigant has to engage somebody else to argue the case. That means he has to pay additional fees to the lawyer. All these difficulties are there. The lawyer profession has also got to be consulted, in this matter. The Hon. Law Minister has said that the Judges are satisfied with the present measure. I say it is not enough if the Judges alone are satisfied. The convenience of the clients and the advocates have got to be looked into. We have placed before the Hon. Minister the difficulties of the clients and the advocates. I do hope that himself being a lawyer, the Hon. Minister for Law would take a sympathetic view so far as this matter is concerned. I do hope that he would see to it that only further suits whose pecuniary jurisdiction falls below Rs. 50,000 would be tried in the City Civil Court and that for all pending cases, the Chief Justice may be given the discretion that cases which have been partly heard by a Judge of the High Court, may be disposed of in the High Court itself. Let him take into account the convenience of the litigants and see to it that only those cases, wherein no difficulty would be caused to the litigants by the transfer, are transferred to the City Civil Court."

* DR. V. K. JOHN :—" I as a lawyer and all other lawyers welcome the statement of the Hon. Mover of this Bill, that Government are trying to have all the Courts situated in the High Court Compound itself. That will be necessary and essential when this Bill is passed. My two lawyer friends, viz., Mr. Bhashyam and Mr. Balasubramanya Ayyar have pointed out that there might be cases pending in the High Court wherein High Court lawyers would have been engaged. If those cases are automatically transferred, then it may not always be possible for that same lawyer to argue the case in the Court to which the case has been transferred. Then the client has got to engage some other lawyer to argue the case in the Court to which the case has been transferred. That means additional expense to him. If all the Courts are to be located in the High Court compound, such a difficulty may not arise. I want to make an appeal to the Hon. Law Minister and I hope my appeal would not be made in vain. It is better to omit this clause 8. It would be better to instruct the High Court to transfer such of those cases, which in the opinion of the High Court are fit enough to be transferred to the City Civil Court. Even as it is under section 24 of the Civil Procedure Code, which I read out earlier, the High Court can *suo motu* transfer suits, appeals and other proceedings to any Court of competent jurisdiction. Even now such a provision is there in the Civil Procedure Code. Clause 8 says that all cases pending in the High Court and whose pecuniary jurisdiction falls below Rs. 50,000 would be transferred to the City Civil Court. When a provision is already there in the Civil Procedure Code, I do not think clause 8 is necessary. I know that no amendments to this clause have been accepted in the Assembly and I do know that the present amendment to clause 8 will not be accepted. Therefore after hearing us, Government could bring an Amending Bill to delete clause 8. There was no such clause 8 at all. when

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[Dr. V. K. John]

the pecuniary jurisdiction of the City Civil Court was raised from Rs. 2,500 to Rs. 10,000. In actual practice, there will be lot of difficulties if this clause is allowed to stand as it is. If the Government had put 'notified' it would have been all right. This has not been done. So, I request that the Government may follow the same procedure as adopted in the case of the Andhra State Act. In view of the difficulties that are likely to be experienced, I make an earnest appeal even at this stage that clause 8 may be deleted or may be so modified as to see that no injustice is done to anybody."

5-20
p.m.

THE HON. SRI C. SUBRAMANIAM :—" Sir, I do appreciate certain difficulties pointed out by hon. Members Sri Bhashyam, Sri Balasubramanya Ayyar, and Dr. John. They have said that, if certain cases are transferred to the City Civil Court, that would cause difficulties to the litigants and to the lawyers. But, I suppose what they want is that these difficulties should not be created. If their object could be achieved by some other means, I do not see why they should oppose this clause. Clause 8, no doubt, transfers by its very provision contained in it all suits to the City Civil Court. But, as it was pointed out by Dr. John, as the High Court can transfer any suit to any other Court of competent jurisdiction, it can also withdraw any suit to its own file. We shall see that the High Court exercises its powers to withdraw certain cases so that there may not be difficulties for the lawyers or for the litigants as such by such transfers, and such cases are tried by the High Court itself. So, there will not be any difficulty with regard to it. Certainly, we shall address the High Court with regard to this matter. I hope that all those difficulties will be removed. Subject to this assurance, I hope the hon. Members will be satisfied and clause 8 will be passed."

* SRI K. BHASHYAM :—" Mr. Chairman, I only want to say this. The procedure suggested by us in respect of transfer of cases by the High Court is one thing. The Hon. Minister's suggestion with regard to the withdrawal of certain cases by the High Court to its own file is entirely a different matter. The High Court exercises its power of withdrawal only very rarely in cases of extraordinary original civil jurisdiction. This is really done only for very strong reasons. A petition and an affidavit have got to be filed before a Judge and on these only the High Court considers the question of withdrawal of any case. That is why we say that we may follow the same procedure as adopted in the case of the Andhra State Act according to which the Chief Justice was bound to go into each case, give notice to the party concerned and then pass an order. That has worked very well, both in regard to lawyers, clients and others. As all cases were not automatically transferred and as the Chief Justice went into each case, there was not much difficulty. It is only with a view to removing certain difficulties of the persons concerned, I have moved my two amendments, viz., the first amendment for the addition of the words 'except such suits in which issues have been framed' and the second amendment, which I have

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APPENDIX I.

[Vide answer to clause (d) of starred question No. 281 asked by Sri V. Gurunandan Row at the meeting of the Legislative Council held on 6th April 1955, page 844 supra.]

Copy of G.O. Ms. No. 4183, Public Works, dated 21st December 1954.

[Water-supply—Chingleput district—Red Hills Tank—Supply of water for Avadi Congress Session—Permitted. *Reference.*—From the Special Chief Engineer, Public Works Department, No. 5492/54-F-1, dated 10th December 1954.]

In the circumstances reported the Government approve the supply from the Red Hills Tank of water not exceeding three lakhs gallons per day for about a week to the Congress Camp at Avadi during the period of the ensuing All-India Congress Session there. The usual charges should be levied for the supply of water.

APPENDIX II.

[Vide answer to starred question No. 283 asked by Sri V. V. Ramaswami at the meeting of the Legislative Council held on 6th April 1955, page 845 supra.]

Statement.

(a) The total estimated area cultivated in 1954-55 is 14,761,800 acres under food crops and 3,546,400 acres under commercial crops.

(b) The estimated demand for the nitrogenous fertilisers for agricultural purposes during 1955 is as follows :—

Ammonium Sulphate	...	...	...	109,000 tons.
Urea	...	...	...	1,300 "
Ammonium Sulpho Nitrate	...	...	...	1,200 "
Nitro chalk	...	...	...	100 "

No estimate of Phosphatic and Potassic fertilisers whose distribution is not controlled and which are sold in open market has been made.

As regards organic manures the quantity of Sesbania seed to meet the estimated demand is 400 tons to cover an area of 15 lakhs of acres both for seed purposes and as green manure. The requirements of other green manure seeds have not been estimated.

(c) There has been short supply of Ammonium Sulphate for some time during 1954, mainly on account of short fall in the production at Sindhri. With the arrival of imported stocks of Ammonium Sulphate in November 1954, the supply position

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improved considerably and it is expected that the Government of India will maintain supply of stocks to this State in 1955 in accordance with the phased programme drawn up by this Government.

(d) There are intensive cultivation schemes which are in operation to achieve self-sufficiency in food. The following is a list of the principal Schemes :—

- (1) River Pumping Schemes.
- (2) Supply of oil engine pump sets to ryots on hire.
- (3) Supply of oil engines and electric motor pump sets under hire purchase system.
- (4) Supply of tractors on hire.
- (5) Supply of tractors on hire purchase system.
- (6) Tube wells with filter points.
- (7) Distribution of Ammonium Sulphate.
- (8) Distribution of green manures.
- (9) Distribution of improved paddy seeds.
- (10) Distribution of millet seeds.
- (11) Distribution of pulses seeds.
- (12) Control of pests and diseases of crops.
- (13) Crop competitions to increase acre yields.
- (14) Soil Conservation Schemes.
- (15) Public Works Department Irrigation Schemes.
- (16) Tank Improvement Scheme.
- (17) Special (Grow More Food) Minor Irrigation Programme.

As regards cotton, a Cotton Extension Scheme is in operation to make the State self-sufficient in cotton by—

- (1) extending the area and,
- (2) the use of improved seeds,
- (3) adoption of proper methods of cultivation,
- (4) application of fertilisers, and
- (5) plant protection measures.

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Court in its Original Side is really calculated to ensure a speedy and efficient dispensation of justice. It is not so in the mofussil. As it is, the mofussil judges work at a disadvantage of bad system. I shall give an instance. Let us take the question of listed documents. After issues are allowed and as the court proceeds listed documents are filed and as the trial proceeds the court goes through these as a matter of course. In the mufassal, the lists are allowed to be added to from time to time. After the closure of evidence itself, some evidence was allowed. All these are irregularities in procedure. Such irregularities or relaxations are not really allowed in the Original Side at all. The Hon. the Minister need not give any credit to lawyers. But I do not want any credit. A lawyer in the mofussil is as good and competent as a lawyer in the metropolis. But the lawyer in the City conducts his case far more efficiently than the lawyer in the mufassal because the litigants in the mufassal are somewhat lax and are not as intelligent as City litigants. They do not keep documents."

MR. CHAIRMAN :—" Does the hon. Member speak on his amendment? "

* SRI K. BHASHYAM :—" Sir, I want this point to be thrashed out completely. I am really trying to convince persons who are not Members of the Council and the large number of litigants about my stand so that they may be able to judge whether my case is right or the case of the Government is right. If you think, Sir, this thing can be hurried about like this, then I am entirely in your hands."

MR. CHAIRMAN :—" I am not hurrying. The hon. Member will kindly speak on the amendment."

* SRI K. BHASHYAM :—" I am trying to place these facts before the House, not because I have no good opinion about the integrity, capacity or impartiality of the men in the mofussil, but because of difference in procedure. So far as the mufassal courts are concerned, the litigants are lax because the judges are lax and the procedure is lax. Vakils and advocates in the lower courts suffer under this disability that the litigants are not as prompt and as clever as litigants in the City. I want to remove one misconception from the mind of the Hon. the Minister for Finance. I have as high an opinion of the subordinate judiciary as he has and I pay my tribute for the work it is doing. If at all there is no complaint against any Department of the Government, it is only against the Judicial Department. That is a matter for the Government to be proud of."

" Coming to the amendment proper, it may be asked why it should be raised to 25,000 and not to 50,000 rupees. I say it should be gradual. Then only it will be better. First let us have 25,000 rupees and then 50,000 rupees ultimately. To cite the analogy of Bombay and Calcutta here will not avail. Do the

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Government know the expenditure the litigants in Bombay are put to? The appellate side practice in Bombay is nothing compared to the practice on the Original Side. The parallel of the High Court in Bombay or Calcutta will not help us so far as the Madras High Court is concerned. Therefore, let us not merely be sentimental. Let us have an efficient and swift administration of justice. Let things remain where they are, if my amendment cannot be accepted. After all, if the mufussal machinery is not working properly, let it be toned up. Let not the machinery here be brought down to the level of the mufassal machinery."

* DR. V. K. JOHN :—" Sir, I second this amendment. I should point out that, while the hon. the Mover of this Bill is not satisfied with our arguments, I am also not satisfied with his arguments. I quite agree that mufassal towns have become cities and there is plenty of commerce there now. That is one reason for the transfer of cases to the High Court from the mufassal and have Criminal judges. But I could never agree that a High Court judge is not superior to a District judge and that a District judge is not superior to a subordinate judge. The trial by a High Court judge is certainly much more satisfactorily conducted than one by either the District judge or the subordinate judge. So also, an appeal to the Supreme Court is heard much better and more satisfactorily than an appeal heard by the High Court. Eminent lawyers and eminent judges appointed to the Supreme Court and the High Courts certainly do better than those who are members of the subordinate judiciary. I plead that the cases should be tried by a judge who can give the greatest satisfaction to the litigant. There is no reason why this provision should be there even from the point of view of expenditure and delay. I oppose the existing provision and support the amendment which seeks to reduce the jurisdiction from Rs. 50,000 to Rs. 25,000."

THE HON. SRI C. SUBRAMANIAM :—" Sir, I am sorry, I am unable to accept this amendment, which seeks to reduce the jurisdiction of the court from 50,000 to 25,000 rupees. I do agree that it will be desirable to have High Court judges everywhere instead of District munsifs, subordinate judges and District Judges. But High Court judges have to be paid more than Rs. 3,000. We have to cut our coat according to the cloth. Perhaps, if everybody is as rich as Dr. John, then we can consider it. We have to take into account the entire State. There is no question of any vested interests involved here to require that only High Court judges can try such cases. If the mufassal judiciary is to be toned up, it does not mean that we should have a different system for the mufassal and that persons living in the City, particularly, litigants living in the City should have a more efficient system of judiciary. Therefore, it is impossible that all cases should be tried by High Court judges who have to be paid more than Rs. 3,000 as salary each. I am sorry that as a person representing the State as a whole, I am unable to agree to the present amendment."

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Central Jail, Vellore—

Articles of furniture (wooden).

Bandage cloth, gauze cloth, cotton tape and convict cloth.

Ammunition boots, sandals, tapal bags, etc., for Police, Forest, Stationery and Jail departments.

Binding books.

Manufacture of brown paper covers.

Gingelly oil pressing (power) for jail consumption.

Stitching of garments to Forest, Jails, Fire Service Branch and Police departments.

Central Jail, Salem—

Articles of furniture.

Aluminium and iron utensils.

Carpets, bandage and gauze cloth, convict cloth, tapes, belting cloth and korah mat.

Book-binding.

Gingelly oil pressing (power).

2. These articles are manufactured only with the aid of convict labour except in the case of oil pressing.

3. Generally, articles are not sold to the public as the jail is unable to meet the demands of the Government departments themselves, especially, in the case of carpentry, tailoring, binding and weaving. Leather goods are prohibited from sale to the public as they are liable for excise duty.

4. The articles of jail manufacture were not exhibited in public museums. But this year, they were exhibited in the Congress Exhibition at Madras.

5. The jail-made articles are not sold at a cost less than the market price—vide rule 988 of the Madras Prison and Reformatory Manual, Volume II. This is to avoid an unhealthy competition with local persons employed in small-scale cottage industries.

6. The aggregate cost or turnover of jail-made goods of all jails in the State during 1953-54 was approximately Rs. 82,90,840.

II

*Statement showing the particulars of articles manufactured in the Senior Certified School, Chingleput, and the Junior Certified School, Tanjore.**Senior Certified School, Chingleput—*

Standardized articles of furniture, towels, carpets, mats, black-smithy articles, metal work articles.

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Junior Certified School, Tanjore—

Standardized articles of furniture, towels, carpets, cct-tapes and binding.

2. All the articles are manufactured by the pupils under the direction and with the aid of respective Instructors. No outside labour is employed.

3. Sales for the public are not made generally as the turnover is not adequate for public sale and as emphasis has, all along, been laid on the instructional side rather than on commercial basis. However, orders from private sources are booked and supplied. There are no agencies attached to the institutions.

4. The articles were not exhibited in public museums. But they have been exhibited in the Congress Exhibition, Madras, during 1949-50, 1952-53 and 1955 and there had been appreciable sales.

5. Prices of articles manufactured in the certified schools are fixed as per Rule 988, Part I of Madras Prison and Reformatory Manual, Volume II. Generally, the rates are higher than the market rates.

6. The aggregate cost of turnover of the articles manufactured during 1953-54 in the two Government certified schools was Rs. 17,639.

APPENDIX V.

[Vide item V (1) on page 851 supra.]

L.A. BILL No. 9 OF 1955.

(As passed by the Assembly.)

A Bill further to amend the Madras General Sales Tax Act, 1939, and to amend the Madras Tobacco (Taxation of Sales and Registration) Act, 1953.

WHEREAS it is expedient further to amend the Madras General Sales Tax Act, 1939 (Madras Act IX of 1939), and to amend the Madras Tobacco (Taxation of Sales and Registration) Act, 1953 (Madras Act IV of 1953), for the purposes 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 General Sales Tax and the Madras Tobacco (Taxation of Sales and Registration) (Amendment) Act, 1955.

(2) It shall be deemed to have come into force on the 1st day of April 1955.

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given as an alternative, for the addition of the words 'except suits which are part-heard'. I request that these two amendments may be taken up separately."

THE HON. SRI C. SUBRAMANIAM :—" Sir, I know hon. Member Sri Bhashyam is a very obstinate fighter in any cause which he takes up. I suppose he will look at the result rather than the procedure adopted since I have given an assurance that all those difficulties pointed out by him and other hon. Members will be taken into account. If all those difficulties are real, the High Court will certainly exercise its power of extraordinary jurisdiction for the purpose of withdrawing the cases. The Government also will facilitate the retention of those cases on the file of the High Court itself. So, considering all these, I request the hon. Member even at this stage not to press his amendments."

SRI K. BHASHYAM :—" Sir, let the House give its verdict on the amendments moved by me."

MR. CHAIRMAN :—" The question is—

'In sub-clause (1) add the following at the end—

"except such suits in which issues have been framed." "

The amendment was lost.

MR. CHAIRMAN :—" The question is—

'In sub-clause (1) add the following words at the end :—

"except suits which are part-heard." "

The amendment was lost.

Clause 8 was put and carried.

Clause 1 and the Preamble were put and carried.

THE HON. SRI C. SUBRAMANIAM :—" Sir, I move—

'That the Madras City Civil Court (Amendment) Bill, 1955 (L.A. Bill No. 7 of 1955), as passed by the Assembly, be passed.' "

MR. CHAIRMAN :—" The question is—

'That the Madras City Civil Court (Amendment) Bill, 1955 (L.A. Bill No. 7 of 1955), as passed by the Assembly, be passed.' "

The motion was carried and the Bill was passed.

MR. CHAIRMAN :—" Hon. Sri C. Subramaniam may move his next Bill."

SRI MOHAMED RAZA KHAN :—" Sir, we may adjourn now and take up the other Bills to-morrow."

THE HON. SRI C. SUBRAMANIAM :—" Sir, anyhow the business before the House has to be finished by to-morrow. Subject to that I agree that we may rise now."

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MR. CHAIRMAN :—" Provided the hon. Members promise not to make long speeches to-morrow, we may adjourn now."

SRI MOHAMED RAZA KHAN :—" We will co-operate, Sir."

MR. CHAIRMAN :—" Yes, the hon. Members will have to co-operate. The House will now adjourn and meet again to-morrow at 10 a.m."

The House then adjourned.

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

a 1. Balance sheet as at 30th September 1953 of the Ramaraju Surgical Cotton Mills, Limited, Rajapalayam.

b 2. Bills passed by the Assembly and received therefrom in the Council—

(i) The Madras General Sales Tax and the Madras Tobacco (Taxation of Sales and Registration) (Amendment) Bill, 1955 (L.A. Bill No. 9 of 1955).

(ii) The Tanjore Chattram Endowments (Utilization) Amendment Bill, 1955 (L.A. Bill No. 10 of 1955).

a Laid on the table on the 5th April 1955.

b Circulated by post on 2nd April 1955.

[8th April 1955]

2. *Amendment of Madras Act IX of 1939.*—In the Madras General Sales Tax Act, 1939 (Madras Act IX of 1939):—

(i) in section 4, for the expression "manufactured tobacco as defined in the Madras Tobacco (Taxation of Sales and Licensing) Act, 1939," the expression "taxed tobacco as defined in section 2, clause (13), of the Madras Tobacco (Taxation of Sales and Registration) Act, 1953 (Madras Act IV of 1953)", shall be substituted.

(ii) in section 5, after item (vi), the following items shall be added, namely:—

"(vii) the sale of cigars and cheroots at less than two annas per cigar or cheroot, and bidis, snuff, chewing tobacco or any other product manufactured from tobacco, shall be liable to tax under section 3, sub-section (1), only at the point of the first sale effected in the State of Madras by a dealer but at the rate of six pies for every rupee on his turnover;

(viii) raw tobacco, whether cured or uncured, shall be liable to tax under section 3, sub-section (1), only at the point of the first purchase effected in the State of Madras by a dealer but at the rate of six pies for every rupee on his turnover:

Provided that where a dealer who has paid tax in respect of his turnover relating to goods included in clause (vii) has also paid the tax on the purchase of raw tobacco used in the manufacture of such goods under clause (viii) he shall be entitled to a rebate to the extent of tax paid in respect of the raw tobacco so used."

3. *Amendment of Madras Act IV of 1953.*—In the Madras Tobacco (Taxation of Sales and Registration) Act, 1953 (Madras Act IV of 1953):—

(i) in section 2, in clause (13), the words "namely, cigars, cheroots, cigarettes, cigarette, tobacco and pipe-tobacco" shall be omitted;

(ii) in section 3, for sub-section (8), the following sub-section shall be substituted, namely:—

"(8) The State Government may, by rules made in that behalf, exempt from the operation of sub-sections (1) to (7), any class of persons who do business in tobacco other than taxed tobacco."

(iii) in section 4, for sub-section (3), the following sub-section shall be substituted, namely:—

"(3) The rates of tax payable under sub-section (1) shall be as follows:—

(i) On cigarettes which are sold by the person taxed at less than three pies per cigarette and are to be sold at the retail point to the consumer at not more than three pies per cigarette.	Three and one-eighth per cent of the turnover.
--	--

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(ii) On cigarettes which are sold by the person taxed at less than six pies but not less than three pies per cigarette and are to be sold at the retail point to the consumer at not more than six pies per cigarette.	Ten per cent of the turnover.
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(iii) On cigarettes which are sold by the person taxed at less than nine pies but not less than six pies per cigarette and are to be sold at the retail point to the consumer at not more than nine pies per cigarette.	Twenty per cent of the turnover.
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(iv) On cigarettes not falling under any of the items specified above.	Thirty per cent of the turnover.
--	----------------------------------

(v) On cigars and cheroots which are sold by the person taxed at not less than two annas per cigar or cheroot.	Thirty per cent of the turnover.
--	----------------------------------

(vi) On pipe tobacco or cigarette tobacco.	Thirty per cent of the turnover."
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I certify that this is a Money Bill.

J. SIVASHANMUGAM PILLAI,
Speaker, Madras Legislative Assembly.

APPENDIX VI.

[Vide item V (2) on page 867 supra.]

L.A. BILL No. 7 OF 1955.

(As passed by the Assembly.)

A Bill further to amend the Madras City Civil Court Act, 1892.

WHEREAS it is expedient further to amend the Madras City Civil Court Act, 1892 (Central Act VII of 1892), for the purposes 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 Civil Court (Amendment) Act, 1955.

(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 3-A, Central Act VII of 1892.*—In section 3-A of the Madras City Civil Court Act, 1892 (Central Act VII of 1892), hereinafter referred to as the said Act, for the words "ten thousand rupees", the words "fifty thousand rupees" shall be substituted.

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APPENDIX III.

[Vide answer to starred question No. 286 asked by Sri P. P. Ummer Kova (on behalf of Sri T. Purushotham) at the meeting of the Legislative Council held on 6th April 1955, page 847 supra.]

- Resolution No. 2.**—The salary of the village officers and the menials should be increased in the same proportion as the cost of living has increased over that prevailing in the year 1919.
- Resolution No. 3.**—Travelling allowance should be given to the village officers for their journeys in discharge of Government duties.
- Resolution No. 4.**—The village officers should be given the medical and educational concessions granted to all other Government servants and school-masters.
- Resolution No. 5.**—The practice of sending karnams for retraining in survey when once they have passed in survey test should be discontinued.
- Resolution No. 6.**—Village menials should be declared full-time servants as their duties are numerous.
- Resolution No. 7.**—A committee should be appointed to revise the village accounts in order to minimize the work of the village officers as recommended by the Salary Committee in 1919.
- Resolution No. 8.**—Orders issued recently for the preparation of provisional demand with particulars of survey numbers should be cancelled.
- Resolution No. 9.**—Salary, dearness allowance, etc., should be granted for the entire period when a village officer is in additional charge of another village.
- Resolution No. 10.**—Village headman should not be compelled to remit the arrears of land revenue from their own pocket even before it is collected.
- Resolution No. 11.**—Villages of vast area having enormous revenue and population should be bifurcated into appropriate bits and separate set of village officers and menials should be appointed for each bit.
- Resolution No. 12.**—It is found to be written in the Village Officers' Manual that the karnams are lower in rank than the village headman. The Tahsildar can punish the karnam but only the Revenue Divisional Officer can punish the village headman. The conference feels much for this kind of discrimination shown between the karnams and the village headman and requests the Government to treat all the village officers equally and cancel the powers of the Tahsildars and the Deputy Tahsildars to punish the karnam.
- Resolution Nos. 2 to 4.**—These requests have been examined by the Government already and negatived.
- Resolution No. 5.**—Orders have been issued that the scheme of retraining be continued in the case of karnams in estate villages taken over by the Government and that in ryotwari areas such retraining be ordered only in special and stray cases where the Revenue Divisional Officer concerned considers it absolutely necessary in the interest of the administration.
- Resolution Nos. 6 to 9.**—These questions have been considered by the Government in consultation with the Board of Revenue and negatived.
- Resolution No. 10.**—It has been considered that no specific action is called for and that when any such instance is brought to notice of Collectors suitable action may be taken.
- Resolution No. 11.**—Regrouping of villages is done by the Board of Revenue wherever necessary. No action was considered necessary on this request.
- Resolution No. 12.**—The headmen and the karnam are not officers on equal status. The karnam who is entrusted with the keeping of village accounts is subordinate to the head of the village and he should help and advise the headman in his capacity of the village munsif and Magistrate. Therefore, the Government did not consider it desirable to take away the powers of Tahsildars and Deputy Tahsildars to punish karnams as these officers have better and more direct control over them.

[6th April 1955]

- Resolution No. 13.**—The salary of the Estate Village Officers and menials should be raised to be on a par with the ryotwari area.
- Resolution No. 14.**—Village officers and the menials of the 'taken over' villages should be given the scale of pay given in ryotwari area from the date of taking over.
- Resolution No. 15.**—Commission for the collection of arrears of reduced rent relating to previous faslis also should be given.
- Resolution Nos. 13 and 14.**—The principle behind these requests has been accepted by the Government but the question has been deferred for the present.
- Resolution No. 15.**—The reference 'previous faslis' is to the period from the fixation of reduced rents to the date of the Government orders sanctioning the payment of the commission. The request has been examined already and negatived. It was again re-examined recently in December 1954 and no action was considered necessary.
- Resolution No. 16.**—The reference here is to collection of land revenue under section 23 of the Abolition Act. The Government have issued orders as early as August 1953 that pending fixation of salaries of village officers on ryotwari level in estate villages, the recovery of overpayments should be stayed.
- Resolution No. 17.**—The Government did not consider any action necessary as the subordinate officers are even now doing their work promptly.
- Resolution No. 16.**—The commission once given to village officers for the collection of reduced rents in estates but later recovered from them should be refunded to them and such recovery should be discontinued in future.
- Resolution No. 17.**—The various Government orders directing lower authorities to give proper treatment to the village officers, etc., should be carried out by the local authorities properly and promptly all over the State.

APPENDIX IV.

[Vide answer to unstarred question No. 27 asked by Sri T. M. Daivasikhamani Achariar at the meeting of the Legislative Council held on 6th April 1955, page 849 supra.]

I.

*Statement showing particulars of the articles manufactured in certain jails in the State.**

The Penitentiary, Madras—

Articles of furniture (wooden) required by the Government departments.

Stitching of hospital garments.

Tags, sealing wax, phenyle, brown covers, wax cloth, flat file boards, rattan baskets and handspun yarn.

Central Jail, Cuddalore—

One fourth of an inch and $\frac{1}{2}$ inch tape rolls, bandage cloth, gauze cloth and convict cloth.

Binding and Map mounting and stitching of convict garments.

Central Jail, Tiruchirappalli—

Articles of furniture (wooden).

Gauze and bandage cloth, convict cloth, dhoties for sub-jail prisoners, korah mat, handspun yarn, also rope and stitching of hospital garments.

* There are no Central Jails in Chingleput and Tanjore districts.

[6th April 1955]

3. *Substitution of new section for section 4, Central Act VII of 1892.*—For section 4 of the said Act, the following section shall be substituted, namely :—

“ 4. *Powers of Judges of City Court.*—(1) The City Court shall consist of a Principal Judge and such number of Additional or Assistant Judges as the State Government may from time to time appoint.

(2) Subject to the provisions of section 15, each of the Judges may exercise all or any of the powers conferred on the Court by this Act or any other law for the time being in force.

(3) The Principal Judge may from time to time make such arrangements as he may think fit for the distribution of the business of the Court among the various Judges thereof.”

4. *Omission of section 6, Central Act VII of 1892.*—Section 6 of the said Act shall be omitted.

5. *Amendment of section 7, Central Act VII of 1892.*—In section 7, sub-section (2), of the said Act, the words “ the Judge or, when the Court consists of more than one Judge ” shall be omitted.

6. *Substitution of new section for section 15, Central Act VII of 1892.*—For section 15 of the said Act, the following section shall be substituted, namely :—

“ 15. *Appeals.*—(1) An appeal shall lie to the High Court from any decree or order appealable under the provisions of the Code of Civil Procedure, 1908 (Central Act V of 1908), in any suit or proceeding where the amount or value of the subject-matter exceeds five thousand rupees or where the decree or order appealed from was passed by the Principal Judge or an Additional Judge.

(2) An appeal shall lie to the Principal Judge from any decree or order appealable under the provisions of the Code of Civil Procedure, 1908 (Central Act V of 1908), passed by an Assistant Judge in any suit or proceeding where the amount or value of the subject-matter does not exceed five thousand rupees.

(3) A second appeal shall lie to the High Court from any decree passed by the Principal or an Additional Judge in the exercise of his appellate jurisdiction on all or any of the grounds mentioned in section 100 of the Code of Civil Procedure, 1908 (Central Act V of 1908).

(4) Subject in other respects to the provisions of the Indian Limitation Act, 1908 (Central Act IX of 1908), the period of limitation for an appeal from a decree or order in any of the cases specified in sub-sections (1) and (3) shall be ninety days and in any of the cases specified in sub-section (2) shall be thirty days.

(5) The Principal Judge may from time to time transfer for disposal appeals preferred under sub-section (2), to any Additional Judge and may at any time withdraw such transferred appeals and dispose of them himself.”

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7. *Amendment of section 18, Central Act VII of 1892.*—In section 18, sub-section (1), of the said Act, the words “ Judge of the City Court, or, when the Court consists of more than one Judge, the ” shall be omitted.

8. *Transitory provision.*—(1) All suits pending in the High Court on the date of the commencement of this Act and which would be within the cognizance of the Madras City Civil Court under the provisions of this Act shall stand transferred to the Madras City Civil Court.

(2) All appeals against decrees or orders of any Judge of the Madras City Civil Court other than the Principal Judge pending in the High Court on the date of the commencement of this Act and which would be within the cognizance of the Madras City Civil Court under the provisions of this Act shall stand transferred to the Madras City Civil Court.

THE MADRAS LEGISLATIVE COUNCIL.

Thursday, the 7th April 1955.

The House met in the Council Chamber, Fort St. George, at ten of the clock, Deputy Chairman (SRI A. M. ALLAPICHAJ) in the Chair.

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

*Admission of in-patients in the Government Hospital of
Indigenous Medicine.*

* 288 Q.—SRIMATHI JOTHI VENCATACHELLUM: Will the Hon. the Minister for Health be pleased to state—

(a) the number of in-patients admitted in the Government Hospital of Indigenous Medicine from the time the New Hospital Block was opened till now in the different sections; and

(b) the number of doctors, nurses, maternity assistants and sanitary workers working in the hospital?

THE HON. SRI A. B. SHETTY :—“(a) 4,190.

“(b) 25 doctors, 23 nurses, 4 maternity assistants, 21 nursing orderlies and 23 sanitary workers are working in the Hospital.”

SRI ALEXANDER GNANAMUTTU :—“May I know whether purely indigenous medicines are administered to the patients coming to the hospital or whether allopathic treatment is also given?”

THE HON. SRI A. B. SHETTY :—“Both indigenous and modern medicines are administered to the patients, Sir.”

SRI V. V. RAMASWAMI :—“May I know whether any retrenchment was recently effected in that hospital?”

THE HON. SRI A. B. SHETTY :—“Yes, Sir. Some retrenchment has been made because the L.I.M. course has been abolished.”

SRI V. CHAKKARAI CHETTY :—“I think the Hon. Minister is a doctor trained in Western Medicine and he must know something about it. This College of Indigenous Medicine is serving a useful purpose to the people and they like it, and they are patronising it. The other day there was something wrong with my grandchild. I took the child there and the child was attended to within five minutes. Therefore I thought this school was serving a very useful purpose.”

THE HON. SRI A. B. SHETTY :—“I may tell the hon. Member that I am not a medical man.”

[7th April 1955]

SRI G. KRISHNAMOORTHY :—“ May I know, Sir, why the L.I.M. course was abolished? ”

THE HON. SRI A. B. SHETTY :—“ Sir, it was abolished with a view to have a uniform standard of medical education.”

Number of Lino machines in the Government Press, Madras.

* 289 Q.—SRI T. PURUSHOTHAM: Will the Hon. the Minister for Public Works be pleased to state—

(a) the total number of Lino machines in the Government Press, Madras;

(b) the strength of mechanics working in the Lino department for each shift;

(c) the number of Lino machines that are not working and the reasons therefor;

(d) the amount spent towards the local purchase of Lino spares and matrices from 1st January to 1st October 1954; and

(e) whether Lino spares, etc., were received from the United Kingdom recently and if so, the year in which the indent was made for the same?

THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI :—“ (a) to (e) A statement ^a is placed on the table of the House.”

SRI T. PURUSHOTHAM :—“ Could not an arrangement be made to have the Lino machines repaired by experienced men locally and would Government take steps to see that the machines are put into operation by carrying out the repairs locally? ”

THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI :—“ I do not know whether they could be repaired locally. I shall ascertain that fact and see if the machines could be repaired and commissioned for work.”

SRI T. PURUSHOTHAM :—“ May I respectfully draw the attention of the Hon. Minister to this fact that in the answer placed on the table it is stated that two Head mechanics are in charge of the Lino department, whereas in a similar statement placed on the table of the House some time back it was stated that there was only one mechanic for the Lino department. The Budget shows no provision at all for a mechanic in that department. May I request the Hon. Minister to examine this discrepancy and rectify it and see that proper mechanics are provided for the department to keep the machines in working order? ”

THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI :—“ Yes, Sir. I shall certainly have it looked into. There might have been some discrepancy somewhere. I shall ask the department to explain this and I am sure there will be sufficient provision made for the necessary number of mechanics.”

^a Printed as Appendix I on page 979 infra.

[7th April 1955]

Extension of the supply of electricity to Porto Novo, Chidambaram taluk.

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

(a) whether the Government have recently received any representation from the residents of Porto Novo, Chidambaram taluk, regarding extension of the supply of electricity to that town; and

(b) whether any and if so, what action was taken thereon and if not, whether that proposal will be included in the Second Five-Year Plan.

THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI :—“ (a) Representations were received from the Porto Novo Panchayat in August 1951 and from the President of the Maber Chamber of Agriculture, Muhammad Bunder in September 1951 and October 1953.

“ (b) The petitioners were informed in January 1952 and January 1954 that under the conditions then existing, it was not feasible for the time being to extend supply of electricity to Porto Novo.

As Porto Novo lies in the jurisdiction of the South Arcot Electricity Distribution Company, Limited, the question of evolving any proposal for extension of supply to the place for inclusion in the State's Second Five-Year Plan does not arise.

The licensee has since represented that due to lack of funds he cannot take up the extension but if the Government would lay the main H.T. line up to Porto Novo, on revenue guarantee basis, it might be possible for him to give supply to the town. The request made by the licensee is under consideration of the Electricity Department.”

SRI M. ETHIRAJULU :—“ கனம் அமைச்சர் அவர்களுடைய பதிலிலிருந்து அது தென் ஆற்காடு ஜில்லா மின்சாரம் கம்பெனியைச் சார்ந்தது என்று தெரிகிறது. ஆனால் அந்தக் கம்பெனியாருக்கு போதுமான பணம் இல்லாததால் இதைச் செய்யமுடியாது என்று சொல்லிவிட்டார்கள். அதனால் இந்தப் பரங்கிப்பேட்டையில் இருக்கக்கூடிய 15 ஆயிரம் ஜனங்களுடைய சௌகரியத்தை முன்னிட்டு சர்க்காராவது மின்சாரத்தைக் கொண்டு வருவதற்கு முயற்சிப்பார்களா? ”

THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI :—“ அது லைசென்ஸ் எரியவாக இருக்கின்றபடியால், சர்க்கார் அமுலுக்கு “அது லைசென்ஸ் எரியவாக இருக்கின்றபடியால், சர்க்கார் அமுலுக்கு கொண்டு வர முடியாது. அவர்களுக்கு லோன் வேண்டுமானால், கொடுத்து அதை எப்படிச் செய்வது என்பதை யோசிக்கலாம்.”

SRI M. ETHIRAJULU :—“ சர்க்கார் மெயின் லைன் எடுத்துக்கொண்டால், அதைக்கொண்டு அங்குள்ள வீடுகளுக்கு மின்சார வசதி செய்து கொடுக்க முடியுமென்று அந்தக் கம்பெனியார் சொல்லுகிறார்கள். அப்படியானால் மெயின் லைன் இழுத்துக் கொடுப்பதற்கு சர்க்கார் முயற்சிக்குமா என்று கேட்கிறேன்.”

THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI :—“ அதுதான் இப்போது சர்க்காருடைய ஆலோசனையில் இருந்து கொண்டிருக்கிறது.”

(L.A. BILL NO. 52 OF 1954) [7th April 1955]

[Sri C. Subramaniam] [7th April 1955]

before four or five authorities before getting a licence for running a theatre. The Government propose to look into all these things and lay down in the rules a simplified procedure. It was particularly brought to our notice that formerly anti-fire precautions were being taken because the films were combustible and now the material out of which the films were produced had changed and that the films were non-combustible and the same amount of safety measures were not necessary. All these things will be taken into consideration when we lay down rules. The Government also have agreed to consult the interests concerned before finalizing the rules.

"Then, with reference to appellate powers, the Government thought that it was not necessary for them to have those powers and that they should be vested in another appellate authority to dispose of appeals against the orders of the licensing authority. The Government as such need not be in the picture.

"Sir, the most controversial portion of the Bill which necessitated the Government to review the position and bring in this Bill, is with reference to the exhibition of what is called 'approved films.' Hon. Members are aware that only story films are being shown in all the theatres and naturally they attracted a great crowd. The Government are of the view that since most of the people attend cinemas and cinemas are very popular, that opportunity should be availed of for the purpose of educating the public. After all, we take so many measures for spreading adult education and other kinds of visual education. But here is an opportunity and an occasion wherein lakhs gather everyday in a large number of theatres and that occasion should be availed of to see that certain educational films, otherwise called approved films, are shown. Unfortunately there is no production in the private sector as far as educational films are concerned. It is being exclusively done by the Films Division of the Government of India but it is our hope that the private industry also will help and they will also be able to produce these documentary and other educational films. Sir, the Films Division deals, in a large way, with every matter relating to the entire country and so much so, there is no regional emphasis as far as those documentary films are concerned. Unless the private industry comes into the picture and produces documentary and other educational films with emphasis on regional events and regional subjects, it may not be possible to have a large number of films which would be interesting enough and educational enough for the large masses living in our State and in the southern region. I am hoping that the private film industry would come into the picture. Apart from that, we have made representations to the Government of India that a little more emphasis should be laid on events and subjects in South India particularly in the Madras State and the Government of India have proposed to look into the matter and they may extend the activities of the Films Division in the Madras State. These are the main features of the Bill and I hope it will have the approval of this House."

