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MADRAS LEGISLATIVE COUNCIL
DEBATES.

OFFICIAL REPORT

MONDAY 13TH, AUGUST 1956

VOL XIV — NO 4 to 6.

V211, 12 NS

MS 6.14.4-6.1

128837

Issued—7-11-1956

372-5

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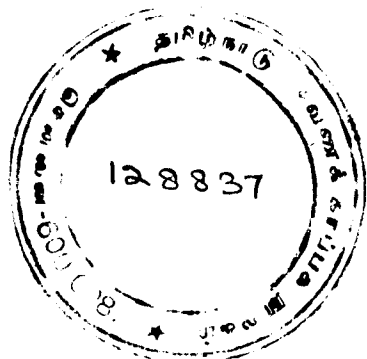
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*Legislature Department (Council)
Madras*

PRICE, 4 annas}



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M56.14.4-6;1

THE MADRAS LEGISLATIVE COUNCIL.

Monday, the 13th August 1956. 372

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.

Formation of Dakshina Pradesh

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

(a) whether the State Government have received any communication from the Government of India on the formation of Dakshina Pradesh;

(b) if so, what it is; and

(c) the action taken thereon?

THE HON. SRI M. BHAKTAVATSALAM (on behalf of the Hon. the Chief Minister) : (a) No, Sir.

(b) & (c) Do not arise.

SRI V. V. RAMASWAMI : கேள்வி நாட்டையும் தமிழ் நாட்டையும் இணைக்கும் விஷயமாக நமது ராஜ்ய அமைச்சரவையின் அதிகார பூர்வமான கருத்தைத் தெரிவிக்கும்படி மத்திய அரசாங்கத்திடமிருந்தாவது காங்கிரஸ் மேலிடத்திலிருந்தாவது உத்திரவு வந்தால், சட்ட சபையோடு கலந்தாலோசித்து தனது கருத்தை அவர்களுக்கு அமைச்சரவை தெரிவிக்குமா என்று அறிய விரும்புகிறேன்.

THE HON. SRI M. BHAKTAVATSALAM : எந்தப் பிரச்சனையாயினும் அதை இந்த இரண்டு சட்டசபைகளும் சேர்ந்து தான் முடிவு செய்ய வேண்டும் என்பதை அரசாங்கம் நன்றாக உணர்ந்திருக்கிறது. எப்போதைக்கெப்போது இந்த சட்ட சபைகளோடு கலந்தாலோசிக்க வேண்டுமோ, எப்போதைக்கெப்போது இந்த சட்ட சபைகளின் அபிப்பிராயத்தைப் பெறவேண்டுமோ, அப்போதைக்கெப்போது இந்த சட்ட சபைகளோடு கலந்தாலோசிக்கவும், இவைகளின் அபிப்பிராயத்தைப் பெறவும் அரசாங்கம் தவறுது.

SRI V. V. RAMASWAMI : கேள்வி, தமிழ் நாடு விஷயமாக என்றைக்காவது நமது ராஜ்ய அமைச்சரவையில் அதிகார பூர்வமாக கவனிக்கப்பட்டதா?

THE HON. SRI M. BHAKTAVATSALAM : அப்படியொன்றும் நடந்ததாக எனக்கு நினைவில்லை.

Extension of Government Hospital at Kancheepuram

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

(a) whether the Government have under consideration any proposal for the extension of the Government Hospital at Kancheepuram; and

[13th August 1956]

(b) whether it is the intention of the Government to utilize the public buildings near about the T.B. ward of the hospital for such extension?

THE HON. SRI A. B. SHETTY : (a) There is a proposal to construct two additional wards (one children's ward and one maternity ward) within the compound of the Government Hospital, Kancheepuram, under the Local Development Works Scheme.

(b) No, Sir.

SRI T. PURUSHOTHAM : Have the Government considered the danger of the nearness of the Travellers' Bungalow abutting the tuberculosis ward in the Government Hospital at Kancheepuram and what action do the Government propose to take to shift the Travellers' Bungalow elsewhere?

THE HON. SRI A. B. SHETTY : There can be no such danger so long as aseptic conditions are observed in the hospital where tuberculosis patients are kept.

SRI T. PURUSHOTHAM : May I request the Hon. Minister kindly to investigate the matter further because personal inspection would convince him about the danger on account of this proximity complained of by me?

THE HON. SRI A. B. SHETTY : I would take further expert opinion on this matter, if necessary.