7th April 1955]

DEPUTY CHAIRMAN :—" Motion moved—

'That the Madras Cinemas (Regulation) Bill, 1954 (L.A. Bill No. 52 of 1954), as passed by the Assembly, be taken into consideration.' "

* SRI V. GURUNANDAN ROW :—" Mr. Deputy Chairman, Sir, I rise to oppose this Bill not because I am in any way opposed to the regulation of cinema theatres but because the Bill, as drafted, seems to offend against the freedom of exhibiting films altogether. Clause 3 of this Bill says—

'. . . . no person shall give an exhibition by means of a cinematograph elsewhere than in a place licensed under this Act '

If that is read, it would mean that if I want to show a film in my own house, I must have my house licensed. Such a restriction, I say, is not in consonance with the Constitution as it encroaches upon the right of freedom of speech and expression. The exhibition of a cinema comes under the right of freedom of expression. No one objects to the Government coming in and placing restrictions on the cinema houses which are run as a business so that such houses will take safety precautions against fire and provide proper ventilation and other facilities. No reasonable man can say that such restrictions should not be there. In fact those restrictions are perfectly all right. But here clause 3 specifically says that if I am in possession of a film and want to show it in my house, I must take out a licence. It is not quite clear to me whether I can take out a licence for a place which does not belong to me or I can show the film only in a theatre which has been given a licence. If the film is to be shown only in a theatre, then the film distributors will have to be completely in the hands of theatre owners unless they themselves have their own theatres. It means that they cannot show it anywhere else, but can show it only in a place which is licensed. How can I take out a licence in respect of a place which I do not own? Suppose I want to exhibit it in one show or in a particular day. Does it mean that I have to get a licence for that particular day? Clause 3 is not quite clear and I think that it applies to all sorts of films including 16 mm. films. Sir, I also have a doubt that this matter comes within the competence of the Parliament and not the State Legislature because mention has been made in item 60 of the Central Legislation List about the sanctioning of a cinematograph film for exhibition. That means sanction for exhibition and it does not merely mean censorship only. Parliament has passed an Act providing for sanction to exhibit a film. So, I say that the State Legislature is not competent to pass a legislation which prevents a person from showing a film to a private audience in any place. I submit that such a legislation will be definitely contrary to the Constitution. Then, Sir, I would invite the attention of the Hon. Minister to the broad principles laid down for the purpose of guiding the licensing authority to grant or not to grant a licence. It is strange that the Government should say that the status and

10-20
a.m.

[Sri V. Gurusundaran Row] [7th April 1955]

the previous experience of the applicant have to be taken into consideration. What is the meaning of 'status and previous experience of the applicant' in the case of exhibition of a film for one or two days or just for a week or in the case of a touring cinema going from one place to another? In what ways are the status and previous experience of the applicant necessary, I cannot understand. This will mean that because a person has no previous experience, he should not be granted a licence. Another person, who is already there, will have the monopoly of it.

"Then, the other broad principle laid down in clause 5 which the licensing authority should take into consideration is 'the adequacy of existing places for the exhibition of cinematograph films in the locality'. In whose interest has this clause been laid down? Does it mean that the existing cinema theatres are adequate and that there should be no more cinema theatres? Is it the Government's intention that there should be one theatre for a particular number of people residing in a locality? If so, let it be made clear. What is the meaning of 'adequacy of existing places for the exhibition of cinematograph films in the locality'? Who is to decide about the adequacy of the cinema theatres or otherwise? Is not the establishment of extra cinema houses good for the people, if it is considered as an entertainment or as having some educational value? Why should there be any restriction as to the number of licences to be granted in a particular locality?

"Then the most important condition laid down is the possession by the applicant of other places, if any, licensed under the Act. I cannot understand what this has to do with public interest. Why should you restrict a man from taking out a further licence? If he has got another place, why should he not be granted licence to a new place?

"Actually the principles laid down here have been taken from the Road Traffic Code. I think more or less the same conditions are there in section 45. This is not a case where even the Government say that only a certain number of cinemas can exist whereas in the grant of bus permits it is not like that. When a route is open and when the Government have to issue a new licence, they have to choose between X, Y and Z. Anybody can apply for that route and there the status and previous experience of the applicant will have to be taken into consideration because it is a service which is absolutely essential for the transport of passengers. Something on the lines of the Road Traffic Code has been put into this Bill.

"Another most objectionable feature is that laid down in sub-clause (4) of clause 5 which says: 'The Government may issue such orders and directions of a general character as they may consider necessary, in respect of any matter relating to licences for the exhibition of cinematograph films to licensing authorities; and

7th April 1955] [Sri V. Gurusundaran Row]

every licensing authority shall give effect to such orders and directions.' Such a condition existed in the Road Traffic Code also and that was replaced after a lot of litigation. For example, in the case of bus permits the Government used to give a direction one day that monopoly should be supported. On another day, by issuing another order, they will say that new comers should be encouraged. There were a lot of complaints and later on some power of revision was vested in the Government. We find the same objectionable feature here also. For all these reasons, I oppose this Bill."

* SRI G. KRISHNAMOORTHY:—"Mr. Deputy Chairman, Sir, I wholeheartedly welcome this Bill. In fact, I expected the Government to bring in a more rigorous Bill. Cinemas are powerful media of education which create the visual appeal, the everlasting and indelible appeal in the minds of men. When such has been the case, somehow or other, we have been allowing all these days all sorts of films to be exhibited and witnessed by the public. Then we found that there should be some censorship and now we have got censorship. The State Government have got powers only to regulate the cinemas and they have now come forward with this Bill to regulate the cinemas.

"But I am very sorry that they have not come forward to regulate the advertisements with regard to these cinemas. The visual appeal creates a very strong impression and hence it is the duty of the Government to see that proper pictures are shown to the public to give that indelible and everlasting appeal. After all, education is a very comprehensive subject, and all that goes to appeal to the mind of a person through the sense of sight comes under education. If Government really do not want to waste the sum of Rs. 11 crores that they are spending on education, it is their duty to see that proper pictures are exhibited. The Government must especially see that nothing that poisons the juvenile minds in their plastic stage should enter in the pictures. Now, there are parents who advise their children not to go to the cinemas. There are teachers who advise their children not to go to the cinemas and there are children who have made up their minds not to go to the cinemas, but in spite of that steadfast vow their eyes are attracted to the posters pasted on the walls in the main road especially in big cities like Madras. Nowadays we are not able to see brick and mortar on the walls, not even the cement plaster but we are able to see only paper. What paper? It is coloured paper. What is it full of? Pictures which poison the juvenile mind, pictures that put anti-social ideas into the plastic minds. Is it not the duty of the Government to come forward and bring an amendment to this Bill, even after it is passed, to see that these advertisements do not appear on the walls? By all means, if the films have been censored, let the advertisements appear in front of the cinema theatres, but not on all the walls on the road, anywhere and

[Sri G. Krishnamoorthi] [7th April 1955]

10-30
a.m.

everywhere. So, I would earnestly request the Government to see that an additional clause is inserted in this Bill to see that such advertisements are regulated so that advertisements which are likely to poison young minds and impart wrong ideas and which are likely to create anti-social elements in society are not exhibited anywhere and everywhere and on any wall and every wall. Sir, the pictures exhibited in the cinema houses are, of course, censored. But that does not mean that we cannot improve censorship or that we cannot suggest ideas to the Central Government to make the censorship still more strict. In spite of the character that we put into the children in our schools, all the good ideas are taken away and nullified by one bad poster on the wall. Now, if the Government really think that it is their duty to put character into the boys, if they think that character is a bundle of habits, and if they admit that a habit is formed by association—association through not only friendship but also through pictures—they will recognise the psychological factor that the sense of sight is the most indelible appeal and they must come forward to see that bad ideas are not put into the minds of pupils either through posters or through films or pictures. I am glad that the Government, through this legislation, have come forward to see that one-fifth of the time for each show is reserved for exhibiting films having a scientific or educative value. I am glad that they are trying to show educational, cultural, scientific and informative films at least for one-fifth of the time of each show. I would have welcomed a larger share of time allotted for exhibition of films having a scientific or educative value. Of course, objection to exhibition of such films has been taken by cinema proprietors. The Government have rightly pointed out that ultimately it is the tax-payer who is paying the money for seeing such films. It is the duty of the Government to see that nothing but purely educational, scientific and religious pictures are exhibited. With these remarks, I wholeheartedly support the Bill and I expect a still more rigorous Bill to be brought forward by the Government later on."

SRI V. CHAKKARAI CHETTY :—" Mr. Deputy Chairman, Sir, I just want to say a few words on this Bill. I do not want to enlarge upon the arguments based upon the various articles contained in the Constitution whether such a Bill as this does not offend the principles of the Constitution dealing with the freedom of the individual and with the freedom of expression. It is all right for the Government to come forward and say that they want this Bill to be passed for the regulation of exhibitions by means of cinematographs in the State. They want to regulate everything and 'regulation' is the principal idea of some of our State Governments and the Central Government. The only things they cannot regulate are births and deaths. They cannot regulate how many people should be born or how many people should die. An hon. Member: 'Family planning.' Of course family planning is a novel thing. I do not know whether it will have any

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effect upon the population question. That question really depends upon the goodwill and character of the individuals composing the State. It is all right for the Government to come forward and say that they are going to regulate the exhibition of certain pictures by constituting authorities to go into the matter of issuing licences. It may be possible for the Government to eliminate certain bad films. But that is not what is required. What is required is that good films should be produced. Good films cannot be produced by mere elimination of bad pictures. It is the duty of the Government to ask people to produce good pictures. But, this subject has not been brought forward in this Bill. Production of good pictures depends upon the general educational status of the people. I, therefore, ask the Government whether they have devoted any attention to the positive aspect of producing good films. But, there is no provision in this Bill to carry out this object. I also join my hon. Friend Sri V. Gurunandan Row in voicing the objection that there should be no undue restriction placed on the freedom of the individual. I should certainly think of supporting this Bill provided it is free from the objections that have been pointed out by my hon. Friend Sri V. Gurunandan Row and provided that the Government take upon themselves the responsibility of producing good films. If film producers are not able to produce good films, it is the duty of the Government to institute some proper machinery for producing good films. It is possible for the Government to do so. They are producing good documentary films and I do not see any reason why they should not produce good films by setting up certain institutions where experts can be employed for producing good films. With these words, I half-heartedly support this Bill although I do not believe that as a result of passing this measure good films are going to be produced."

SRI MOHAMED RAZA KHAN :—" Mr. Deputy Chairman, Sir, I support the principles of this Bill. I wish to point out, as usual, that it would have been better if this Bill had been referred to a Joint Select Committee of both the Houses, because this is not a Money Bill.

" I wish to say a few words with regard to clause 5 of the Bill. Item (b) of sub-clause (1) says: 'the status and previous experience of the applicant.' I understand that only persons who have enough capital can venture to put up a cinema house. It ordinarily requires an expenditure of two to three lakhs of rupees for putting up a cinema house. A person without any financial backing will not be foolhardy enough to venture upon opening a cinema house. After all the Government themselves will be very anxious to have as many cinema houses as possible because they will be getting additional revenue by way of entertainment tax if a number of cinema houses are opened newly. As per the provision made in item (b) of sub-clause (1), only those who are owning cinema houses already or who are proprietors of touring cinemas are

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entitled to take out licences and not new comers. I do not know for what purpose this item has been put in. I hope the Hon. the Minister for Education will clarify this point in the course of his reply.

"Then, Sir, item (c) of sub-clause (1) says: 'the suitability of the place where the cinematograph exhibitions are proposed to be given.' I feel, Sir, that the Government should have this right. It is quite possible that the place selected for opening a cinema house may be very crowded and the people living near that place may take objection to the location of the cinema house near dwelling houses. It may not be possible for the Government to amend this provision in the Bill now to make it clear that cinema houses should not also be put up in the vicinity of places of worship like churches, temples, mosques, etc. Perhaps the Government may consider the point whether they can do so in the rules they are framing under this legislation. As far as possible, the Government must see that cinema houses are not opened in the vicinity of temples, mosques, churches, etc.

(At this stage, the Hon. Chairman occupied the Chair.)

10-40 a.m. "The most controversial clause in this Bill is clause 6 which deals with the power of the Government to issue directions. I also went carefully through the report of the Select Committee. Though cinema proprietors feel that the Government are taking powers to compel them to exhibit films of scientific or educative value, I for one do not feel that there is any compulsion involved. I do not go to pictures often and I attend pictures very rarely. But I know from experience that people who attend cinemas like these films dealing with news, current events, etc., because they are of educative value. In fact the Hon. Minister for Education has stated that he is making representations to the Central Government that they should give proper snaps of the events, educational and other, of our State. Therefore, when that is done we can have no valid objection.

"With regard to the question of compulsion that the cinema-owners should show educational films not exceeding 2,000 feet, I feel it is a good thing. The other day replying to a question in the Lok Sabha the Hon. Minister in-charge of Information and Broadcasting said that he has received a large number of representations from institutions and individuals asking why the exhibition of educational films has been stopped in the State of Madras; that under the provisions of the existing Act the Government could not compel them and that the Act is going to be amended so that all the cinema-houses in the State of Madras will be forced to exhibit educational films. The Hon. Minister also gave figures. An argument was advanced 'If you do not have compulsion, cinema-owners of their own accord will exhibit these films.' I do not think it is possible, as it was stated that out of 300 cinema-houses, hardly 50 or 60 are exhibiting these educational films and out of 200 touring cinemas not more than 15 to 20 are exhibiting these films.

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Therefore, Sir, till such time that they themselves take to it, a certain element of compulsion is necessary. The cinema-owners are not paying for it. After all we are paying for it. Last week I saw a documentary film relating to Bhakra dam. People of Madras may not be able to go to that place and it was really worth seeing. There were some snaps of the handloom week also and that will give an opportunity to the Northerners to see what Madras has done in this matter. If we pay Re. 1-4-0 for a particular class we pay a part of it, 2 annas or 3 annas whatever it is, for that particular film and the rest for the other things. Previously in cinema-houses which were showing foreign films, there would not be a show without a foreign documentary film. Therefore, there is no reason why we should not see our own films of educative value, particularly when the State is aiming at a Welfare State, and when there are so many other activities. I hope the cinema-owners themselves will accept this with good grace.

"An hon. Friend of mine in the other House, Sri Kolkebail, suggested that the Government should insist upon National Anthem being sung in the cinema-houses. At the earlier stages some attempt was made to have it sung at the end of the show and it looked very bad that when the National Anthem was sung people should leave cinema-houses. If the Hon. Minister accepts the suggestion of the hon. Member, I would request him at least to insist under the rules that National Anthem should be sung in the beginning of the show. Because if it is sung at the end, uneducated people may not know what they should do and some of them may innocently walk out when it is sung. So, if it is sung at the beginning it will create in the minds of the public, particularly the lower-middle class and middle-class people who visit the cinemas, a habit of respecting the National Anthem.

"On the whole, there may not be many objections to this Bill. With regard to the fear of my hon. Friend Sri Gurunandan Row that the Government may refuse licences, I feel that the Hon. Minister for Finance who is anxious to have as much money as possible for the coffers of the State Government will be the last man to refuse licences, provided these conditions are fulfilled. (Interruption.) The officers also know the mind of the Government. Therefore, Sir, I support this measure."

SRI K. BALASUBRAMANYA AYYAR:—"I welcome this Bill, but I want to make one or two criticisms. In clause 5 various reasons for refusing a licence have been enumerated. One of the considerations that will apply for the purpose of granting a licence is 'the interest of the public generally' and it will cover a large number of cases. It is better to specify some of the cases at least, so that it may be of educative value to all those people. Films can always be used for good purposes as also for bad purposes, just as all scientific discoveries nowadays can be used for good purposes and also for bad purposes and even atomic energy,

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they are thinking of controlling. Therefore, it is better to have a control in respect of films also. As stated by the hon. Member Sri G. Krishnamoorthi, for example there may be films tending to spread corruption and impairing the morals of the community or of introducing anti-social elements, so that there may be disaffection between community and community. All these things may be generally stated, so that they may be taken into consideration in granting or refusing the licence.

"Another consideration, 'the suitability of the place where the cinematograph exhibitions are proposed to be given'. I think this is very vague. In very important residential localities licences for cinemas should not be given. For example, those who are living in Luz Church Road are sufferers in this respect. Everyday nobody can sleep till 2 o'clock. It is better to suffer from insomnia. There is lot of noise till 2 o'clock. It is not also good for the poor people who have worked during the whole day and it is deleterious to their health. These things should be taken into consideration. Where the majority of people object to any cinema-house being run in a particular locality, licence should not be granted. We all objected to a cinema being located in our locality, but nobody cared. Therefore, I would like to suggest that this aspect also may be taken into consideration. Something may be specified, as the phrase 'suitability of the place' is general, so that it may be a guide for the people who apply for licence. Instead of suspending the exhibition of a film which is likely to cause a breach of the peace, the Government can very well refuse to grant licence in such cases.

"Clause 6 of the Bill is rather hard, as the licensees are compelled to exhibit films of educative value, etc. There is no provision for paying them any compensation for exhibiting the educational films. (Interruption.) They have themselves to do it and thank themselves. It will be rather hard. But it is in consonance with the taking away of the general spirit of Articles 31 and 19 of the Constitution and therefore, it will be a cry in the wilderness to talk about Constitution. They can do anything under the circumstances. I have come to the conclusion that right of property has become illusory hereafter under this Constitution. It is unnecessary to talk about rights of property, compulsion and so on. They have taken power to do it and they can do it. I hope and trust that Government will consider giving some compensation to people who are forced to show educational films. The hon. Member Sri Raza Khan said that they will all pay. But people will not go to scientific or educational films. That is the difficulty. Therefore, cinema proprietors will stand to loose. I am perfectly sure that our people generally do not want any real education from these films, but rather recreation and pleasure and that is their chief object in going to the films.

"Under Clause 8, I suggest the penalty may be rigorous imprisonment for one month or so, or else people will have the

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heroism to break the law and go on continuing to break the law. They can very well pay a fine of Rs. 100 or so because they will be getting Rs. 1,000 by breaking the law.

"I am glad that at least in this Bill it has been put in that the rules will be placed on the table of both the Houses of the Legislature. It was not the case in regard to other Bills. 10-50 a.m.

"These are some aspects of the matter that I wanted to place before the Hon. Minister for consideration."

* SRI A. M. ALLAPICHAJ :— "Mr. Chairman, Sir, there has been some difference of opinion about this Bill quite legitimately because some of the hon. Members feel that whatever is shown in cinema-houses sometimes leads to the formation of bad character. I think there is some force in that argument, but one thing we have to remember. These film-producers are there to make money. Perhaps the Government also expect to take some money out of it. The chief object of these film-producers is to make money. No doubt, incidentally, there is also an attempt at social reform. Sometimes the tyranny of zamindars and things like that are depicted and sometimes the behaviour of bad, rich people is depicted. But we have to remember that all these films are produced by third-rate men. I am not talking from the technical point of view. From the technical point of view, it may be that they are produced by first-class men. But as far as the material is concerned, it is not good. For example, let us take Shakespeare's works like Othello and Julius Caesar. An author like him has not produced any such thing which is shown in our cinema-houses. What happens here is this. Some producers get a number of hacks; someone is asked to do something and some other man is asked to do something else. Thus, some kind of a chow-chow is created. What the result is, we know. The fact is that a producer himself, first of all, makes up his mind. He decides what kind of picture will bring some profit. With that object in view, he produces some picture. As our Friends Sri Balasubramanya Ayyar and others have put it, sometimes those pictures are very low. Therefore, the Government also must feel their responsibility in respect of this matter. If stories are written by really good, honest and learned men, things will be better. But they are not done so now. As a matter of fact, very bad things are depicted merely because the authors do not have any training. Therefore, if the Government see that in producing these films learned men also have a share, then things may improve. But as it is now, the writer of the story may not even be known. On the other hand, a film star may get a ~~re~~ of a lakh of rupees. The author of the story may get not even Rs. 500. There may be a little exaggeration in respect of the figures, but the point is the author gets very little money. Supposing a man like Shakespeare is living and he produces a picture like Othello, I do not think the producer will go to him and take

[Sri A. M. Allapichai] [7th April 1955]

from him a film. Great men won't descend to the low level of writing. Therefore, it is the imperative duty of the Government to see that the tone of the films is raised.

"The hon. Member Sri Krishnamoorthi wants to make the whole society puritanic. It is not possible in the twentieth century. As a nation, we cannot be other-worldly-minded. We cannot now think of puritanic days. What harm is there if there is a picture unless it be a wicked picture? The Government must see that the authors are helped. The educated people are ignored in every section of the society. It is the imperative duty of the Government to see that educated people also have their share in the good things of the world and of the country."

* SRI K. BHASHYAM:—"Mr. Chairman, Sir, I am not going into the merits or demerits of the Bill. Much has been said about them. I would like to have some information on one or two provisions of this Bill. Clause 3 of the Bill says—

... no person shall give an exhibition by means of a cinematograph elsewhere than in a place licensed under this Act, or otherwise ...

I would like to know whether it will not really affect any private exhibitors. People may have in their own houses some plays enacted or cinema film exhibited to their own friends and relations for entertainment. According to the clause, even they should possess a licence for the purpose. There are places where Medical Colleges hold exhibitions of surgical operations and other things. There are also small exhibitions in various schools and colleges in respect of the subjects taught therein. Therefore, unless we make the provisions of the clause clear, it will affect a number of people. Of course, it may be said that the Government are not going to take serious notice of such exhibitions. I daresay it may be so. But what will happen if some cantankerous person or a policeman takes it into his head to prosecute a person who wanted to or did exhibit privately such a thing as this? Therefore, the word 'otherwise' must be made clearer than what it is now.

"So far as clause 5 is concerned, while every facility is given to all other persons, that is to say, for the other exhibitors in the place, any local authority or police authority to make representations, why not the representatives of the residents of the locality be given an opportunity to make such representations? They may object or they may not object. But supposing a licensing authority refuses to grant a licence on the sole ground that the people of the locality object to such a grant, the aggrieved person may go to Court by means of a writ petition saying that the opinion of the residents of the locality is not one of the factors to be taken into consideration under this Bill. Then the Court may quash the order of the licensing authority. Therefore, the Government must put in a clause that any representation by the residents of the locality must also be considered before granting a licence.

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[Sri K. Bhashyam]

"One more point and I have done. Sub-clause (4) of clause 5 says—

"The Government may issue such orders and directions of a general character as they may consider necessary, in respect of any matter relating to licences for the exhibition of cinematograph films, to licensing authorities; and every licensing authority shall give effect to such orders and directions."

It is too vague and indefinite, according to me, to be supported in a Court of Law. The discretion is so wide and absolute that anything can be done under the shelter of the clause. But there are certain persons who may try to see that such instructions that may be issued in the form of rules are quashed. The discretion is so arbitrary that it may not be possible to uphold the orders.

"These are the points I would like the Hon. Minister to consider. If it is not possible to do anything immediately, necessary steps may be taken at a later stage."

* DR. A. SREENIVASAN:—"Mr. Chairman, Sir, I rise to oppose this Bill and that for a good reason. My speech also will be limited. It is this. Hon. Members have been waxing eloquent about the educative and utility value of the approved films. I am not a regular cinema-goer. Occasionally I go to pictures. I have always thought that it is an infliction on the intellect of the audience to show these approved films to them. Only imbeciles can think of getting any education from the exhibition of such films. Only they can think of developing their intellect through this auditorial or visual education. I consider it a terrific infliction at any rate. Every time I went to the theatre, I went fifteen or twenty minutes late so that I might not be insulted by the exhibition of such films. If the Government think of improving the sanitation of theatres or do some such thing, I can appreciate it. But I go to the cinema-house for the purpose of witnessing a particular picture and I never bargain for this infliction of witnessing the so-called approved films. But the Government are trying to intervene between me and the cinema-owner. This is something not liked by anybody."

* SRI T. PURUSHOTHAM:—"Mr. Chairman, in supporting this Bill, I wish to state that cinema having come to stay, the exhibition of films should be regulated. In doing that, I feel, there is no restriction placed on the freedom of the individual, as has been stated by the hon. Member Mr. Gurunandan Row. I believe the Bill relates to public shows only and that it will not affect private shows of films. For instance, the other day, on the Legislators' Hostel Day we had a cinema show in Rajaji Hall. I believe such shows will not be prohibited under this Bill. If there is no provision against the free exhibition of such shows, I am sure the Government will issue very clear instructions in the matter of exempting private shows from the operation of the Bill.

"The provision in the Bill for the exhibition of educational and scientific films and documentaries should be welcomed because cinemas are spreading to the villages also. Provision of recreational facilities in rural areas is also stressed as an item of our

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village development schemes. Mahatma Gandhi in his plan of a model village has said that there should be recreational facilities in the villages. Though he did not particularly mean cinemas I would urge that there should be strict regulation of cinema shows now that they are spreading to all interior places.

"It is a patent fact that there are no permanent cinema theatres in rural areas. Therefore, some facilities should be provided to touring cinemas to exhibit their shows in the villages. As it is there is great difficulty and hardship experienced by touring cinema-owners in getting licences for exhibiting films under the Cinematograph Act. The difficulties and hardships experienced by these touring cinema-owners should be considered and remedied by the Government by simplifying the procedure now laid down for obtaining licence. The applications for licence are referred to so many agencies. First, application has to be made to the District Board or the Panchayat Board, as the case may be and they in turn send the applications to the District Health Officer who sends them on to the health inspector. On their report, the concerned Board has to sanction the grant of a licence under the Places of Public Resort Act and also to accord permission for installation of the necessary equipment under the Local Boards Act. Then the District Collector has to be approached for a licence under the Cinematograph Act. Before that, the Fire Officer of the district has to be consulted and the local police, the electrical inspector and the Taluk Magistrate have to furnish reports. Then according to the proposed legislation, for the exhibition of documentaries, etc., the Films Division of the Ministry of Information has also to be approached for a certificate. After running up and down to these various authorities, the licence that is issued is only for six months. Recently, the Andhra Government passed orders to the effect that licence be issued to touring cinemas for a period of one year. I request that the same provision may be introduced in this State as well because these touring cinemas are taking films to remote villages and exhibit them for after all a low charge. Some relief should be given to them. Then, to avoid the delay in the grant of licences, I feel that the licensing power should be vested in one authority and not in so many authorities that we have at present. Of course, the reports of the District Health Officer on the public health condition of the place and of the electrical inspector have to be obtained. But I feel that there should be only one authority to be approached for the grant of a licence. Then as I have already said, the period for which a licence is to be valid should be one year and not six or three months as it is at present. I would suggest that the Government may take into consideration all these suggestions when they frame fresh rules under the present legislation. With these remarks, I support the Bill."

* SRI A. GAJAPATHY NAYAGAR:—"Mr. Chairman, this Bill provides for the regulation of exhibitions by means of cinematographs in the State of Madras. It has come so close upon

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the passing of the Dramatic Performances Act that I am wondering as to what the State is proposing to do in the matter of regulation of exhibition of films and dramatic performances. This State declares itself a secular State and forswears all religion. Having said so, it now comes forward as the custodian of the morals of the people and in that view wants to regulate these things. I am afraid, the State in its care for the morals of the people, will play into the hands of diehards who want always the status quo to remain and who want always to stick to the past. The State, in its zeal for protecting the past, will stand in the way of progress and the making of an advanced welfare society.

"Now, apart from the question whether there should be any regulation in the matter of public entertainments, I want to know whether a licence is required for the exhibition of a film in a private house. In clause 2, item (5), 'place' is defined as including a house. Suppose I take photographs of a ceremony or a big procession or a conference and want to show the film to certain persons in my own house. I want to know whether I should take out a licence for it. I do not collect any fee for the exhibition. I want a clarification on this point.

"Then, Sir, in the matter of law-making, the principle must always be 'certain things should not be done' and not 'certain things should be done'. It is always a question of prohibition of certain things and not otherwise. The danger comes this way. The Government may introduce approved films which the public may not like to see. As I have often said, the proof of the pudding is in the eating of it. (Sri Mohamed Raza Khan: 'Where is the pudding?') That is what I say. The Government are trying to enforce certain things to the detriment of the free expression of the individual. As I said last time, everything depends upon the working of the Act. The more laws you make, the more they are observed in the breach rather than in the observance. We find that public become corrupt in their morals by these laws or rules. That is our sorry experience. The more rules we pass, the more we find the public becoming corrupt to the core in their morals. 11-10 a.m.

"Even though you want to enforce so many things, you have failed very badly in not enforcing the rule of National Anthem. I find people, especially Government servants, moving about when the National Anthem is being sung. With some photograph or other, people are moving about when National Anthem is played. In cinema houses, when the National Anthem is being sung, people move about, without observing the rule to stand in veneration when the National Anthem is being sung. Therefore Government could at least do one thing. Let them enforce the rule with regard to National Anthem. Let it not be disobeyed. With these words, I oppose the Bill."

THE HON. SRI C. SUBRAMANIAM:—"In considering this Bill, we have to bear in mind the scope of the Bill and also the

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SRI T. PURUSHOTHAM :—“ May I know whether the Government generally give loans to licensees for carrying out needed extensions to rural areas? ”

THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI :—“ Yes, that has been the policy, Sir.”

SRI V. V. RAMASWAMI :—“ இந்த விஷயம் இரண்டு, மூன்று ஆண்டுகளாகப் பரிசீலனையில் இருந்துகொண்டு வருவதாகத் தெரிகிறது. அப்படியானால் இதை எவ்வளவு நாளைக்குள் செய்து கொடுக்க முடியும்? ”

THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI :—“ இல்லை, இப்போதுதான் அந்த லைசென்ஸிங் அதாரிட்யால் இது சர்க்காருடைய கவனத்திற்கு கொண்டு வரப்பட்டிருக்கிறது. இப்போது அவர்கள் சொன்னதன் மேல்தான் பரிசீலனை செய்யப்பட்டு வருகிறது.”

SRI M. ETHIRAJULU :—“ சென்ற வாரத்தில் அந்தத் தொகுதி எம். எல். எக்களாலும், அங்குள்ள பொது ஜனங்களாலும் இதைப் பற்றி சர்க்காரை வற்புறுத்தி இருப்பதாகத் தெரிகிறது. அது உண்மையா? அப்படியானால் சர்க்கார் அதற்கு என்ன பதில் கொடுத்திருக்கிறார்கள் என்பதைச் சொல்ல முடியுமா? ”

THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI :—“ என்னிடம் ஒருவரும் வந்து சொல்லவில்லை.”

UNSTARRED QUESTION.

Number of accidents by buses, lorries and cars reported in the South Arcot district.

28 Q.—SRI M. ETHIRAJULU : Will the Hon. the Minister for Religious Endowments and Transport be pleased—

(a) to lay on the table of the House a statement showing the number of accidents by buses, lorries and cars reported during the years 1950–51, 1951–52, 1952–53 and 1953–54 in the South Arcot district; and

(b) to state the amount of compensation, if any, paid to the families of the victims in these accidents?

A.—(a) A statement showing the particulars is annexed.

(b) Information regarding the compensation paid to the families of the victims in the accidents is not readily available.

ANNEXURE.

Statement showing the number of accidents by buses, lorries and cars during the years 1950 and 1954 in the South Arcot district.

Year.	Kind of vehicles causing accident.		
	Bus.	Lorry.	Car.
(1)	(2)	(3)	(4)
1950–51	21	38	31
1951–52	15	32	17
1952–53	6	27	4
1953–54	19	33	19

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

II.—GOVERNMENT BILLS.

(1) THE MADRAS CINEMAS (REGULATION) BILL, 1954 (L.A. BILL NO. 52 OF 1954).

THE HON. SRI C. SUBRAMANIAM :—“ Sir, a request has been made to me that the Court Fees Bill may be taken up first and the others afterwards. As far as I am concerned I have no objection to comply with the request. But perhaps we may finish the small Bills first and take up the Court Fees Bill last.”

HON. MEMBERS :—“ Yes.”

THE HON. SRI C. SUBRAMANIAM :—“ Mr. Deputy Chairman, Sir, I move—

‘ That the Madras Cinemas (Regulation) Bill ^a, 1954 (L.A. Bill No. 52 of 1954), as passed by the Assembly, be taken into consideration.’

Sir, hon. Members are aware that after the passing of the Constitution, the censorship of films is within the jurisdiction of the Union Government and the exhibition of films is within the jurisdiction of the State Government. But with reference to these aspects we were so far governed by the Central Act. Now as far as the Centre is concerned, they have passed a separate Act for matters connected with them but we still continue to have the Central Act, that is, for the purpose of exhibition of films and all other connected matters. Because of the recent decision of the Supreme Court, it became necessary to amend the existing Act. Taking advantage of that we are bringing in this new measure and the legislature is exclusively competent to deal with the subject. This Bill was considered by the Select Committee of the Legislative Assembly. I am happy to say they have made some very good changes and in the right direction. With these changes the Bill was passed by the Legislative Assembly. It has now come before this House for its approval. The main changes made now are in respect of grant of licences to exhibitors for the running of theatres. Formerly the entire discretion was laid down for the grant or refusal of a licence, except for the fact that he should not grant a licence unless certain conditions were satisfied. Even if those conditions were satisfied, whether to grant a licence or not was entirely within the discretion of that officer. Of course, Government was the appellate authority against such orders. Now we have laid down broad principles which will have to be taken into consideration by the licensing authority in granting or refusing a licence. In all these matters we cannot go into details. Therefore only broad principles have been laid down and further details will be laid down in the rules.

“ Various representations have been made to the Government 10-10 a.m. that there is a great deal of difficulty in getting a licence, that there is a duplication of authorities and that a person has to go

[Sri C. Subramaniam] [7th April 1955]

fact under Clause 11 the power to exempt certain classes of films is given to Government. Therefore, I say it is in the public interest to have some sort of regulation in respect of these cinematograph films.

"A point was raised as to why Government should issue general instructions under sub-clause 4 of Clause 5. Formerly it was Government who had appellate powers. They had the power to interfere in each individual case. We have now decided that Government need not interfere with quasi-judicial functions and interfere in individual cases. Therefore Government would hereafter only lay down general policies. I am answering the point raised by Mr. Bhashyam also. We cannot go beyond the scope of the Act. We have to act within it. We would lay down general policies which will be followed by the various licensing authorities. These general instructions cannot go beyond the scope of the Act itself. Suppose while granting a licence, some of the provisions of the Act have been ignored by a licensing authority. Therefore it would be better for Government to lay down general policies to be followed by the various licensing authorities while granting licences. Suppose there is an area wherein the population is, say, 10,000. I am only giving an instance. It may not be quite accurate. Suppose there is no large influx of floating population in that area. One theatre may do for that particular area. It may not be necessary to increase the number of theatres in that particular area. We lay down general principles. So, we can only issue general directions, not with reference to particular cases. I thought that should be more welcome than the revisional power of the Government according to which the Government will have power to interfere in individual cases. My own view is that in all these cases, where the interpretation of the statute is involved or where the grant of a licence is involved, Government should not come into the picture either as an appellate authority or an authority having revisional powers. So far as individual cases are concerned, the Government must have power only to lay down general policies. It is the Tribunal concerned which should have the power either to interpret the statute in respect of the grant or refusal of a licence. If there is any infringement, there is the judiciary which will ultimately interfere in the matter on a writ petition and give its verdict. I think we have made a change in the right direction by abolishing the revisional powers of the Government and saying that the Government will have powers only to issue general directions and lay down policies.

"Then, with reference to the location of the theatres in residential areas and all those matters, we will certainly take into consideration all the points mentioned by hon. Members when we frame rules wherein we may lay down the principles which should govern the selection of a suitable place. I do not think we can lay down in the Act itself a provision with regard to the suitability of the place. I think it has to be regulated by the rules.

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"Sir, I am glad Dr. Sreenivasan is here. He said that these documentaries were an infliction. I am not surprised that he has found the documentaries and other educative films an infliction, because, these things are intended for normal, average people and not for abnormal people like Dr. Sreenivasan."

DR. A. SREENIVASAN :—"Do you mean pathologically?"

THE HON. SRI C. SUBRAMANIAM :—"Sir, Dr. Sreenivasan is more intelligent than the average people. In that sense I said that he was an abnormal person. These documentaries are intended for normal, average people. They want these films and they appreciate them, as was represented by the hon. Member Sri Raza Khan. If Dr. Sreenivasan does not want to see these films when he enters into a theatre, he can very well shut his eyes when those films are exhibited or he may enter the theatre at a later stage, i.e., after these films had been shown. As a matter of fact, these films are necessary and useful to the ordinary people, most of whom are uneducated and are not as intelligent as Dr. Sreenivasan, who thinks that he is above all things, modern, old, ancient or whatever it is. We are not concerned with such people. We have to cater to the ordinary people, the average people. It is for the advantage of the ordinary, average people, some arrangement must be made. Dr. Sreenivasan is not an ordinary person. It is in that sense I have said that he is an abnormal person."

MR. CHAIRMAN :—"Not pathologically?"

THE HON. SRI C. SUBRAMANIAM :—"Sir, therefore, there can be no valid objection to the passing of this measure. We have taken into consideration the various aspects. Of course, by experience we may learn something more and it may be necessary to make some more changes at a later date and that will be done by our successors who may be in office at that time. We think that this is a very reasonable provision that we are making for the purpose of regulating the exhibition of films in the interests of the community as a whole.

"With reference to the other points referred to by the hon. Member Sri Krishnamoorthi, particularly with reference to advertisements, I may state that unfortunately it will not be relevant to consider them in this Bill. I am in agreement in a large measure with all the ideas that he expressed with reference to advertisements and with reference to films that are likely to affect the juvenile mind. But those are not the things with which we are concerned now in this Bill. Moreover, it is the Central Government who have to come into the picture so far as those matters are concerned. Under these circumstances, I request the House to pass this measure as it is. As we gain experience, if we think that it is necessary to make further amendments, we will certainly make further amendments as and when they are found necessary.

"As for other matters, whether it is within the powers of this Legislature to pass this Bill or whether this measure does not offend

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scope of the legislative authority of this House. Hon. Members may be aware that Item 60 in the 7th Schedule (List I) of the Constitution relates to the sanctioning of cinematograph films for exhibition. Therefore sanctioning of cinematograph films for exhibition is purely a Union subject. Therefore the censorship of films and what should be the contents of the films is exclusively a Union subject. We can have nothing to do with that. The Centre has passed legislation concerning that and they have set up machinery to administer that Act.

Sri Gajapathy Nayagar said that in a secular State the morals of the people are being infringed by these laws. We are not concerned with that. According to Mr. Gajapathy Nayagar, a secular State should have no moral basis. That seems to be the impression which he gave me. Let me say to Sri Gajapathy Nayagar that that is a wrong impression. (Sri Gajapathy Nayagar: 'I want more moral freedom and not moral instruction.') I do not know what he means by that. Whatever it is, we are not concerned with that. What we are concerned with is Item 33 in the Second List, viz., the State List. We are concerned with theatres and dramatic performances and cinemas (subject to the provision of Entry 60 of List I, viz., Union List), entertainments and amusements. These are things with which we are concerned. Therefore censorship of films does not come under our control. But we can regulate the exhibition of films whenever necessary. A large number of people gather for seeing these films in the theatres, and therefore the State has got to see that proper sanitary arrangements, safety arrangements and other things are made available in the theatres and there is no danger either to the public health or to the law and order position. We should also see that no nuisance is caused to others. All these factors will have to be taken into consideration. That is the first thing. The second thing is, can we licence an unlimited number of theatres? That also will have to be taken note of. A large investment is required for setting up a theatre. That means very large investments from our national resources are being utilized for putting up these theatres and for the purpose of installing the necessary machinery in the theatres for exhibiting the films, which machinery have got to be imported necessarily from abroad, that is, consideration. These things were squarely put to the persons who came to offer their evidence when this Bill was being discussed by the Select Committee. Of course there was the suggestion from the section which represented producers that there should be unlimited number of theatres. I could understand their point of view. But as far as the exhibitors are concerned, they expressed the view that there should be some sort of restriction. Because there is an impression that this is a paying business, a large number of theatres might be constructed, even though they may not be necessary to meet the demands of the public in a particular area. Therefore Government should take into consideration the necessity for further theatres in any particular locality. Taking into account

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the population in a particular area and the necessity for sufficient number of theatres to meet the public demand in that particular area, further licences should be given or refused according to the merits of the case. That is why necessary provision for that has been laid down under Clause 5 of this Bill. After all we cannot allow unrestricted competition in an industry wherein large investments are necessary. Take for instance, the industrial sector. Licensing is there for various trades. Some sort of regulation is necessary because large capital investment is there. We cannot allow unrestricted competition in a field wherein a large investment is necessary. That is why so far as these theatres are concerned, we have to take into account the requirements of each particular area and the number of theatres have to be restricted consistent with the public demand. That is the view that has been expressed and that is why we have laid down the formula in Clause 5 with reference to already existing theatres. It is not as if we want to go into the entire regulation and we want to impose restrictions so much so it may not be possible to run films at all. That is not our idea. The hon. Member Mr. V. G. Row was putting it on the basis that it will be infringing upon one of the fundamental rights, viz., the freedom of expression. Sir, what we have done now should not mean any curtailment of freedom of expression. After all we know that nobody can own a car without a licence. But that is not an infringement of freedom of movement. As far as walking is concerned, no licence is necessary. So also when an expression is made through a medium, the means adopted for the purpose of that expression should be taken into consideration. Whether it is for the sake of oneself or for doing propaganda will have to be taken into account and then necessary restrictions will have to be placed. For example take an aeroplane. A greater restriction has got to be imposed while granting licences for flying, because it involves the lives of many who travel by the plane. A slight defect would mean the danger of the lives of those travelling by the plane. So also the medium of propaganda. Suppose a person takes a picture and goes on taking it in the streets, certainly it requires no licensing, provided it is not indecent. But with reference to powerful expressions of propaganda which are instituted through the Printing Press and exhibition of films, there should be some sort of regulation in the interest of the public because of the very nature of the medium used for propagating these things. That is where the State comes into the picture.

"As far as Clause 3 is concerned, it will have to be read along with Clause 11 wherein the power to exempt certain classes of films is given. Taking into consideration the cinematograph industry as a whole, Government think it necessary to have some regulation with regard to exhibition of films. For private exhibition of films in houses and in educational institutions, we may say no licence is necessary. Exemption may be given in those cases. In due course we would consider those things and where we feel that exemptions may be given, necessary exemptions will be given. In

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the fundamental rights guaranteed under the Constitution and other matters, we are advised that we are within our powers in bringing forward this measure and that this will not offend the fundamental rights guaranteed under the Constitution. If in spite of the advice given by our law officers, the Courts should think otherwise, we are always bound to come before the House. After all, we are to be guided by our law officers. If the hon. Member Sri Gurunandan Row should think that our law officers are not competent, it is a matter of opinion. As far as we are concerned, we have been advised by our law officers that we are within our powers. Therefore, I request the House to pass this measure."

MR. CHAIRMAN :—" The question is—

'That the Madras Cinemas (Regulation) Bill, 1954 (L.A. Bill No. 52 of 1954), as passed by the Assembly, be taken into consideration.'"

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

Clause 2.

SRI K. BALASUBRAMANYA AYYAR :—" Mr. Chairman, in clause 2 (2), it is said, 'District Collector' in relation to the presidency-town, means 'the Commissioner of Police, Madras'; Sir, the expression 'presidency-town' can no longer be used. It was used in the old British days. I only wish to point out that, under the present context, such a term cannot be used."

THE HON. SRI C. SUBRAMANIAM :—" Sir, I do agree that strictly it is wrong to use that term. It may, however, be used here as it carries the sense. In other matters, we shall see that that term was not used."

Clause 2 was put and carried.

Clauses 3 to 12 were put and carried.

Clause 1 and the Preamble were put and carried.

THE HON. SRI C. SUBRAMANIAM :—" Sir, I move—

'That the Madras Cinemas (Regulation) Bill, 1954 (L.A. Bill No. 52 of 1954), as passed by the Assembly, be passed.'"

MR. CHAIRMAN :—" Motion moved—

'That the Madras Cinemas (Regulation) Bill, 1954 (L.A. Bill No. 52 of 1954), as passed by the Assembly, be passed.'"

* SRI K. BHASHYAM :—" Sir, as regards the power taken by the Government in respect of the general rules to be framed, I wish to remind the Hon. Minister that there is a similar provision in the Motor Vehicles Act. Directions were issued from time to time in respect of each particular case and the matter had really to be examined by the Judges and some of their remarks were not quite complimentary. I only request the Hon. Minister to look into the matter and frame the rules as early as possible."

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THE HON. SRI C. SUBRAMANIAM :—" Sir, I may assure the hon. Member that as long as I am responsible for this, no interference in individual cases will be resorted to. Our intention is only to lay down general policies for the guidance of the licensing authorities. As a matter of fact, that is our intention in respect of the Motor Vehicles Act also. I thought that the criticism with regard to that Act was with reference to the orders passed under section 64-A which has now been revoked. (Interruption.). It is not with reference to section 43-A or any other section. There has been criticism only with reference to the orders passed under section 64-A which has now been annulled."

MR. CHAIRMAN :—" The question is—

'That the Madras Cinemas (Regulation) Bill, 1954 (L.A. Bill No. 52 of 1954), as passed by the Assembly, be passed.'"

The motion was carried and the Bill was passed.

(2) THE PRESIDENCY SMALL CAUSE COURTS (MADRAS AMENDMENT) BILL, 1955 (L.A. BILL NO. 8 OF 1955).

THE HON. SRI C. SUBRAMANIAM :—" Mr. Chairman, I move—

'That the Presidency Small Cause Courts (Madras Amendment) Bill, 1955 (L.A. Bill No. 8 of 1955), as passed by the Assembly, be taken into consideration.'"

SRI K. BHASHYAM :—" Sir, I thought that the Court Fees Bill will be taken up before this Bill."

MR. CHAIRMAN :—" I think it was decided to take the Bills in the order in which they are given in the Agenda."

THE HON. SRI C. SUBRAMANIAM :—" Sir, this Bill is a very simple one. Whatever objection was there to this Bill, was removed by the amendment made to the Bill in the Assembly with reference to the scale of court-fee payable. There was no provision for the collection of court-fee in cases of pauper suits even when the plaintiffs succeeded in the Presidency Small Cause Courts. That is being amended now. Then with reference to the scale of fee, a special scale of fee was prevalent in these courts. As a matter of fact as high a rate as Rs. 2 up to amounts of Rs. 200 was collected. Over and above that 11½ per cent was collected, up to Rs. 2,000. Above that there was another scale. Now we have passed in the Assembly the Court Fees Bill. That will be coming up before this House a little later. Since that is also coming up we have made the rates uniform and said that 7½ per cent will be the rate in respect of these courts also. This rate having been accepted by the Assembly, I do not think there will be any serious objection to the passing of the Bill here."

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Mr. CHAIRMAN :—" Motion moved—

'That the Presidency Small Cause Courts (Madras Amendment) Bill, 1955 (L.A. Bill No. 8 of 1955) as passed by the Assembly, be taken into consideration.'

SRI K. BALASUBRAMANYA AYYAR :—" Mr. Chairman, Sir, there are one or two points on which I want to say a few words. So far as the pauper suits are concerned, it is all right to collect the court-fee in the case where the plaintiff succeeds. But when a pauper suit is dismissed, it will be a great hardship if the court-fee is to be collected from the plaintiff. New section 74-B says :

'Where the plaintiff or applicant fails in the suit the Small Cause Court shall order the plaintiff or applicant or any person added as a co-plaintiff to the suit to pay the fee. . . .

This is rather hard. There was no such provision at all in the Presidency Small Cause Courts Act. When the plaintiff succeeds it is all right to collect the fees. In that case the defendant will pay the costs. That will be the first charge on the subject-matter of the suit. These suits are instituted mainly to benefit the paupers. A very large number of these suits are for very small amounts of about Rs. 500 or Rs. 1,000. The suit is registered as a pauper suit because the person concerned is not able to pay the court-fee. Therefore it would be a great hardship if the Government were to collect court-fees from persons who fail in the suits."

THE HON. SRI C. SUBRAMANIAM :—" We will collect the fees only when he succeeds in the case and gets properties."

SRI A. M. ALLAPICHAJ :—" The court will go into the question whether he will be able to pay the court-fee or not."

SRI K. BALASUBRAMANYA AYYAR :—" Sir, apart from the subject-matter of the suit, the suit of the man who is unable to pay the court-fee even on Rs. 500 is registered as a pauper suit. Supposing in that case he fails for other reasons, how can he pay the court-fees? That would be very hard on him. That is why the Presidency Small Cause Courts never interfered in such cases, whether the plaintiff succeeded or failed. So far as recovery of court-fees in cases where the plaintiff has succeeded, the defendants are asked to pay. It is also the first charge on the subject-matter of the suits. Why extend this principle of collecting fees in cases where the plaintiffs fail.

"Then with regard to the new section 74-C which says : 'Where a Small Cause Court finds that a suit or application received and registered under section 74 has been instituted unreasonably or improperly . . . What is unreasonable and improper, I do not understand.

"These two provisions will work great hardship on the plaintiffs. These provisions were not there formerly. Why introduce them now?"

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"Then, Sir, the fee for vakalatnama has been increased to Rs. 1-8-0. These Small Cause Courts were really intended to benefit the poor people. That is why these fees were not at all fixed for all these things. Why should they be increased now? The present rates may be allowed to remain. But if the Government still want that the rates given in the Bill should be collected, let them have it. When the rules were framed by the great English administrators, these were intended to benefit the poor people and therefore they did not impose high fees. I do not understand why we should now increase the fees.

"Then, Sir, there is another aspect of the matter. I do not know whether the Government have considered that or not. In the Presidency Small Cause Courts Act there is section 40 under which power was given to the Original Side to try suits above Rs. 1,000. Now if Government want these things to go to the City Civil Courts, that provision has got to be amended. These are the points I wanted to mention, Sir."

THE HON. C. SUBRAMANIAM :—" Mr. Chairman, Sir, these are not new things. What is done in the Civil Procedure Code and in the mufassal courts is being incorporated in the Presidency Small Cause Courts Act. If a partner has to pay court-fee in the mufassal courts I do not see why a similar person simply because he is residing in the City should get exemption. With reference to the point made by the hon. Member Balasubramanya Ayyar regarding the losing plaintiff that he is being made to pay court-fee, it is only subsequently when he becomes possessed of property that execution is taken against him for the collection of the court-fees, and the court-fee realized from him. This is the case in the mufassal also. The Collector makes an enquiry and if he finds that subsequently he has become rich and acquired property, then only he is proceeded against. That provision will have to be there. Otherwise all sorts of frivolous suits may be filed in the courts and we will only be encouraging them. I do not think we are making any extraordinary provision. We are only adopting the Civil Procedure Code. Simply because a person resides within the limits of Madras City, it does not mean he should have greater privileges than those enjoyed by a similar person residing in the mufassal. Regarding vakalatnama also, Rs. 1-8-0 is the fee prescribed in the mufassal courts also. Therefore, I think, I cannot make any distinction between the City courts and the mufassal courts. We are only trying to adopt a uniform rate for the City as well as the mufassal courts."

SRI A. M. ALLAPICHAJ :—" Why not reduce the rates in the mufassal instead of increasing the rates in the City courts?"

MR. CHAIRMAN :—" The question is—

'That the Presidency Small Cause Courts (Madras Amendment) Bill, 1955 (L.A. Bill No. 8 of 1955), as passed by the Assembly, be taken into consideration.'

THE PRESIDENCY SMALL CAUSE
COURTS (MADRAS AMENDMENT)
BILL, 1955 (L.A. BILL NO. 8 OF 1955)

[7th April 1955]

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

Clauses 2 to 8 were put and carried.

Clause 1 was put and carried.

The Preamble was put and carried.

THE HON. SRI C. SUBRAMANIAM :—“ Mr. Chairman, Sir, I move—

‘ That the Presidency Small Cause Courts (Madras Amendment) Bill, 1955 (L.A. Bill No. 8 of 1955), as passed by the Assembly, be passed.’ ”

MR. CHAIRMAN :—“ The question is—

‘ That the Presidency Small Cause Courts (Madras Amendment) Bill, 1955 (L.A. Bill No. 8 of 1955), as passed by the Assembly, be passed.’ ”

The motion was carried and the Bill was passed.

(3) THE TANJORE CHATTRAM ENDOWMENTS (UTILIZATION) AMENDMENT
BILL, 1955 (L.A. BILL NO. 10 OF 1955).

11-40 a.m. THE HON. SRI B. PARAMESWARAN :—“ Mr. Chairman, Sir, I move—

‘ That the Tanjore Chattram Endowments (Utilization) Amendment Bill, 1955 (L.A. Bill No. 10 of 1955), as passed by the Assembly, be taken into consideration.’ ”

The Tanjore Chattram Endowments are under the control of the District Board, Tanjore. Under the provisions of the Tanjore Chattram Endowments (Utilization) Act, 1942 (Madras Act VIII of 1942), the income from the Tanjore Chattram Endowments are utilized for the maintenance of certain educational and medical institutions.

“ At the instance of the Tanjore District Planning Board, steps are being taken to start a first-grade college at Tanjore. To accord recognition to the college, the Madras University requires a financial guarantee of about Rs. 5 lakhs. The District Board, Tanjore, has come forward to set apart the surplus funds of the Tanjore Chattram Endowments amounting to Rs. 4,94,500 as security for getting recognition to the proposed college and to make a fixed annual contribution of Rs. 15,000 for its maintenance out of the interest derived from the above security. The trust will be under the joint control of the Madras University, the District Board, Tanjore, and the managing body of the proposed college. To enable the district board to give effect to the decision, the Tanjore Chattram Endowments (Utilization) Act, 1942, has to be amended.

* Printed as Appendix IV on pages 988-989 infra.

THE TANJORE CHATTRAM
ENDOWMENTS (UTILIZATION)
AMENDMENT BILL, 1955 (L.A.
BILL NO. 10 OF 1955)

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“ The Agricultural Training School, Orathanad, which was run by the District Board, Tanjore, from the funds of the Tanjore Chattram Endowments was closed with effect from 1st April 1954, as it was uneconomical to continue the school. Consequent on its closure, it has been decided that the lands and buildings attached to it should be leased, free of rent or at concessional rate of rent to any department of Government, any local body or any private agency for the purpose of running farms for improvement of live-stock. The immediate intention is to grant the lands and buildings to the Animal Husbandry Department, free of rent, for locating a livestock farm. Clause 3 of the Bill provides for these things. Clause 4 provides for the deletion of section 3 (2) of the main Act dealing with the Agricultural Training School, Orathanad.

“ Sir, with these words, I once again move that the Bill be taken into consideration.”

MR. CHAIRMAN :—“ Motion moved—

‘ That the Tanjore Chattram Endowments (Utilization) Amendment Bill, 1955 (L.A. Bill No. 10 of 1955), as passed by the Assembly, be taken into consideration.’ ”

SRI K. BALASUBRAMANYA AYYAR :—“ Mr. Chairman, Sir, first of all I would like to have some information about the total income that is derived from the Tanjore Chattram Endowments every year and whether there is any surplus every year which is added on to the capital. I will be glad if the Hon. Minister gives that information now or later on. He can kindly ask his department to supply it because it is a matter really to be considered whether a large amount from the Chattram Endowment funds can be utilized for various purposes. The Preamble of this Bill says :

“ An Act to provide for the making of contributions from, and the diversion of, the funds of the Tanjore Chattram Endowments towards the establishment or maintenance of certain institutions and for other purposes.”

There are also certain institutions specified in the schedule to the original Act of 1942. Sir, these Chattram Endowments have got a long history. They had been originally endowed by the Tanjore Rajas particularly by the Raja Sarfoji Rao. Though there may not be any express deed of trust for these endowments specifying the particular object for which they should be used, they have been used for the purpose of feeding travellers and pilgrims coming from different places to Rameswaram and other places. Even in the Tanjore District Manual mention has been made about the feeding of large number of people in those chattrams. About ten chattrams were built by the Rajas of Tanjore in the name of their relatives. The income from the funds of the endowments has been used for feeding pilgrims to Rameswaram.”

SRI MOHAMED RAZA KHAN :—“ This is ‘ educational’ feeding.”

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SRI K. BALASUBRAMANYA AYYAR :—“ We can go on feeding many things. I was speaking about the surplus funds of the Chattram Endowments and asking whether they could be used for any other purpose. It has been stated in the Statement of Objects and Reasons that a sum of Rs. 4,94,500 has been taken out from the surplus funds accumulated from time to time for the purpose of giving security for the opening of a college at Tanjore. I do not know whether this is one of the institutions which are specified in the schedule to the main Act of 1942. I want to know whether the Government are interfering with those things. It will be better if the public are satisfied about that. Sir, the income from those Chattram Endowments has been utilized for various purposes and some of them are in consonance with the spirit of the original founders. In the Tanjore District Manual it is also stated, apart from feeding, those funds could be utilized for starting schools to teach Sanskrit and other schools. There were four or five chattrams where Sanskrit classes were conducted by the Rajas themselves. That is how the founders of those endowments thought and acted. Now, we are diverting those funds for other purposes. I am against such a diversion of funds because now practically there is no feeding of pilgrims. We should be satisfied that the funds allotted for a particular institution are utilized properly for the proper purpose and whether they could be utilized for it without hindering or affecting the useful purposes which have been already mentioned in the Tanjore Chattram Endowments (Utilization) Act, 1942. I do not know whether it is in consonance with the spirit of the founders of these endowments to utilize the funds for the purpose of starting a medical college. They were for the distribution of medicines to the poor and that is why a large number of local fund dispensaries had been started in different places. Therefore, it is necessary that medicines should be distributed to the poor. I would even go a step further and say that the indigenous system of medicine should be encouraged. I think those Rajas were very much in favour of the indigenous system of medicine and those who are living in Tanjore know about it. Also, as I said earlier, these funds could be utilized for imparting instruction in Sanskrit.

“ Then I come to the Rs. 4,94,500 set apart as security. I think they will be invested on the Madras Government securities bearing $3\frac{1}{2}$ or 4 per cent. The interest derived from the investment would come to about Rs. 18,000 or nearly Rs. 20,000. I suppose that it is from this amount that the district board has agreed to make an annual contribution of Rs. 15,000 for the maintenance of the first-grade college to be started in consonance with the spirit of the Chattram Endowments. In this connexion, I would suggest that large scholarships for the poor should be given. Also religious instruction should be imparted. If such things are done, they would please the souls of the Rajas who had magnanimously founded those endowments. In those days when travel was difficult and people were experiencing difficulties in regard to food during travel,

7th April 1955] [Sri K. Balasubramanya Ayyar]

they had founded those endowments. Now on account of transport and other facilities that are available, this diversion of funds takes place. I would request the Government to see that the funds are not utilized for a purpose entirely unconnected with the spirit in which the original endowments were made.”

SRI K. BHASHYAM :—“ Mr. Chairman, Sir, I think the plea made by the previous speaker Sri K. Balasubramanya Ayyar with regard to the diversion of funds from the objects for which it was originally intended is a reasonable one. In fact, if one looks at the question from a lawyer's point of view, the diversion of funds to a purpose which was not contemplated by the original founder is unlawful and amounts to a breach of trust but for the fact that here the Government come forward and make lawful what is unlawful. The persons who are connected with the spending of money could be hauled up in a court of law. The fund was created for the definite purpose of feeding people who are travellers to Rameswaram and other places of pilgrimage. Therefore, if there are surplus funds available, they must be applied to a purpose 'cy pres' with the original object of the founder, that is to say, it must be in consonance with the intentions of the original founder. That is the meaning of the word 'cy pres' itself. Therefore, I would like to say that the Raja of Tanjore could not have intended that the fund should be utilized for the purpose of either running high schools or for the purpose of an agricultural training school somewhere in Orathanad, which is said to have been closed from April 1954. So, to say that the funds could be utilized for the establishment of a first-grade college at Tanjore is a thing very much beyond my imagination. I would like the surplus funds to be utilized for some purpose which is general in character. After all, the opening of a first-grade college will only benefit a certain number of people. It will not benefit the general mass of people. There is a T.B. sanatorium near Tanjore which was started recently. It is suffering for want of funds and the people of Tanjore are collecting money for that. Why not utilize these surplus funds for that purpose? As a matter of fact, the District Board of Tanjore has transferred some of its own money to this T.B. institution. A breach of trust is involved when you use money for a purpose which is not contemplated by the original founder. Therefore I should like this fund to be diverted to a purpose which is in consonance with the objects of the original founder. It can be utilized for affording medical relief to poor people. Of course, the original object of feeding people must be there. The poor students of the locality can be fed and can be given free education. That is certainly in consonance with the object of the original founder thereby promoting the modern idea of giving education to everybody. But the establishment of a first-grade college is something, which I feel, very far away from the intention of the original founder. I am also against multiplying the number of arts colleges and other

THE TANJORE CHATTRAM
ENDOWMENTS (UTILIZATION)
AMENDMENT BILL, 1955 (L.A.)
BILL NO. 10 OF 1955)

[Sri K. Bhashyam]

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colleges. In spite of the very strong words used about my views in the matter, still I am against the opening of more and more colleges thereby multiplying graduates and swelling the ranks of educated unemployed. That is a thing which I do not approve of. Sir, I do not agree with this diversion of funds. In my opinion, it is unlawful to do so and it is also impolitic to do so."

DR. A. LAKSHMANASWAMI MUDALIYAR :—" Mr. Chairman, Sir, being interested in the furtherance of the educational endeavour in all the parts of the State, I cannot but support this measure as it has been brought forward. It is true that the original donor had the intention of giving free food to pilgrims. I was one of those benefited by this poor feeding almost some fifty years ago. (Laughter.) When I went as an officer to Dhanushkodi, I was supplied with all the materials required for a good meal, utensils and even firewood. Those days are long past and therefore there is no use now in speaking about feeding pilgrims. There are no pilgrims to be fed in that manner to-day. In those days there were no facilities available for food to be obtained from any quarter and every pilgrim had to cook his own food all along the line, whether it was in Rameswaram or Dhanushkodi or any part of Tanjore. The main object was that pilgrims who went for a devout purpose and who sacrificed everything and walked miles and miles in those days should be refreshed by such endeavour. To-day it is not necessary nor is it possible to feed pilgrims in such a manner. Therefore, it seems to me that there is justifiable reason in some of these surplus funds being utilized for purposes which will benefit the people in general. One of these purposes, I certainly feel, is the education of the people, especially in the modern set up. Tanjore is a very peculiar district and I have never been able to understand Tanjore or the mirasdars of Tanjore. (Laughter.) Tanjore has had only one college so far. The other college, viz., Findlay's College at Mannargudi was abolished. The Government College at Kumbakonam is there for over 100 years. A couple of years ago we celebrated the centenary of that college. When compared to Tanjore, what is the position of the other districts? In the district of North Arcot there are four colleges. In South Arcot there is a whole University. There are three colleges in Chingleput, six in Tiruchirappalli, seven colleges each in Tirunelveli and Coimbatore and five colleges in Ramanathapuram. In Malabar there are six colleges and in South Kanara also there are six colleges. Ootacamund is going to have a college very soon. The only district that has got only one college is Tanjore. (Sri K. Bhashyam : "We are already having a number of colleges.") My hon. Friend says that there are too many colleges. I wish he says this at the time of admission of the students to the various colleges and I hope he will not write to the papers complaining about the indifference of the University is not providing adequate academic opportunity for those bright young men who come out

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successful in their examinations. Repeatedly we are having this complaint and it is only within the last few years that a number of colleges have been established through the magnificent and philanthropic efforts of these districts and the criticism is having a mellowed tone. It is not altogether free but it is having a mellowed tone. Facts were placed before the public which disillusioned them about the facilities that were available. I do not know why, Sir, the mirasdars of Tanjore were so content with agricultural land and not interested in having more colleges. Although they have receded to the background more rapidly than they had imagined, I think, Tanjore is coming forward with a number of colleges. I welcome this idea and I must confess that the persons responsible had consultations with the University in regard to the starting of a college. We have made our position very clear on that point.

"The only college that is now being managed by a local authority is the Salem Municipal College and I hope that my esteemed Friend the Hon. the Minister for Education will not take it amiss and I hope that the Municipal Council, Salem, will not also take it as a criticism, when I say that the University has had more headache with that Municipal college than with all the other colleges put together. I am making this particular point because I am glad that on a representation made by the University the Government themselves passed an order stating that they were not prepared to give permission to any local board to start a college. This, however, is different. The Tanjore Chattram Endowments Fund is not a contribution of the local board. The local board is an authorised agent, as I understand it, to utilise this fund for certain purposes and therefore I feel that that District Board should not be in a different position from other district boards and local authorities in regard to the fundamental voice that it will have in the direction of the college management. I am making this remark because of the provisions contained in Clause 3 of this Bill. Sub-section 2 of proposed section 2 which is substituted for section 2 of the principal Act under clause 3 of the Bill says :—

"The corpus of the investment referred to in clause (b) of sub-section (1) shall be held in trust for the purposes of the said college in the joint names of three trustees, namely, the Tanjore District Board, the University of Madras and the managing body of the said college ;

One need not take any objection so far as this portion of the clause is concerned. But it is further stated in this proposed sub-section that "the district board alone shall be competent to draw or deal with the interest derived from the investment." In other words, it will be open for the district board not to give the interest derived from the investment, when it is required. That is not a condition that the University has accepted, in regard to all other colleges. I respectfully suggest that the Government may have to alter this provision if the University is to accept the Chattram Endowments

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as security. We cannot allow one party, namely the district board, to have a veto in regard to the money that is available out of the endowment. That is a very serious position and I would very much like the Government to consider it and remedy the defect.

"The second point, I wish to refer to, is this. The University has suggested that there should be a financial guarantee for about five lakhs of rupees so that permanent recognition to the first-grade college may be given. I am glad to say that this condition had been accepted by all the managements who had come forward to open first-grade colleges. Before permanent recognition is given to a first-grade college, a sum of Rs. 5 lakhs should be made available. Sometimes, this investment may yield more interest and sometimes it may yield less interest. Sometimes it may be two per cent and it may be four or five per cent at other times. If there is a sum of Rs. 5 lakhs, whatever the yield from the investments be, it will be added on to the corpus of the college so that not only the recurring charges may be incurred therefrom but also the management of the college may have some idea as to how it may be used for improving the college by institution of new courses of study or for equipping the laboratories or for improving the facilities available to students in the shape of reading rooms, playgrounds, etc. There are hundred and one ways in which this may be used properly for the benefit of students. I would respectfully submit that having already given a sum which is less than Rs. 5 lakhs by about Rs. 5,000 . . . (The Hon. Sri C. Subramaniam: 'I am sure the balance will be met by the management.') I know that once the college is started it will continue to receive fresh funds for some time more. I am only thinking of the two principles. First of all, the district board should not have any veto at all. I must respectfully point out that under the present condition the University is not likely to accept it. Secondly I would like to submit that once you have given a sum of Rs. 5 lakhs as an endowment, whatever interest it may fetch—in a particular year it may be more or it may be less—must go to the corpus of the college. That is the only way in which we have found it possible for the managements to improve the resources of the colleges. It is because of this condition that I am in a position to state that while colleges in the neighbouring States are in a tottering position and are in a most unsatisfactory position, the colleges that have been opened during the last seven or eight years are substantially sound financially and that they will be able to continue for ever.

"Now, Sir, it is not my intention to deal with another aspect of the matter that was considered at length in the other House. But I want to state that the subject of starting a Medical College at any particular centre is one that is so very comprehensive in its

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scope and I would beg of anybody who is likely to speak from a parochial or district point of view to ponder over it very carefully. It is impossible to get from the Chattram Funds an endowment for a Medical College. I am not going into the merits of the question where the Medical College should be located. But let us not confuse this issue with the object of the present Bill. I say further that a Medical College or a professional College will thrive where there are Arts and Science Colleges established. We must have an atmosphere of academical solidarity for a professional College to thrive and from that point of view it is good that Arts and Science Colleges are established. The hon. Member Sri K. Bhashyam suggested that there were too many Arts and Science Colleges. Well, Sir, ways and means are being devised to reorientate education in a manner that will make it more profitable for the students to have some gainful employment. It is not by condemning higher education or the accessibility to higher education that one can set this matter right. But we must try to improve the education given now in every way possible so that we can certainly see the day when our young men and women who are coming in very large numbers will have the benefit of higher education to the extent to which their intellectual ability and their other resources might permit them to avail themselves of. On these grounds I would say that I wholeheartedly support this measure."

* SRI T. PURUSHOTHAM :—"Mr. Chairman Sir, I support this Bill and I am glad that the available funds of the Chattram Endowment are proposed to be utilised for educational purposes and also for livestock improvement. Objections were raised that the original intentions of the donor were not being respected in starting such educational institutions. The hon. Member Sri K. Balasubramanya Ayyar himself has pointed out that Sanskrit schools are being maintained out of these Chattram Funds. We all knew that out of the Chattram funds an Agricultural Training School at Orathanad was being maintained till April 1954. I do not see any reason why colleges should not likewise be opened out of the Chattram funds. Sir, it has been pointed out by the hon. Leader of the Opposition that there is only one college at Tanjore. At present there is an Arts College at Kumbakonam. Instead of another Arts College it would have been better if a technological institute or a college on occupational training were opened at Tanjore out of the Chattram funds. I feel that the Government could have taken more powers under this legislation to utilise the funds for educational purposes generally instead of restricting the scope of this Bill to the establishment and maintenance of an Arts College. The Chattram Fund is vested in the Tanjore District Board and I really thought that the District Board would be permitted to open a college. I was not prepared to hear from the hon. Leader of the Opposition about the sorry state of the Salem Municipal College. The Salem Municipality may not be able to

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தேங்கிக்கிடக்கும் பணங்களையும் இந்நாட்டு மக்களின் கல்வி வளர்ச்சிக்காக அல்லது மருத்துவ வசதிக்காக உபயோகிக்கப்படலாம். இதையே நல்லது என்று மக்கள் எண்ணியிருக்கும் இந்தக் காலத்திலே இம்மாதிரியான பணங்களை மக்களின் நல்வாழ்விற்கு உபயோகப்படுத்தும் அடிப்படையான மனப்பான்மை அரசாங்கத்திற்கு ஏற்பட்டு அதற்கான ஒரு சட்டம் கொண்டு வருவதையும் நான் மிகவும் பாராட்டுகிறேன்.

“இந்த இடத்தில் நமது மதிப்பிற்குரிய பல்கலைக்கழகத் துணை வேந்தர் அவர்கள் சொன்னதைக் குறிப்பிட விரும்புகிறேன். அதாவது ‘The District Board alone shall be competent to draw or deal’ என்று ஜில்லா போர்டுக்கு தனி அதிகாரம் கொடுத்திருப்பதை அவர்கள் ஆட்சேபித்தார்கள். அதன்படி மூன்றாவது பிரிவிலே உள்ள இரண்டாவது உட்பிரிவு (a)-ல் ‘may contribute from the income’ என்று கூறப்பட்டிருக்கிறது. அதன்படி அவர்கள் கொடுத்தாலும் கொடுக்கலாம், அல்லது கொடுக்காமலேயேயும் இருந்துவிடலாம். அந்த இடம் சந்தேகமாக இருக்கிறது. ஆகவே இப்படி ‘may’ என்று போட்டிருப்பது சற்று சந்தேகத்தை தரக்கூடியதாக இருக்கிறது. பிறகு ஜில்லா போர்டு இந்தச் சட்டத்தை வைத்துக்கொண்டு ஜில்லா போர்டில் பிளவு ஏற்பட்டால் ஏதாவது தாவா செய்யலாம் அல்லது அங்கு இருக்கக்கூடிய பெரிய பிரமுகர்கள் சிலர் சேர்ந்து ஏதாவது வழக்கு தொடுப்பதற்கும் இதில் இடம் இருக்கிறது. மருத்துவக் கல்லூரிதான் தேவை. முதலில் அதற்கு நிதி வேண்டும் என்று சொல்லலாம். ஆகவே இந்த கிளர்ச்சியை தடுக்கும் விதத்தில் may என்பதை ‘shall’ என்று கட்டுப்படுத்த வேண்டுமென்று கேட்டுக்கொள்ளுகிறேன். இல்லாவிட்டால் கொடுக்கலாம் அல்லது கொடுக்காமலும் இருந்து விடலாம். இதை அரசாங்கம் ஆலோசனை செய்து, வேண்டிய வழிகளை செய்யவேண்டுமென்று கேட்டுக்கொள்ளுகிறேன்.

“அடுத்ததாக, மக்களுடைய பல நோக்கங்கள் இருக்கும்போது அதை மருத்துவக் கல்லூரிக்காகத்தான் செலவழிக்க வேண்டுமென்று சொல்லப் படுகிறது. அதற்கும் செலவு செய்யலாம். ஆனால் மருத்துவக் கல்லூரிக்கு வழி செய்ய வேண்டுமென்றால் ஒரு கோடி ரூபாய் வேண்டுமென்று கனம் ஷெட்டி அவர்கள் சொல்லியிருக்கிறார்கள். ஆகவே ஒரு கோடி ரூபாய் என்றால் ஆரம்பத்தில் இது இலகுவில் முடியாத காரியம். இப்போது முதலில் அங்கு ஒரு சாதாரணக் கல்லூரி ஏற்படுத்துவதற்கு வசதி செய்துத் தர்ட்டும். ஜில்லா கலெக்டர் அவர்களும், ஜில்லா நீதிபதி அவர்களும், பிற பிரமுகர்களும் சேர்ந்து இதற்கு மனு செய்திருக்கிறார்கள். ஆகவே இந்த உறுதியை மனதில் வைத்துக் கொண்டு பொதுமக்களுக்கு தேவையான கல்லூரி வசதியை முதலில் செய்து கொண்டு பின்னர் மருத்துவக் கல்லூரி வசதிக்கான வழியை செய்யலாம். இம்மாதிரியான காரியங்கள் செய்யும்போது பெரிய பெரிய கோவில்களிலுள்ள நிதியையும் எடுத்துக்கொண்டால் இந்த வசதிகளை யெல்லாம் செய்வதற்கு வசதியாக இருக்கும். உதாரணமாக திருச்செந்தூர் கோவிலுக்கு சுமார் முப்பது லட்சம் ரூபாய்க்குமேல் இருப்பதாகச் சொல்லப்படுகிறது. அப்படி இருக்குமானால் அதையெல்லாம் எடுத்துக்கொண்டு உதவி செய்வதனால் மருத்துவக் கல்லூரியையும் ஏற்படுத்துவதற்கு வசதியாக இருக்கும். இதை யெல்லாம் ஆலோசிக்க வேண்டுமென்று சொல்லிக்கொண்டு இந்த சட்டத்தின் அடிப்படை நோக்கத்தை நான் வரவேற்கிறேன்.”

SRI MOHAMED RAZA KHAN :—“There is not much to say about this Bill. A majority of the members are in favour of this Bill. As I pointed out earlier, the Hon. Minister for Finance is not prepared even to consider a grant of more than Rs. 50,000 or Rs. 75,000 for a first-grade or second-grade college. particularly

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when the Hon. Leader of the Opposition insists on certain rules for the starting of a first-grade or second-grade college. I am saying this because on a previous occasion also I drew the attention of the Hon. Minister for Finance that while colleges established a decade or two ago were fortunate enough to get grants of more than Rs. 10 or 15 lakhs, people who have now come forward just to help the Government for the purpose of having higher education are not getting more than Rs. 50,000 or Rs. 75,000. I feel, Sir, that the Hon. Minister for Education who is also the Minister for Finance should consider this question afresh and see whether some increased grant cannot be given to these managing committees, particularly when they have to pay a huge sum by way of deposit and when the University insists on certain conditions being fulfilled with regard to building, playground, etc. This may not be very directly relevant to the subject. But now as we are on the question of starting a new college I felt that I should draw the attention of the Hon. Minister for Education to this aspect of the matter.

“Sir, we should congratulate the people of Tanjore on having a first-grade college in their place. I understand that Tanjore is a very rich district and even in the matter of intelligence it is a very rich district. Most of the people who have played a leading part in the Bar, in the medical profession or in the Legislature come from Tanjore. I think even hon. Members Sri Balasubramanya Ayyar and Sri K. Bhashyam belong to Tanjore. (Interruption.) Coimbatore is going up very well financially, but intellectually Tanjore is good. Whenever a man holds a high position either in the State Government or in the Central Government, people immediately ask the question ‘Do you come from Tanjore?’ We are all happy that a first-grade college is coming up in Tanjore 12-20 because of the efforts of a few people there. Therefore, I feel that p.m. they deserve all support and help from the Government. No doubt, some suggestion has been made by the hon. Member Sri Balasubramanya Ayyar with regard to grant of scholarship. But it is more for the managing committee than for the Government to consider.

“The hon. Member Sri Purushotham raised the point why the district board should not run this college. If I understand correctly, I think the University always stipulates that the managing committee should be a small body and not an unwieldy one, consisting of forty or fifty members. Further, with our present-day municipalities where there are frequent changes due to changes in politics, it is as good as closing the college if the district board were to be entrusted with the running of the college. I know most of the M.L.As. from Tanjore district have been very anxious and they are very thankful to the Hon. the Minister for Education for bringing in this Bill. Their purpose is that they should have a

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THE HON. SRI C. SUBRAMANIAM :—“ Sir, the learned Leader of the Opposition raised a point with regard to the endowment being made in favour of the college and he said that it should be an absolute endowment and that whatever income was derived out of it should go to the college. I accept it in principle. But here is a peculiar situation. The Chattram Fund was being utilized for the running of various institutions. We cannot deprive all those institutions of the contribution and say that the entire income from the endowment should be given over to this college. After all, a 3 per cent return on an endowment is a reasonable one. That is the calculation which, I find, is being made by the University. Therefore, we thought we could give an assurance of an annual contribution of Rs. 15,000 to this college. The rest of the money should be available to the district board to be disposed of as it likes.

12-30 p.m. “ That is why we have said that the district board alone shall be competent to draw or deal with the interest derived from the investment. It has to contribute Rs. 15,000 annually and it cannot deal with it in any way it likes. It must draw the interest and utilize it in the way indicated in the Bill. It cannot go beyond what is indicated in the Bill. The district board is only an agent managing the funds. Therefore, as far as the University is concerned, this endowment will be in the name of the University, the district board and the management of the college. Barring the contribution of Rs. 15,000 to be made by the district board, it can deal with the rest of the funds as it likes. If the University feels that some more money should be made available for the running of the college and ensuring its stability, it is open to the University to deal with the management direct and ask it to tap some other endowments so that more money can be made available. But the Government can go only thus far and no further. Taking all these factors into consideration, I do not think there will be any difficulty with regard to the contribution of Rs. 15,000 annually. The Government stand committed to it and this portion of the endowment will be in the name of the University, the district board and the management of the college. I do not think there is likely to be any difficulty in the matter at all.”

MR. CHAIRMAN :—“ The question is—
‘ That the Tanjore Chattram Endowments (Utilization) Amendment Bill, 1955 (L.A. Bill No. 10 of 1955), 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.

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The Preamble was put and carried.

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

‘ That the Tanjore Chattram Endowments (Utilization) Amendment Bill, 1955 (L.A. Bill No. 10 of 1955), as passed by the Assembly, be passed.’ ”

MR. CHAIRMAN :—“ The question is—

‘ That the Madras Court Fees and Suits Valuation Bill, Amendment Bill, 1955 (L.A. Bill No. 10 of 1955), as passed by the Assembly, be passed.’ ”

The motion was carried and the Bill was passed.