SRI M. ETHIRAJULU : May I know whether the Government have received any representation from the T.B. Association, Cuddalore, requesting the Government to take over and run the T.B. Hospital at Cuddalore?

THE HON. SRI A. B. SHETTY : A separate question may be given notice of.

Disease-carrying insects

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

(a) whether the Government have obtained any expert opinion as to the resistance developed by the disease-carrying insects to D.D.T. and other insecticides;

(b) if so, the steps taken or proposed to be taken by the Government to tackle this problem;

(c) whether the Government have under consideration any proposal for the introduction of alternative drugs to eradicate the root cause of such diseases as Malaria, etc.; and

(d) the provision made in the Second Five-Year Plan for a comprehensive scheme in this State for the above purposes?

[13th August 1956]

THE HON. SRI A. B. SHETTY : (a) Yes, the opinion of the Malaria Institute of India, Delhi, is available. Some Culicine mosquitoes have been found to have developed resistance to D.D.T. while Anophalene mosquitoes have not developed such a resistance.

(b) In operations against Culicine mosquitoes under the National Filaria Control Programme, Dieldrin is used in the place of D.D.T. Further research both in the field and in the laboratory will be undertaken by the Malaria Institute of India, Delhi and by the Central Malaria Laboratory, Madras.

(c) No, Sir.

(d) The Second Five-Year Plan includes two schemes, viz., the National Malaria Control Programme and the National Filaria Control Programme, which provide for the extension of control operations to all affected parts of the State.

SRI T. PURUSHOTHAM : Will the Hon. Minister tell us whether drugs imported from abroad and drugs manufactured here are subjected to quality test before use and what the system followed in this behalf is?

THE HON. SRI A. B. SHETTY : That is a separate question. It does not arise out of this question.

SRI V. V. RAMASWAMI : May I know whether the incidence of malaria has been checked and whether it is on the increase or on the decrease?

THE HON. SRI A. B. SHETTY : Malaria has been brought under effective control in most of the affected areas. The idea to-day is to eradicate malaria and not merely to control malaria because malarial mosquitoes have been found to have developed resistance in many countries in the world though there is no such evidence of resistance here. It is said that within about five years they are likely to develop resistance. Therefore, the present idea is to eradicate malaria altogether.

SRI G. KRISHNAMOORTHY : Have the Government ensured that grains produced from plants sprayed with D.D.T. are not harmful to human beings?

THE HON. SRI A. B. SHETTY : The Minister for Agriculture will answer this question. (Laughter.)

SRI A. M. ALLAPICHAI : Is it true that malaria has caused more deaths in the world than those caused by all the World Wars put together?

THE HON. SRI A. B. SHETTY : It may be true regarding the World Wars in the past. But World Wars in future would destroy all human beings, not only human lives but also other lives.

[13th August 1956]

SRI T. PURUSHOTHAM: With reference to the answer to clause (a) just now given by the Hon. Minister, may I know why female mosquitoes are more dangerous than male ones?

THE HON. SRI A. B. SHETTY: It is unfortunately so among mosquitoes, but not among human beings. (Laughter.)

Bat nuisance in temples

* 14 Q.—**SRI T. PURUSHOTHAM:** Will the Hon. the Minister for Religious Endowments and Transport be pleased to state the steps taken or proposed to be taken by the Government to eradicate the bat nuisance in the public temples?

THE HON. SRI B. PARAMESWARAN: Instructions have been issued by the Commissioner to temple authorities to eradicate nuisance by bats by the use of chloride benzin or gamaxone.

SRI T. PURUSHOTHAM: May I request the Government to take expert opinion in the matter and issue necessary directive to temple authorities because we find that the nuisance is very great?

THE HON. SRI B. PARAMESWARAN: The Government have been taking suitable action so far as Tanjore is concerned. We have set right nearly 115 temples. We have got rid of bat nuisance there. On the whole, 178 temples have been cleared now and this bat nuisance is not there. We will proceed according to the priority fixed by the Commissioner with regard to this matter and see that this nuisance is done away with.

SRI T. PURUSHOTHAM: Would not opening of skylight without much of architectural alterations solve the problem?

THE HON. SRI B. PARAMESWARAN: I do not think it is possible now.

SRI K. BALASUBRAMANYA AYYAR: There is no light where bats live and how can we do that in the case of big gopurams where there is no light possible?

THE HON. SRI B. PARAMESWARAN: However, as soon as you enter the temple, there emanates such a bad odour that it is not possible for anybody to be sitting there even for a few minutes. Therefore, it is in the interests of the worshippers themselves that we have got to see that this bat nuisance is got rid of.