(4) THE MADRAS COURT FEES AND SUITS VALUATION BILL, 1954
(L.A. BILL NO. 25 OF 1954).

THE HON. SRI C. SUBRAMANIAM :—“ Mr. Chairman, I move—

‘ That the Madras Court Fees and Suits Valuation Bill, 1954 (L.A. Bill No. 25 of 1954), as passed by the Assembly, be taken into consideration.’ ”

Sir, this is rather a bulky Bill consisting of many clauses. But the principle involved in it is not very complicated. As a matter of fact, the law relating to suits valuation and court fees is contained in the Acts of 1870 and 1877. They are very old Acts and of course many amendments have been made to them from time to time. But these amendments have made the law more complicated to a certain extent and it has not been possible to bring the law up-to-date. That is why this matter has been under the consideration of the Government for a very long time and now we have taken steps to bring the Suits Valuation Act and the Court Fees Act into one enactment and place this Bill before this House.

“ Sir, this Bill was considered by a Select Committee and hon. Members of this House were also associated with it. Very useful suggestions were made in the course of discussion of the Bill in the Select Committee and we have also incorporated some of the changes suggested by the Select Committee. The Legislative Assembly also have made certain changes in the Bill. An important feature of the Bill is the general revision of the court fees payable. For example, the *ad valorem* fee payable on the value of the suits up to one thousand rupees was formerly 11½ per cent; then up to 5,000 rupees it was 7½ per cent. Beyond 5,000 rupees, the fee was worked out at reduced rates. Now what we have done is we have adopted a uniform rate of 7½ per cent for all suits. The result will be, the lower category of suits will have some benefit up to Rs. 5,000. Of course, in respect of suits of the value of over Rs. 5,000, the fee payable will be a little more.

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maintain the college efficiently. But the Tanjore District Board is a rich board and I am sure, if the management of the college had been vested in the district board, the needs of the college would be amply met and the college would be run efficiently because the District Board has got large resources at its disposal, including the Chatram Funds. It has been stated that the corpus of the investment in this case shall be held in trust for the purposes of the said college in the joint names of three trustees, namely, the Tanjore District Board, the University of Madras and the managing body of the college. I should think hon. Members would like to know why the district board should not be allowed to run the college out of the Chatram Funds under its control?"

12.10
p.m.

THE HON. SRI C. SUBRAMANIAM :—"The hon. Member seems to be under the impression that this fund belongs to the district board and we are asking the district board to give it to the management of the college. This is a Chatram Fund and the district board is only an agent now for the purpose of managing the fund. Therefore, there is no question of the district board's fund being diverted now."

* SRI T. PURUSHOTHAM :—"But, Sir, the district board fund is to be given as security."

THE HON. SRI C. SUBRAMANIAM :—"It is not the district board fund, but it is Chatram Endowments Fund which is a separate trust altogether."

* SRI T. PURUSHOTHAM :—"Even then, it is only to be a sort of trust fund and not an outright endowment given away for the college. If so, I think the veto voice should be with the district board and the district board should be given proper representation in the management of the college, if it is to be entrusted to a managing committee. The Hon. Leader of the Opposition has stated that the district board should not have any voice at all. I do not agree."

DR. A. LAKSHMANASWAMI MUDALIYAR :—"I am sorry to interrupt the hon. Member. I never said that the district board should not have a voice. But I do maintain that the district board alone should not be competent to draw or deal with the interest derived from the endowment. That is my chief point."

* SRI T. PURUSHOTHAM :—"The endowment funds are vested in the district board and it is the district board which is responsible for the proper management of the endowment. Though the amount may be paid to the college fund, the interest has to be drawn by the district board and the district board should have a voice in the utilisation of the interest."

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DR. A. LAKSHMANASWAMI MUDALIYAR :—"Does the hon. Member realise that it will be quite within the competence of the Government to remove the district board from the management of the Chatram Funds?"

* SRI T. PURUSHOTHAM :—"Let the Government take away the management from the district board and let them manage it. But as long as the management is vested in the district board I think that it should have a voice."

THE HON. SRI C. SUBRAMANIAM :—"Under clause 3, i.e., proposed section 2, 'The Tanjore District Board or such other authority or person as may for the time being have the management and superintendence of the Tanjore Chatram Endowments may . . . contribute, etc.' So, it is not as if the district board has anything to do with this always. Only for the time being it is in management and maintenance of the Chatram Funds."

* SRI T. PURUSHOTHAM :—"My contention is that the district board should be given proper representation on this managing body. With these remarks, I support the Bill."

SRI V. V. RAMASWAMI :—"கனம் தலைவர் அவர்களே, இந்தத் தஞ்சாவூரிலுள்ள சத்திரம் பாதுகாப்பு நிதியிலிருந்து புதியதாக ஏற்படுத்த இருக்கும் ஒரு கல்லூரிக்கு போதுமான அளவுக்கு பாதுகாப்பு ஈடு கொடுப்பதற்கு இந்தத் தொகையிலிருந்து வசதி செய்வதற்கு அதிகாரம் கொடுப்பதற்காக இந்தச் சட்டமானது எண்ணுவரப்பட்டிருக்கிறது. இந்தச்சட்டத்தின் நோக்கத்தைப்பற்றி பேசியவர்கள் முன்னோர்களாலும், தனிப்பட்ட நபர்களாலும் சரி அல்லது பொது ஸ்தாபனமாக இருந்தாலும் சரி, குறிப்பிட்ட நோக்கங்களுக்காக ஏற்பட்ட அந்த நிதியிலிருந்து செலவழிக்கும்போது தற்காலத்தில் அந்த நோக்கத்திற்கு ஒத்த முறையில் செலவழிக்கப்பட வேண்டுமென்று சொன்னார்கள். இந்தப் பெரியோர்களால் ஒதுக்கப்பட்ட நிதியை அவர்களுடைய நோக்கங்களுக்கு உபயோகிக்க முடியாவிட்டால் காலப் போக்கிற்கு ஏற்ப மக்களை நல்ல வழியில் திருப்ப அவற்றை உபயோகிக்க ஆலோசிக்க வேண்டும். ஆகையால் இன்று பெரியோர்களால் சேர்த்து வைக்கப்பட்ட நிதியிலிருந்து இந்தக் கல்லூரிக்கு நிதி ஒதுக்க ஏற்பாடு செய்யப்போவதாகத் தெரிகிறது. அதாவது இதுகாறும் நாடோடியாகப் போய்க்கொண்டிருந்த யாத்திரிகர்களுக்கு இந்தப் பெரியோர்களால் ஒதுக்கப்பட்ட பணமானது கல்லி வசதிக்காக இப்பொழுது செலவழிக்க தீர்மானிக்கப் பட்டுள்ளது. ஏனென்றால் முன்பெல்லாம் அனேகமாக வடக்கே இருந்து பிரயாணிகள் அதிகம் பேர் இங்கு வருவார்கள். அவர்களுடைய உபயோகத்திற்காக இத்தொகைகள் ஒதுக்கப்பட்டன. ஆனால் இப்போது ரயில் வசதியெல்லாம் ஏற்பட்டு அவைகளாலேயே பல வசதிகள் செய்துத் தரப்படுகின்றன. மேலும் பல தனிஸ்தாபனங்களும் இவ்வசதிகளை செய்துத் தருகின்றன. ஆகவே இப்போது இந்த நிதி உபயோகம் இல்லாமல் இருக்கிறது. அப்படி இருக்கும் பணத்தின் உதவியைக் கொண்டு மக்களின் நல் வாழ்விற்காக செலவழிக்கலாம் என்ற ஒரு மனப்பான்மை இந்த அரசாங்கத்திற்கு ஏற்பட்டிருப்பதை நான் பாராட்டுகிறேன். இப்படிப்பட்ட நிதிகளைத் தவிர வேறு பெரிய பெரிய கோவில்களிலும் பெரியோர்களால் எழுதிவைக்கப்பட்ட அதிகமான சொத்துக்கள் நிறைய இருக்கின்றன. அவைகளையும் இம்மாதிரியான பொதுமக்களுடைய நல்வாழ்வுக்காக உபயோகிப்பதற்கு வழி செய்தால் மிகவும் உபயோகமாக இருக்கும். அம்மாதிரி

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first-grade college. Incidentally, the hon. the Leader of the Opposition stated that another college was coming up in the Nilgiris district also. The people of the Nilgiris have been agitating for the opening of a college. I think in the coming year they will have a college. One thing which I may say is that the contribution of the Government in the direction of opening of first-grade and second-grade colleges is not a substantial one. I may bring it to the attention of the hon. Member Sri Bhaskar that but for these private agencies who have in the course of the last ten or twelve years gone from place to place, begged for money and brought in these colleges, the educational position of our State would have been quite different. To quote an instance of the Government's attitude in this matter, what is the present position of the Brennen College, Tellicherry? Repeated requests have been made by the persons concerned saying that the college requires a lot of improvement. But nothing has been done. Therefore, we should congratulate these private bodies on coming forward to start first-grade and second-grade colleges. The Bill only makes a small concession. Because those people are not in a position to collect a sum of Rs. 5 lakhs since they have to find money for putting up buildings and for other equipment, the Government of Madras allow them to utilize Rs. 5 lakhs from the Chattram Fund, for providing a financial guarantee which is a condition precedent to the starting of a first-grade college. Therefore, I wholeheartedly support this measure."

SRI A. GAJAPATHY NAYAGAR:—"கனம் மன்றத் தலைவர் அவர்களே, தஞ்சாவூர் மாவட்டத்தில் உயர்தரக் கல்லூரி இல்லாதது பெரிய குறைவாக இருந்தது. இப்போது அது ஒரு இழுக்காகவும் ஏற்பட்டு விட்டது. இந்த மசோதாவைப்படி அங்கு ஒரு உயர்தரக் கல்லூரி ஏற்படுத்துவது மிகவும் முக்கியமானது. இரண்டாவதாக மாவட்டக் கழகத்திற்கு கல்வியின் அதிகாரத்தை கொடுப்பது அவ்வளவு பொருத்தமாகத் தோன்றவில்லை. முதலிலே, ஆரம்பக் கல்வியைக்கூட அவர்கள் நடத்தக்கூடாது என்று சொல்லப்பட்டிருக்கிறது. அப்படி இருக்கும்போது கல்லூரியை நிர்வகிக்கும் அதிகாரத்தை இந்த மாவட்ட கழகத்திற்குக் கொடுத்தால் என்ன ஆகும்? ஆகவே இவ்விஷயம் மாவட்டக் கழகத்திற்கு சம்பந்தமில்லாமல் சர்க்காரே பொறுப்பு எடுத்து இதை நடத்த வேண்டியது அவசியம். மூன்றாவதாக கல்லூரியை நிர்வாகம் செய்ய மூன்று நபர்களுக்கும் சம உரிமை கொடுக்கப்பட்டிருக்கிறது. மாவட்டக் கழகத்திற்கும், பல்கலைக்கழகத்திற்கும், மற்றும் சில நபர்களைக் கொண்ட ஒரு கமிட்டிக்கும் நிர்வாகம் கொடுத்திருக்கிறது. அப்படியிருக்க இம் மூன்றுமே மாவட்டக் கழகத்திற்கு மட்டும் அதிக உரிமை கொடுத்திருப்பது சட்ட விரோதமானது; நியாயம் ஆகாது. ஆகவே இந்த மாவட்டத்திற்கு கொடுக்கப்பட்டுள்ள அதிக உரிமையை கொஞ்சம் தளர்த்தி சம உரிமை வழங்கவேண்டும். அப்போதுதான் ஒழுங்காக கல்லூரி நடைபெறமுடியும். நான் இந்த மசோதாவை மனமார வரவேற்கிறேன்."

THE HON. SRI B. PARAMESWARAN:—"Sir, it is unnecessary for me to repeat what I said at the outset. The hon. the Leader of the Opposition has clearly stated how important and necessary it is for the people of Tanjore to have a first-grade

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college. He gave a list of districts wherein there were several colleges and he singled out the Nilgiris and also Tanjore where there was only one college. The people of Tanjore have been agitating for the last half a century for the starting of a college. There are about 57 high schools there. The conditions that existed at the time the endowment was made by the Raja do not exist now for utilizing this Fund. It is not clearly stipulated in the endowment itself that this Fund should be spent for any particular purpose. Further, on account of the progress made in respect of communications, the number of pilgrims who go by carts is not large. Therefore, we can utilize this Fund for starting a college.

"With regard to the point raised by the hon. the Leader of the Opposition 'that the district board alone shall be competent to deal with the interest derived from the investment,' we are all anxious that the college should come up and I do not think that all the three parties on the managing committee could draw cheques. Therefore, it is a matter of convenience that the district board has been asked to be in charge of these transactions and this will not take away the rights or privileges vested in the entire managing committee which consists of these three parties. The Government can go only to the extent of contributing the amount specified in the Bill. If there is any balance that the University may insist upon having, it is for the managing committee and the University to arrange between themselves.

"The hon. Member Sri Balasubramanya Ayyar said that the institutions on which the Fund was spent should not be deprived of the contribution by this diversion. Sir, it is only a financial guarantee that we are giving to the University. After going through the records, I can say that no institution which derives the benefit of this Fund will be deprived of it on account of this diversion.

"This is a very useful and important measure. I am glad the whole House is supporting this Bill unanimously. Whatever may be the minor details that have got to be adjusted between the University and the district board, that can be done. Any impediment placed in the way of carrying out the provisions of the Bill will only delay the coming into existence of the college.

"With regard to the Medical College to which objection has been taken by the Leader of the Opposition, it is for the people of Tanjore to consider. There are very rich mirasdars; they themselves can start a college with the funds available. As suggested by my esteemed Colleague in the other House the other day, the people of Tanjore could constitute a committee, collect funds and start a Medical College for the district.

"I once again thank the Members for supporting this Bill unanimously."

[Sri K. Bhashyam]

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some places illogical and certain ambiguities also had to be removed. I have been asking for the introduction of necessary legislation to remove those defects. But I never expected this Bill, which has come as a surprise to me. I think I had invited a monster when I asked for a Bill revising the Court Fees Act. When I was in charge of Law, there was one report by Mr. S. Satyamurthy, the then Registrar of High Court, (a big volume) containing suggestions for amending the Court Fees Act. There are many notes which I have made on those suggestions.

"What is the real principle on which court fees are levied? I do not think it is a tax. Everybody is agreed it is not a tax. A service is rendered by Government. Is that service to be paid for at all? The view is held by Judges who administer Justice that court fee should not be levied. It is the general revenue that ought to contribute to this administration of Justice. After all administration of Justice is one of the functions of Government."

THE HON. SRI C. SUBRAMANIAM:—"Which is not the function of Government then? Nobody should pay tax and Government should render all service. Is that the hon. Member's view?"

* SRI K. BHASHYAM:—"I am suggesting the principle existing in fairly civilised Governments. If Government really want money, there are other ways of getting money. Government are in charge of keeping law and order because of their duty and responsibility of running the administration in a proper manner. Again the subject of 'Police' comes under Government control. Do they take anything like Police fee from the people because they maintain law and order by keeping the Police? No, they don't; because it is the duty of Government to ensure the security of property which a citizen owns."

THE HON. SRI C. SUBRAMANIAM:—"May I point out as far as criminal justice is concerned, we do not charge any fee for taking the complaint or for carrying on with the prosecution of the case? As a matter of fact Government bear the entire expenses as far as these cases are concerned. But with reference to establishment of individual rights we have to consider whether that concerned person should pay (no doubt the wrong-doer is asked to pay the cost) or the general community should bear the expenses for establishing individual rights. That is a point on which we are prepared to be advised by the hon. Member. But he need not make a general charge or create an impression that in respect of criminal justice, we are charging in each and every case. It is not so. It is only in civil litigation we come in."

* SRI K. BHASHYAM:—"Unfortunately the Hon. Law Minister is in a hasty mood. I was just about to draw the distinction between civil and criminal litigation, when I had been interrupted by the Hon. Minister. My argument is this. Government are bound to keep law and order in the State. It is correct. Law and order concern two subjects. The first is that persons should feel

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secure of their properties. They should not be unlawfully deprived of their properties. Cheating is a crime. But even here questions arise whether the unlawful deprivation of property comes under civil or criminal litigation. Suppose a man steals away my property and I had been deprived of my property. Does it come under the civil or criminal head? Most of these criminal cases, if one were to examine the documents and the relevant files, relate to land, money and women. Persons are deprived of their properties and in some cases 'woman' is involved. That is why I say if we check up civil litigation, we will notice that there is not a plethora of criminal cases. Most of these criminal cases start as civil cases and then develop into criminal ones. Two brothers are there. Suppose they own a land jointly. Dispute arises with regard to the land when it is partitioned. Civil litigation is there. If one party is aggrieved, the two come to blows and the case develops into a criminal one. Therefore civil litigation is"

THE HON. SRI C. SUBRAMANIAM:—"I thought disputes arose after the litigation was over. After an adjudication has been made, and a decree is passed and if the concerned party goes to execute the decree and take possession of the property, then the dispute arises. It is not a question of abolition of private property. If the hon. Member wants abolition of all private property as such, then what he says may be the case."

* SRI K. BHASHYAM:—"My thread of argument has been interrupted, Sir. This sort of argument and counter-argument, I am afraid, may not be helpful. Section 140 of the Criminal Procedure Code is specific. Some order is passed by a Magistrate. When the order has been made absolute, the Magistrate shall give notice of the same to the person against whom the order was made and further require him to perform the act directed by the order within a time to be fixed in the notice. In case of disobedience of the order of the Magistrate, a penalty is levied. This is a criminal case. But to establish their rights, the parties go to the civil courts. That is why I say in civil courts these cases are brought. Even though deprivation of property by unlawful means may come under the category of 'criminal' to establish their title to the property, the parties go to the civil courts. Therefore I say that criminal litigation is not different altogether. To say that in civil litigation only two parties quarrel with each other and that therefore in civil litigation alone, they could be asked to pay court fees, is wrong. It is a wrong principle altogether. Only as a result of disputes arising in respect of right to properties, a large number of criminal cases come up. That has been my experience. It has also been the experience of others. Even High Court Judges have expressed this opinion. As a matter of fact, they have said that all trouble arises over civil right to properties. So, the Government cannot simply wash off their hands so far as civil litigation is concerned.

[Sri C. Subramaniam] [7th April 1955]

"Then, another difficulty which was felt and which created some complication also was with reference to valuation of lands, particularly agricultural lands, for the purpose of determining the jurisdictional value and also the court fee payable. This point has always been contended in the various cases before the High Court and Tribunals. We have now tried to simplify the procedure. Formerly there was this anomaly. If a person had to sue for possession in respect of an entire estate or land which had a separate patta number, it was enough if he paid court fee on ten times the land revenue assessment. But if it was part of the land, he had to value the suit on the basis of the market value of the land. In consequence, the court fee payable in the case of a suit for possession of the entire land was much less than that payable when one sued for possession of a portion of the land. We have now tried to remove this anomaly. In doing so, we have also considered the question what should be the value for the purpose of determining the court fee and jurisdiction in respect of such lands. Formerly, it was ten times the land revenue assessment. It was fixed with reference to conditions prevailing in those days. Since then, the value of land has gone up considerably. Except agricultural lands, in respect of every property, movable and immovable, it is only the market value of the property that governs the valuation of the suit for the purpose of determining the jurisdiction and also the court fee. In respect of lands, the notional value of ten times the land revenue assessment was being adopted. It was originally intended to have the market value as the basis even in respect of lands. The suggestion was made that land was as good as any other property. But at the Select Committee stage, it was said that that formula might lead to great hardship. It was found on a rough analysis that the market values of agricultural lands varied from 90 to 396 times of the land revenue assessment. It was found the value varied from place to place. Therefore, the Members of the Select Committee stressed that instead of having ten times the land revenue assessment, we could have some other multiple. It was accordingly decided to provide for thirty times the assessment for the purpose of determining the court fee payable and also the jurisdiction. With this, a great controversy was set at rest.

"Another change made in the Bill is this. In computing the value of the suit for the purpose of deciding the jurisdiction and court fee, the real nature of the suits will be taken into consideration. As the provisions are at present, it is possible for a very clever lawyer to draft the plaint in such a way as to make the suit fall under some other provision than the one under which it ought to come and thus escape with a lesser court fee. But the real nature of the suit in any event will have to be gone into after the defendant files his written statement and issues have been framed. Now, we have provided that whatever the allegations in the plaint, if after the filing of the written statement and at the time of the framing of issues it is really found that as a matter of fact it involves certain

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other points which have to be gone into, the court fee payable should be on that basis. That is the broad principle and various provisions have been made with this principle as the guiding factor. The fundamental thing is court fee has to be paid on the real nature of the suit and not with reference to the pleading of a clever lawyer. If this principle is understood, then all other provisions will not only be intelligible but acceptable also to hon. Members. That is one departure we have made here. We have increased the court fee payable on certain petitions and vakalats incidentally; because the money value has gone down, we are not taking that into account in its entirety and we are not increasing the court fees in all cases. But we are making small increases only here and there. One other criticism, I have to answer, is that we are trying to make money out of litigation. It is a charge which has been made not now but it has been there even during the Advisers' Regime. In 1941 when the Advisers' Regime was there, certain persons raised the issue that much money was being made by Government out of litigation. An elaborate enquiry was made. Ultimately it was found that the general revenues were paying for the maintenance of justice. Litigation was being subsidised to a great extent. Even now it is so. I have got the figures. If any hon. Member is interested in it, I shall quote the figures. I have the figures for last year. So far as last year was concerned, we had a deficit of nearly Rs. 57 lakhs under 'Administration of Justice.' But conditions are likely to improve because of the cancellation of the Moratorium Act now. To that extent we may be getting Rs. 25 lakhs. But still the wide gap of Rs. 30 lakhs as between the receipts and expenditure on 'Administration of Justice' remains. I am not taking into account the money spent on maintaining prisons, which form part and which come under the category of Administration of Justice. I am not taking that into account now. I am only taking into account the Administration of Justice as such. Even now we have a gap of Rs. 30 lakhs. We may be getting only about six or seven lakhs of rupees by this Court Fees Bill. (Sri K. Bhashyam: 'How much would Government get by this Bill?') Six or seven lakhs of rupees. Therefore the charge that we are making a profit out of litigation and Administration of Justice is one, which if I may use an un-offending language, is ill-informed. I do hope that hon. Members would take into consideration this Bill and if during the clause-by-clause consideration of this Bill, some points are made out, I will reply to those criticisms."

MR. CHAIRMAN:—"Motion moved—

'That the Madras Court Fees and Suits Valuation Bill, 1954 (L.A. Bill No. 25 of 1954), as passed by the Assembly, be taken into consideration.'

* SRI K. BHASHYAM:—"Sir, the revision of court fees has been there for some years before Government. I myself had on more than one occasion demanded on the floor of the House that there should be a revision of the Court Fees Act because it was in

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and they cannot ask the persons concerned to bear all the expenditure. It is really part of the duty of the Government to maintain law and order. There is no point in making a distinction between civil and criminal litigation.

"Sir, it may be said that this is only the service rendered. The Government want the people concerned to pay for the service rendered. Of course, the Government provide the machinery for deciding the cases as between the parties. Even in regard to this matter, I would like to know whether the amounts that the people are asked to pay will be commensurate with the value of the service rendered. In the first instance, I say that the service must be rendered free. If it is maintained that the persons concerned must be charged something, I would like to point out that they should not be asked to bear the entire burden. The stand taken by the Government in this matter is not quite correct. I shall prove this by explaining what is being done now. I have certain figures from the budget. Under 'Administration of Justice', receipts from court-fees is given as Rs. 91½ lakhs. The Demand under Administration of Civil Courts has been for about Rs. 1,27,00,000 and that for criminal courts alone has been put as Rs. 36 lakhs. There is the difference of about Rs. 91 lakhs left. I am giving these figures from the budget. Therefore the Government are recovering all the expenses incurred."

THE HON. SRI C. SUBRAMANIAM :—"Sir, the hon. Member's figures are rather misleading. A particular method of accounting has been adopted. Under the head, 'Administration of Justice', certain items of expenditure, like maintenance of court buildings and things like that are taken into account. There are also repairs to buildings under civil works. A certain portion of the expenditure incurred under these heads will have to be allotted for purposes of accounting under certain other heads. For the purpose of convenience, we have adopted this procedure of including certain items under certain heads. We have to take all these factors into account before we analyse the figures."

* SRI K. BHASHYAM :—"Sir, I take the information from the Hon. Minister that repairs to buildings and other matters have to be taken into account. I wish to point out as against this in this connexion that from the sale of non-judicial stamps the Government get a sum of about Rs. 2,28,00,000. Is this to be taken as part of the expenditure under 'Administration of Justice' or not? After all, why are the Government insisting on affixing these stamps and registration? It is for the purpose of ensuring the civil right and title of the person concerned to the property. It is not as if these things stand by themselves. I would request the Hon. Minister to take the income from these heads also into account."

THE HON. SRI C. SUBRAMANIAM :—"If the hon. Member is here till the end, he will hear me explain the position and answer

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his points. But, unfortunately, he will not remain till the end and he will go away after making his speech. That is why I have to interrupt him . . ."

* SRI K. BHASHYAM :—"Sir, I will be here to hear his reply."

THE HON. SRI C. SUBRAMANIAM :—"In that case, it is all right. I will reply to all the points raised by the hon. Member in the end."

* SRI K. BHASHYAM :—"If the Hon. Minister can let me know when he is going to reply, I will certainly be here and listen to his reply. As I have already arranged for some other business, if he could tell me when he is going to reply, I will stay here. There is no doubt about that, Sir."

"I only wish to point out that even the money derived by the Government by the sale of non-judicial stamps must be taken into consideration as revenue under the head 'Administration of Justice'."

THE HON. SRI C. SUBRAMANIAM :—"Why not land revenue also?"

* SRI K. BHASHYAM :—"The Hon. Minister says, 'why not land revenue also?' I ask, 'why not excise also?' Sir, it is not a question of 'why not?' It is a question of 'why is it?' He must give the reason why the revenue from the sale of non-judicial stamps should not be taken into account. The very reason for the Government's insisting on the affixing of these stamps and also registration is for the purpose of ensuring the civil title of the persons to various properties concerned. It is for this purpose, these stamps, etc., are used. The Hon. Minister asks, 'why not land revenue also?' If he wants to include land revenue also, he may do so. I have no objection. 'Administration of Justice' is something different. That is not the way of answering my point, Sir. He has not met my argument. I request him to consider this aspect of the matter also and give me a satisfactory reply. It has been stated that the sum of Rs. 91 lakhs does not include repairs to buildings . . ."

THE HON. SRI C. SUBRAMANIAM :—"Sir, I wish to interrupt the hon. Member and give figures relating to certain items so that he may have information about the real position. The share of general Administration of Justice under the head 'Stationery supplied to the Judiciary' is Rs. 13,58,125, under the head 'Printing' it is about Rs. 10 lakhs, under 'pensionary charges' it comes to about Rs. 22 lakhs and for minor works and repairs to the High Court, it comes to about Rs. 5 lakhs. All these would come to about Rs. 50 lakhs."

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almost all months they take up only sessions work. Therefore the entire amount should be charged to the criminal side and not to the civil side. If that is done, about 2 to 3 lakhs will go. Therefore to say 'we are spending more on the administration of justice' by producing figures regarding expenditure which are not generally admissible, is not a good argument for raising the court-fees. This is so far as the expenditure and receipts under administration of justice are concerned.

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"If the Government want that the services must be adequately paid for, we cannot really ask one man to pay for the services really obtained by another. A case might be disposed of very soon, another might take two days or three days and so on, but still pays the same money—then in that case, the principle the Government should adopt would be to levy a small token fee on the plaintiff and also charge a sort of hearing fee for every day till the case is heard and disposed of. This is the principle adopted in England. That is the principle which has been adopted in the Original Side of the High Court till recently. So much so a person whose case is pending for a long time, has to pay a higher fee. A person whose case is disposed of quickly has to pay a less fee. This principle has already been adumbrated even before the Select Committee which considered this Bill and two hon. Gentlemen, in their dissenting minutes, pointed out that, that was the proper principle. But the Hon. Minister thought that, that would work as a hardship upon the poor people. I do not know how it is so. The court-fee should be charged on the basis of the service rendered by the Judge. It should be based on the work done by the Judge in respect of a particular case of a particular litigant.

"Then I come to the uniform rate of *ad valorem* court-fee payable upon every suit. What will happen if a flat rate is adopted? It may not affect small litigants very much and they may gain some advantage, but it will affect big litigants. Originally no court-fee beyond Rs. 3,000 was paid for any class of suits. Rs. 3,000 was the maximum amount that was paid. If we levy a rate of $7\frac{1}{2}$ per cent *ad valorem* on all kinds of suits, it will be oppressive and will work as a great hardship upon big litigants. For instance, a big zamindar who has been dispossessed of his landed property might not be able to file a suit and even if he files it, he will ultimately become a pauper. Therefore, I should say that this $7\frac{1}{2}$ per cent *ad valorem* is not in the interest of the client nor it is in the interest of the Government itself from the financial point of view.

"The other question is how the *ad valorem* fee is to be calculated, in respect of the agricultural land. What is called 'market value' is prescribed for this purpose. Originally the market value was fixed as ten times the revenue assessment payable on the land. Now from ten times the revenue assessment it has been raised to thirty times the assessment on the ground that the value of the land has gone up, and therefore, one has naturally to pay a higher court-fee. My submission is that simply because the value of the

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land is supposed to have gone up, the court-fee also has to be raised. It is a wrong principle and the raising of the court-fee from ten times to thirty times is a big jump. It would be better if we really go slow in respect of this matter. It was suggested in the other House and also in the Select Committee that it should be a smaller figure. I do not want to dilate on this point still further.

"Sir, the fixing of court-fees for suits is a very difficult matter. Certain suits come within a particular section of an Act or another section and it is a very difficult question to decide it. After all, the whole question depends upon the wording of a particular section and generally we the lawyers always quarrel over the wording of the section. If a person wants to file a suit and if he is asked to pay Rs. 10,000 as court-fee in the very first instance, he may not file it. Once he is assured of the services of a lawyer and the Court also permits him to pay only Rs. 10,000 in the first instance, he will be encouraged to file the suit and fight for his rights. What happens in the present Bill is this. Apart from the first Court deciding whether the court-fee payable is proper or not, a review can be made of the court-fee on an objection by the defendant. A further review can be made when the matter is again raised by an additional defendant. Then what happens is this. The matter may go on appeal to the High Court and the question whether proper court-fee has not been paid in the first case again may be considered. Besides the High Court has been given power to appoint a Court Fee Examiner who has to visit all the Courts in this State and find out whether a particular person has paid the right fee or not."

THE HON. SRI C. SUBRAMANIAM :—"That is in vogue."

* SRI K. BHASHYAM :—"I know that it is not in vogue and it is rarely resorted to.

"A person who has filed a plaintiff with a court-fee of Rs. 20 or Rs. 30 will be asked to pay another Rs. 100 by way of court-fee if it comes under some other section. It will work as a hardship if that person is asked to pay it again. Once a responsible officer—it does not matter whoever he is—decides the amount of court-fee payable for a particular suit, it must be considered as settled for all time and should not be raked up again. Otherwise, the litigant who goes to the court to fight for his rights will be harassed unnecessarily at every stage. All the time he should not be asked to pay more court-fee. This thing should not be there, because every time he will be having a feeling or an apprehension that he will be asked to pay additional court-fee at one stage or another. I hope the Government will look into that aspect of the matter.

"Then, Sir, a new principle has been introduced which was not there before. A plaintiff has to bear a court-fee stamp according to the allegations mentioned in the plaintiff and once he has filed it, his business is over. Now a new principle has been added that if in a written statement any additional matter regarding title, etc., is raised, a further court-fee has to be paid. That is a thing which is somewhat new. To say that the plaintiff should pay additional

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* SRI K. BHASHYAM :—“ Sir, I am glad the Hon. Minister has furnished these figures. I will go through the figures and continue my speech in the afternoon. It is now 1 o'clock. So we may adjourn now.”

Mr. CHAIRMAN :—“ All right. 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.)

III.—ANNOUNCEMENT BY THE HON. CHAIRMAN.

ACT ASSENTED TO BY THE GOVERNOR.

Mr. CHAIRMAN :—“ I have to announce to the House that the Madras General Sales Tax (Amendment) Bill, 1955 (L.A. Bill No. 4 of 1955), which was passed by the Madras Legislature on the 18th March 1955, received the assent of the Governor on the 31st March 1955 and has been published as Act No. VIII of 1955, in Part IV-B of the *Fort St. George Gazette*, dated 6th April 1955.”

II.—GOVERNMENT BILLS—cont.

(4) THE MADRAS COURT-FEES AND SUITS VALUATION BILL, 1954
(L.A. BILL NO. 25 OF 1954)—cont.

* SRI K. BHASHYAM :—“ Mr. Chairman, Sir, I was dealing with the question of expenditure on this administration of justice as disclosed in the budget. But I am countered by the Hon. Minister by pointing out that ‘ the Budget does not really represent the expenses incurred on account of the administration of justice. There are certain other items that will have to be taken into account.’ I was given three sheets of papers from which I have gathered this information. Receipts by way of court-fees and others come to about Rs. 1,41,61,000. What is said as expended on administration of justice comes to Rs. 1,89,78,000 and odd. Therefore it has been pointed out that there is a deficit of about Rs. 48 lakhs or Rs. 47 lakhs. This Rs. 1,89,00,000 and odd included 10 per cent spent on general administrative charges, and taken as share of ‘ Administration of Justice’. This is nearly Rs. 20 lakhs. I submit that sort of item is wholly inadmissible for the purpose of calculating the amount spent for administration of justice. For one thing the general administrative charges have been paid for by persons who resort to courts and if the Government debit it again to administration of justice, it would amount to debiting them twice over. We have paid the money for the purpose of general administration and got the benefit out of it. But again to take away 10 per cent of that and debiting it to administration of justice, I cannot understand as the proper sort of calculating the expenditure under administration of justice. Then, Rs. 20,00,000 have been debited to administration of justice on a 10 per cent basis. I take it that

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about Rs. 2 crores ought to have been spent on the general administration. How was this amount taken into account? Of the three crores and odd of people, if only 10 per cent resorted to the courts, then the number of litigants would be about 30 lakhs. Is that the assumption on which it is based? I do not understand on what other principle this figure could have been adopted. No such huge number of persons go to courts. If at all only $\frac{1}{2}$ per cent of the general administration charges should be debited to administration of justice. I submit 10 per cent is too high a figure and wholly inadmissible. So far as stationery and printing charges are concerned, that too has been calculated on a 10 per cent basis.”

THE HON. SRI C. SUBRAMANIAM :—“ Only actuals are charged to administration of justice.”

* SRI K. BHASHYAM :—“ Then I leave it at that. Another item debited to administration of justice is ‘ Civil courts buildings, interest on capital cost, maintenance and repairs’, etc. The amount debited is Rs. 5 lakhs. I submit, Sir, the buildings have been there for quite a good long time. To say: ‘ Interest on capital cost’, is it at the time the building was constructed or now? I do not see how it can be taken as money actually spent. It is not money spent out of our pockets. It is only an imaginary capital and interest paid on these and debited to administration of justice is not also amount paid out of our pockets. Therefore, these amounts also should go. They should not be debited to administration of justice.

“ If these amounts are taken away, so far as I am able to see, the deficit will be only Rs. 25 to Rs. 30 lakhs in respect of administration of justice. As regards the pension of judicial officers, I have nothing to say. From my point of view, there is only a deficit of Rs. 17 lakhs and for the efficient administration of justice, this is not too much for the Government to contribute. There is no point in saying that ‘ there is no case for increasing the general taxation. We have only to increase the court-fee to meet the deficit’. I submit I have made out a case to my satisfaction—of course Government may not be convinced about my case but so far as the general public are concerned, they will be satisfied—that there is no need to increase the court-fees at all. The items that are now charged from other heads to the administration of justice are not generally thought of in respect of this matter. But Government want to charge them to administration of justice. Even taking them under administration of justice, the deficit will not be more than 20 to 30 lakhs of rupees. That is not too much for the Government to pay for the efficient administration of civil justice.

“ In respect of this Bill, there is also one more thing to consider. In the calculation of the amount expended for administration of justice, the salary of the Sessions Judges and Assistant Sessions Judges is also taken into account. They are doing a lot of criminal work. They do not do much of civil work. All the year round or in

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court-fees on the allegations contained in the written statement is a thing which has not been accepted so far. Suppose a man sues upon a document of title. After all it is a paper and it may be worth Rs. 100 in value. Suppose the defendant comes and says that the lands which are represented by the document of title belong to him. As soon as he says that, an issue is framed in respect of that matter. Then court-fee should be paid by the plaintiff not upon Rs. 100, but upon the market value of the land. This will cause great hardship. There is uncertainty with regard to litigation, uncertainty with regard to court-fees and there is again uncertainty as regards the framing of the issue. Such things are found in more than one place in this Bill. Of course, we are all anxious to help the poor man. This is not in his interest.

"So far as declaratory suits in respect of land are concerned, the minimum court-fee payable is Rs. 22-8-0. No man can walk into a court of law and file a suit in respect of any agricultural land saying that it belongs to him and that he is entitled to possession of it unless he pays Rs. 22-8-0, even though the land may be half a cent or one cent in extent and not worth Rs. 10. That is the minimum fee which has been provided for. Such a minimum has been provided for in the case of suits relating to easements also. In respect of suits relating to trust property, the minimum court-fee payable is Rs. 75 and the maximum is Rs. 200. After all it may be a small trust relating to some Pillayar temple and the market value of trust property may be worth Rs. 100. Still one must pay Rs. 75 as court-fee. Again in respect of suits for injunction and suits coming under the Specific Relief Act, a minimum fee has been provided. I feel that such minimum rates ought not to be there and they will cause considerable hardship to the poor client. Therefore, these minimum rates must go.

"Another matter I wish to speak about is regarding the drafting. Of course, the market value is there and it has been defined as thirty times the assessment and all that. I would like to invite the attention of the House to clause 40 which relates to suits for cancellation of decrees. The clause says 'In a suit for cancellation of a decree for money or other property having a money value, or other document which purports or operates to create, declare, assign limit or extinguish, whether in present or in future, any right, title or interest in money, movable or immovable property, fee shall be computed on the value of the subject-matter of the suit'. I would like to know whether it is the market value which is stated, or whether it is the market value according to the notional value prescribed in the Act. One would like to know what is meant by 'the value of the subject-matter of the suit'. There is some ambiguity and this requires clarification. Otherwise, it will be difficult to decide the question. (The Hon. Sri C. Subramaniam: 'Clause 7 deals with it.') Clause 7 only deals with the determination of market value. In respect of agricultural land, it will be thirty times the assessment. In respect of a building, it will mean market

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value in the ordinary sense. But there the question of market value in the case of suits for cancellation of decrees has not been dealt with. So it requires some clarification.

"Again in respect of suits under the Madras Survey and Boundaries Act, it is stated that the fee shall be computed on one-half of the market value of the property affected by the determination of the boundary or on rupees three hundred, whichever is higher. Fee computed on half the market value is provided for, for rectifying a thing for which the survey officer is responsible. It was only Rs. 10 in those days. This will also create hardship. I have not gone through all the clauses but as each clause is being taken up for discussion, I can point out such anomalies. Of course, it is not possible nor profitable to do so. On principle, there seems to be no rhyme or reason in respect of several matters. There is no necessity for such a Bill. If the Government are merely content with levelling up inequalities and removing ambiguities, then it will be all right. But they have sought to change the principle of taxation thoroughly. Therefore, I consider that this is an ill-advised measure."

SRI A. GAJAPATHY NAYAGAR :—"Mr. Chairman, Sir, the question of deciding the court-fee has always been a nightmare for Judges because there is nothing definite about it. But on broad general principles we adopted three notions, the assessment value, the market value and the notional value. I submit that court-fee matters can easily fall under any one of these three heads and, therefore, there will be no difficulty in computing the fee payable as per the provisions of this Bill. They have done one good thing. They have adopted a uniform rate in respect of *ad valorem* fees. They have also clarified the meaning of the expression 'market value'. Of course, in the matter of assessment of court-fee, each individual case has to be assessed on its own merits. We cannot say generally that court-fee can be decided at one stroke. We may have one kind of court-fee prescribed and one value prescribed for all cases. But if you want to do justice, you must have these three heads, viz., assessment value, market value and notional value.

"I would like to say one thing. The matter has been discussed at the Select Committee proceedings and we adopted one principle, viz., that the expenditure incurred on account of courts shall be commensurate with the income we get from the litigants. After all, litigation has become a luxury in certain cases. There must be one principle, which I submitted before the Select Committee also, namely, that the litigant who wants justice must pay for it. At the same time, I do not want to say that the suggestions put forward by my hon. Friend Sri K. Bhashyam should be lost sight of. Administration of justice is also a duty of the State. The Government have made ample provision for dispensation of justice on the criminal side, but when a man wants to enforce certain rights on the civil side and wants to take away public time and money, I say that he should pay for it. At the same time, I should say that we have made sufficient safeguards in the various provisions

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of the Bill that a man is not taxed more than what he has to pay for. Therefore I should say that this measure of taxation is quite reasonable and I welcome it."

3 p.m. * SRI V. GURUNANDAN ROW :— " Mr. Chairman, Sir, I rise to oppose this Bill. I agree with what my hon. Friend Sri K. Bhashyam has said. He has dealt with almost all matters, but I would like to deal with only three or four aspects of the Bill with particular reference to the question of principle. Sir, the Government are aware that the Hindu Religious Endowments Act was declared *ultra vires* by the High Court as well as by the Supreme Court. They pointed out that there was a difference between a fee and a tax. The sum and substance of their judgment was that the money that the Government collected for services to be rendered, could not go to the general funds and that the fee that was collected should have some co-relation to the services rendered whether compulsorily or otherwise. That was the main reason why the levy made upon the religious endowments was held to be *ultra vires*. The Hon. the Minister for Law has brought forward certain figures to show that about Rs. 19 lakhs is taken to be the charges of general administration. As far as civil litigation is concerned, what is happening is this. The figures given in the Budget show that all the court-fees paid go into the Consolidated Fund and it has nothing to do with civil litigation. I do not see any relation between the value of the subject-matter of a suit and the services the Government are rendering to a litigant who goes to a court. I support the plea made by my hon. Friend Sri K. Bhashyam that a fixed fee must be charged for every person who goes to a court. The Government may have different rates of court-fee on the basis whether a case is tried in the District Munsif's Court or in the Sub-Court or in the District Court. But there must be a fixed fee. This will completely obviate much litigation on what is the correct court-fee to be charged in a particular case. This will also save a lot of time of the Court in deciding whether the court-fee paid in a case is correct or not. The work in the courts will be simplified to a great extent. But, as my hon. Friend Sri K. Bhashyam has pointed out, a lot of complication is being created as a result of the provisions introduced in the new Bill and the question of what court-fee has to be paid has become a matter of interest not only to the plaintiff, but also to the defendant. As a result of passing this measure, litigation will be encouraged. There is no attempt at simplification of procedure at all. It is stated that this Bill has been brought forward to remove anomalies. On the other hand, I find that it has removed no anomalies at all. It has created so much complications that no lawyer will be in a position to say what is the proper court-fee to be paid in a case. It is stated that court-fee will be assessed on market value. Sir, market value may change. An enquiry has to be made as to what is the market value and this will take a lot of time. The court is being converted into a sort of tax office. It has to sit, watch and see whether proper court-fees have been charged or not.

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" Then, Sir, I come to criminal litigation. Criminal litigation is not a luxury. It is for the general interest and maintenance of law and order and to see that crime is put down, that the Government bring the accused before criminal courts. It has been provided in the Constitution itself that the opportunity given to accused persons must not be restricted in any way. They must not be compelled to pay court-fees for getting copies of deposition, etc. For the purpose of enabling them to defend themselves it is necessary that they should get free, or at least at a nominal cost copies of documents, etc. To-day, an accused has to pay five annas per page for a copy of a document. Can that not be removed? After all, only a sum of Rs. 5 lakhs is collected by way of such collections. I do not see any reason why the Government should not forego that amount. The Hon. Minister must know that most of the accused cannot afford to pay. So far as criminal cases are concerned, the accused are entitled to get all copies of documents free of charge.

" Then, Sir, I shall come to the fees charged for filing writ petitions. Originally, the Government stated in the Bill that a fee of Rs. 100 was to be charged on each petition to the High Court under Article 226 of the Constitution for a writ other than the writ of habeas corpus or a petition under Article 227 of the Constitution. At a Joint Select Committee stage, this fee was reduced to Rs. 25. When the Constitution came into force, only a fee of Rs. 2 was charged for a writ petition in the High Court. I know the Hon. Minister might say that as a result of the fee being very low a large number of writ petitions were filed. But I must bring to the notice of the Hon. Minister also that a number of writs were granted against the Government also. We cannot say that every writ petition is a frivolous one. I am concerned with the fundamental rights of the ordinary people and I am not concerned with the fundamental rights of propertied people. To-day they are making people to pay Rs. 25 for every writ petition filed in the High Court. To-morrow they may come forward with a measure before this House that one lakh of rupees should be paid as the court-fee for each writ petition. Rs. 25 means, according to our Indian standards, one month's earning. Is that a reasonable fee charged for the enforcement of the fundamental right guaranteed under the Constitution? I, therefore, suggest that the Government should go back to the original rate of Rs. 2 which is nominal. It is just a nominal fee to enter the court. I submit that Rs. 2 would be a proper court-fee on a writ petition and that Rs. 25 is certainly too large a sum for the ordinary man to pay.

" The only other point I would like to mention is this. What is the objection of the Government to have the court-fee based upon the actual time taken by the court? I do not think it can have any effect on the budgetary situation. As my hon. Friend Sri K. Bhashyam stated in England there is only fixed court-fee. Even to-day in Bombay in the Original Side of the High Court only Rs. 25

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has to be paid for every plaint. Is it found in any way that the Bombay Government are losing any money by levying only Rs. 25? What is the objection for levying the same rate here? If I take the time of the court, I pay for it and to enter into a court I pay something depending upon a particular court. The Bill contains so many complicated clauses. According to the statement shown to me by the Hon. Minister, after all they expect to get only Rs. 8 lakhs out of the court-fees by this Bill. I think even that will have to be reduced. Because, previously in the Small Causes Court they used to levy 2 annas for the first Rs. 500 and thereafter one anna and now it has been made a flat rate of 7½ per cent. So, Government may lose something there. This Bill is raising a lot of difficulty. I am afraid, Sir, that some person with a big claim will come and say that it is unreasonable. Every lawyer of the Madras Bar Federation has opposed this Bill tooth and nail. They have told the Select Committee also that they are opposing the Bill on the basis of the principle followed and not because they are lawyers. They said that court-fee should be based upon the time taken by the court. With these words, I oppose the Bill."

SRI K. BALASUBRAMANYA AYYAR:—'Having heard all the speeches of the hon. Members, I have to take a somewhat different line. Unfortunately the court-fee is a very difficult matter. The various principles upon which court-fee has to be levied have been discussed by the High Courts in our country and they have not come to any uniform decision on the particular matter. Long ago, the Privy Council said that court-fee legislation is after all a revenue bringing legislation. We must remember that in England in the beginning there was no institution fee at all. Here also when the Supreme Court was in Madras, there was no institution fee at all. The principle followed was that no court-fee should be levied for any litigation, civil or criminal. It is a general principle and any amount of deficit on the administration of justice does not matter at all. Therefore, they said that no court-fee at all should be levied. But unfortunately in this country in the year 1870 Henry Main who was one of the great Jurists introduced this legislation and in that he began to say that court-fee should be levied on market value in some cases, by assessment in some cases and so on. He said that peculiar conditions of this country necessitated the levy of court-fee. Unfortunately, Sir, we are now not writing on a clean slate. It would be well if some of those general principles are adopted now. But, after the Act of 1870, is it possible for us to go back? At any rate, the Government will not go back upon it. That is the difficulty which I feel and therefore, it is that we cannot press this matter too far, though it is logical. There are also certain other principles which have been accepted and everything has to be taken together for the purpose of deciding this matter. One principle alone cannot be pressed too far. The time taken by the courts has also to be taken into account. For example, in the Presidency Small Cause Courts Act, it is stated that if there is a settlement out of court, half the court-fee should be refunded. That is on the

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principle that more time is not taken when a matter is settled out of court. In cases where an *ex parte* decree is passed, there is not much of argument and the suit is decided immediately. In that case there may be a refund of half the court-fee. So, the principle of time taken by the court can be applied to some extent. But other things also should be taken into consideration.

"The State should never benefit by taxing one class of people, i.e., litigants. Sir Henry Main when introducing the Court Fees Act stated that it was not the intention of the State to benefit by taxing one class of people, viz., the litigants. Of course, it is not stated here that the Government want to benefit by taxing the litigants and I do not say so.

"The third thing is, litigation should never be made costly, so that the rich man can always harass the poor defendant. After all we must remember that court-fee paid is added in the costs and the defendant has to pay it, if the case of the plaintiff succeeds. Therefore, it is we have to remember that litigation should not be rendered costly.

"The fourth point that we should remember is, civil litigations are not merely for the enforcement of private rights only on account of the general law, but also on account of the very many statutes that are introduced. Many cases are about procedural matter. There are many cases about limitation, about contracts, about insolvency proceedings and so on. There are also many cases about the constitutional points now after our Constitution came into force. Statutes are growing in number every day. Every day legislation is going on. On account of honest interpretation of statutes, we have to go to court. In fact Government welcome any particular decision which makes a particular section or legislation clear. After all the legislators cannot visualise all the points that can be raised under a particular legislation. Therefore, Government have to take into account all these things and it is very difficult. In the complex system of our civilization now and when there are a large number of controls also by the Government on many matters, necessarily there is a larger amount of litigation. So, civil litigation need not be merely for enforcement of private rights and so, we cannot ask 'Why should the State be paid for it?' All these arguments are generally right so far as they can go, but not to the full extent. That is what I want to observe on all these general matters which were discussed by my hon. Friends here.

"So far as the Bill is concerned, all these aspects and principles have not entirely been taken into consideration. For every thing court-fee has been increased. I do not think that even the mover of the Bill with his conspicuous ability to argue can maintain that court-fee has been rendered easier. Court-fee has been increased on all aspects. Is it right? That is the point before us. Is it right that we should make litigation costly for all classes of people? We must take the nature of the suit and time taken by the court into consideration for the purpose of fixing the court-fee.

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In this particular Bill I find all those matters have not been taken into consideration. For example between the 1870 Act and the present Bill there is a wide difference so far as the market value of house-sites and land is concerned. In this country there are a lot of agricultural lands. When for the purpose of other matters we say that agriculturists cannot even pay their debts and when moratorium is introduced, we cannot assume that they will be able to pay the court-fees. Therefore, so far as the market value of agricultural land is concerned, it is better to take the assessment into consideration. It may be said that the land value has increased. It may or may not be so. If we introduce land reforms, the value of the land may decrease very much. That is a thing which cannot be considered now. But many of the agriculturists are poor. Their land right is a valuable right. Therefore, on principle, when they want to enforce that right, it is better not to tax them too much in the form of court-fee. That is the general principle for which the assessment should be taken into consideration rather than the market value. That is why I say that so far as agricultural lands are concerned, there must be this difference. I am glad that that difference has been maintained by the Government in the Select Committee. Therefore, I feel that the assessment should be the factor to be taken into consideration and not the market value.

"I have given notice of some amendments and they have got to be moved. I shall talk about other matters when those amendments are moved. There are certain clauses about which we may want to say a few words although we may not have actually given notice of any amendment. If you put all clauses for which there is no amendment together, we may not be able to speak. It is a submission I want to make."

MR. CHAIRMAN:—"Let the hon. Member just give me an indication at the appropriate time and I shall allow him to speak."

SRI K. BALASUBRAMANYA AYYAR:—"In regard to a particular clause, we may feel that that clause ought not to be there at all. This is a matter which affects large numbers of people. Therefore, it ought to be discussed thoroughly so that all points of view may be put forward before the Government. I do not say that the Government have not looked into all the points. But they have considered one point of view, namely, increase in revenue. But whether that one point of view alone has got to be considered has to be investigated."

SRI A. M. ALLAPICHAJ:—"Mr. Chairman, Sir, to-day's discussion on the Bill has been really very interesting. When I heard the speech of my hon. Friend Sri K. Bhashyam, one of our most learned advocates in the State and one of our biggest advocates in the country, I thought he was fast becoming a revolutionary. That view was confirmed when he was supported by the hon. Member opposite Sri Gurunandan Row. The hon. Member opposite said that civil litigation was a luxury. Litigation involved a waste of time, according to him. So, what was in his mind was that

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all these civil litigations arose only because of property and personal rights. So, he thought that the best thing would be to abolish all these rights, that is, all the properties. Though he had not put it in so many words, the significance of his argument that civil litigation was a luxury in which rich people indulged was that. To abolish litigation, there must be abolition of private property. Perhaps, this was working in his mind. I may be right or wrong in my inference. Perhaps my hon. Friend Sri K. Bhashyam fell into that trap. On the other hand, as I have always maintained, the Congress Government have always been attempting to follow a middle path. They do not go to this extreme or that extreme. If some rich men have money, let that money be utilized for the benefit of the poor. Now, the plaintiffs who go to the court generally happen to be rich people and they can afford to spend some money. When the court gives a decree against the defendant, it is easy to know that he was in the wrong. So, the plaintiff brings forward a suit against the defendant, the wrong-doer. Now, the money which the plaintiff spent is collected from the defendant. In a way, therefore, he is punished. Just like a fine imposed on a criminal, he is punished. That money is not taken by any party but it goes into the coffers of the Government and is utilized for the good of the people. We have to bear that in mind.

"No doubt, there is a lot of force in the argument of the hon. Member Sri Balasubramanya Ayyar that litigation must be free or cheap. Certainly, it must be made as cheap as possible. If it can be done, well and good. But it is not possible now. Only because the Government feel that it is not possible, they have come forward with this Bill. The object of the Government and the Party to which the Government belong is to establish in this country a socialistic pattern of society. Therefore, they are moving gradually and cautiously and at the same time, without unduly affecting the interests and property rights of the persons concerned. If hon. Members should say that litigation must be made free, why not we go one step further and say, 'When a lawyer is appearing for the plaintiff and when some other lawyer is appearing for the defendant, both the people must be paid by the Government'? (Interruption.) If we go on like that, then we would say that education must be made free and all other things must be made free. Then, the Government may say, 'We shall do everything possible. Place all your property in our hands. We shall manage the whole thing. We shall give you food and clothing without your doing any work.' Therefore, I think consciously or unconsciously we are getting into a trap. In 'The Fall of the Roman Empire' Gibbon has said that so long as our State is not Communistic, even the people who spend money on wrong things are doing some good service because money thereby gets distributed. Applying that argument here, litigation means to the extent to which money gets out of one's pocket as court-fee is paid money gets distributed.

"That is what Gibbon said long ago. I think the Government are quite right in bringing in this measure. As a matter of fact, Sir, I cannot speak on this Bill with any amount of authority

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because almost all my life I have spent in criminal courts defending criminals. Whatever that may be, I think the Government have adopted certain definite principles taking into account the existing circumstances. Therefore, I feel Mr. Bhashyam's argument should have come in handy for Mr. Gurunandan Row to attack the Bill. I think Mr. Row has had a new convert to his views.

"Then, Sir, when we lawyer's speak, our friends feel that we support or attack a thing out of a selfish motive. Certainly not. If there is any group of men in the world who can be considered selfless from the point of view of individual interests, it is the lawyers. They will defend the whole world without defending themselves. They defend the worst criminal and many others. But they cannot defend their own interests and they have not defended their interests. They could never combine to defend themselves and so it is not fair to say that they support this or support that because they have their vested interests. When a lawyer takes up a case, he does his work loyally whatever the consequences be. It is a loyalty which is rarely found in any other profession. It is not a joke. I am putting this with all the seriousness that I can command. There is no other profession—except perhaps the medical profession and the army—which does its work with so much devotion. The doctor and the soldier on the battlefield do their work with devotion. Therefore, what I say is this. Lawyers have to be respected. Some kind of feeling is gaining ground that lawyers are not required. Do you know where lawyers are not required? They are not required in countries where liberty does not flourish. Only there they are not required or respected because they have always stood against tyranny. The freedom the world enjoys to-day has come out of the endeavours of great lawyers from time immemorial. Perhaps people have forgotten or not realised this fact. They have done the greatest possible good to the people."

THE HON. SRI C. SUBRAMANIAM :—"Mr. Chairman, Sir, the points of view put forward by the hon. Members, Mr. Bhashyam, Mr. Gurunandan Row, Mr. Balasubramanya Ayyar and, to a certain extent, Mr. Gajapathy Nayagar were expressed even before the Select Committee. Only after a full consideration of all these points of view, the Select Committee took a decision and the Bill was passed by the Assembly. The Bill is before this House in the form in which it was passed by the Assembly. Therefore, I do not propose to make any reply in detail to the points made here, except of course a few interesting points which were raised, especially by Mr. Gurunandan Row and my hon. Friend, Mr. Bhashyam. Mr. Gurunandan Row seems to think that there is the danger of this piece of legislation being held *ultra vires* on the ground that this is not a fee but a tax. I am not quite sure about it. If the existing Court Fee Act is good enough, then this Bill also should be good enough. If the existing Court Fee Act itself was held to be *ultra vires* of the powers of this Legislature, then I could doubt the validity of this measure. But it has not been declared so and so far nobody has canvassed this point before the courts, even though there are eminent lawyers like

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Mr. Gurunandan Row. Even though rich persons have been called upon to pay thousands of rupees as court-fee, they have not raised this point. Simply because they are called upon to pay such fee, it cannot become tax. That is not the test to be applied here. There are other tests. Unfortunately the Hindu Religious Endowments case was referred to here. That was a different thing altogether. The subject-matter of the case was outside the scope of the Government's administration. Ordinarily, the Government have nothing to do with the administration of religious endowments. For the only taken over the superintendence of the endowments, a fee was levied. But the administration of justice, as has been pointed out by Mr. Bhashyam, is one of the essential services which the Government have to render to society. Therefore, there is no question of any outside thing coming in for the supervision of which a fee is charged. So, that test cannot apply here.

"The only other question is whether the fee should be commensurate with the services rendered in respect of each case or the administration of justice as a whole. We must find out whether the Government are attempting to get any revenue out of this over and above the expenditure incurred or merely getting what they are just spending. If it is a question of loss, we need not worry about it. If it is a little more than what we spend, then the courts are not going to say anything because it is just one lakh or two lakhs of rupees more. They will say anything only if the fee is so disproportionate as to have nothing to do with the services rendered in dispensing justice. Therefore, I do not think each item should be taken into account separately for the purpose of finding out whether we charge the fee properly. I am of this view, subject of course to the views that the courts may hold. If they hold a different view, then there is time enough to consider the position.

"Then, Sir, Mr. Gurunandan Row, supported in a way by Mr. Bhashyam, said that the fee should be based on the time taken by the court to dispose of the particular case. I would request hon. Members to realise and ponder whether it is possible at all to accept this suggestion especially in the case of mufassal courts. I think it is absolutely impossible to accept it. There are easement suits, injunction suits and other small suits relating to land which easily take three or four days for their disposal. Now we have provided for a fee of Rs. 22-8-0 for such suits. If the suggestion of the hon. Members is accepted then in respect of such small suits much more fee may have to be levied. If they are to be charged fee with reference to the time taken, then it will be at least Rs. 100. That will be the minimum fee leviable in such cases. This system cannot work at all in our country and it is not worthwhile attempting such a system simply because we want to be logical about it. It will create more difficulties.

"Then, Sir, Mr. Bhashyam attempted to say 'why not include stamp duty you are collecting on documents?' If this argument

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involved in the field of agriculture, the market value of the land may not be high. Market value alone should not be taken into consideration. Majority of agriculturists are poor. Even if you get a decree, you cannot execute the decree so far as these agriculturists are concerned, because they have not the wherewithal for it. They are poor. That is why I say my amendment fixing the fee at twenty times the annual assessment and not thirty times may be accepted."

The amendments were duly seconded.

THE HON. SRI C. SUBRAMANIAM :—" I do appreciate the point of view put forward by Sri Balasubramania Ayyar. But the Advocates' Federation who gave evidence were agreeable to have it at 50 times the annual assessment. That is what the Federation told us as a matter of fact. After a full discussion in the Select Committee, it was agreed to have it as 30 times the annual assessment. Therefore I do not think it should be further reduced. After all there should be some limit. Therefore I would request Mr. Balasubramanya Ayyar not to press his amendments."

SRI K. BALASUBRAMANYA AYYAR :—" I am not pressing, Sir."

Clause 7 was put and carried.

Clause 8.

SRI K. BALASUBRAMANYA AYYAR :—" Sir, I move the amendment standing in my name, namely,—

' Omit the word " set off or " '

I want the word ' set off or ' to be omitted. So far as counter-claim is concerned, it is all right. I do not object to what is said with regard to counter-claim. But with regard to set off, it is not the case. For the amount due to a plaintiff from the defendant, a decree may be issued against the defendant. If it is a set off, the decree should be only for the amount of difference. But here it is said that the fee shall be chargeable in the same manner as a plaintiff. That is you fix the fee on the final amount. What I say is the fee should be chargeable only on the amount of difference. Therefore I think it is better to omit the word ' set off or '."

The amendment was duly seconded.

THE HON. SRI C. SUBRAMANIAM :—" The point for consideration is this. The plaintiff comes forward with a suit on a certain cause of action and says certain amount is due. The defendant on a different cause of action says that the plaintiff owes him money and this should be set off to meet the cause of action on which the plaintiff has sued. Therefore it is a trial of two suits. As a matter of fact one suit is on the cause of action in favour of the plaintiff while the other is on the cause of action in favour of the defendant. So under these circumstances, I do not think we could agree to the deletion of the words ' set off or '. As a matter of fact even now when I claim a suit, I have to pay court-fee for my defendant also."

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MR. CHAIRMAN :—" The question is—
' Omit the word " set off or. " '

The amendment was lost.

Clause 8 was put and carried.

Clauses 9 to 11 were put and carried.

Clause 12.

SRI B. BALASUBRAMANYA AYYAR :—" Sir, I move the amendment standing in my name, viz.,

' Add the following proviso to sub-clause (1) :—

" Provided that there shall be no review or further review in pure questions of facts relating to the valuation."

Sir, the Courts may have power to review the question of court-fee at any time they like. But, I only wish to point out that so far as questions of facts relating to the valuation are concerned there should be no review or further review. There should be some finality at some stage or other in respect of question of facts."

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

THE HON. SRI C. SUBRAMANIAM :—" Sir, it all depends upon the importance of the issues involved. Even if they were questions of facts, sometimes they make a large difference and it also happens that even in respect of questions of law, they make very little difference. As far as I am concerned, what I want is that proper court-fee should be paid and honest people should not be penalised. If some dishonest people withhold certain facts, the courts must have power to look into those facts and ask them to pay the correct court-fee. They should not be left free. So, it cannot be said that the courts cannot go into such cases at any stage. If a person cleverly hides certain facts, should not the court have power to ask him to pay the correct court-fee at a later stage when those facts were found out? As a matter of fact, everybody should have an equal chance. We should not put a premium on dishonesty and non-disclosure of facts. That is why we say that at every stage it should be possible to review the question of payment of court-fee. An honest person will always give the facts honestly without disclosing anything and will pay whatever court-fee is payable. But, when a dishonest person fails to disclose all the facts and wants to pay as less as possible and hides as many facts as possible, I do not think we can give the advantage to the dishonest person. As a matter of fact, the hon. Members may be aware that in certain cases, some relevant facts will not be disclosed by the parties and those facts will come to light later on. When they come to light at a late stage, the entire aspect of the case will be changed. It is only to cover such cases, we have provided for the review of this question at every stage. It is not as if all the clients will be affected or all

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had come from a layman, I could understand it. But a very great lawyer and legislator coming forward with this suggestion, I cannot understand. This is court-fee and that is duty. Duty is a tax. There is distinction between duty and fee. As far as the Constitution is concerned, they have laid down in the Constitution what are all the taxes which a State can levy. Stamp duty is one tax which the State can levy. Suppose a property is being sold. In the transaction of sale, the stamp duty is levied. For the purpose of possession, the title of the document is necessary. The document becomes effective only when the required stamp duty is paid and necessary stamps affixed. Tax is a different thing from fee. That has been accepted by all. It is on that basis that I say we cannot club court-fee and stamp duty. Whereas if it is a fee, it should be commensurate with the service rendered, in the case of a tax that need not be the case. So we cannot club stamp duty with court-fee and make them pay for the administration of justice. With great respect to my lawyer friend, Mr. Bhashyam, I regret I cannot accept what he had said, viz., to club stamp duty and court-fee. As a learned lawyer, Mr. Bhashyam had put forth all points of view. Of course lawyers put forward in courts all possible arguments. Mr. Bhashyam has not made exception to that even in the Legislature. He has put forward all points of view and has tried to put the facts of the case in all its aspects, just as he would put forward all arguments before the judge when arguing a case in the court. I may tell him there is no similarity between stamp duty and court-fee. Those two cannot be clubbed together for the purpose of meeting our expenditure on the administration of justice. I have already proved by figures how under the head 'Administration of Justice', we are now having a deficit. But hon. Members seem to think litigation should be made cheap and should not be made costly. I do agree with all those theories; but the function of the State is not merely to administer justice and not merely to keep law and order. As a matter of fact in a Welfare State, developmental activities are more important. Education, health, ensuring proper living conditions for the people—these and other social services for the benefit of the people are considered to be far more important than merely administering justice and keeping law and order. Therefore you cannot dissociate one from the other. For the purpose of providing the people with the social services outlined above, Government do need money. That is why taxes are levied. After all Government cannot get money from somewhere else. We get it from the people and then spend it for the people. That is the principle involved. Therefore if you say that court-fees should not be increased, then we have to get some more money from the general tax-payer for the purpose of meeting the deficit under the head 'Administration of Justice'. Is it right for the purpose of subsidising litigation that I should tax the general community a little more and thus meet the deficit? I do not think anybody would agree to the taxing a little more of the general community and that too for the purpose of subsidizing litigation. Hon. Members may find that even though originally I anticipated a revenue of Rs. 50 lakhs from this Bill for the Composite State (after

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partition, leaving out Andhra, we may get Rs. 25 to 30 lakhs), in the present Bill, as it is now before us, we have made increases in the court-fees only here and there. We have not at all effected any overall increase. And what is the money that we hope to get from this Bill? Hardly seven or eight lakhs of rupees. Therefore even after this Bill is passed and comes into effect, we would be getting only seven or eight lakhs of rupees. I am not considering this as a revenue measure but merely a revision of the Court Fee law. Incidentally we may get some money. Considering the dearness allowance paid to all the Government servants working in the courts and considering the general expenditure involved in the administration of justice, I do not think the sum of rupees seven or eight lakhs which we would be getting by way of this Bill, could be considered as a great income. It only amounts to 8 per cent. As against rupees one crore we are spending, this slight increase amounts to only 8 per cent. I do not think it could be said to be a large increase or heavy increase. Of course if you take one item here and there, the fee prescribed may appear big. But as Mr. Balasubramanya Ayyar said you should look at the entire aspect of it. What is the increase effected? It is 8 lakhs of rupees as against rupees one crore we are spending under the head 'Administration of Justice'. It comes to only 8 per cent. Are we not justified to have this 8 per cent increase now, when we take into consideration the present change in money and property values as against the pre-war level. I do hope that nobody could object to it. With these words, Sir, I hope the House would give its approval to this Bill."

Mr. CHAIRMAN :—"The question is—

'That the Madras Court Fees and Suits Valuation Bill, 1954 (L.A. Bill No. 25 of 1954), as passed by the Assembly, be taken into consideration.'

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

Clauses 2 to 6 were put and carried.

Clause 7.

SRI K. BALASUBRAMANYA AYYAR :—"Sir, I move the amendments standing in my name, namely,—

'In sub-clause (2), (a) for the word "thirty" substitute the word "twenty".'

In sub-clause (2) (d) (i) and (ii), for the word "thirty" substitute the word "twenty".'

In sub-clause (2) (e) and (f), for the word "thirty" substitute the word "twenty".'

I want that instead of the words '30 times', the words '20 times' may be substituted. This was also mentioned in the Select Committee. I do not want to expatiate on this subject. We have already discussed this question. My point is so far as agricultural property is concerned it is better to levy the fee at 20 times the revenue assessment and not 30 times. Because of the various aspects

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of them will come under this clause. It is in respect of one in thousand or one in two thousand cases, this provision will be applied. So I do not think that this should be taken exception to."

SRI K. BALASUBRAMANYA AYYAR :—" Sir, I am not objecting to the court's reviewing such cases. They can do it at any time they like if it is a question of law. I am only saying that if it is only a pure question of facts, it need not be reviewed and further reviewed. Even according to the Civil Procedure Code, where a matter relates purely to facts, it is not to be taken in appeal over and over again. If there was to be review even in respect of pure questions of facts, I am afraid matters relating to court-fees alone will loom large in all the courts. The courts will have to divert all their attention to those matters and will have no time to attend to other matters."

THE HON. SRI C. SUBRAMANIAM :—" Sir, the hon. Member's amendment does not refer to appellate courts. It only says, 'Provided that there shall be no review or further review in pure questions of facts relating to the valuation.' This relates to the same court also. I am sorry I will not be able to accept the amendment."

MR. CHAIRMAN :—" The question is—

'Add the following proviso to sub-clause (1) :—

"Provided that there shall be no review or further review in pure questions of facts relating to the valuation." "

The amendment was lost.

Clause 12 was put and carried.

Clauses 13 to 17 were put and carried.

Clause 18.

SRI K. BALASUBRAMANYA AYYAR :—" Sir, I move the amendment standing in my name, viz.,

'Omit sub-clause (2) and renumber sub-clause (1) as clause 18.'

"Sir, I am not in favour of this clause at all. The High Court appoints the Court-fee Examiners. They are given power to inspect the records of Subordinate Courts and also to raise the question in any court at any time in respect of a suit that may be pending. It is also said in this clause that it shall be lawful for the court to review an early decision given by the court on the same question. So, the courts will have to concentrate all their attention upon court-fees only and not any other matter. It is said in sub-clause (2); 'Questions raised in reports submitted by such Court-fee Examiners and relating to any suit, appeal or other proceeding pending in a court shall be heard and decided by such court.' Such a provision may be alright in the 1870 Act. But so far as this particular Bill is concerned, it is not quite right to have such a provision in it. I do not think it is really necessary that the Court-fee Examiners

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should have the power to raise a particular point in respect of a pending appeal at any stage. It may be that they may suddenly raise any point in respect of a pending appeal and it shall be lawful for the court to review an earlier decision given by the court on the same question. By having such a provision, we will unnecessarily be complicating matters relating to court-fees and much of the time of the courts will be taken up to consider these matters only and no other matter.

The amendment was duly seconded.

THE HON. SRI C. SUBRAMANIAM :—" Sir, this is nothing new. As a matter of fact, the system of Court-fee Examiners is in vogue even now. They are experts in the law of court-fees and they scrutinize pending suits and pending appeals and then submit what are called, 'court-fee slips'. Then notice is issued to the parties. The courts hear them and also go through the court-fee slip submitted by the Court-fee Examiners and then give their decision. Such a procedure is absolutely necessary. After all, the courts will only be aware of facts which are placed before them by the parties. It is not as if there is any other third party interested in the matter. The Court-fee Examiners have other sources of information to find out whether the correct fee has been paid and whether all the facts have been given by the parties concerned. For instance, they can find out the correct position from the revenue authorities. It may be that two parties may collide purposely and undervalue a certain property and may not give the full facts relating to the property. Suppose the market value of a house in the City of Madras has to be fixed and full facts are not disclosed. The parties concerned may give the value of the house very low and on this basis they might have paid a certain court-fee. Now, when the Court-fee Examiners were able to get information that the property was situated in a very prominent locality and the market value of the same will be twice or even thrice the one given by the parties concerned, should not the court have power to ask the parties concerned to pay an additional court-fee? There may not be many such cases. As was pointed out by an experienced person who had been a Judge —Sri Gajapathi Nayagar—the percentage of such cases may be only 4 or 5. These will be only very rare cases. It is only to regularize a system that is already in vogue, we have incorporated such a provision. So, there is nothing wrong in having it."

MR. CHAIRMAN :—" The question is—

'Omit sub-clause (2) and renumber sub-clause (1) as clause 18.' "

The amendment was lost.

Clause 18 was put and carried.

Clauses 19 to 23 were put and carried.

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Clause 24.

SRI K. BALASUBRAMANYA AYYAR :—" Mr. Chairman, I move the amendments standing in my name, viz.,

' Omit sub-clause (2) (a). '

In sub-clause (2) (b), omit the words " where the plaintiff's title to the money or the property secured by the document is not denied " . '

" Sir, there are suits for possession of documents of title. For example, there may be suits for the purpose of getting possession of a promissory note.

" The party brings in the suit only for the recovery of the document and not the property conveyed by the document. The defendant might say : ' No, no. It is mine. It is not yours ' and all that. The court can merely say, ' if you prove that the document is yours, you may take it ' . So far as the recovery of the money is concerned, it is a different matter and the party concerned may bring in a suit on that particular matter. So far as title is concerned, the Court Fees Act of 1870 does not take the market value into consideration. Whatever value the plaintiff puts in his plaint is accepted, because after all he wants to recover possession of the document. Where there is no denial of the title, the clause accepts the value put on the plaint. But where there is a denial, it is then valued at one-fourth market value. This is a departure from the original principle laid down in the Court Fee Act of 1870. I only want that the Government should conform to the original principle. Whenever there is a suit for recovery of document, there is no question of denial of title by the defendant and so far as the plaintiff is concerned he is concerned with the recovery of the particular piece of paper on the ground he has a right to possess it. That is the only thing that has got to be decided. The court need not ask the plaintiff to bring a suit for the recovery or possession of the property or enforce his right of possession over the property. That is my submission, Sir."

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

THE HON. SRI C. SUBRAMANIAM :—" Sir, the point involved is this. In section 24 (2) what is stated is : ' In a suit for possession of documents of title, fee shall be computed on one-fourth of the amount or of the market value of the property secured by the document ' . The point is this. If it is merely a claim as of right that he is entitled to it and property is not disputed at all, then he is of right entitled to the document. Then the other issues do not arise. He can value as he likes. But incidentally if the title with reference to the property involved in that document is to be raised and decided, then one-fourth of the amount of the market value has to be paid as court-fees, since the greater question of title to the property itself has got to be decided. Of course where the document itself is in favour of a certain person and that person claims it,

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on the face of it the other questions do not arise. But where certain documents are claimed by right of succession saying : ' I am the heir. The property secured by the document should go to me and not to the other person. He is not entitled to it ' , then the entire thing will have to be litigated upon and issues framed. Then the questions will have to be discussed. There we cannot leave it to the plaintiff to value it as he likes. At least one-fourth of the amount or of the market value of the property secured by the document should be paid as court-fee. I do not think any hardship will be caused on account of this."

MR. CHAIRMAN :—" The question is—
' Omit sub-clause (2) (a). ' "

The amendment was lost.

MR. CHAIRMAN :—" The question is—

' In sub-clause (2) (b), omit the words " where the plaintiff's title to the money or the property secured by the document is not denied " . ' "

The amendment was lost.

Clause 24 was put and carried.

Clauses 25 to 68 were put and carried.

Clause 69.

SRI K. BALASUBRAMANYA AYYAR :—" Mr. Chairman, Sir, I move the amendment standing in my name, namely :—

' Add the following before the Explanation :—

" Where any suit is decreed *ex parte* or comprised or withdrawn or referred to arbitration before evidence has been recorded on the merits of the claim, half the amount of all fees paid in respect of the claim or claims of the suit shall be ordered by the court to be refunded to the parties, by whom the same have been respectively paid." , , "

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

SRI K. BALASUBRAMANYA AYYAR :—" Mr. Chairman, Sir, this chapter deals with refund of court-fee. This is a very important chapter. There are many points mentioned there where refund of court-fee can be given to the party concerned. By my amendment, I am only seeking to give effect to the principle that the time of the court has not been taken on account of the fact that the suit has been decreed *ex parte*, or is compromised—not out of court—or referred to arbitration before evidence has been taken. This is accepted even in the Presidency Small Cause Court. In these cases, the court has nothing to look into and half of the fees paid by the party should be refunded."

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THE HON. SRI C. SUBRAMANIAM :—" Mr. Chairman, Sir, this clause as it stands relates to cases : ' where before the evidence is taken on the merits of the claim, the case is settled out of court and such a settlement is reported to the court '. So much so, the court has nothing more to do with that. That is the case involved in this clause. The hon. Member wants that to be extended to other cases also. It is not merely with reference to the time taken with regard to the passing of the decree but the execution of the decree later on which is more difficult than even getting a decree. In our country, in all these cases not merely the time taken for trial and passing of the decree should be taken into consideration but also the time taken with reference to the execution of the decree also. We do not pay any court-fee for execution of a decree. As a matter of fact, it is only an ordinary petition. As I said elsewhere and as is put in a decision of the Privy Council, the difficulties of the plaintiff in India start after getting a decree. There is difficulty only in the execution of the decree, even in respect of compromise decrees. The very interpretation of the decree gives rise to difficulties. The execution of the decree gives rise to further difficulties. This is also the case with reference to arbitration cases. The matter does not end with the passing of an award. That is why we have recognized in clause 69 only certain categories of cases wherein the court will have nothing more to do with the cases. They are closed once and for all. But the categories of cases referred to by the hon. Member will really give greater trouble at later stages. Therefore it will not be possible to extend that principle to all cases. We have just made a beginning. Let us see how this works. Perhaps later on we may consider other cases also."

SRI K. BALASUBRAMANYA AYYAR :—" Sir, so far as the execution of the court decree is concerned, we do not increase the court-fee on account of the difficulties involved in the execution of the decrees. If, in a particular case, the litigant is put to lot of difficulties, do the Government increase the court-fee payable in such cases? No. With the passing of the decree, one stage is over and execution of the decree is the next stage. It is only an ordinary petition presented with a fee of Rs. 2 for the execution of the decree. Whether there are difficulties in the execution of the decree or not, it does not matter. Therefore that argument should not be put forward here where the court has not spent much time over the whole question, where the suit is decreed ex parte, or compromised or withdrawn or referred to arbitration before evidence has been recorded on the merits of the case. In the case of the ex parte decree, it takes only two minutes for the Judge. In the case of compromise suits also, it does not take much time. The Judge does not even write the decree. It is written by the clerk. The Judge merely signs. (Interruption.) That is your fault and not the fault of the parties. The time factor in these cases is very important. Therefore, I ask why should not Government refund half of the court-fee paid in these cases? "

THE HON. SRI C. SUBRAMANIAM :—" I am not accepting the amendments, Sir."

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MR. CHAIRMAN :—" The question is—

" Add the following before the Explanation :—

" Where any suit is decreed ex parte or compromised or withdrawn or referred to arbitration before evidence has been recorded on the merits of the claim, half the amount of all fees paid in respect of the claim or claims of the suit shall be ordered by the court to be refunded to the parties, by whom the same have been respectively paid." "

The amendment was lost.

Clause 69 was put and carried.

Clauses 70 to 81 were put and carried.

Clause 82.

SRI K. BALASUBRAMANYA AYYAR :—" Sir, rules may be placed before this House also." 4.10 p.m.