Reconstruction of Oondeeswarar temple

* 15 Q.—**SRI T. PURUSHOTHAM:** Will the Hon. the Minister for Religious Endowments and Transport be pleased to state with reference to the answer given to the Legislative Council Question No. 889 on 27th September 1955, the stage at which the proposed reconstruction of Sri Oondeeswarar temple (Chingleput district) stands at present?

[13th August 1956]

THE HON. SRI B. PARAMESWARAN: Plans and estimates have been received from the stapathi and they are now under scrutiny by the Chief Engineer (Irrigation).

SRI T. PURUSHOTHAM: May I know how much money is available for the purpose and what the estimated cost of reconstruction of the temple is?

THE HON. SRI B. PARAMESWARAN: A sum of Rs. 90,000 was given by way of compensation to the temple authorities. But the estimate prepared by the stapathi seems to involve more amount than what is available and there is slight difference of opinion between the Chief Engineer and the stapathi. Therefore, in consultation with the stapathi, the Chief Engineer has been asked to submit a report. It is awaited.

SRI T. PURUSHOTHAM: Will the Hon. Minister give us an inkling of how the balance of the amount required for the purpose will be met?

THE HON. SRI B. PARAMESWARAN: By requesting the Temple Tiruppani Committee to go in for donations.

SRI K. BALASUBRAMANYA AYYAR: There are some surplus funds collected for the last ten years under the Hindu Religious Endowments Board administration. Some funds are still available. Can they be utilized for this purpose?

THE HON. SRI B. PARAMESWARAN: We will be creating a bad precedent. Some concession may be asked for by every temple and the surplus funds that will be available will not be sufficient. Further, I doubt very much whether we can legally do so.

SRI V. V. RAMASWAMI: புராதனக் கோயில் கட்டிடங்கள் சிற்பத்திற்கும் மற்ற கலைகளுக்கும் பெயர் பெற்றனவாக இருக்கின்றன. ஆகவே அவைகளை முதலில் சுத்தமாக வைத்துக்கொள்வது ஒவ்வொரு கோயிலில் நிர்வாகத்தின் கடமையுமாகும் என்பதை அரசாங்கம் தெரிவித்து, கோயில்களை சுத்தமாக வைத்துக்கொள்வதற்கு எடுக்க வேண்டிய நடவடிக்கைகள் பற்றி எல்லா கோயில்களுக்கும் பட்டியல்கள் கொடுப்பார்களா?

THE HON. SRI B. PARAMESWARAN: கீழே இருக்கின்ற அதிகாரிகளுக்கும் சிப்பந்திகளுக்கும் கோயில்களை சுத்தமாக வைத்துக்கொண்டிருக்க வேண்டுமென்று உத்திரவு போட்டிருக்கிறோம். இரண்டு மூன்று ஆண்டுகளாக கோயில்கள் எவ்வளவு சுத்தமாக வைக்கப்பட்டு வருகின்றன என்பது பொது மக்களுக்கும் கோயில்களில் பிராத்தனை, பூஜை செய்வபர்களுக்கும் நன்றாகத் தெரிந்த விஷயம்.

Revision of electricity charges for electrical energy supplied to ryots for agricultural purposes

* 16 Q.—**SRI T. PURUSHOTHAM:** Will the Hon. the Minister for Public Works be pleased to state—11-1 a.m.

(a) whether the Government have considered the revision of electricity charges for electrical energy supplied to ryots for agricultural purposes; and

[18th August 1956]

(b) the orders passed with regard to recovery of surcharge on electricity rates for such purposes?

THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI: (a) The matter is under consideration of a departmental Committee.

(b) Levy of surcharge is being continued.

SRI T. PURUSHOTHAM: Will the Hon. Minister kindly tell us whether the recovery of unconnected charges is being waived in the case of agricultural consumers?

THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI: These unconnected charges are of two kinds. Generally, the ryots enter into an agreement with the Department and if they are not able to get pumpsets because pumpsets are not available in the market, the Government propose to waive these charges in such cases. In certain other cases, they do not have the means to buy pumpsets but have already entered into agreements with the Department. These cases are treated differently. Their inability to pay the charges and other considerations are looked into separately.

SRI T. PURUSHOTHAM: As the agriculturist could find the money for payment of electricity charges only after the harvest, will the Government consider issue of electricity bills to them once in a quarter instead of monthly bills which the agriculturists find it difficult to meet?

THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI: That may be considered if any representation reaches the Government to that effect.