THE HON. SRI C. SUBRAMANIAM :—" Yes, Sir, I give the assurance that they will be placed here also."

MR. CHAIRMAN :—" Is the hon. Member not moving his amendment? "

SRI K. BALASUBRAMANYA AYYAR :—" I am not moving it."

Clause 82 was put and carried.

Clauses 83 to 87 were put and carried.

SCHEDULE I.

SRI K. BALASUBRAMANYA AYYAR :—" Sir, I move the amendments standing in my name, namely :—

" In Article 1 (i), for the word " six ", substitute the word " two ".

For the existing Article 1 (iii), substitute the following :—

" (iii) exceeds one hundred rupees, Six annas.
for every ten rupees or part
thereof in excess of one hundred
rupees up to one thousand
rupees.

(iv) exceeds one thousand rupees Twelve annas."
for every ten rupees or part
thereof.

I agree that the rate of 7½ per cent *ad valorem* is a very reasonable rate and I do not question it at all. But so far as cases of a small cause nature are concerned, this rate should be reduced a little. For a suit valued at Rs. 500 why should a poor litigant be asked to pay six annas? After all, he has to pay lawyer's fee and other fees. I hope the Government will look into that aspect of the matter."

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

THE HON. SRI C. SUBRAMANIAM :—" No principle is involved in it. The reduction suggested is very drastic—from six annas to two annas, that is, one-third court-fee. I do not think that we are justified in reducing it to that extent. After all, we are just abolishing the distinction between a smaller suit and a higher suit and we are adopting a uniform scale of fee. It will give room for agitation if it should be brought down to that level. Having adopted the 7½ per cent rate, let us stick to it throughout."

MR. CHAIRMAN :—" The question is—

'In Article (1) (i), for the word " six ", substitute the word " two ".

For the existing Article 1 (iii), substitute the following :—

" (iii) exceed one hundred rupees
for every ten rupees of part
thereof in excess of one
hundred rupees up to one
thousand rupees.

Six annas.

(iv) exceeds one thousand rupees
for every ten rupees or part
thereof.

Twelve annas."

The amendments were lost.

Schedule I was put and carried.

Schedules II and III were 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 Madras Court Fees and Suits Valuation Bill, 1954 (L.A. Bill No. 25 of 1954), as passed by the Assembly, be passed.'

I do not think that I need make any speech now as all the points have been thrashed out. I am sure when the Act is worked it will be a simpler measure and there will be less hardship as far as litigants are concerned. If there is really any difficulty, certainly we will take note of it and take further action. As far as possible we will try to improve the present measure and, I think, we have really made an improvement. I hope the Bill will be passed unanimously."

MR. CHAIRMAN :—" The question is—

'That the Madras Court Fees and Suits Valuation Bill, 1954 (L.A. Bill No. 25 of 1954), as passed by the Assembly, be passed.'

The motion was carried and the Bill was passed.

MR. CHAIRMAN :—" The House now stands adjourned sine die."

The House then adjourned sine die.

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APPENDIX I.

[Vide answer to starred question No. 289 asked by Sri T. Purushotham at the meeting of the Legislative Council held on 7th April 1955, page 906 supra.]

(a) The total number of Lino machines in the Government Press, Madras—Thirty.

(b) The strength of mechanics working in the Lino Department for each shift—

First shift (6 a.m. to 2 p.m.)—One senior mechanic and two junior mechanics.

Second shift (2 p.m. to 10 p.m.)—One senior mechanic and two junior mechanics.

Office hours (8-45 a.m. to 5-30 p.m.)—Two head mechanics and one auxiliary mechanic.

(c) The number of Lino machines that are not working and the reasons therefor—Five old machines out of the 30 machines are not working. Five new machines were purchased to replace the above five old machines, which however were not condemned but kept on for use in emergencies, to enable the running of some of the machines on single shift, etc. Further, matrices which are essential for the working of a Linotype machine have been in short supply for a considerable time and the indent placed with the Director-General, India Stores, London, in 1952, has not been complied with yet. Certain important matrices were not available locally, and the local rates were also high. In view of this and as the matrices for which orders were placed in London in 1952, were expected to arrive at any time, the matrices in the five old machines were removed for use on five new machines. Though the five new machines were supplied with matrices, the matrices had to be replaced on account of wear and tear.

(d) The amount spent towards the local purchase of Lino spares and matrices from 1st January to 1st October 1954—Rs. 3,990-1-0.

(e) Whether Lino spares, etc., were received from the United Kingdom recently and if so, the year in which the indent was made for the same—Yes, Sir, on 29th October 1954. The indent was made on 3rd January 1952 for the year 1951-52.

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APPENDIX II.

[Vide item II (1) on page 909 supra.]

L.A. BILL No. 52 OF 1954.

(As passed by the Assembly.)

A Bill to provide for the regulation of exhibitions by means of cinematographs in the State of Madras.

WHEREAS it is expedient to provide for the regulation of exhibitions by means of cinematographs in the State of Madras:

BE it enacted in the Sixth Year of the Republic of India as follows:—

1. *Short title, extent and commencement.*—(1) This Act may be called the Madras Cinemas (Regulation) Act, 1955.

(2) It extends to the whole of the State of Madras.

(3) It shall come into force on such date as the Government may by notification, appoint.

2. *Definitions.*—In this Act, unless the context otherwise requires—

(1) "cinematograph" includes any apparatus for the representation of moving pictures or series of pictures;

(2) "District Collector" in relation to the presidency-town, means the Commissioner of Police, Madras;

(3) "Government" means the State Government;

(4) "notification" means a notification published in the *Fort St. George Gazette*;

(5) "place" includes a house, building, tent and any description of transport, whether by water, land or air;

(6) "prescribed" means prescribed by rules made under this Act.

3. *Cinematograph exhibitions to be licensed.*—Save as otherwise provided in this Act, no person shall give an exhibition by means of a cinematograph elsewhere than in a place licensed under this Act, or otherwise than in compliance with any conditions and restrictions imposed by such licence.

4. *Licensing authority.*—The authority having power to grant licences under this Act (hereinafter referred to as the licensing authority) shall be the District Collector:

Provided that the Government may, by notification, constitute, for the whole or any part of the State, such other authority as it may specify in the notification to be the licensing authority for the purposes of this Act.

5. *Restrictions on powers of licensing authority.*—(1) The licensing authority shall, in deciding whether to grant or refuse a licence, have regard to the following matters, namely:—

(a) the interest of the public generally;

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(b) the status and previous experience of the applicant;

(c) the suitability of the place where the cinematograph exhibitions are proposed to be given;

(d) the adequacy of existing places for the exhibition of cinematograph films in the locality;

(e) the benefit to any particular locality or localities to be afforded by the opening of a new place of cinematograph exhibition;

(f) the possession by the applicant, of other places, if any, licensed under this Act, whether in the same locality or elsewhere, and whether at the time of applying for the licence or at any previous time;

and shall also take into consideration any representations made by persons already giving cinematograph exhibitions in or near the proposed locality or by any local authority or police authority within whose jurisdiction the place proposed to be licensed is situated or by any association interested in the giving of cinematograph exhibitions.

(2) The licensing authority shall not grant a licence unless it is satisfied that—

(a) the rules made under this Act have been substantially complied with, and

(b) adequate precautions have been taken in the place, in respect of which the licence is to be granted, to provide for the safety, convenience and comfort of the persons attending exhibitions therein.

(3) The licensing authority may, after consideration of the matters set forth in sub-section (1), limit the number of places in any area in respect of which licences under this Act may be granted.

(4) The Government may issue such orders and directions of a general character as they may consider necessary, in respect of any matter relating to licences for the exhibition of cinematograph films, to licensing authorities; and every licensing authority shall give effect to such orders and directions.

(5) Subject to the foregoing provisions of this section, the licensing authority may grant licences under this Act to such persons and on such terms and conditions and subject to such restrictions as it may determine. Where the licensing authority refuses to grant any licence, it shall do so by an order communicated to the applicant, giving the reasons in writing for such refusal.

(6) Every licence under this Act shall be personal to the person to whom it is granted and no transfer or assignment thereof whether absolute or by way of security or otherwise shall be valid unless approved in writing by the licensing authority.

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(7) Any person aggrieved by the decision of the licensing authority refusing to grant a licence under this Act or refusing to approve any transfer or assignment thereof, may, within such time as may be prescribed, appeal to such authority as the Government may specify in this behalf and such authority may make such order in the case as it may think fit.

6. *Power of Government to issue directions.*—The Government may, from time to time, issue directions to any licensee or to licensees generally, requiring the licensee or licensees to exhibit such film or class of films having a scientific or educative value, such films dealing with news and current events, such documentary films, indigenous films, or such other films having special value to the public, as may have been approved by the Government in that behalf from time to time; and where any such directions have been issued, those directions shall be deemed to be additional conditions and restrictions subject to which the licence has been granted:

Provided that no direction issued under this section shall require the licensee to exhibit any such film or films exceeding two thousand feet at, or for more than one-fifth of the entire time taken for, any one show.

7. *Power of Government or District Collector to suspend exhibition of films in certain cases.*—(1) The Government in respect of the whole of the State or any part thereof, and the District Collector within his jurisdiction, may, if they or he are or is of opinion that any film which is being or is about to be publicly exhibited is likely to cause a breach of the peace, by order, suspend the exhibition of the film; and during such suspension, no person shall exhibit such film or permit it to be exhibited in any place in the State or any part or district thereof, as the case may be.

(2) No order shall be issued under sub-section (1) until the person concerned has been given a reasonable opportunity of showing cause against the order proposed to be issued in regard to him:

Provided that this sub-section shall not apply where the Government or the District Collector proposing to issue the order are or is satisfied that owing to any emergency or for some other reason, to be recorded by them or him in writing, it is not reasonably practicable to give to that person an opportunity of showing cause:

Provided further that a copy of the reasons recorded by the Government or the District Collector for issuing the order shall be communicated to the person concerned as soon as it becomes reasonably practicable to communicate the reasons to him.

(3) If any question arises whether it is reasonably practicable to give to any person an opportunity of showing cause under sub-section (2), the decision thereon of the Government or the District Collector, as the case may be, shall be final.

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(4) Where an order under subsection (1) has been issued by the District Collector, a copy thereof, together with a statement of the reasons therefor, shall forthwith be forwarded by him to the Government, and the Government may, on a consideration of all the facts of the case, either confirm or vary or discharge the order.

(5) An order issued under sub-section (1) shall remain in force for a period of two weeks from the date thereof but the Government may, if they are of opinion that the order should continue in force, direct that the period of suspension shall be extended by such further period as they think fit:

Provided that the Government or the District Collector may review their own order.

8. *Penalties.*—If the owner or person in charge of a cinematograph uses the same or allows it to be used, or if the owner or occupier of any place permits that place to be used, in contravention of the provisions of this Act or of the rules made thereunder, or of the conditions and restrictions upon or subject to which any licence has been granted under this Act, he shall be punishable with fine which may extend to one thousand rupees and, in the case of a continuing offence, with a further fine which may extend to one hundred rupees for each day during which the offence continues.

9. *Power to revoke licence.*—Where the holder of a licence has been convicted of an offence under section 7 of the Cinematograph Act, 1952 (Central Act XXXVII of 1952), or section 8 of this Act, the licence may be revoked by the licensing authority by an order in writing.

10. *Power to make rules.*—(1) The Government may, by notification, make rules to carry out the purposes of this Act.

(2) Without prejudice to the generality of the foregoing power, such rules may provide for—

(a) the terms, conditions and restrictions, subject to which a licence may be granted under this Act and the fees to be paid in respect of such licence;

(b) the regulation of cinematograph exhibitions for securing the public safety;

(c) the time within which and the conditions subject to which an appeal under sub-section (7) of section 5 may be preferred, and the fees to be paid in respect of such appeal;

(d) the procedure for approval of films for the purposes of section 6.

(3) All rules made under this Act shall come into force on the date of notification and shall be laid for not less than fifteen days before both Houses of the State Legislature, as soon as possible after they are made, and shall be subject to such modifications whether by way of repeal or amendment, as those Houses may make during the session in which they are laid.

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11. *Power to exempt.*—The Government may, by order in writing, exempt, subject to such conditions and restrictions as they may impose, any cinematograph exhibition or class of cinematograph exhibitions or any place where a cinematograph exhibition is given from any of the provisions of this Act or of any rules made thereunder.

12. *Repeal.*—In relation to this State, the Cinematograph Act, 1918 (Central Act II of 1918), in so far as it has not been repealed by the Cinematograph Act, 1952 (Central Act XXXVII of 1952), is hereby repealed:

Provided that any appointment, notification, order, scheme, rule, form or by-law, made or issued under the repealed Act, shall, so far as it is not inconsistent with the provisions of this Act, continue in force and be deemed to have been made or issued under the provisions of this Act, unless and until it is superseded by any appointment, notification, order, scheme, rules form or by-law made or issued under this Act.

APPENDIX III.

[Vide item II (2) on page 929 supra.]

L.A. BILL No. 8 OF 1955.

(As passed by the Assembly.)

A Bill further to amend the Presidency Small Cause Courts Act, 1882, in its application to the State of Madras.

WHEREAS it is necessary and expedient further to amend the Presidency Small Cause Courts Act, 1882 (Central Act XV of 1882), in its application to the State of Madras, for the purposes 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 Presidency Small Cause Courts (Madras Amendment) Act 1955.

(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 71, Central Act XV of 1882.*—In section 71 of the Presidency Small Cause Courts Act, 1882 (Central Act XV of 1882) (hereinafter referred to as the principal Act), for clauses (a) and (b), the following shall be substituted:—

“the sum of twelve annas for every ten rupees or part thereof of the amount or value of the subject-matter.”

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3. *Insertion of new sections 72-A and 72-B in Central Act XV of 1882.*—After section 72 of the principal Act, the following sections shall be inserted, namely:—

“72-A. *Fees for certain applications.*—No document of any of the kinds specified in the Fifth Schedule shall be filed, exhibited or recorded in, or shall be received or furnished by, the Small Cause Court, unless in respect of such document, the fee specified therein be paid.

72-B. *Fees for applications under section 38.*—A fee amounting to one-half of the fee payable on the plaint in a suit for the amount or value of the relief claimed in the application, including the value of any relief claimed in respect of costs, shall be paid on every application made under section 38 on which the Small Cause Court orders that notice be issued on the opposite party, and such notice shall not be issued until such fee has been paid:

Provided that where a new trial is ordered to be held, the Small Cause Court may direct that such fee be repaid, in whole or in part, to the party by whom it has been paid.”

4. *Insertion of new sections 74-A to 74-E in Central Act XV of 1882.*—After section 74 of the principal Act, the following sections shall be inserted, namely:—

“74-A. *Costs where poor person succeeds.*—Where the plaintiff or applicant in any suit or application received and registered under section 74 succeeds in the suit or application, the Small Cause Court shall calculate the amount of fee which would have been paid by the plaintiff or applicant if that suit or application had not been so received and registered; such amount shall be recoverable by the State Government from any party ordered by the decree or order to pay the same, and shall be a first charge on the subject-matter of the suit or application.

74-B. *Procedure where poor person fails.*—Where the plaintiff or applicant fails in the suit or application or where the suit or application is withdrawn or where part of the claim is abandoned or where the suit or application is dismissed because the plaintiff or applicant does not appear when the suit or application is called on for hearing, the Small Cause Court shall order the plaintiff or applicant or any person added as a co-plaintiff to the suit or co-applicant in the application to pay the fee and in the case of abandonment of part of the claim the proportionate fee which would have been payable by the plaintiff or applicant if the suit or application had not been received and registered under section 74.

74-C. *Payment of fees by next friend of minor in certain cases.*—Where the Small Cause Court finds that a suit or application received and registered under section 74 has been instituted unreasonably or improperly by a next friend on behalf of a minor plaintiff or applicant on a cause of action which accrued during the minority of such plaintiff or applicant, the Small Cause Court may order the next friend to personally pay the fee.

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74-D. *Procedure where suit or application by poor person abates.*—Where the suit or application abates by reason of the death of the plaintiff or of any person added as a co-plaintiff or of the applicant or of any person added as a co-applicant, the Small Cause Court shall order that the amount of fee which would have been paid by the plaintiff or applicant if his suit or application had not been received and registered under section 74 shall be recoverable by the State Government from the estate of the deceased plaintiff or applicant.

74-E. *Recovery of amount of fee.*—Where an order is made under section 74-A, 74-B, 74-C or 74-D, the Small Cause Court shall forthwith cause a copy of the decree or order to be forwarded to the Collector, who may, without prejudice to any other mode of recovery, recover the amount of fee specified therein from the person or property liable for the payment as if it were an arrear of land revenue."

5. *Substitution of new section for section 77 in Central Act XV of 1882.*—For section 77 of the principal Act, the following sections shall be substituted, namely :—

"77. *Decision as to proper fee.*—If any difference arises between the officer whose duty it is to see that any fee is paid under this Act and any party as to the necessity of paying a fee or the amount thereof, the question shall be referred to the Registrar whose decision shall be final except where, in his opinion, the question is one of general importance, in which case he shall refer it to the Chief Judge.

77-A. *Collection of fees by stamps.*—All fees chargeable under this Act shall be collected by stamps."

6. *Addition of a new Schedule to Central Act XV of 1882.*—After the Fourth Schedule to the principal Act, the following schedule shall be added, namely :—

"THE FIFTH SCHEDULE.

(See section 72-A.)

Article.	Particulars.	Proper fee.
1	Applications for lapsed deposits presented after six months after the date on which the amount lapsed to the Government—	
	(i) when the amount or deposit does not exceed Rs. 50.	Eight annas.
	(ii) when the amount or deposit exceeds Rs. 50 but does not exceed Rs. 1,000.	One rupee.
	(iii) When it exceeds Rs. 1,000.	Two rupees.

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Article.	Particulars.	Proper fee.
2	Copy or translation of a judgment or order not being or having the force of a decree— (a) if the amount or value of the subject-matter is Rs. 50, or less than Rs. 50. (b) if such amount or value exceeds Rs. 50.	Eight annas. One rupee.
3	Copy of a decree or order having the force of a decree— (a) if the amount or value of the subject-matter of the suit wherein such decree or order is made is Rs. 50 or less than Rs. 50. (b) if such amount or value exceeds Rs. 50.	Twelve annas. One rupee and eight annas.
4	Copy of any document liable to stamp duty under the Indian Stamp Act, 1899, when left by any party to a suit or proceeding in place of the original withdrawn— (a) when the stamp duty chargeable on the original does not exceed eight annas. (b) in any other case	The amount of the duty chargeable on the original. Twelve annas.
5	Copy of any revenue or judicial proceeding or order not otherwise provided for by this Act or copy of any account, statement, report, or the like taken out of the Small Cause Court— For every document	Twelve annas.
6	Vakalatnama, or any paper signed by an Advocate signifying or intimating that he is retained for a party except where the party is a member of any of the Armed Forces of the Union not in civil employment.	One rupee and eight annas.
7	Application to receive and register a suit or an application under section 41 without payment or on part-payment of fees mentioned in sections 71 and 72.	Twelve annas

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Article.	Particulars.	Proper fee.
8	Application for a copy of translation of any judgment, decree or any proceeding or order or of any other document on record.	Four annas.
9	Application or petition not otherwise provided for in this Act.	Twelve annas.
7. <i>Amendment of Schedule I-A to Central Act II of 1899.</i> —In Article 40 of Schedule I-A to the Indian Stamp Act, 1899 (Central Act II of 1899), the following entries shall be omitted, namely :—		
	“(b) when required in suits or proceedings under the Presidency Small Cause Courts Act, 1882.	One rupee two annas.”
8. <i>Saving.</i> —All suits and proceedings instituted in the Small Cause Court before the commencement of this Act and all proceedings by way of appeal, revision or otherwise arising therefrom, whether instituted before or after such commencement, shall be governed by the provisions of the principal Act as if this Act had not been passed.		

APPENDIX IV.

[Vide item 11 (3) on page 932 supra.]

L.A. BILL No. 10 OF 1955.

(As passed by the Assembly.)

A Bill further to amend the Tanjore Chattram Endowments (Utilization) Act, 1942.

WHEREAS it is expedient further to amend the Tanjore Chattram Endowments (Utilization) Act, 1942 (Madras Act VIII of 1942) for the purposes 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 Tanjore Chattram Endowments (Utilization) Amendment Act, 1955.

2. *Substitution of long title and preamble, Madras Act VIII of 1942.*—In the Tanjore Chattram Endowments (Utilization) Act, 1942 (Madras Act VIII of 1942) (hereinafter referred to as the principal Act), for the long title and the preamble, the following long title and preamble shall be substituted, namely :—

“An Act to provide for the making of contributions from, and the diversion of, the funds of the Tanjore Chattram Endowments towards the establishment or maintenance of certain institutions, and for other purposes.

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WHEREAS it is expedient to provide for the making of contributions from, and the diversion of, the funds of the Tanjore Chattram Endowments towards the establishment or maintenance of certain institutions, and for other purposes; it is hereby enacted as follows :—

3. *Substitution of new section for section 2, Madras Act VIII of 1942.*—For section 2 of the principal Act, the following section shall be substituted, namely :—

“2. *Power to make contributions, diversions, etc.*—(1) The Tanjore District Board or such other authority or person as may for the time being have the management and superintendence of the Tanjore Chattram Endowments may, subject to such restrictions and conditions, if any, as may be imposed by the State Government—

(a) contribute from the income derived from the said endowments towards the expenditure incurred in the maintenance of—

(i) the institutions specified in the Schedule, and

(ii) such other institutions as may be notified in this behalf by the State Government;

(b) appropriate or divert a sum of four lakhs, ninety-four thousand and five hundred rupees from the funds of the said endowments for the purpose of the establishment or maintenance of a first-grade college at Tanjore and invest and keep invested the said sum in securities issued or guaranteed by the State Government; and

(c) contribute from the interest derived from the investment aforesaid a sum of fifteen thousand rupees annually for the purpose of the establishment or maintenance of the said first-grade college at Tanjore.

(2) The corpus of the investment referred to in clause (b) of sub-section (1) shall be held in trust for the purposes of the said college in the joint names of three trustees, namely, the Tanjore District Board, the University of Madras and the managing body of the said college; but the district board alone shall be competent to draw or deal with the interest derived from the investment.

(3) The district board or other authority or person referred to in sub-section (1) may also lease out any land or building belonging to the said Endowments, for a period not exceeding three years at a time, either rent-free or at concessional rates of rent, to a department of the Government, any local body or any private institution, for the purpose of running farms for the improvement of livestock; and may renew any such lease for a period not exceeding three years at a time.”

4. *Amendment of section 3, Madras Act VIII of 1942.*—In section 3 of the principal Act, the brackets and figure “(1)” at the beginning of sub-section (1) shall be omitted, and sub-section (2) shall be omitted.

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APPENDIX V.

[Vide item II (4) on page 947 supra.]

L.A. BILL No. 25 OF 1954.

(As passed by the Assembly.)

A Bill to amend and consolidate the law relating to court-fees and valuation of suits in the State of Madras.

WHEREAS it is necessary and expedient to amend and consolidate the law relating to court-fees and valuation of suits in the State of Madras :

BE it enacted in the Sixth Year of the Republic of India as follows :—

CHAPTER I.

PRELIMINARY.

1. *Short title, extent and commencement.*—(1) This Act may be called the Madras Court-fees and Suits Valuation Act, 1955.

(2) It extends to the whole of the State of Madras.

(3) It shall come into force on such date as the State Government may, by notification in the *Fort St. George Gazette*, appoint.

2. *Application of Act.*—(1) The provisions of this Act shall not apply to—

(a) proceedings in the Presidency Court of Small Causes, Madras,

(b) documents presented or to be presented before an officer serving under the Central Government.

(2) Where any other law contains provisions relating to the levy of fee in respect of proceedings under such other law, the provisions of this Act relating to the levy of fee in respect of such proceedings shall apply subject to the said provisions of such other law.

3. *Definitions.*—In this Act, unless the context otherwise requires,—

(i) “ appeal ” includes a cross-objection;

(ii) “ Court ” means any Civil, Revenue, or Criminal Court and includes a Tribunal or other authority having jurisdiction under any special or local law to decide questions affecting the rights of parties;

(iii) “ prescribed ” means prescribed by rules made under this Act; and

(iv) expressions used and not defined in this Act or in the Madras General Clauses Act, 1891 (Madras Act I of 1891), but defined in the Code of Civil Procedure, 1908 (Central Act V of 1908), shall have the meanings respectively assigned to them in the said Code.

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CHAPTER II

LIABILITY TO PAY FEE.

4. *Levy of fee in Courts and public offices.*—No document which is chargeable with fee under this Act shall—

(i) be filed, exhibited or recorded in, or be acted on or furnished by, any Court including the High Court, or

(ii) be filed, exhibited or recorded in any public office, or be acted on or furnished by any public officer, unless in respect of such document there be paid a fee of an amount not less than that indicated as chargeable under this Act :

Provided that, whenever the filing or exhibition in a Criminal Court of a document in respect of which the proper fee has not been paid is in the opinion of the Court necessary to prevent a failure of justice, nothing contained in this section shall be deemed to prohibit such filing or exhibition.

5. *Fees on documents inadvertently received.*—When a document on which the whole or any part of the fee prescribed by this Act has not been paid is produced or has, through mistake or inadvertence, been received in any Court or public office, the Court or the head of the office may, in its or his discretion at any time, allow the person by whom such fee is payable to pay the fee or part thereof, as the case may be, within such time as may be fixed; and upon such payment, the document shall have the same force and effect as if the full fee had been paid in the first instance.

6. *Multifarious suits.*—(1) In any suit in which separate and distinct reliefs are sought based on the same cause of action, the plaint shall be chargeable with a fee on the aggregate value of the relief :

Provided that, if a relief is sought only as ancillary to the main relief, the plaint shall be chargeable only on the value of the main relief.

(2) Where more reliefs than one based on the same cause of action are sought in the alternative in any suit, the plaint shall be chargeable with the highest of the fees leviable on the reliefs.

(3) Where a suit embraces two or more distinct and different causes of action and separate reliefs are sought based on them, either alternatively or cumulatively, the plaint shall be chargeable with the aggregate amount of the fees with which plaints would be chargeable under this Act if separate suits were instituted in respect of the several causes of action :

Provided that, where the causes of action in respect of reliefs claimed alternatively against the same person arise out of the same transaction, the plaint shall be chargeable only with the highest of the fees chargeable on them.

Nothing in the sub-section shall be deemed to affect any power conferred upon a Court under rule 6 or Order II of the Code of Civil Procedure, 1908 (Central Act V of 1908).

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(4) The provisions of this section shall apply *mutatis mutandis* to memoranda of appeals, applications, petitions and written statements.

Explanation.—For the purpose of this section, a suit for possession of immovable property and for mesne profits shall be deemed to be based on the same cause of action.

7. *Determination of market value.*—(1) Save as otherwise provided, where the fee payable under this Act depends on the market value of any property, such value shall be determined as on the date of presentation of the plaint.

(2) The market value of land in suits falling under section 25 (a), 25 (b), 27 (a), 29, 30, 37 (1), 37 (3), 38, 45 or 48 shall be deemed to be—

(a) where the land is ryotwari land—thirty times the survey assessment on the land:

Provided that, where the land forms part of a survey field and is not separately assessed to revenue, the value of such part shall be deemed to be thirty times such proportion of the survey assessment as the part bears to the entire survey field.

Explanation.—Lands in the areas in which the Malabar Tenancy Act, 1929 (Madras Act XIV of 1930) is in force shall be regarded as ryotwari lands.

(b) where the land is situated in an estate as defined in sub-section (2) of section 3 of the Madras Estates Land Act, 1908 (Madras Act I of 1908), not being a land of the description mentioned in sub-clause (g) and such estate has been taken over by the Government under the Madras Estates (Abolition and Conversion into Ryotwari) Act, 1948 (Madras Act XXVI of 1948)—thirty times the land revenue payable on the land under section 23 of that Act; but if a ryotwari settlement has since been effected in pursuance of section 22 of that Act, in respect of such land, thirty times the assessment as so fixed;

(c) where the land is situated in an estate which became an estate under the Madras Estates Land (Third Amendment) Act, 1936 (Madras Act XVIII of 1936)—thirty times the rent payable for the land as fixed under the Madras Estates Land (Reduction of Rent) Act, 1947 (Madras Act XXX of 1947);

(d) where the land is an 'estate' as defined in the Madras Estates Land Act, 1908 (Madras Act I of 1908)—

(i) where separate *peishkush* is recorded in the Collector's register as payable for the estate—thirty times such *peishkush*;

(ii) in any other case—thirty times the annual *melvaram* realizable from the estate;

(e) where the land is a minor inam held under inam title deed—thirty times the assessment as noted in the village 'B' Register;

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(f) where the land is in an inam village which is not an 'estate' as defined in sub-section (2) of section 3 of the Madras Estates Land Act, 1908 (Madras Act I of 1908)—thirty times the rent payable in respect of it;

(g) where the land is a house-site whether assessed to full revenue or not, poramboke land, or is land not falling within the foregoing description—its market value.

8. *Set off or counter claim.*—A written statement pleading a set off or counter claim shall be chargeable with fee in the same manner as a plaint.

9. *Documents falling under two or more descriptions.*—Subject to the provisions of the last preceding section, a document falling within two or more descriptions in this Act shall, where the fees chargeable thereunder are different, chargeable only with the highest of such fees:—

Provided that, where one of such descriptions is special and another general, the fee chargeable shall be the fee appropriate to the special description.

CHAPTER III.

DETERMINATION OF FEE.

10. *Statement of particulars of subject-matter of suit and plaintiff's valuation thereof.*—In every suit in which the fee payable under this Act on the plaint depends on the market value of the subject-matter of the suit, the plaintiff shall file with the plaint, a statement in the prescribed form, of particulars of the subject-matter of the suit and his valuation thereof unless such particulars and the valuation are contained in the plaint.

11. *Decision as to proper fee in the High Court.*—Where, in a suit instituted in the High Court, in which a fee is payable under this Act, any difference arises between the officer whose duty it is to see that proper fee is paid and any party as to the necessity of paying a fee or the amount thereof, the question shall be referred to the Taxing Officer who shall decide the same:

Provided that, if in the opinion of the Taxing Officer, the question is one of general importance, he may refer it to the Chief Justice of the High Court or such Judge or Judges of the High Court as the Chief Justice shall appoint, either generally or specially in this behalf:

Provided further that, when the case comes up for disposal before the Court, the decision of the Taxing Officer may be reviewed by the Court.

12. *Decision as to proper fee in other Courts.*—(1) In every suit instituted in any Court other than the High Court, the Court shall, before ordering the plaint to be registered, decide on the materials and allegations contained in the plaint and on the materials contained in the statement, if any, filed under section 10 the proper

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17. *Fee payable on petitions, applications, etc.*—The provisions of sections 10 to 14 shall apply *mutatis mutandis* to the determination and levy of fee in respect of petitions, applications and other proceedings in Courts in the same way as they apply to the determination and levy of fee on plaints in suits.

18. *Court-fee Examiners.*—(1) The High Court may depute officers to be designated Court-fee Examiners to inspect the records of subordinate Courts with a view to examine the correctness of representations made to, and orders passed by Courts on questions relating to valuation of subject-matter and sufficiency of fee in respect of proceedings in such Courts.

(2) Questions raised in reports submitted by such Court-fee Examiners and relating to any suit, appeal or other proceeding pending in a Court shall be heard and decided by such Court; and for the avoidance of doubt it is hereby declared that in bearing and deciding a question raised in any such report, it shall be lawful for the Court to review an earlier decision given by the Court on the same question.

19. *Inquiry and commission.*—For the purpose of deciding whether the subject-matter of a suit or other proceeding has been properly valued or whether the fee paid is sufficient, the Court may hold such inquiry as it considers proper and may, if it thinks fit, issue a commission to any proper person directing him to make such local or other investigation as may be necessary and to report thereon to the Court.

20. *Notice to the State Government.*—In any inquiry relating to the fee payable on a plaint, written statement, petition, memorandum of appeal or other document, or to the valuation of the subject-matter of the claim to which the plaint, written statement, petition, memorandum of appeal or other document relates, in so far as such valuation affects the fee payable, the Court may, if it considers it just or necessary to do so, give notice to the State Government; and where such notice is given, the State Government shall be deemed to be a party to the suit or other proceeding as respects the determination of the question or questions aforesaid; and the Court's decision on such question or questions shall when it passes a decree or final order in such suit or proceeding, be deemed to form part of such decree or final order.

CHAPTER IV.

COMPUTATION OF FEE.

21. *Fee how reckoned.*—The fee payable under this Act shall be determined or computed in accordance with the provisions of this Chapter, Chapter VI, Chapter VIII and Schedules I and II.

22. *Suits for money.*—In a suit for money (including a suit for damages or compensation, or arrears of maintenance, of annuities, or of other sums payable periodically), fee shall be computed on the amount claimed.

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23. *Suits for maintenance and annuities.*—In the suits herein-after mentioned, fee shall be computed as follows:—

(a) in a suit for maintenance, on the amount claimed to be payable for one year;

(b) in a suit for enhancement or reduction of maintenance, on the amount by which the annual maintenance is sought to be enhanced or reduced;

(c) in a suit for annuities or other sums payable periodically, on five times the amount claimed to be payable for one year:

Provided that, where the annuity is payable for less than five years, the fee shall be computed on the aggregate of the sums payable:

Provided further that a suit for enhancement of maintenance shall be instituted in a court which will have jurisdiction to receive a suit for maintenance at the enhanced rate claimed and one for reduction of maintenance shall be instituted in a court which will have jurisdiction to receive a suit for maintenance at the rate which is sought to be reduced.

24. *Suits for movable property.*—(1) In a suit for movable property other than documents of title, fee shall be computed—

(a) where the subject-matter has a market value, on such value; or

(b) where the subject-matter has no market value, on the amount at which the relief sought is valued in the plaint.

(2) (a) In a suit for possession of documents of title, fee shall be computed on one-fourth of the amount or of the market value of the property secured by the document—

(i) where the plaint alleges denial of the plaintiff's title to the money or the property secured by the document, or

(ii) where an issue is framed regarding the plaintiff's title to the money or the property secured by the document:

Provided that where the allegation in the plaint or the issue framed relates only to a portion of the amount or property, fee shall be computed on one-fourth of such portion of the amount or on one-fourth of the market value of such portion of the property.

(b) In a suit for possession of documents of title where the plaintiff's title to the money or the property secured by the document is not denied, fee shall be computed on the amount at which the relief sought is valued in the plaint.

Explanation.—The expression "document of title" means a document which purports or operates to create, declare, assign, limit or extinguish, whether in present or in future, any right, title or interest, whether vested or contingent, in any property.

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fee payable thereon, the decision being however subject to review, further review and correction in the manner specified in the succeeding sub-sections.

(2) Any defendant may, by his written statement filed before the first hearing of the suit or before evidence is recorded on the merits of the claim but, subject to the next succeeding sub-section, not later, plead that the subject-matter of the suit has not been properly valued or that the fee paid is not sufficient. All questions arising on such pleas shall be heard and decided before evidence is recorded affecting such defendant, on the merits of the claim. If the Court decides that the subject-matter of the suit has not been properly valued or that the fee paid is not sufficient, the Court shall fix a date before which the plaint shall be amended in accordance with the Court's decision and the deficit fee shall be paid. If the plaint be not amended or if the deficit fee be not paid within the time allowed, the plaint shall be rejected and the Court shall pass such order as it deems just regarding costs of the suit.

(3) A defendant added after issues have been framed on the merits of the claim may, in the written statement filed by him, plead that the subject-matter of the suit has not been properly valued or that the fee paid is not sufficient. All questions arising on such pleas shall be heard and decided before evidence is recorded affecting such defendant, on the merits of the claim and if the Court finds that the subject-matter of the suit has not been properly valued or that the fee paid is not sufficient the Court shall follow the procedure laid down in sub-section (2).

Explanation—Nothing in this sub-section shall apply to a defendant added as a successor or a representative in interest of a defendant who was on record before issues were framed on the merits of the claim and who had an opportunity to file a written statement pleading that the subject-matter of the suit was not properly valued or that the fee paid was not sufficient.

(4) (a) Whenever a case comes up before a Court of Appeal, it shall be lawful for the Court, either of its own motion or on the application of any of the parties, to consider the correctness of any order passed by the lower Court affecting the fee payable on the plaint or in any other proceeding in the lower Court and determine the proper fee payable thereon.

Explanation.—A case shall be deemed to come before a Court of Appeal even if the appeal relates only to a part of the subject-matter of the suit.

(b) If the Court of Appeal decides that the fee paid in the lower Court is not sufficient, the Court shall require the party liable to pay the deficit fee within such time as may be fixed by it.

(c) If the deficit fee is not paid within the time fixed and the default is in respect of a relief which has been dismissed by the lower Court and which the appellant seeks in appeal, the

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appeal shall be dismissed, but if the default is in respect of a relief which has been decreed by the lower Court, the deficit fee shall be recoverable as if it were an arrear of land revenue.

(d) If the fee paid in the lower Court is in excess, the Court shall direct the refund of the excess to the party who is entitled to it.

(5) All questions as to value for the purpose of determining the jurisdiction of courts arising on the written statement of a defendant shall be heard and decided before evidence is recorded affecting such defendant, on the merits of the claim.

Explanation.—In this section, the expression "merits of the claim" refers to matters which arise for determination in the suit, not being matters relating to the frame of the suit, misjoinder of parties and causes of action, the jurisdiction of the Court to entertain or try the suit or the fee payable but inclusive of matters arising on pleas of *res judicata*, limitation and the like.

13. *Additional fee on issues framed*.—Where a party becomes liable to pay additional fee by reason of an issue framed in the suit, the provisions of the last foregoing section shall apply to the determination and levy of such additional fee subject to the modification that where the party liable does not pay such additional fee within the time allowed, the Court shall strike off the issue and proceed to hear and decide the other issues in the case.

14. *Relinquishment of portion of claim*.—A plaintiff who has been called upon to pay additional fee may relinquish a part of his claim and apply to have the plaint amended so that the fee paid would be adequate for the claim made in the plaint as amended. The Court shall allow such application on such terms as it considers just and shall proceed to hear and decide the claim made in the plaint as amended, provided that the plaintiff shall not be permitted at any later stage of the suit to add to the claim the part so relinquished.

15. *Fee payable on written statements*.—Where fee is payable under this Act on a written statement filed by a defendant, the provisions of section 12 shall apply to the determination and levy of the fee payable on such written statement, the defendant concerned being regarded for the said purpose as the plaintiff and the plaintiff or the co-defendant or the third party against whom the claim is made being regarded as the defendant.

16. *Fee payable on appeals, etc.*—The provisions of sections 10 to 14 relating to the determination and levy of fee on plaints in suits shall apply *mutatis mutandis* to the determination and levy of fee in respect of a memorandum of appeal, cross-objection or other proceeding in second appeal or in an appeal under the Letters Patent.

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25. *Suits for declaration*.—In a suit for a declaratory decree or order, whether with or without consequential relief, not falling under section 26—

(a) where the prayer is for a declaration and for possession of the property to which the declaration relates, fee shall be computed on the market value of the property or on rupees three hundred, whichever is higher;

(b) where the prayer is for a declaration and for consequential injunction and the relief sought is with reference to any immovable property, fee shall be computed on one-half of the market value of the property or on rupees three hundred, whichever is higher;

(c) where the prayer relates to the plaintiff's exclusive right to use, sell, print or exhibit any mark, name, book, picture, design or other thing and is based on an infringement of such exclusive right, fee shall be computed on the amount at which the relief sought is valued in the plaint or on rupees five hundred, whichever is higher;

(d) in other cases, whether the subject-matter of the suit is capable of valuation or not, fee shall be computed on the amount at which the relief sought is valued in the plaint or on rupees four hundred, whichever is higher.

26. *Adoption suits*.—In a suit for a declaration in regard to the validity or invalidity of an adoption or the factum of an adoption, fee shall be payable at the following rates:—

(i) In a District Munsif's Court. Rupees fifty.

(ii) In the City Civil Court, Madras, or a Sub-Court or a District Court. Rupees one hundred if the market value of the property involved in or affected by the relief is Rs. 10,000 or less and rupees five hundred if it is above Rs. 10,000.

(iii) In the High Court. Rupees five hundred.

27. *Suits for injunction*.—In a suit for injunction—

(a) where the relief sought is with reference to any immovable property, and

(i) where the plaintiff alleges that his title to the property is denied, or

(ii) where an issue is framed regarding the plaintiff's title to the property,

fee shall be computed on one-half of the market value of the property or on rupees three hundred, whichever is higher;

(b) where the prayer relates to the plaintiff's exclusive right to use, sell, print or exhibit any mark, name, book, picture, design or other thing and is based on an infringement of such exclusive right, fee shall be computed on the amount at which the relief sought is valued in the plaint or on rupees five hundred, whichever is higher;

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(c) in any other case, whether the subject-matter of the suit has a market value or not, fee shall be computed on the amount at which the relief sought is valued in the plaint or on rupees four hundred, whichever is higher.

28. *Suits relating to trust property*.—In a suit for possession or joint possession of trust property or for a declaratory decree, whether with or without consequential relief in respect of it, between trustees or rival claimants to the office of trustee or between a trustee and a person who has ceased to be trustee, fee shall be computed on one-fifth of the market value of the property subject to a maximum fee of rupees two hundred or where the property has no market value, on rupees one thousand:

Provided that, where the property does not have a market value, value for the purpose of determining the jurisdiction of courts shall be such amount as the plaintiff shall state in the plaint.

Explanation.—For the purpose of this section, property comprised in a Hindu, Muslim or other religious or charitable endowment shall be deemed to be trust property and the manager of any such property shall be deemed to be the trustee thereof.

29. *Suits for possession under the Specific Relief Act, 1877*.—In a suit for possession of immovable property under section 9 of the Specific Relief Act, 1877 (Central Act I of 1877), fee shall be computed on one-half of the market value of the property or on rupees two hundred, whichever is higher.

30. *Suits for possession not otherwise provided for*.—In a suit for possession of immovable property not otherwise provided for, fee shall be computed on the market value of the property or on rupees four hundred, whichever is higher.

31. *Suits relating to easements*.—In a suit relating to an easement, whether by the dominant or the servient owner, fee shall be computed on the amount at which the relief sought is valued in the plaint, which amount shall in no case be less than rupees three hundred;

Provided that, where compensation is claimed besides other relief relating to such easement, fee shall be paid on the amount claimed as compensation in addition to the fee payable on such other relief.

32. *Pre-emption suits*.—In a suit to enforce a right of pre-emption, fee shall be computed on the amount of the consideration for the sale which the pre-empter seeks to avoid or on the market value whichever is less.

33. *Suit relating to mortgages*.—(1) In a suit to recover the money due on a mortgage, fee shall be computed on the amount claimed.

Explanation.—It is immaterial that sale of the mortgaged property is not prayed for.

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(2) Where, in such a suit, the holder of a prior mortgage or charge is impleaded and he prays in his written statement that the amount due on his mortgage or charge be determined and that the decree contain a direction for the payment of such amount to him, fee shall be payable on the written statement computed on the amount claimed :

Provided that, where the holder of the mortgage or charge has paid a fee in any other proceeding on the claim to which his written statement relates, credit shall be given for the fee paid by him in such other proceeding.

(3) Where, in such a suit, the mortgaged property is sold and the holder of a prior or subsequent mortgage or charge applies for payment to him, out of the sale proceeds, of the amount due on his mortgage or charge, such holder of the prior or subsequent mortgage or charge shall pay on his application a fee computed on the amount claimed by him :

Provided that, where such holder of the mortgage or charge is a party to the suit in which the sale was held and has paid fee on the written statement filed by him in the suit, no fee shall be payable by him on the application for payment out of the sale proceeds :

Provided further that, where the holder of the mortgage or charge, not being a party to the suit in which the sale is held, has paid a fee in any other proceeding on the claim to which his application relates, credit shall be given for the fee paid by him in such other proceeding.

(4) In a suit by a co-mortgagee for the benefit of himself and the other co-mortgagees, fee shall be computed on the amount claimed on the entire mortgage :

Provided that, where a co-mortgagee impleaded as defendant in such suit claims on the entire mortgage a larger sum than is claimed in the plaint, the difference between the fee computed on the entire sum claimed in such defendant's written statement and the fee computed on the entire sum claimed in the plaint shall be payable on the written statement.

Explanation.—Nothing in this sub-section shall be construed as affecting the law of limitation.

(5) (a) In a suit by a sub-mortgagee to recover the amount claimed on the sub-mortgage by sale of the mortgagee's interest in the mortgaged property, fee shall be computed on the amount claimed under the sub-mortgage.

(b) In a suit by a sub-mortgagee, if the prayer is for the

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sale of the property mortgaged to the original mortgagee and the original mortgagor is also impleaded as a defendant, fee shall be computed on the entire amount claimed on the original mortgage which is sub-mortgaged to him.

(6) Where the holder of a prior or subsequent mortgage or charge is impleaded in a suit by a co-mortgagee to which sub-section (4) applies, or in a suit by a sub-mortgagee to which sub-section (5) applies, the provisions of sub-sections (2) and (3) shall apply *mutatis mutandis* to a written statement or an application filed by such holder of mortgage or charge.

(7) Where the original mortgagee who is impleaded in a suit to which the provisions of sub-section (5) (b) apply claims on the mortgage sub-mortgaged by him a larger amount than is claimed in the plaint, the provisions of sub-section (4) shall apply *mutatis mutandis* to the written statement of such mortgagor.

(8) In a suit against a mortgagee for redemption of a mortgage, fee shall be computed on the amount due on the mortgage as stated in the plaint or on one-fourth of the principal amount secured under the mortgage, whichever is higher :

Provided that, where the amount due on the mortgage is found to be more than the amount on which fee has been paid by the plaintiff, no decree shall be passed until the deficit fee is paid :

Provided further that, in the case of an usufructuary or anomalous mortgage, if the plaintiff prays for redemption as well as for accounts of surplus profits, fee shall be levied separately on the relief for accounts as in a suit for accounts.

(9) In a suit by a mortgagee to foreclose the mortgage or, where the mortgage is made by conditional sale, to have the sale declared absolute, fee shall be computed on the amount claimed in the plaint by way of principal and interest.

34. *Suits relating to kanams under the Malabar Tenancy Act, 1929.*—(1) A suit by a landlord for recovery of possession of property transferred by way of kanam or kanam-kuzhikanam shall be deemed to evolve the reliefs of redemption and ejectment, and fee shall be levied in respect of each of the reliefs, that is to say, on the kanartham in respect of the relief of redemption and on one year's michavaram or rent in respect of the relief of ejectment.

(2) If in any such suit, arrears of michavaram or rent or damages or both are also sought to be recovered, fee shall be levied also on the amount of such arrears or damages or both.

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Provided that, where the plaintiff seeks to set off the kanartham and the value of the improvements due by him to the defendant against arrears of michavaram or rent due to him, fee shall be levied only on the balance claimed; and if the amount ascertained to be due to him exceeds the amount as estimated by the plaintiff, no decree shall be passed until the difference between the fee actually paid and the fee which would have been payable had the suit comprised the whole of the amount so ascertained is paid. If the additional fee is not paid within such time as the Court may fix, the decree shall be limited to the amount to which the fee paid extends.

35. *Suits for accounts.*—(1) In a suit for accounts fee shall be computed on the amount sued for as estimated in the plaint.

(2) Where the amount payable to the plaintiff as ascertained in the suit is in excess of the amount as estimated in the plaint, no decree directing payment of the amount as so ascertained shall be passed until the difference between the fee actually paid and the fee that would have been payable had the suit comprised the whole of the amount so ascertained, is paid. If the additional fee is not paid within such time as the Court may fix, the decree shall be limited to the amount to which the fee paid extends.

(3) Where in any such suit it is found that any amount is payable to the defendant, no decree shall be passed in his favour until he pays the fee due on the amount.

36. *Suits for dissolution of partnership.*—(1) In a suit for dissolution of partnership and accounts or for accounts of dissolved partnership, fee shall be computed on the value of the plaintiff's share in the partnership as estimated by the plaintiff.

(2) If the value of the plaintiff's share as ascertained in the suit exceeds the value as estimated in the plaint, no decree, or where there has been a preliminary decree, no final decree, shall be passed in favour of the plaintiff, no payment shall be made out of the assets of the partnership and no property shall be allotted as for the plaintiff's share, until the difference between the fee actually paid and the fee that would have been payable had the suit comprised the whole of the value so ascertained, is paid.

(3) No final decree shall be passed, no money shall be paid and no allotment of property shall be made in favour of a defendant in any such suit as, for or on account of, his share of the assets of the partnership, until the fee computed on the amount or value of his share of the assets of the partnership is paid.

37. *Partition suits.*—(1) In a suit for partition and separate possession of a share of joint family property or of property owned, jointly or in common, by a plaintiff who has been excluded from possession of such property, fee shall be computed on the market value of the plaintiff's share.

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(2) In a suit for partition and separate possession of joint family property or property owned, jointly or in common, by a plaintiff who is in joint possession of such property, fee shall be paid at the following rates:—

When the plaint is presented to—

(i) a District Munsif's Court. Rupees thirty.

(ii) the City Civil Court, Madras, or a Sub-Court or a District Court. Rupees thirty if the value of plaintiff's share is Rs. 5,000 or less; Rupees hundred if the value is above Rs. 5,000 but below Rs. 10,000; and Rupees two hundred if the value is Rs. 10,000 and above.

(iii) the High Court .. Rupees three hundred.

(3) Where, in a suit falling under sub-section (1) or sub-section (2), a defendant claims partition and separate possession of his share of the property, fee shall be payable on his written statement computed on half the market value of his share or at half the rates specified in sub-section (2), according as such defendant has been excluded from possession or is in joint possession.

(4) Where, in a suit falling under sub-section (1) or sub-section (2), the plaintiff or the defendant seeks cancellation of decree or other document of the nature specified in section 40, separate fee shall be payable on the relief of cancellation in the manner specified in that section.

38. *Suits for joint possession.*—In a suit for joint possession of joint family property or of property owned, jointly or in common, by a plaintiff who has been excluded from possession, fee shall be computed on the market value of the plaintiff's share.

39. *Administration suits.*—(1) In a suit for the administration of an estate, fee shall be levied on the plaint at the rates specified in section 50.

(2) Where any amount or share or part of the assets of the estate is found due to the plaintiff, and the fee computed on the amount or the market value of such share or part of the assets exceeds the fee paid on the plaint, no payment shall be made and no decree directing payment of money or confirming title to such share or part of the assets shall be passed until the difference between the fee actually paid and the fee computed on the amount or value of the property, is paid.

(3) No payment shall be made, no decree directing payment of money or confirming title to any share or part of the assets of the estate shall be passed in favour of a defendant in a suit for administration, until the fee computed on the amount or value of such share or part of such assets is paid by such defendant.

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(4) In computing the fee payable by a plaintiff or by a defendant under sub-section (2) or sub-section (3), credit shall be given for the fee if any, paid by such plaintiff or by such defendant in any other proceeding in respect of the claim on the basis of which such amount or share or part of the assets of the estate becomes due to such plaintiff or to such defendant.

40. *Suits for cancellation of decrees, etc.*—(1) In a suit for cancellation of a decree for money or other property having a money value, or other document which purports or operates to create, declare, assign, limit or extinguish, whether in present or in future, any right, title or interest in money, movable or immovable property, fee shall be computed on the value of the subject-matter of the suit, and such value shall be deemed to be—

if the whole decree or other document is sought to be cancelled, the amount or value of the property for which the decree was passed or other document was executed;

if a part of the decree or other document is sought to be cancelled, such part of the amount or value of the property.

(2) If the decree or other document is such that the liability under it cannot be split up and the relief claimed relates only to a particular item of property belonging to the plaintiff or to the plaintiff's share in any such property, fee shall be computed on the value of such property or share or on the amount of the decree, whichever is less.

Explanation.—A suit to set aside an award shall be deemed to be a suit to set aside a decree within the meaning of this section.

41. *Suits to set aside attachment, etc.*—(1) In a suit to set aside an attachment by a Civil or Revenue Court of any property, movable or immovable, or of any interest therein or of any interest in revenue, or to set aside an order passed on an application made to set aside the attachment, fee shall be computed on the amount for which the property was attached or on one-fourth of the market value of the property attached, whichever is less.

(2) In a suit to set aside any other summary decision or order of a Civil or Revenue Court, if the subject-matter of the suit has a market value, fee shall be computed on one-fourth of such value, and in other cases, fee shall be payable at the rates specified in section 50.

Explanation.—For the purpose of this section, the Registrar of Co-operative Societies shall be deemed to be a Civil Court.

42. *Suits for specific performance.*—In a suit for specific performance, whether with or without possession, fee shall be payable—

(a) in the case of a contract of sale, computed on the amount of the consideration;

(b) in the case of a contract of mortgage, computed on the amount agreed to be secured by the mortgage;

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(c) in the case of a contract of lease, computed on the aggregate amount of the fine or premium, if any, and of the average of the annual rent agreed to be paid;

(d) in the case of a contract of exchange, computed on the amount of the consideration, or as the case may be, on the market value of the property sought to be got in exchange;

(e) in other cases, where the consideration for the promise sought to be enforced has a market value, computed on such market value, or where such consideration has no market value, at the rates specified in section 50.

43. *Suits between landlord and tenant.*—(1) In the following suits between landlord and tenant, namely—

(a) for the delivery by a tenant of the counterpart of a lease or for acceptance of patta in exchange for a muchilika;

(b) for enhancement of rent;

(c) for the delivery by a landlord of a lease or for obtaining a patta in exchange for a muchilika;

(d) for recovering occupancy of immovable property from which a tenant has been illegally ejected by the landlord;

(e) for establishing or disproving a right of occupancy; fee shall be levied on the amount of rent for the immovable property to which the suit relates, payable for the year next before the date of presenting the plaint.

(2) In a suit for recovery of immovable property from a tenant including a tenant holding over after the termination of a tenancy, fee shall be computed on the premium, if any, and on the rent payable for the year next before the date of presenting the plaint.

Explanation.—Rent includes also damages for use and occupation payable by a tenant holding over.

(3) In an appeal from a suit to contest a distraint under section 95, sub-section (1) or sub-section (2), of the Madras Estates Land Act, 1908 (Madras Act I of 1908); or to contest the right of sale under section 112 of that Act, fee shall be charged on the amount of the arrears for which the distraint has been made or the sale is proposed to be held.

44. *Suits for mesne profits.*—(1) In a suit for mesne profits or for immovable property and mesne profits, fee shall in respect of mesne profits be computed, where the amount is stated approximately and sued for, on such amount. If the profits ascertained to be due to the plaintiff are in excess of the profits as approximately estimated and sued for, no decree shall be passed until the difference between the fee actually paid and the fee that would have been payable had the suit comprised the whole of the profits so ascertained is paid.

(2) Where a decree directs an enquiry as to the mesne profits which have accrued on the property, whether prior or subsequent

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(4) In computing the fee payable by a plaintiff or by a defendant under sub-section (2) or sub-section (3), credit shall be given for the fee if any, paid by such plaintiff or by such defendant in any other proceeding in respect of the claim on the basis of which such amount or share or part of the assets of the estate becomes due to such plaintiff or to such defendant.

40. *Suits for cancellation of decrees, etc.*—(1) In a suit for cancellation of a decree for money or other property having a money value, or other document which purports or operates to create, declare, assign, limit or extinguish, whether in present or in future, any right, title or interest in money, movable or immovable property, fee shall be computed on the value of the subject-matter of the suit, and such value shall be deemed to be—

if the whole decree or other document is sought to be cancelled, the amount or value of the property for which the decree was passed or other document was executed;

if a part of the decree or other document is sought to be cancelled, such part of the amount or value of the property.

(2) If the decree or other document is such that the liability under it cannot be split up and the relief claimed relates only to a particular item of property belonging to the plaintiff or to the plaintiff's share in any such property, fee shall be computed on the value of such property or share or on the amount of the decree, whichever is less.

Explanation.—A suit to set aside an award shall be deemed to be a suit to set aside a decree within the meaning of this section.

41. *Suits to set aside attachment, etc.*—(1) In a suit to set aside an attachment by a Civil or Revenue Court of any property, movable or immovable, or of any interest therein or of any interest in revenue, or to set aside an order passed on an application made to set aside the attachment, fee shall be computed on the amount for which the property was attached or on one-fourth of the market value of the property attached, whichever is less.

(2) In a suit to set aside any other summary decision or order of a Civil or Revenue Court, if the subject-matter of the suit has a market value, fee shall be computed on one-fourth of such value, and in other cases, fee shall be payable at the rates specified in section 50.

Explanation.—For the purpose of this section, the Registrar of Co-operative Societies shall be deemed to be a Civil Court.

42. *Suits for specific performance.*—In a suit for specific performance, whether with or without possession, fee shall be payable—

(a) in the case of a contract of sale, computed on the amount of the consideration;

(b) in the case of a contract of mortgage, computed on the amount agreed to be secured by the mortgage;

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(c) in the case of a contract of lease, computed on the aggregate amount of the fine or premium, if any, and of the average of the annual rent agreed to be paid;

(d) in the case of a contract of exchange, computed on the amount of the consideration, or as the case may be, on the market value of the property sought to be got in exchange;

(e) in other cases, where the consideration for the promise sought to be enforced has a market value, computed on such market value, or where such consideration has no market value, at the rates specified in section 50.

43. *Suits between landlord and tenant.*—(1) In the following suits between landlord and tenant, namely—

(a) for the delivery by a tenant of the counterpart of a lease or for acceptance of patta in exchange for a muchilika;

(b) for enhancement of rent;

(c) for the delivery by a landlord of a lease or for obtaining a patta in exchange for a muchilika;

(d) for recovering occupancy of immovable property from which a tenant has been illegally ejected by the landlord;

(e) for establishing or disproving a right of occupancy; fee shall be levied on the amount of rent for the immovable property to which the suit relates, payable for the year next before the date of presenting the plaint.

(2) In a suit for recovery of immovable property from a tenant including a tenant holding over after the termination of a tenancy, fee shall be computed on the premium, if any, and on the rent payable for the year next before the date of presenting the plaint.

Explanation.—Rent includes also damages for use and occupation payable by a tenant holding over.

(3) In an appeal from a suit to contest a distraint under section 95, sub-section (1) or sub-section (2), of the Madras Estates Land Act, 1908 (Madras Act I of 1908); or to contest the right of sale under section 112 of that Act, fee shall be charged on the amount of the arrears for which the distraint has been made or the sale is proposed to be held.

44. *Suits for mesne profits.*—(1) In a suit for mesne profits or for immovable property and mesne profits, fee shall in respect of mesne profits be computed, where the amount is stated approximately and sued for, on such amount. If the profits ascertained to be due to the plaintiff are in excess of the profits as approximately estimated and sued for, no decree shall be passed until the difference between the fee actually paid and the fee that would have been payable had the suit comprised the whole of the profits so ascertained is paid.

(2) Where a decree directs an enquiry as to the mesne profits which have accrued on the property, whether prior or subsequent

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to the institution of the suit, no final decree shall be passed till the difference between the fee actually paid and the fee which would have been payable had the suit comprised the whole of the profits accrued due till the date of such decree is paid.

(3) Where, for a period subsequent to the date of the decree or final decree, such decree or final decree directs payment of mesne profits at a specified rate, such decree or final decree shall not be executed until the fee computed on the amount claimed in execution has been paid.

45. *Suits under the Madras Survey and Boundaries Act, 1923.*—In a suit under section 14 of the Madras Survey and Boundaries Act, 1923 (Madras Act VIII of 1923), fee shall be computed on one-half of the market value of the property affected by the determination of the boundary or on rupees three hundred, whichever is higher.

46. *Suits to alter or cancel entry in a register.*—In a suit to alter or cancel any entry in a register of the names of proprietors of revenue-paying estate, the fee payable shall be fifteen rupees.

47. *Suits relating to public matters.*—In a suit for relief under section 14 of the Religious Endowments Act, 1863 (Central Act XX of 1863), or under section 91 or section 92 of the Code of Civil Procedure, 1908 (Central Act V of 1908), the fee payable shall be fifty rupees.

48. *Interpleader suits.*—(1) In an interpleader suit, fee shall be payable on the plaint at the rates specified in section 50.

(2) Where issues are framed as between the claimants, fee shall be payable computed on the amount of the debt or the money or the market value of other property, movable or immovable, which forms the subject-matter of the suit. In levying such fee, credit shall be given for the fee paid on the plaint; and the balance of the fee shall be paid in equal shares by the claimants who claim the debt or the sum of money or the property adversely to each other.

(3) Value for the purpose of determining the jurisdiction of courts shall be the amount of the debt, or the sum of money or the market value of other property to which the suit relates.

49. *Third party proceedings.*—In third party proceedings, fee shall be levied on one-half of the value of the contribution or indemnity claimed against a third party or against a co-defendant if a claim is made against him:

Provided that, if the suit against the defendant who has filed the third party notice is dismissed, wholly or in part, he shall be entitled to a refund of the whole or a proportionate part of the fee paid by him.

Explanation.—The provisions of this section shall also apply to counter-claims made in third party proceedings.

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50. *Suits not otherwise provided for.*—In suits not otherwise provided for, fee shall be payable at the following rates:—

- | | |
|--|--|
| (i) In a Revenue Court .. | Rupees fifteen. |
| (ii) In a District Munsif's Court. | Rupees thirty. |
| (iii) In the City Civil Court, Madras, or a Sub-Court or a District Court. | Rupees thirty if the value of the subject-matter is Rs. 5,000 or less; rupees one hundred if the value is above Rs. 5,000 but below Rs. 10,000; and rupees two hundred if the value is Rs. 10,000 and above. |
| (iv) In the High Court .. | Rupees three hundred. |

51. *Fee on memorandum of appeal against order relating to compensation.*—The fee payable under this Act on a memorandum of appeal against an order relating to compensation under any Act for the time being in force for the acquisition of property for public purposes shall be computed on the difference between the amount awarded and the amount claimed by the appellant.

52. *Appeals.*—The fee payable in an appeal shall be the same as the fee that would be payable in the Court of first instance on the subject-matter of the appeal:

Provided that, in levying fee on a memorandum of appeal against a final decree by a person whose appeal against the preliminary decree passed by the Court of first instance or by the Court of appeal is pending, credit shall be given for the fee paid by such person in the appeal against the preliminary decree.

Explanation (1).—Whether the appeal is against the refusal of a relief or against the grant of the relief, the fee payable in the appeal shall be the same as the fee that would be payable on the relief in the Court of first instance.

Explanation (2).—Costs shall not be deemed to form part of the subject-matter of the appeal except where such costs form themselves the subject-matter of the appeal or relief is claimed as regards costs on grounds additional to, or independent of, the relief claimed regarding the main subject-matter in the suit.

Explanation (3).—In claims which include the award of interest subsequent to the institution of the suit, the interest accrued during the pendency of the suit till the date of decree shall be deemed to be part of the subject-matter of the appeal except where such interest is relinquished.

Explanation (4).—Where the relief prayed for in the appeal is different from the relief prayed for or refused in the Court of first instance, the fee payable in the appeal shall be the fee that would be payable in the Court of first instance on the relief prayed for in the appeal.

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*Explanation (5).—*Where the market value of the subject-matter of the appeal has to be ascertained for the purpose of computing or determining the fee payable, such market value shall be ascertained as on the date of presentation of the plaint.

CHAPTER V.

VALUATION OF SUITS.

53. *Suits not otherwise provided for.*—(1) In a suit as to whose value for the purpose of determining the jurisdiction of courts, specific provision is not otherwise made in this Act or in any other law, value for that purpose and value for the purpose of computing the fee payable under this Act shall be the same.

(2) In a suit where fee is payable under this Act at a fixed rate, the value for the purpose of determining the jurisdiction of courts shall be the market value or where it is not possible to estimate it at a money value such amount as the plaintiff shall state in the plaint.

54. *Procedure where objection is taken on appeal or revision that a suit or appeal was not properly valued for jurisdictional purposes.*—(1) Notwithstanding anything contained in section 99 of the Code of Civil Procedure, 1908 (Central Act V of 1908), an objection that by reason of the over-valuation or under-valuation of a suit or appeal, a Court of first instance or lower appellate Court which had not jurisdiction with respect to the suit or appeal exercised jurisdiction with respect thereto shall not be entertained by an appellate Court, unless—

(a) the objection was taken in the Court of first instance at or before the hearing at which issues were first framed and recorded, or in the lower appellate Court in the memorandum of appeal to that Court, or

(b) the appellate Court is satisfied, for reasons to be recorded by it in writing, that the suit or appeal was over-valued or under-valued and that the over-valuation or under-valuation thereof has prejudicially affected the disposal of the suit or appeal on its merits.

(2) If the objection was taken in the manner mentioned in clause (a) of sub-section (1), but the appellate Court is not satisfied as to both the matters mentioned in clause (b) of that sub-section and has before it the materials necessary for the determination of the other grounds of appeal to itself, it shall dispose of the appeal as if there had been no defect of jurisdiction in the Court of first instance or lower appellate Court.

(3) If the objection was taken in that manner and the appellate Court is satisfied as to both those matters and has not those materials before it, it shall proceed to deal with the appeal under the rules applicable to the Court with respect to the hearing of appeals; but if it remands the suit or appeal, or frames and refers

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issues for trial, or requires additional evidence to be taken, it shall direct its order to a Court competent to entertain the suit or appeal.

(4) The provisions of this section with respect to an appellate Court shall, so far as they can be made applicable, apply to a Court exercising revisional jurisdiction under section 115 of the Code of Civil Procedure, 1908 (Central Act V of 1908), or other enactment for the time being in force.

CHAPTER VI.

PROBATES, LETTERS OF ADMINISTRATION AND
CERTIFICATES OF ADMINISTRATION.

55. *Application for probate or letters of administration.*—(1) Every application for the grant of probate or letters of administration shall be accompanied by a valuation of the estate, in duplicate in the form set forth in Part I of Schedule III.

(2) On receipt of such application, the Court shall send a copy thereof and of the valuation of the Collector of the district in which the estate is situated, or if the estate is situated in more than one district, to the Collector of the district in which the most valuable portion of the immovable property included in the estate is situated.

56. *Levy of fee.*—(1) The fee chargeable for the grant of probate or letters of administration shall comprise—
a fee at the rate or rates prescribed in Article 6 of Schedule I, computed—

(a) where the application is made within one year of the date of death of the deceased, on the market value of the estate on such date; or

(b) where the application is made after the expiry of one year from such date, on the market value of the estate on the date of the application:

Provided that property held in trust not beneficially or with general power to confer a beneficial interest shall not be liable to any fee under this chapter.

Explanation.—Any member of a joint Hindu family governed by the Mitakshara Law who applies for probate or letters of administration in respect of the estate of a deceased member of the joint family shall pay a fee on the value of the share in the joint property which the deceased would have received if a partition of the property had been made immediately before his death.

(2) For the purpose of the computation of fee—

(a) the value of the items mentioned in Annexure B to Part I of Schedule III shall be deducted from the value of the estate:

Provided that, when an application is made for probate or letters of administration in respect of part only of an estate, no

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debt, no expenses connected with any funeral rites or ceremonies and no mortgage encumbrance on any part of the estate other than that in respect of which the application is made shall be deducted :

Provided further that when, after the grant of a certificate under Part X of the Indian Succession Act, 1925 (Central Act XXXIX of 1925), or under Bombay Regulation VIII of 1927 in respect of any property included in an estate, a grant of probate or letters of administration is made in respect of the same estate, the fee payable in respect of the latter grant shall be reduced by the amount of the fee paid in respect of the former grant ;

(b) the power of appointment which the deceased had over a property or which was created under a will shall be taken into account, the value being taken to be the value of the property forming the subject-matter of the power.

57. *Grant of probate.*—The grant of probate or letters of administration shall not be delayed by reason of the reference to the Collector under section 55, sub-section (2), or of a motion by the Collector under section 59, sub-section (5); but the Court shall make no grant of probate or letters of administration until it is satisfied that a fee not less than that prescribed by this Act has been paid on the basis of the net value of the estate as furnished in the valuation accompanying the application, or in the amended valuation filed under section 59, sub-section (3) :

Provided that the Court may grant probate or letters of administration notwithstanding that the prescribed fee has not been paid, to the Administrator-General in his official capacity on his giving an undertaking to the satisfaction of the Court that the said fee will be paid within such time as may be fixed by the Court.

58. *Relief in cases of several grants.*—(1) Whenever a grant of probate or letters of administration has been made in respect of the whole of the property belonging to an estate and the full fee payable under this Act in respect of the application for such grant has been paid thereon, no fee shall be payable when a like grant is made in respect of the whole or any part of the same property belonging to the same estate.

(2) Whenever such grant has been made in respect of any property forming part of an estate, the amount of fee actually paid under this Act in respect thereof shall be deducted when a like grant is made in respect of the property belonging to the same estate identical with or including the property to which the former grant relates.

59. *Inquiry by the Collector.*—(1) The Collector to whom a copy of the application and of the valuation has been sent under section 55, sub-section (2), shall examine the same and may make or cause to be made by any officer subordinate to him such inquiry if any, as he thinks fit as to the correctness of the valuation or, where a part only of the property is situated in his district, of the valuation of that part, and may require the Collector of any other district in which any part of the property is situated to furnish him with the correct valuation thereof.

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(2) Any Collector required under sub-section (1) to furnish the correct valuation of any property shall comply with the requisition after making or causing to be made by any officer subordinate to him such inquiry, if any, as he thinks fit.

(3) If the Collector is of opinion that the applicant has under-estimated the value of the property of the deceased, he may, if he thinks fit, require the attendance of the applicant, either in person or by his agent, and take evidence and inquire into the matter in such manner as he may think fit, and if he is still of opinion that the value of the property has been under-estimated, may require the applicant to amend the valuation, and, if the application for probate or letters of administration is pending in Court to file a copy of the amended valuation in such Court.

(4) If, in any such case, the probate or letters of administration has or have been granted and the applicant amends the valuation to the satisfaction of the Collector and the Collector finds that a less fee has been paid than was payable according to the true value of the estate, he shall proceed under section 61, sub-section (4); but if a higher fee has been paid than was payable according to the true value of the estate, the excess fee shall be refunded to the applicant.

(5) If the applicant does not amend the valuation to the satisfaction of the Collector, the Collector may move the Court before which the application for probate or letters of administration was made to hold an inquiry into the true value of the property :

Provided that no such motion shall be made after the expiration of six months from the date of the exhibition of the inventory required by section 317 of the Indian Succession Act, 1925 (Central Act XXXIX of 1925).

60. *Application to Court and powers of Court.*—(1) The Court shall, when moved by the Collector under section 59, sub-section (5), hold or cause to be held by any Court or officer subordinate to it an inquiry as to the true value at which the estate of the deceased should have been estimated. The Collector shall be deemed to be a party to the inquiry.

(2) For the purposes of any such inquiry, the Court, or the Subordinate Court or the officer authorized by the Court to hold the inquiry, may examine the applicant on oath either in person or by commission, and may take such further evidence as may be produced to prove the true value of the estate, and where the inquiry has been entrusted to a Subordinate Court or officer, such Court or officer shall return to the Court the evidence taken and report the result of the inquiry and such report and the evidence so taken shall be evidence in the proceedings.

(3) The Court on the completion of the inquiry or on receipt of the report referred to in sub-section (2), as the case may be, shall record a finding as to the true value at which the estate should have been estimated and such finding shall be final.

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other person to attend either to give evidence or to produce a document or in respect of the production or filing of an exhibit not being an affidavit made for the immediate purpose of being produced in Court;

(xi) bail bonds in criminal cases other than bail bonds in village courts, recognizances to prosecute or give evidence and recognizances for personal appearance or otherwise;

(xii) petition, application, charge or information respecting any offence when presented, made or laid to or before a police officer, or to or before the heads of villages or the village police;

(xiii) petition by a prisoner or other person in duress or under restraint of any Court or its officer;

(xiv) complaint of a public servant as defined in the Indian Penal Code (Central Act XLV of 1860) or an officer of the State Railway;

(xv) application for permission to cut timber in Government forests or otherwise relating to such forests, not being applications from forest contractors for extending the period of their leases;

(xvi) application for the payment of money due by the Government to the applicant, other than an application for refund of lapsed deposit made six months after the date on which the amount lapsed to the Government;

(xvii) petition of appeal against any municipal tax;

(xviii) application for compensation under any law, for the time being in force relating to the acquisition of property for public purposes;

(xix) petition under section 48 of the Indian Christian Marriage Act, 1872 (Central Act XV of 1872);

(xx) petition or appeal by a Government servant or a servant of the Court of Wards when presented to any superior officer or Government against orders of dismissal, reduction or suspension; copies of such orders filed with such appeals, and applications for obtaining such copies.

73. *Power to reduce or remit fees.*—The State Government may, by notification in the *Fort St. George Gazette*, reduce or remit, in the whole or in any part of the territory of this State, all or any of the fees chargeable under this Act, and may, in like manner, cancel or vary such notification.

CHAPTER VIII.

MISCELLANEOUS.

74. *Collection of fees by stamps.*—All fees chargeable under this Act shall be collected by stamps.

75. *Stamps to be impressed or adhesive.*—The stamps used to denote any fee chargeable under this Act shall be impressed or adhesive or partly impressed and partly adhesive, as the State Government may, by notification in the *Fort St. George Gazette*, from time to time, direct.

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76. *Amended document.*—Where any document which ought to bear a stamp under this Act is amended in order merely to correct a mistake and to make it conform to the original intention of the parties, it shall not be necessary to impose a fresh stamp.

77. *Cancellation of stamp.*—No document requiring a stamp under this Act shall be filed or acted upon in any proceeding in any Court or office until the stamp has been cancelled.

Such officer as the Court or the head of the office may, from time to time, appoint shall, on receiving any such document forthwith effect such cancellation by punching out the figure head so as to leave the amount designated on the stamp untouched, and the part removed by punching shall be burnt or otherwise destroyed.

78. *Deduction to be made.*—Where allowance is made in this Act for damaged or spoiled stamps, or where fee already paid is directed to be refunded to any person by an order of Court, the Collector may, on the application of the person concerned, pay to him the amount of fee or where damaged or spoiled stamps are produced, he may, after satisfying himself about their genuineness, give in lieu thereof the same amount or value in stamps of the same or any other description, or if the applicant so desires, the same amount or value in money provided that in all cases where money is paid in cash, a deduction shall be made of one anna for each rupee or fraction thereof. No such deduction shall however be made where refund is claimed in respect of any fee paid in pursuance of an order of Court which has been varied or reversed in appeal.

79. *Penalty.*—Any person appointed to sell stamps, who disobeys any rule made under this Act, and any person, not so appointed, who sells or offers for sale any stamps, shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both.

80. *Power of High Court to make rules.*—(1) The High Court may make rules to provide for or regulate all or any of the following matters, namely:—

(a) the fees payable for serving and executing processes issued by the High Court in its appellate jurisdiction and by the Civil and Criminal Courts subordinate thereto;

(b) the remuneration of persons employed by the courts mentioned in clause (a) in the service or execution of processes;

(c) the fixing by District and Sessions Judges and District Magistrates of the number of process-servers necessary to be employed for the service and execution of processes issued from their respective courts and the Courts subordinate thereto;

(d) the display in each Court of a table in the English and in the local language or languages showing the fees payable for the service and execution of processes.

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(4) The Court may make such order in accordance with the provisions of the Code of Civil Procedure, 1908 (Central Act V of 1908), as to the cost of the inquiry as it thinks fit.

61. Provision for cases where too low a fee has been paid.—

(1) Where too low a fee has been paid on any probate or letters of administration in consequence of any mistake or of its not being known at the time that some particular part of the estate belonged to the deceased, if any executor or administrator, acting under such probate or letters, applies to the Collector in the form set forth in Part II of Schedule III and pays within six months after the discovery of the mistake or of any effects not known at the time to have belonged to the deceased, what is wanting to make up the fee which ought to have been paid at first on such probate or letters, the Collector shall, if satisfied that a low fee was paid in the first instance in consequence of a mistake and without any intention of fraud or to delay the payment of the proper fee, cause the probate or letters to be duly stamped.

(2) If, in a case falling under sub-section (1), the executor or administrator does not, within the six months referred to in that sub-section, pay the deficit fee, he shall forfeit a sum equal to five times the deficit fee.

(3) If, on application being made under sub-section (1), the Collector is not satisfied that the application was made within six months of the discovery of the mistake or of further effects not included in the original valuation or that the payment of a low fee in the first instance was not due to a *bona fide* mistake, he shall cause the probate or letters to be duly stamped on payment of the deficit fee together with a penalty not exceeding five times such fee.

(4) If, after the grant of probate or letters of administration of an estate, it is found by the Collector as a result of proceedings under section 59 or section 60 or otherwise, that a less fee has been paid that was payable according to the true value of the estate, he shall cause the probate or letters to be properly stamped on payment of the deficit fee, and if he is satisfied that the original under-valuation was not *bona fide*, he shall levy in addition a penalty not exceeding five times the deficit fee.

(5) The Board of Revenue may remit the whole or any part of the amount forfeited under sub-section (2) or of any penalty under sub-section (3) or sub-section (4).

62. Administrator to give proper security before letters stamped.—In case of letters of administration on which too low a fee has been paid at first, the Collector shall not cause the same to be duly stamped in the manner aforesaid until the administrator has given such security to the Court by which the letters of administration have been granted as ought by law to have been given on the granting thereof in case the full value of the estate of the deceased had been then ascertained.

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63. Relief when too high a fee has been paid.—(1) If, at any time after the grant of the probate or letters of administration of an estate, it is discovered that a higher fee has been paid than was payable according to the true value of the estate, the executor or administrator, as the case may be, may apply for a refund to the Collector to whom a copy of the valuation of the estate was sent under section 55, sub-section (2). The application shall be accompanied by an amended valuation in the form set forth in Part II of Schedule III together with the probate or letters of administration upon which a refund is sought.

(2) If the Collector is satisfied that the amended valuation is correct, he shall—

(i) endorse a certificate on the stamped probate or letters of administration to the effect that so much of the fee represented by the stamp or stamps used has been refunded; and

(ii) refund the difference between the fee originally paid and that which should have been paid:

Provided that, no refund shall be granted under this section unless the application for refund is made within three years of the date of the grant of the probate or letters of administration, or within such further period as the Collector may allow.

If, by reason of any legal proceedings, the debts due from the deceased have not been ascertained and paid, or his effects have not been recovered and made available and in consequence thereof, the executor or administrator is prevented from claiming the return of such difference within the said period of three years, the Collector may allow such further time for making the claim as may appear to him to be reasonable under the circumstances.

If the Collector does not grant a refund, the executor or administrator, as the case may be, may apply to the Board of Revenue for an order of refund. An application for such refund should be accompanied by an amended valuation in the form set forth in Part II of Schedule III.

64. Recovery of penalties, etc.—Any excess fee found to be payable by an applicant for probate or letters of administration or by an executor or administrator, or any costs under section 60, sub-section (4), or any penalty or forfeiture payable by any such executor or administrator may, on the certificate of the Board of Revenue, be recovered from the executor or administrator as if it were an arrear of land revenue.

65. Powers of Board of Revenue.—The powers and duties of the Collector under this Chapter shall be subject to the control of the Board of Revenue.

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CHAPTER VII.

REFUND AND REMISSIONS.