SRI V. V. RAMASWAMI: பம்பு செட்ஸ் எடுத்துக்கொள்வதாக முதலில் ஒப்பந்தம் செய்து கொண்ட பல விவசாயிகள் பிறகு தங்கனிடத்தில் பணமில்லாத காரணத்தாலோ அல்லது மற்ற காரணங்களாலோ பம்பு செட்டை எடுத்துக் கொள்ள முடியவில்லையானால், ஒப்பந்தப்படி பம்பு செட்டை அவர்கள் எடுத்துக் கொள்ளவேண்டுமென்று நிர்ப்பந்திக்கப்படுவதாகத் தெரிகிறது. இம்மாதிரியான சந்தர்ப்பங்களில் அவர்கள் நிர்ப்பந்திக்கப்படக்கூடாது என்றும் ஒப்பந்தத்தை அவர்கள் ரத்து செய்கொள்ளலாம் என்றும் அரசாங்கம் உத்தரவு போடுமா?

THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI: ஒப்பந்தம் ஏற்பட்டிருந்து அவர்களுக்கு மின்சார இலாகாவின் மின்சார கரண்டைக் கொடுத்துவிடுகிறார்கள். அதற்காகும் செலவுத் தொகையை அவர்களிடமிருந்து வசூலிக்க வேண்டியது சர்க்காருக்கு அதிகரிக்காமல் இருக்கிறது. அவர்களால் பம்பு செட்டுகளை வாங்க முடியாவிட்டால் அப்போது ரத்துசெய்கிறோம். ஆனால் ஒப்பந்தத்தை எழுதிக்கொடுத்த பிறகு, அரசாங்கம் மின்சார இணைப்பையும் கொடுத்த பிறகு பம்பு செட்டை எடுத்துக்கொள்ள முடியவில்லை என்று சொன்னால் அப்போது ஒப்பந்தத்தை ரத்து செய்ய முடியாது. இனிமேல் இந்த மாதிரி ஏற்படாமல் இருப்பதற்காக ஒரு உத்தரவு பிறப்பிக்கப்பட்டிருக்கிறது. அதாவது, பம்பு செட்டை தேவையில்லை என்று ஆபீஸில் அவர்கள் எழுதிக்கொடுத்தால் அப்போது ஒப்பந்தம் ரத்துசெய்யப்படும் என்று உத்தரவு போடப்பட்டிருக்கிறது. ஆகையால் இனிமேல் அப்படி நடக்காது. முன்பு நடந்த கேஸ்கள் விஷயமாக ஒன்றும் செய்வதற்கில்லை.

13th August 1956]

SRI T. PURUSHOTHAM: As the revised orders now mentioned by the Hon. Minister have not been communicated to the departmental officers and as demand is being made according to the old rules, may I request the Hon. Minister to see that the latest orders of Government are communicated to the departmental subordinates?

THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI: The orders I have referred to are that hereafter the line will not be drawn to a particular area until the party is able to produce to the satisfaction of the departmental officers evidence that he is able to secure pumpsets. Until then there will be no connection and so, there will be no question of levy of unconnected charges there. But with reference to the question of dealing with old cases, they are all under departmental enquiry and instructions will be issued in the normal course.

SRI T. PURUSHOTHAM: While thanking the Hon. Minister for his sympathetic attitude, I would like to mention that the orders do not seem to have been communicated to the subordinate officers and, therefore, may I request that the orders be communicated to them.

THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI: I shall ask the Chief Engineer to take necessary steps in the matter.

Service registers for teachers in aided secondary schools

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

(a) whether the maintenance of service registers is made compulsory in the case of all teachers in aided secondary schools;

(b) whether the salary drawn by the teacher is required to be noted in the service register year to year; and

(c) whether entry of the payment of the salary last drawn in the previous school is insisted on in all cases of discharged teachers getting re-employed in a different school?

THE HON. SRI M. BHAKTAVATSALAM (on behalf of the Hon. the Minister for Finance and Education): (a) Service registers should be opened and maintained for all the qualified full time teachers.

(b) & (c) All the authenticated service, which counts for increments, should be entered in the teachers' service registers. Progressive entries have to be made, year after year, as and when the teachers draw their increments, and whenever there is change in the pay drawn. Normally, the salary last drawn will be found in the service register.

[13th August 1956]

SRI G. KRISHNAMOORTHY: May I know whether the Government insist that the salary last noted in the service roll should be paid by the school in which the teacher subsequently serves?

THE HON. SRI M. BHAKTAVATSALAM: Under the agreement that is entered into, it is not obligatory on the part of the management to pay the salary last drawn by the teacher.

SRI G. KRISHNAMOORTHY: What difficulty have the Government in insisting upon this rule that no teacher should be paid less than what is entered in the service roll?

THE HON. SRI M. BHAKTAVATSALAM: What is now prevailing is in accordance with the terms of the agreement. The question whether weightage should be given to the teachers for past service in another institution is in the discretion of the management of the new institution. It is, however, open to the new management to pay him the pay last drawn by him or even a higher pay.

SRI G. KRISHNAMOORTHY: In view of the fact that the Government do not insist on the pay last drawn by the teacher being paid by the successive management, teachers, especially senior teachers, are thrown out of their jobs. Will the Government, as a first step towards security of service issue orders that no teacher should be paid less than the pay noted in the service roll under any circumstances?

THE HON. SRI M. BHAKTAVATSALAM: I have already stated that what is prevailing is in accordance with the terms of the agreement. With reference to the hon. Member's suggestion, he may put a separate question.

Excursion for pupils of the aided secondary schools

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

(a) whether the Government have prescribed a minimum number of excursions in a year for all the pupils of the aided secondary schools in the State; and

(b) if so, the rules in regard to the duration and the distance to be covered in each excursion?

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

(b) Does not arise.

SRI G. KRISHNAMOORTHY: May I know whether all schools collect excursion fees on a uniform basis?

THE HON. SRI M. BHAKTAVATSALAM: No, Sir. The maximum is prescribed. It is open to the schools to collect fees less than this maximum.

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SRI G. KRISHNAMOORTHY: Do the Government insist on separate accounts being maintained for the excursion fees?

THE HON. SRI M. BHAKTAVATSALAM: If the hon. Member would bring it to the notice of the Government that proper accounts are not maintained in particular institutions, the Government will look into the matter, if proper maintenance of accounts is insisted upon.

SRI G. KRISHNAMOORTHY: Will the Government kindly pass an order that the funds in this account should not be allowed to accumulate and that the amount collected from particular pupils, in a particular year, should be spent for the benefit of those pupils within the year itself?

THE HON. SRI M. BHAKTAVATSALAM: If the hon. Member will make a specific suggestion, the Government will look into the matter.

SRI G. KRISHNAMOORTHY: May I submit that my suggestion is that the fees collected from particular pupils of particular classes during a particular year should be spent for excursions, which will be for the benefit of those pupils within that year itself and should not be allowed to accumulate till the end of the year?

THE HON. SRI M. BHAKTAVATSALAM: The hon. Member may put a separate question.

Cost of agricultural production

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

(a) whether the Government have made any enquiry into the present trend in the cost of agricultural production; and

(b) what steps they have taken to control the cost of materials needed by the agriculturists?

THE HON. SRI M. BHAKTAVATSALAM: (a) The answer is in the negative.

(b) The information required by the hon. Member is contained in the statement^a placed on the table of the House.

SRI T. PURUSHOTHAM: Will the Government kindly institute further enquiries by convening a conference of experienced ryots, one or two from each district, to advise the Government with regard to their particular difficulties in the matter?

THE HON. SRI M. BHAKTAVATSALAM: This is being done by the Collectors of Districts and it is also open to the ryots who have ideas in the matter to communicate their ideas to the Government and the Government will certainly look into them.

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SRI K. BALASUBRAMANYA AYYAR: May I say that at the time the Fair Rent Bill was discussed here the Government had not a definite idea of the cost of production? So, is it not better that they collect and publish some statistics about it?

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

Temples damaged by the cyclone

* 20 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 list of temples damaged by the recent cyclone in the southern part of the State showing the extent of the damage and the steps taken to repair them?

THE HON. SRI B. PARAMESWARAN: A statement* is placed on the table of the House.

SRI T. PURUSHOTHAM: A perusal of the statement shows that in most cases the remark is 'estimates are awaited'. Will the Government kindly see that the preparation of estimates is expedited and the repairs completed in all these cases?

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

MR. CHAIRMAN: Questions are over.

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

II.—ANNOUNCEMENT BY THE HON. CHAIRMAN *RE* ELECTION OF ONE MEMBER TO THE COMMITTEE OF PRIVILEGES.

11-20 a.m. MR. CHAIRMAN: I have to inform the House that Sri T. M. Narayanaswami Pillai has been nominated for the election of one member to the Committee of Privileges for the financial year 1956-57 in the vacancy caused by the vacation of seat of Sri K. Bhashyam consequent on the expiration of his term of office of membership of the Legislative Council with effect from 21st April 1956.