66. (1) *Refund in cases of delay in presentation of plaint, etc.*—Where a plaint or memorandum of appeal is rejected on the ground of delay in its re-representation, or where the fee paid on a plaint or memorandum of appeal is deficient and the deficiency is not made good within the time allowed by law or granted by the Court, or the delay in payment of the deficit fee is not condoned and the plaint or memorandum of appeal is consequently rejected, the Court shall direct the refund to the plaintiff or the appellant, of the fee paid on the plaint or memorandum of appeal which has been rejected.

(2) Where a memorandum of appeal is rejected on the ground that it was not presented within the time allowed by the law of limitation, one-half of the fee shall be refunded.

67. *Refund in cases of remand.*—(1) Where a plaint or memorandum of appeal which has been rejected by the lower Court is ordered to be received, or where a suit is remanded in appeal for a fresh decision by the lower Court, the Court making the order or remanding the appeal may direct the refund to the appellant of the full amount of fee paid on the memorandum of appeal; and, if the remand is on second appeal, also on the memorandum of appeal in the first appellate Court, and, if the remand is in Letters Patent Appeal, also on the memorandum of second appeal and memorandum of appeal in the first appellate Court.

(2) Where an appeal is remanded in Second Appeal or Letters Patent Appeal for a fresh decision by the lower appellate Court, the High Court remanding the appeal may direct the refund to the appellant of the full amount of fee paid on the memorandum of Second Appeal if the remand is in Second Appeal, and of the full amount of fee paid on the Memorandum of Second Appeal and the Memorandum of Letters Patent Appeal if the remand is in Letters Patent Appeal:

Provided that, no refund shall be ordered if the remand was caused by the fault of the party who would otherwise be entitled to a refund:

Provided further that, if the order of remand does not cover the whole of the subject-matter of the suit, the refund shall not extend to more than so much fee as would have been originally payable on that part of the subject-matter in respect whereof the suit has been remanded.

68. *Refund where Court reverses or modifies former decision on ground of mistake.*—Where an application for a review of judgment is admitted on the ground of some mistake or error apparent on the face of the record, and on the rehearing the Court reverses or modifies its former decision on that ground, it shall direct the

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refund to the applicant of so much of the fee paid on the application as exceeds the fee payable on any other application to such Court under Article 11 (g) and (u) of Schedule II.

69. *Refund on settlement before hearing.*—Whenever any suit is dismissed as settled out of Court before any evidence has been recorded on the merits of the claim, half the amount of all fees paid in respect of the claim or claims in the suit shall be ordered by the court to be refunded to the parties by whom the same have been respectively paid.

Explanation.—The expression 'merits of the claim' shall have the meaning assigned to it in section 12.

70. *Refund of fee paid by mistake or inadvertence.*—The fee paid by mistake or inadvertence shall be ordered to be refunded.

71. *Instruments of partition.*—Where the final decree in a partition suit has been engrossed on non-judicial stamps furnished by the parties, the Court shall order the refund to the parties of so much of the valued fee paid by them as is equal to the value of the non-judicial stamps furnished by them.

72. *Exemption of certain documents.*—Nothing contained in this Act shall render the following documents chargeable with any fee:—

(i) mukhtarnama, vakalatnama or other written authority to institute or defend a suit when executed by a member of any of the Armed Forces of the Union not in civil employment;

(ii) memorandum of appearance filed by Advocates or Pleaders when appearing for persons proceeded against in criminal cases;

(iii) plaints and other documents in suits filed in village courts;

(iv) plaints in suits before Collectors under Madras Regulation XII of 1816;

(v) application or petition to a Collector or other Officer making a settlement of land revenue, or to the Board of Revenue relating to matters connected with the assessment of land, or with the ascertainment of rights thereto or interest therein, if presented previous to the final confirmation of such settlement;

(vi) application relating to a supply for irrigation of water belonging to Government;

(vii) application for leave to extend cultivation or to relinquish land, when presented to an officer of land revenue by a person holding, under a direct engagement with Government, land of which revenue is settled but not permanently;

(viii) application for service of notice of relinquishment of land or of enhancement of rent;

(ix) written authority to an agent to distrain;

(x) first application (other than a petition containing a criminal charge of information) for the summons of a witness or

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(2) All rules made under sub-section (1) shall be subject to confirmation by the State Government and on such confirmation shall be published in the *Fort St. George Gazette* and shall thereupon have effect as if enacted in this Act.

81. *Power of Board of Revenue to make rules.*—(1) The Board of Revenue may, with the previous sanction of the State Government, make rules consistent with this Act to provide for or regulate all or any of the following matters, namely:—

(a) the fees chargeable for serving and executing processes issued by the Board of Revenue and by the Revenue courts;

(b) the remuneration of the persons necessary to be employed for the service and execution of such processes;

(c) the fixing by Collectors of the number of persons necessary to be employed for the service and execution of such processes;

(d) the guidance of Collectors in the exercise of their powers under Chapter VI;

(e) the supply of stamps to be used under this Act;

(f) the number of stamps to be used for denoting any fee chargeable under this Act;

(g) the keeping of accounts of all stamps used under this Act;

(h) the circumstances in which stamps may be held to be damaged or spoiled;

(i) the circumstances in which, the manner in which, and the authorities by which, allowance for used, damaged or spoiled stamps may be made;

(j) the regulation of the sale of stamps to be used under this Act, the persons by whom alone such stamps may be sold and the duties and remuneration of such persons:

Provided that in the case of stamps used in the High Court, such rules shall be made with the concurrence of the Chief Justice.

(2) All rules made under this section shall be published in the *Fort St. George Gazette* and on such publication, shall have effect as if enacted in this Act.

82. *Power of Government to make rules.*—(1) The State Government may, by notification in the *Fort St. George Gazette*, make rules to carry out generally the purposes of this Act.

(2) All notifications and rules made under this section shall, as soon as possible, after they are made, be placed on the table of the Legislative Assembly for one month, and shall be subject to such modification whether by way of repeal or amendment as the Legislative Assembly may make during the session in which they are so laid.

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83. *Continuance in force of existing rules.*—Until rules are framed under sections 80, 81 and 82 and until notifications are issued under section 73, the rules and notifications now in force in respect of matters referred to in those sections, shall, in so far as they are not inconsistent with this Act, continue.

84. *Amendment of Central Act III of 1873.*—In the Madras Civil Courts Act, 1873 (Central Act III of 1873), section 14 shall be omitted.

85. *Repeal of Central Act IV of 1877.*—The Presidency Magistrates (Court Fees) Act, 1877 (Central Act IV of 1877) in so far as it applies to the State of Madras, is hereby repealed.

86. *Amendment of Central Act VII of 1892.*—In the Madras City Civil Court Act, 1892 (Central Act VII of 1892), sections 9 and 13 shall be omitted.

87. *Repeal and saving.*—(1) The Court Fees Act, 1870 (Central Act VII of 1870), in its application to the State of Madras and in relation to the fees and stamps other than fees and stamps relating to documents presented or to be presented before an officer serving under the Central Government and the Suits Valuation Act, 1887 (Central Act VII of 1887), in its application to the State of Madras are hereby repealed.

(2) All suits and proceedings instituted before the commencement of this Act and all proceedings by way of appeal, revision or otherwise arising therefrom whether instituted before or after such commencement shall, notwithstanding the repeal of the Court Fees Act, 1870 (Central Act VII of 1870) and the Suits Valuation Act, 1887 (Central Act VII of 1887), be governed by the provisions of the said Acts and the rules made thereunder.

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SCHEDULE I.

AD VALOREM FEES.

Article. (1)	Particulars. (2)	Proper fee. (3)
1	Plaint or written statement pleading a set off or counter-claim or memorandum of appeal presented to any Court— When the amount or value of the subject-matter in dispute— (i) does not exceed five rupees .. (ii) exceeds five rupees, for every five rupees, or part thereof, in excess of five rupees, up to one hundred rupees; (iii) exceeds one hundred rupees, for every ten rupees, or part thereof, in excess of one hundred rupees;	Six annas. Six annas. Twelve annas.
2	(a) Petition under section 26 of the Provincial Insolvency Act, 1920, or application under section 95 of the Code of Civil Procedure, 1908. (b) Appeal against order on a petition or application falling under clause (a).	An amount of one-half the scale of fee prescribed in article 1 on the amount or compensation claimed. On the scale prescribed in article 1 on the amount in dispute.
3	(a) Petition under section 53 or 54 of the Provincial Insolvency Act, 1920. (b) Appeal against order on a petition falling under clause (a) whether by the Official Receiver or by the unsuccessful party.	An amount of one-half the scale of fee prescribed in article 1 on the market value of the subject-matter subject to a maximum fee of rupees five hundred. An amount of one-half the scale of fee prescribed in article 1 on the market value of the subject-matter subject to a maximum fee of rupees five hundred.
4	Memorandum of appeal against order in proceedings under the Indian Succession Act, 1925.	An amount of one-half the scale of fee prescribed in article 1 on the amount or value of the subject-matter.
5	Application for review of judgment ..	One-half of the fee payable on the plaint or memorandum of appeal comprising the relief sought in the application for review.
6	Probate of a will or letters of administration with or without will annexed— When the amount or value of the estate in respect of which the grant of probate or letters is made exceeds one thousand rupees, but does not exceed five thousand rupees. When such amount or value exceeds five thousand rupees.	Two per centum on such amount or value. Three per centum on such amount or value.

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SCHEDULE I—cont.

AD VALOREM FEES—cont.

Article. (1)	Particulars. (2)	Proper fee. (3)
7	Certificate under the Indian Succession Act, 1925— Where the amount or value of the debt or security or the aggregate amount or value of the debts and securities specified in the certificate extends up to rupees five thousand. Where such amount or value exceeds five thousand rupees.	Two per centum on such amount or value. Three per centum on such amount or value.

NOTE.—(1) Where a certificate is extended under section 378 of the Indian Succession Act, 1925, fee shall be computed on the amount for which a certificate is sought to be extended and the amount for which a certificate or certificates has or have already been issued, credit being given for the fee already paid.

(2) The amount of a debt is its amount, including interest, on the day on which the inclusion of the debt in the certificate is applied for so far as such amount can be ascertained.

(3) Whether or not any power with respect to a security specified in a certificate has been conferred under the Act, and where such a power has been so conferred, whether the power is for the receiving of interest or dividends on, or for the negotiation or transfer of the security, or for both purposes, the value of the security is its market value on the day on which the inclusion of the security in the certificate is applied for, so far as such value can be ascertained.

SCHEDULE II.

Article. (1)	Particulars. (2)	Proper fee. (3)
1	(i) Petition in a suit under the Native Converts' Marriage Dissolution Act, 1868. (ii) Petition, plaint or memorandum of appeal when presented to a Court under the Dissolution of Muslim Marriage Act, 1939. (iii) Petition under the Indian Divorce Act, 1869, excluding petitions under section 44 of that Act, and every memorandum of appeal under section 55 of that Act. (iv) Plaint or memorandum of appeal under the Parsi Marriage and Divorce Act, 1936, or a counter-claim made under section 37 of that Act. (v) Plaint or memorandum of appeal in a suit under the Indian Colonial Divorce Jurisdiction Act, 1926. If in a suit falling under any of these clauses, there is a specific claim for damages, separate fee at the rates prescribed in Article 1 of Schedule I shall be charged on the amount of damages claimed.	Ten rupees. Ten rupees. Thirty rupees. Thirty rupees. Fifty rupees.
	Undertaking under section 48 of the Indian Divorce Act, 1869.	One rupee.

APPENDIX

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SCHEDULE II—cont.

Article. (1)	Particulars. (2)	Proper fee. (3)
3	Memorandum of appeal from an order inclusive of an order determining any question under section 47 or section 144 of the Code of Civil Procedure, 1908, and not otherwise provided for when presented—	One rupee.
	(i) to any Court other than the High Court or to any Executive Officer other than the Board of Revenue or Chief Executive Authority.	
	(ii) to the Board of Revenue or Chief Executive Authority.	Two rupees.
	(iii) to the High Court—	
	(A) From an order other than an order under the Madras Agriculturists' Relief Act, 1938—	
	(1) Where the order was passed by a subordinate Court or other authority—	
	(a) If the order relates to a suit or proceeding, the value of which exceeds one thousand rupees.	Ten rupees.
	(b) In any other case ..	Five rupees.
	(2) Where the appeal is under clause 15 of the Letters Patent—	
	(a) From an order passed in exercise of appellate jurisdiction.	Ten rupees.
	(b) From an order passed in exercise of original jurisdiction, which would be appealable under the Code of Civil Procedure, 1908, had it been passed by a Subordinate Court.	Ten rupees.
	(c) In any other case —	One hundred rupees.
	(3) Where the appeal is under section 45-B of the Banking Companies Act, 1949.	One hundred rupees.
	(4) Where the appeal is under section 411-A of the Code of Criminal Procedure, 1898.	Five rupees.
	(B) From an order under the Madras Agriculturists' Relief Act, 1938.	Two rupees.
	(iv) to the Government in pursuance of a statutory right to appeal for which no court-fee is leviable under any other enactment.	Five rupees.

APPENDIX

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SCHEDULE II—cont.

Article. (1)	Particulars. (2)	Proper fee. (3)
4	Memorandum of appeal under section 39 of the Arbitration Act, 1940—	
	(i) Where the appeal is from an order of a District Munsif's Court or an order of a superior Court in a case where the value for jurisdiction does not exceed Rs. 5,000 ;	Fifteen rupees.
	(ii) in any other case ..	One hundred rupees.
5	Copy or translation of a judgment or order not being or having the force of a decree—	
	When such judgment or order is passed by any Civil Court other than the High Court or by the Presiding Officer of any Revenue Court or office or by any other Court or judicial or executive authority—	
	(a) if the amount or value of the subject-matter is fifty or less than fifty rupees ;	Eight annas.
	(b) if such amount or value exceeds fifty rupees ;	One rupee.
	When such judgment or order is passed by the High Court.	Two rupees.
6	Copy or translation of a judgment or order of a Criminal Court.	Eight annas.
7	Copy of a decree or order having the force of a decree—	
	When such decree or order is made by any Court other than the High Court—	
	(a) if the amount or value of the subject-matter of the suit wherein such decree or order is made is fifty or less than fifty rupees ;	Twelve annas.
	(b) if such amount or value exceeds fifty rupees ;	One rupee and eight annas.
	When such decree or order is made by the High Court.	Five rupees.
8	Copy of any document liable to stamp duty under the Indian Stamp Act, 1899, when left by any party to a suit or proceeding in place of the original withdrawn—	
	(a) When the stamp duty chargeable on the original does not exceed 8 annas ;	The amount of the duty chargeable on the original.
	(b) in any other case ..	Twelve annas.
9	Copy of any revenue or judicial proceeding or order not otherwise provided for by this Act or copy of any account, statement, report, or the like taken out of any Court or office of any public officer—	
	For every document ..	Twelve annas.

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SCHEDULE II—cont.		
Article.	Particulars.	Proper fee.
(1)	(2)	(3)
11—cont.	(h) Application for arrest or attachment before judgment or for temporary injunction—	
	(i) when presented to a Civil Court or Revenue Court other than the High Court in relation to any suit or proceeding—	
	(1) if the value of the subject-matter of which is less than Rs. 50.	One rupee.
	(2) if the value is Rs. 50 and above.	Two rupees and eight annas.
	(ii) when presented to the High Court.	Five rupees.
	(i) Application or petition under section 47 and Order XXI, rules 58 and 90, of the Code of Civil Procedure, 1908—	
	(i) when filed in a Revenue Court or a District Munsif's Court.	One rupee.
	(ii) when filed in the City Civil Court, Madras, a Sub-Court or a District Court.	Two rupees and eight annas.
	(iii) when filed in the High Court.	Five rupees.
	(j) Application or petition under sections 34, 72, 73 and 74 of the Indian Trusts Act, 1882.	Five rupees.
	(k) (i) Application for probate or letters of administration to have effect throughout India.	Twenty-five rupees.
	(ii) Application for probate or letters of administration not falling under clause (i)—	
	(1) if the value of the estate does not exceed Rs. 1,000.	Twelve annas.
	(2) if the value exceeds Rs. 1,000. Provided that if a caveat is entered and the application is registered as a suit, one-half the scale of fee prescribed in Article 1 of Schedule I on the market value of the estate less the fee already paid on the application shall be levied.	Five rupees.
	(l) Original petitions not otherwise provided for when filed in—	
	(i) a District Munsif's Court—	
	(1) under the Madras Village Courts Act, 1888 (Madras Act I of 1889).	One rupee.
	(2) in other cases	Five rupees.
	(ii) the City Civil Court, Madras, a Sub-Court or a District Court.	Ten rupees.
	(iii) the High Court	Twenty rupees.

[7th April 1955]

SCHEDULE II—cont.		
Article.	Particulars.	Proper fee.
(1)	(2)	(3)
11—cont.	(m) Application to set aside an award under the Arbitration Act, 1940—	
	(i) when presented to a District Munsif's Court.	Twenty-five rupees.
	(ii) when presented to the City Civil Court, Madras, a Sub-Court, a District Court or the High Court—	
	(1) if the value of the subject-matter of the award does not exceed Rs. 5,000.	Twenty-five rupees.
	(2) if such value exceeds Rs. 5,000 but does not exceed Rs. 10,000.	One hundred rupees.
	(3) if such value exceeds Rs. 10,000.	Two hundred and fifty rupees.
	(n) Application under section 14 or section 20 of the Arbitration Act, 1940, for a direction for filing an award or for an order for filing an agreement and application for enforcing foreign awards—	
	(i) when presented to a District Munsif's Court.	Fifteen rupees.
	(ii) when presented to the City Civil Court, Madras, a Sub-Court, a District Court or the High Court—	
	(1) if the value of the subject-matter of the award does not exceed Rs. 5,000.	Fifteen rupees.
	(2) if such value exceeds Rs. 5,000 but does not exceed Rs. 10,000.	One hundred rupees.
	(3) if such value exceeds Rs. 10,000.	Two hundred and fifty rupees.
	(o) Petition to the High Court for the admission of an Advocate, Attorney or Vakil.	Twenty rupees.
	(p) Application presented to the High Court under section 24 of the Press (Objectionable Matter) Act, 1951.	Fifty rupees.
	(q) Revision petition presented to the High Court under section 115 of the Code of Civil Procedure 1908, or under section 25 of the Provincial Small Cause Courts Act, 1887, or under the provisions of any other Act, arising out of a suit or proceeding—	
	(i) if the value of the suit or proceeding to which the order sought to be revised relates does not exceed Rs. 1,000.	Five rupees.
	(ii) if such value exceeds Rs. 1,000.	Ten rupees.
	(r) Petition under sections 153, 166 and 221 of the Indian Companies Act, 1913, in connection with the winding up of a company.	One hundred rupees.

SCHEDULE III—cont.

Part I—cont.

ANNEXURE A.

Valuation of the movable and immovable property of deceased.

Cash in hand and at the bank, household goods, wearing apparel, books, plate, jewels, etc. RS. A. P.
 (State estimated value according to best of Executor's or Administrator's belief.)
 Property in Government securities transferable at the Public Debt Office.
 (State description and value on the date of the death of the deceased or on the date of the application, as the case may be.)
 Immovable property, consisting of
 (State description and market value on the date of the death of the deceased or on the date of the application, as the case may be.)
 Leasehold property
 (If the deceased held any leases for years determinable, state the period of the lease and the estimated amount of rent inserting separately arrears due on the date of death or on the date of the application, as the case may be.)
 Property in public companies in
 (State the particulars and the value calculated at the price on the date of the death or on the date of the application, as the case may be.)
 Policies of insurance upon life, money out on mortgages and other securities, such as bonds, bills, notes and other securities for money.
 (State the amount of the whole on the date of the death or on the date of the application, as the case may be.)
 Debts
 (Other than bad debts)
 Stock in trade
 (State the estimated value, if any.)
 Other property not comprised under the foregoing heads
 (State the estimated value, if any.)
 Total
 Deduct items shown in Annexure B in the manner provided in sub-section (2) of section 58.
 Net value of the Estate

ANNEXURE B.

Schedule of debts, etc.

Amount of debts due and owing from the deceased, legally payable out of the estate. RS. A. P.
 Amount of expenses connected with funeral rites and ceremonies.
 Amount of mortgage incumbrances
 Property held in trust not beneficially or with general power to confer a beneficial interest.
 Other property not subject to duty
 Total

7th April 1955]

SCHEDULE III—cont.

Part II.

AMENDED FORM OF VALUATION OF ESTATE.
 (See sections 61 and 63.)

IN THE COURT OF

Re: PROBATE OF THE WILL OF
 OF THE ESTATE OF

(OR ADMINISTRATION

), DECEASED.

1. I (A.B.) am the executor (or one of the executors or one of the next-of-kin, as the case may be) of
2. Probate was (or letters of administration were) granted to me on
3. It has now been discovered that the net value of the estate on which Court fee was paid was not correctly ascertained.
4. I have now truly set forth in Annexure A to this amended Form of Valuation his all the estate of the deceased at the date of the application for probate (or letters death which has come or is likely to come to my hands. of administration)
5. I further have now truly set forth in Annexure B all the items which I am by law allowed to deduct.
6. I further declare that the said estate, exclusive only of the last-mentioned items, at the date of the death of the deceased was under the value of this application is
7. I (A.B.) further declare that what is stated in this amended Form of Valuation is true to the best of my information and belief.

(Signed) A.B. _____

ANNEXURE A.

Amended valuation of the estate of deceased.

Valuation on which Court-fee was paid.	Increase.	Decrease.	Valuation as now amended.
Total			
Deduct items shown in Annexure B in the manner provided in sub-section (2) of section 58.			
Amended net value of estate			

ANNEXURE B.

Amended schedule of debts, etc.

Valuation on which Court-fee was paid.	Increase.	Decrease.	Valuation as now amended.
Total			

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UNDER THE CONSTITUTION OF INDIA.

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SCHEDULE II—cont.

Article. (1)	Particulars. (2)	Proper fee. (3)
10	(a) Application or petition presented to any officer of land revenue by any person holding temporarily settled land under direct engagement with Government and when the subject-matter of the application or petition relates exclusively to such engagement.	Four annas.
	(b) Application or petition presented to any officer of land revenue relating to the grant of land on darkhast.	Four annas.
	(c) Application to a Collector for lease of land for agricultural or non-agricultural purposes.	Twelve annas.
	(d) Application or petition presented to any Executive Officer under any Act for the time being in force for the conservancy or improvement of any place if the application or petition relates solely to such conservancy or improvement.	Four annas.
	(e) Application or petition presented to any board or Executive Officer for a copy or translation of any order passed by such board or officer or of any other document on record in such office.	Four annas.
	(f) Application to a Forest Officer by a forest contractor for extension of the period of lease— (i) if the value of the subject-matter of the lease is Rs. 5,000 or less; (ii) if such value exceeds Rs. 5,000, for every Rs. 1,000 or part thereof in excess of Rs. 5,000.	Five rupees. One rupee.
	(g) Application for attestation of private documents intended to be used outside India.	One rupee.
	(h) Application for lapsed deposit presented after six months after the date on which the amount lapsed to the Government— (i) when the amount or deposit does not exceed Rs. 50; (ii) when the amount or deposit exceeds Rs. 50 but does not exceed Rs. 1,000; (iii) when it exceeds Rs. 1,000	Eight annas. One rupee. Two rupees.
	(i) Application or petition presented to the Government and not otherwise provided for— (i) which involves the exercise or non-exercise of power conferred by law or rule having the force of law; (ii) in other cases	Two rupees. Eight annas.

7th April 1955]

SCHEDULE II—cont.

Article. (1)	Particulars. (2)	Proper fees. (3)
10—cont.	(j) Application or petition presented to the Board of Revenue or Chief Executive Authority and not otherwise provided for— (i) which involves the exercise or non-exercise of power conferred by law or rule having the force of law; (ii) in other cases	Two rupees. One rupee and eight annas.
	(k) Application or petition not falling under clause (i) or (j) and presented to a public officer or in a public office and not otherwise provided for— (i) which involves the exercise or non-exercise of power conferred by law or rule having the force of law; (ii) in other cases	One rupee. Four annas.
11	(a) Application or petition presented to any Court for a copy or translation of any judgment, decree or any proceeding of or order passed by such Court or of any other document on record in such Court.	Four annas.
	(b) Application or petition presented to any Civil Court other than a Principal Civil Court of Original Jurisdiction or to any Court of Small Causes constituted under the Provincial Small Cause Courts Act, 1887, or to a Collector or other officer of revenue in relation to any suit or case in which the amount or value of the subject-matter is less than Rs. 50.	Four annas.
	(c) Application to any Court that records may be called from another Court, when the Court grants the application and is of opinion that the transmission of such records involves the use of the post.	Twelve annas in addition to the fee leviable on the application.
	(d) Application for permission to deposit revenue or rent either in the office of the Collector or in the Court.	Twelve annas.
	(e) Application or petition presented to a Court for determination of the amount of compensation to be paid by a landlord to his tenant.	One rupee.
	(f) A written complaint or charge of any offence other than an offence for which a Police officer may, under the Code of Criminal Procedure, arrest without warrant and presented to any Criminal Court and an oral complaint of any such offence reduced to writing under the Code of Criminal Procedure, 1898.	One rupee.
	(g) Application or petition presented to any Court, or to any Magistrate in his executive capacity and not otherwise provided for in this Act.	Twelve annas.

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SCHEDULE II—cont.

Article. (1)	Particulars. (2)	Proper fee. (3)
11—cont.	(s) Petition to the High Court under Article 226 of the Constitution for a writ other than the writ of <i>Habeas Corpus</i> or a petition under Article 227 of the Constitution.	Twenty-five rupees.
	(t) Application under section 45 of the Specific Relief Act, 1877.	One hundred rupees.
	(u) Application or petition presented to the High Court/and/not otherwise specifically provided for.	Two rupees.
	(v) Election petition questioning the election of a person in respect of—	
	(i) the office of member of a panchayat ;	Twenty-five rupees.
	(ii) the office of President of a panchayat ;	Fifty rupees.
	(iii) the office of member or Alderman of the Council of the Corporation of Madras or of member of a Municipal Council or a District Board ;	Fifty rupees.
	(iv) the office of Mayor or Deputy Mayor of the Corporation of Madras or of Chairman of a Municipality or President of a District Board.	Two hundred rupees.
12	Application for leave to sue as a pauper.	Twelve annas.
13	Application for leave to appeal as a pauper—	
	(i) When presented to a District Court or a Sub-Court.	One rupee.
	(ii) when presented to the High Court.	Two rupees.
14	(i) Bail bond or other instrument of obligation when filed in village courts.	Four annas.
	(ii) Bail bond or other instrument of obligation given in pursuance of an order made by a Court or Magistrate under any section of the Code of Criminal Procedure, 1898, or the Code of Civil Procedure, 1908, and not otherwise provided for in this Act.	Twelve annas.
15	Every copy of power-of-attorney when filed in any suit or proceeding.	Twelve annas.
16	Mukhtarnama, Vakalatnama or any paper signed by an advocate signifying or intimating that he is retained for a party—	
	When presented—	
	(i) to any Court other than the High Court or to any Collector or Magistrate or other executive officer.	One rupee and eight annas.
	(ii) to the Board of Revenue or a Chief Executive Authority.	Two rupees.
	(iii) to the High Court	Three rupees.
	(iv) to the Government	Three rupees.

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SCHEDULE II—cont.

Article. (1)	Particulars. (2)	Proper fee. (3)
17	Agreement in writing stating a question for the opinion of the Court under the Code of Civil Procedure, 1908—	
	(i) When presented to a District Munsif's Court or when presented to the City Civil Court or Sub-Court of Ootacamund or of Cochin, in a case where the value of the subject-matter does not exceed Rs. 5,000.	Fifteen rupees.
	(ii) In any other case	One hundred rupees.
18	Caveat	Ten rupees.

SCHEDULE III.

PART I.

(See section 55.)

Form of Valuation (to be used with such modifications, if any, as may be necessary) of Estate.

IN THE COURT OF

RE : PROBATE OF THE WILL OF
OF THE ESTATE OF

(OR ADMINISTRATION
) , DECEASED.

1. I (A.B.) solemnly affirm/make oath and say that I am the executor (or one of the executors or one of the next of kin) of the deceased, and that I have truly set forth in Annexure A to this Form of valuation all the estate of which the abovenamed deceased died possessed or to which he was entitled at the time of his death, and which has come, or is likely to come, to my hands.

2. I further say that I have also truly set forth in Annexure B all the items I am by law allowed to deduct.

3. I further declare that the said estate exclusive only of the last-mentioned was on the date of the death of the said deceased

items, _____ under the value of _____

4. I (A.B.) further declare that what is stated in this Form of Valuation is true to the best of my information and belief.

(Signed) _____ A.B.

* This form to be used where the application is made after one year from the date of the death.

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X, Y, Z.—Nil.



[Sri T. M. Daivasikhamani Achariar] [18th March 1955]

people. What was the condition of these merchants some five years ago? What is their condition to-day. Sir, these merchants, these shop-keepers who make Rs. 70 crores worth of jewels are the real blood-suckers of people. These merchants who were only ordinary folk some five years ago have now amassed huge profits. They are earning lakhs and lakhs of rupees. Government should not close their eyes to this fact. I think Government are working at the wrong end. We must make up the deficit and are we to lose the Rs. 288 lakhs which we could get out of the horns of these people? Every year they are amassing lakhs and lakhs of rupees. Why should they then protest against any increase in taxation. There is no meaning in their doing so. It is the purchasers who pay the tax. Therefore why should they grudge paying Rs. 288 lakhs as sales tax on their sale of manufactured jewels and diamonds? When that source of taxation is there, why should Government think of approaching Government of India for loan or for raising loan here itself. Therefore, as Mr. John always says, if we are a civilised Government we must show to the world that we are civilised by restoring the sales tax on manufactured jewels and diamonds and then there will not be any necessity for Dr. John to characterise us as uncivilised Government. With these words, I thank you, Mr. Chairman, for having given me an opportunity to speak."

5-20
p.m.

SRI V. V. RAMASWAMI :—"கனம் தலைவர் அவர்களே, இந்த பொது விற்பனை வரிச்சட்டத்தின் கீழ் விதிக்கப் பட்ட ஆண்டுகளாக நடைமுறையில் இருந்துவந்து, பிறகு உயர் நீதி மன்றத்தில் இவை மூலச்சட்டத்தில் இல்லாத தினால், சொல்லாது என்று தீர்மானிக்கப்பட்டுவிட்டது. ஆகையால் அவைகளை சட்டப்படி சொல்லும் என்று உறுதிப்படுத்தும் மசோதா கொண்டு வரப்பட்டது. அப்படிக் கொண்டு வந்ததில், எல்லா செதிகளும் அதிலே அடங்கி இல்லாவிட்டால் அந்தச் சட்டம் செந்தும் பயனில்லை. செதிகளோடு முழுமனதோடு வரவேற்பார்கள் என்று சொல்வதற்கு முடியாது என்பதை இந்தச் சந்தர்ப்பத்திலே சொல்ல விரும்புகிறேன்."

"இப்பொழுது நடைமுறையில் எப்படி இருக்கின்றது? ஒரு வியாபாரிக்கு முந்திய வருடத்தில் மொத்த வியாபாரத்தொகைக்கு உத்தேசமாக வரி விதித்து மாதாமாதம் வரிகட்டுவதற்கு உத்தேசமாக அதாவது முந்திய ஆண்டில் ரூ. 300 வரிகட்டியிருந்தால் போடுகிறார்கள். ரூ. 25 வீதம் கட்டிவரவேண்டும். ஆண்டு இறுதியில் விற்பனை நடந்த மொத்த தொகைக்கு வரி விதித்து கூடுதல் குறைவுக்குச் சரிக்கட்டி உத்தரவு போடுகிறார்கள். இது ஏ 2 என்று ரூலை வைத்திருக்கிறார்கள். ரூ. 30,000-க்குமேல் விற்பனைத் தொகை வந்துவிட்டால் ரூல் நெ. 13 பிர ஏ 3 என்ற ரிட்டர்ன் பூர்த்தி செய்து வரிகட்டலாம். பொதுவாக கவர்ன்மெண்டுக்கும் பொது லாப நஷ்டக் கணக்குப் பார்த்து, கணக்குக்கு மேல் உத்தேசமாக எண் 4 மேட்டைக்கூட்டி வரியை அதிகமாக விதிக்கப்படுகிறது. ஆகையால் இப்பேர்ப்பட்ட சங்கடங்கள் பல இருப்பதினால் வியாபாரிகள் தொல்லைப்படுகிறார்கள்."

"1953-ஆம் ஆண்டிலே இந்த பொது விற்பனை வரி அமுலில் இருக்கின்றதை ஆராய்ந்து பார்ப்பதற்காக ஒரு முக்கூட்டு கமிட்டி அமைக்கும் படி அமைச்சர் அவர்களைக் கேட்டுக்கொண்டேன். அதற்கு அமைச்சர் அவர்களும் ஒப்புக்கொண்டார்கள். ஆனால் பின்னால் பல காரணங்களினால் அது கைவிடப்பட்டதாகத் தெரிகிறது. இப்போதுதான் உத்தியோகஸ்தர்கள் அடங்கிய ஒரு கமிட்டியை நிறுவியிருப்பதாகச் சொல்லப்படுகிறது."

[18th March 1955] [Sri V. V. Ramaswami]

அதாவது இந்தச் சட்டத்தை அமுல் நடத்துவதில் வியாபாரிகள் எப்படி பாதிக்கப்படுகிறார்கள் என்பதை ஆராய்ந்து சொல்லுவதற்காக உத்தியோகஸ்தர்கள் நியமிக்கப்பட்டிருப்பதாகச் சொல்லப்படுகிறது. இது பற்றி உத்தியோகஸ்தர்களைக் கேட்டால் நாங்கள் வியாபாரிகளுக்குத் தொல்லை கொடுப்பதில்லை, நாங்கள் வியாபாரிகளிடம் கொஞ்சம் கடுமையாக இருக்காவிட்டால் தற்சமயம் வருவாகும் பணம்கூட வந்து சேராது, மறைத்து விடுவார்கள் என்றுதான் அந்த அதிகாரிகள் கூறுவார்கள். எனவே உத்தியோகஸ்தர்கள் அடங்கியுள்ள கமிட்டியினர் வியாபாரிகளின் கஷ்டங்களை எடுத்துச் சொல்லுவதற்கு முன்வரமாட்டார்கள் என்றுதான் அஞ்சவேண்டியிருக்கிறது. ஆகவே இதுபற்றி முடிவுக்கு வருமுன் சம்பந்தப்பட்ட வியாபாரிகள் அடங்கிய ஒரு மகாநாடு கூட்டி, அவர்களுக்கு இருக்கின்ற கஷ்டங்களையெல்லாம் சொல்லக்கேட்டு சுமுகமான முறையில் சட்டத்தைத் திருத்தி அமைக்கவேண்டுமென்பது என்னுடைய வேண்டுகோள். குறிப்பாக, இதில் ஒன்றைச் சொல்ல விரும்புகிறேன். ரூ. 7,500 வரையில் வரி கிடையாது. ஆனால் ரூ. 6,000 வரை வியாபாரம் செய்யக்கூடிய வியாபாரிகளிடம் ஏதாவது காரணம் சொல்லி, நீங்கள் ரூ. 7,500 அல்லது அதற்குமேல் வியாபாரம் செய்கிறீர்கள் என்று சொல்லி அவர்களை வரி செலுத்தச் செய்துவிடுகிறார்கள். ஒரு தடவை இப்படி கட்ட வேண்டுமென்றால் போனால் போகட்டும் என்று கட்டிவிடுவார்கள். அப்படிக் கட்டமுடியாது என்று சொன்னாலோ அவர்கள் அப்பீல் செய்ய வேண்டும். ரூ. 30, ரூ. 40-க்காக அப்பீல் செய்யவேண்டுமே என்று அவர்கள் வரியையே கட்டி விடுவார்கள். அப்படி ஒரு தடவை ஒப்புக்கொண்டு கட்டிவிட்டால், அதற்குப் பிறகு விடாமல் தொடர்ந்து கட்டவேண்டிய சங்கடம் அவர்களுக்கு ஏற்பட்டுவிடுகிறது. அவர்களுக்கு உண்மையிலேயே அதிக வருவாய் வராவிட்டாலும், இந்தக் கணக்கிலேயே அவர்களுக்கு விதிக்கப்படுகிறது. இவ்வாறு அதிகாரிகளுக்கு மதிப்பை உயர்த்துவதற்கு அதிகாரம் அளிக்கப்பட்டிருப்பதால், அவர்கள் பரிசீலனை செய்யாமலேயே இப்படித்தான் இருக்குமென்று சொல்லி வரிகொடுக்கும்படி சொல்லிவிடுகிறார்கள். இதை விலக்கிவிட்டால்தான், வியாபாரிகளுக்கு ஓரளவு தொல்லைகள் நீங்கும்."

"மேலும், மொத்த டர்ன் ஓவர் இவ்வளவு என்று கணக்குக் கொடுத்தால் விற்பனை வரி இலாகா அதிகாரிகள் வியாபாரிகளை 'உங்களுக்கு அதிலே எவ்வளவு லாபம் கிடைத்தது' என்று கணக்கு கேட்கிறார்கள். வருமானவரி இலாகா அதிகாரிகளைப்போல் விற்பனைவரி இலாகா அதிகாரிகள் இப்படிக் கணக்கு கேட்பது சரியல்ல. வியாபாரிகள் தங்களுக்கு ஆற்றை பர்சென்ட் லாபம் என்று சொன்னால் 'உங்களுக்கு குறைந்தது பத்து பர்சென்ட் லாபம் வந்திருக்கவேண்டும், நீங்கள் சொல்லுவதை நம்புவதற்கில்லை' என்று சொல்லி அவர்களை மதிப்பிட்டு, அந்த முறையில் கணக்கிட்டு வரி வசூலிக்கிறார்கள். இந்த மாதிரியெல்லாம் அவர்களை பல சங்கடங்களுக்கு ஆளாக்குகிறார்கள். மேலும் வியாபாரிகளை யோக்கியமானவர்கள் என்று கருதாத ஒரு மனப்பான்மையை ஏற்படுத்தி விடுகிறார்கள். ஆகவே இம்மாதிரியான பல சங்கடங்களை ஏற்படுத்தாமல், நல்ல முறையிலே வசூலிக்க சட்டத்தைத் திருத்தி அமைத்தால், எல்லா வியாபாரிகளும் ஒத்துழைப்பார்கள். இதை நான் வியாபாரிகள் சார்பாக இச்சபை முன்பு சொல்லிக்கொள்ள விரும்புகிறேன். அவர்களை நம்பிக்கையானவர்கள், யோக்கியர்கள் என்று மதித்தால்தான் அவர்களும் அரசாங்கத்தோடு ஒத்துழைக்கத் தயாராக இருப்பார்கள். இவ்வாறு பல சங்கடங்கள் கொடுப்பதால், அரசாங்கமே அவர்களை வேறு பல காரியங்களைச் செய்வதற்குத் தூண்டுகோலாக அமைகின்றது. எப்படி உணவு கட்டுப்பாட்டால், மக்கள் பலவித அநியாய முறைகளைக் கையாள் முன்வந்தார்களோ, அதேபோல் இவ்விதக் கட்டுப்பாட்டினால் பல விதமான மாற்றுக்காரியங்களில் இறங்க அரசாங்கமே தூண்டுகோலாக இருக்கிறது. ஆகவே இதையெல்லாம் தடுப்பதற்கு உடனடியாக எல்லோருக்கும் சுமுகமாக ஏற்படுத்தும் விதத்தில் வரி வசூலிக்கும்படியான ஒரு சட்டத்தைக் கொண்டுவரவேண்டுமென்று சொல்லிக்கொண்டு, இப்பொழுது இந்த மசோதாவை ஆதரிக்கிறேன்."