As Sri T. M. Narayanaswami Pillai is the only candidate nominated for the vacancy to be filled, namely, one, I hereby declare him to have been duly elected to the Committee of Privileges.

III.—GOVERNMENT RESOLUTION.

THE CONSTITUTION (SIXTH AMENDMENT) BILL, 1956—
RATIFICATION BY STATE LEGISLATURE.

* THE HON. SRI M. A. MANICKAVELU: Mr. Chairman, Sir, I beg to move—

"That this House ratifies the amendments of the Seventh Schedule, Article 269 and Article 286 of the Constitution of India, proposed to be made by the Constitution (Sixth Amendment) Bill, 1956, as passed by the two Houses of Parliament."

* Printed as Appendix II on pages 211-247 infra.

[13th August 1956] [Sri M. A. Manickavelu]

Sir, the Taxation Enquiry Commission after examining the problem of inter-State sales tax has made certain recommendations which may be summarised as follows:—

In essence sales tax must continue to be a State source of revenue and its levy and administration must substantially pertain to the State Governments. The sphere of power and responsibility of the State may, however, be said to end and that of the Union to begin when the sales tax by one State impinges administratively on the dealers and fiscally on the consumers of another State. Therefore, broadly inter-State sales should be the concern of the Union but the responsibilities pertaining to the Union could be exercised through the State Governments and in any case, the revenue should appropriately devolve on them. Intra-State sales, on the other hand, should be left to the States but with one important exception. Where, for instance, raw material produced in a State is important from the point of view of the consumer or the industry of another State, certain restrictions have to be placed on the taxing power of the State Government as otherwise it can effect an increase in the cost of the manufactured article whether such manufacture takes place in the State which produces the raw material or in another State which imports the material from that State. In either case, to the extent that the finished goods are consumed in a State other than the one which taxes the raw material, the increase in cost on account of the tax is a matter of direct concern to the consumer of another State. Such cases of intra-State sales should appropriately be brought under the full control of the Union. These recommendations in general have been accepted by all the State Governments. The Bill seeks to give effect to the recommendations. The main provisions of the Bill are as follows:—

Taxes on the sale or purchase of goods other than newspapers, where such sale or purchase takes place in the course of inter-State trade or commerce are placed in the Union list. The above taxes have been included in Article 269 of the Constitution so that the net proceeds may be assigned to the States and distributed amongst them in accordance with such principles as may be formulated by Parliament by law. Parliament is given power to formulate principles for determining when a sale or purchase of goods takes place in the course of inter-State trade or commerce outside the State or in the course of the import of the goods into or export of the goods out of India. The present requirement under Article 286 (3) that State laws imposing a tax on the sale or purchase of goods declared by Parliament by law to be essential for the life of the community should receive the assent of the President is taken away and in its stead, Parliament is given power to make laws specifying the restrictions and conditions in regard to the system of levy, rates and other incidents of the tax which may be imposed by a State on the sale or purchase of goods declared by Parliament by law to be of special importance in inter-State trade or commerce. Since the Bill seeks to make *inter alia* changes in the Seventh Schedule of the Constitution,

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according to the proviso to Article 368 of the Constitution, the amendment will have to be ratified by the State Legislatures of not less than one-half of the States specified in Parts A and B of the First Schedule of the Constitution before the Bill is presented to the President for his assent.

Ever since the Supreme Court delivered judgment in the case relating to the Bengal Immunity Company, Limited, v. the State of Bihar on 6th September 1955, inter-State sales have been escaping taxation. It is, therefore, necessary that the Bill should be carried through with the utmost speed. I commend the Resolution for the acceptance of the House.

MR. CHAIRMAN: Motion moved—

“ That this House ratifies the amendments of the Seventh Schedule, Article 269 and Article 286 of the Constitution of India, proposed to be made by the Constitution (Sixth Amendment) Bill, 1956, as passed by the two Houses of Parliament.”

SRI K. BALASUBRAMANYA AYYAR: Mr. Chairman, Sir, so far as the amendment goes, we have to welcome it and we do so with pleasure. For once, it has been finally accepted by the Constitution that sales tax is a source of revenue for the States entirely, and that the Union Government have nothing to do with it. But there are certain exceptions. There are cases where there are inter-State elements in transactions entered into in the course of trade and commerce. It is in these cases that the Union Government can otherwise be imposed by various States on various principles. As this led to various conflicts between States, the Union Government steps in for the purpose of regulating inter-State sales. So far as intra-State sales are concerned, that is, sales within the jurisdiction of the State, they are entirely within the jurisdiction of the States concerned. There are, however, two difficulties to remove which I would like some provision to be made. One is in respect of sub-clause (2) of Article 269 which states: “ The net proceeds of any financial year of such sales tax shall not form part of the Consolidated Fund of India but shall be assigned to the States within which that duty or tax is leviable in that year and shall be distributed among those States in accordance with such principles of distribution as may be formulated by law.” No such principles have been formulated. This again will lead to difficulties among the various States in the distribution of the amount collected and in determining the proportion in which they should be distributed. The difficulties which were there will continue to be there so far as inter-State sales are concerned. Therefore, instead of merely leaving it as it is without being governed by a particular legislation, it would be better that the Parliament fixes the principles—general principles of course not in any particular case because that may present difficulties—on which the distribution should be made among the States. There is also another point. Even in the case of imposition of sales tax in regard to

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inter-State trade or commerce, Parliament now takes upon itself the responsibility to formulate the principles on which any transaction will be said to be an inter-State one or an intra-State one. These principles also, I submit, should be formulated by Parliament as soon as possible; otherwise, difficulties will again crop up as to whether a particular transaction in the course of business is an intra-State one or an inter-State one. The Taxation Enquiry Commission has set out the general principles that should govern this particular matter. They also refer to one exception and that is in the case of raw materials produced by one State, which raw materials are delivered for consumption in another State or States. In these cases, it is suggested that the Union Government will have again to lay down some general principles for the guidance of the States. In respect of all these three matters, instead of having this provision which will again lead to discussion and conflict between States, it would be better to have a comprehensive legislation on this subject for the whole country. It is stated that the Government of India will give effect to these proposals. At the same time, if the principle on which inter-State sales tax and intra-State sales tax should be levied, how the tax should be distributed and the price on which intra-State and inter-State sales tax could be fixed—if all these things are settled by the Government of India, then the sales tax legislation would once and for all be complete and there would be no room then, as has been the case up till now, even for the Supreme Court to deliver conflicting judgments as in respect of Article 286 and Explanation to Article 286. They followed two principles and afterwards the Second Bench of the Supreme Court reversed the second of the two judgments. May I reiterate that it would be better to have a single-point sales tax instead of our Government now trying to say that if in between two retail dealers one makes a profit, then there should be multi-point sales tax against him? Just as the Government of Madras carried on under the Essential Goods Act even though the Constitution has fixed the inter-State sales tax on essential goods, so also this Government should submit a detailed memorandum to the Government of India on how the proceeds of inter-State sales tax should be distributed, the principle on which the tax should be levied and also the principle upon which the intra-State sales tax could be fixed. Difficulties may arise, unless the above questions are settled, in regard to yarn when it is exported to other States. We should know how far our yarn could be taxed also in other States to which it is exported. If we settle these questions once and for all, all the difficulties that crop up now awaiting decisions in Courts could be avoided and the whole thing will be rendered satisfactory. With these words, I welcome this amendment to the Constitution.

11-30
a.m.

*SRI V. V. RAMASWAMI : கனம் தலைவர் அவர்களே, இப்போது இந்த சபையில் கொண்டு வரப்பட்டிருக்கும் இந்தத் திருத்த மசோதாவை நானும் வரவேற்கிறேன். ஒரு ராஜ்யத்திலிருந்து இன்னொரு ராஜ்யத்துடன் செய்யப்படும் வியாபாரத்தில் பல கஷ்டங்கள் இருந்து வருகின்றன. ஒரு ராஜ்யத்திலிருந்து இன்னொரு ராஜ்யத்தி

[Sri V. V. Ramaswami]

[13th August 1956]

ஹள்ள வியாபாரிக்கு சரக்குகள் அனுப்பப்படும் போது பல விதமான வரிகள்கள் விதிக்கப்படுகின்றன. இதனால் வியாபாரிகள் மிகவும் கஷ்டப்படுகிறார்கள். இதன் காரணமாக கோர்ட்டுகளில் வழக்கு தொடரப்பட்டு சுப்ரீம் கோர்ட்டு வரை போயிருப்பதாகத் தெரிகிறது. மத்திய அரசாங்கமே இந்தச் சட்டத்தைத் திருத்தியிருக்கிறது. இந்தச் சட்டம் அமுலுக்கு வருவது சம்பந்தமாக கனம் அமைச்சர் அவர்களிடமிருந்து ஒரு விளக்கம் கோருகிறேன். அதாவது இந்த மசோதா அமுலுக்கு வரும் வரையில் வியாபாரிகளின் பேரில் இந்த வரிகள் வசூலிப்பது நிறுத்தி வைக்கப்படுமா அல்லது நிறுத்தி வைக்கப்படாதா என்று அறிய விரும்புகிறேன். எல்லா வியாபாரிகளுக்கும் இது விஷயமாக பல இடைஞ்சல்கள் இருப்பதால் இதைத் தெளிவுபடுத்தும்படி கனம் அமைச்சர் அவர்களைக் கேட்டுக் கொள்ளுகிறேன்.

* THE HON. SRI M. A. MANICKAVELU : Mr. Chairman, Sir, I thank the hon. Members for the further clarifications they have made on this subject. This Act has already been passed by the Parliament. We are only ratifying that Act according to the requirements of the Constitution. I submit that in that Act power has already been taken to formulate the principle for defining when a sale or purchase takes place in the course of inter-State or intra-State transaction and I dare say power would have been taken with regard to other things, namely, how to distribute the taxes collected, etc. Informally, I understood sometime back that they proposed to find out how much the income was from certain commodities; they would also consider their advancement in the trade and the requirements of the people. On some such basis, they may probably prescribe how this distribution should be made. I also think before they actually formulate the principle, they may consult the State Governments. I am not quite sure about it. I think they will consult the State Governments. With regard to single-point sales tax, we have already begun to walk in that direction and let us wait and see how far we could walk and how long we could walk. It remains to be seen. With these words, I commend the Resolution for the acceptance of the House.

MR. CHAIRMAN : The question is—

“That this House ratifies the amendments of the Seventh Schedule, Article 269 and Article 286 of the Constitution of India, proposed to be made by the Constitution (Sixth Amendment) Bill, 1956, as passed by the two Houses of Parliament.”

The motion was put and carried.

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

SRI MOHAMED RAZA KHAN : Mr. Chairman, I knew that for the last two days the Hon. the Leader of the House was feeling himself in an embarrassing position because he was getting praises and encomiums not only from Members sitting before him but also from those sitting on the Opposition Benches. Of course, there is some force in what has taken place because it cannot be denied even by the worst critic that there has been some improvement in the various activities which the Government of Madras have undertaken. With the multiple demands springing from

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different quarters, whatever is done by Government with their limited finances is creditable. Having followed the trend of the debate during the last two days, I do not like to make a different pronouncement, and I also wish to join with the rest in expressing my appreciation, which the Government deserve, of their work. But the Government of Madras cannot feel so complacent and think that everything is all right. In fact, when we consider the expenditure under various heads, a feeling arises, and surely there are genuine grounds for the same, that the Government are not taking proper care to scrutinise the expenditure under different heads minutely. Government can effect some economy and save money which could be utilized for some other useful purposes. The other day the hon. Member Mr. T. Purushotham put a question about jeeps supplied to the Congress. I am told a good lot of money has been spent on lorries and buses and God knows what they are for. I have also noted that the trucks had not been kept in proper condition. It may be the fault of the official concerned who might have used the vehicle recklessly and sent it to the garage and thus charged the Government heavily. When Government spend a few crores of rupees on any scheme, it is better that they scrutinise the expenditure under each head to avoid wastage, and jeeps and lorries should be used only for purposes approved by Government. Government should strictly enforce this condition. I feel a stage has come when the Government should keep a careful watch over each item of expenditure.

With regard to Community Projects and National Extension Schemes, because I live mostly in the town, I do not claim to possess any special knowledge about them and, therefore, I cannot go deep into that topic. It may be right or wrong but I feel that there is a good deal of waste here. Only Government money is being spent and contribution from the local people is not forthcoming. I am sure the Hon. Minister will go into this matter also. I am sure he would see to it that whatever money is given is spent and utilized properly because every pie should be accounted for as being spent for the purposes of the State.

Sir, the other things were really very happy. In the Second Five-Year Plan, the two important schemes which we have taken up with immense pride, are the Kundah Hydro-Electric Project in the Nilgiris and the Neiveli Project. We all wish and pray that both the Projects should be a success because these are the last straw on the camel's back so far as this State is concerned.

As remarked by another hon. Member, so far as major irrigation schemes are concerned, much remains to be done because our water resources have been completely tapped and for everything we have to depend upon the minor irrigation sources. But, there has been talk, Sir, that water in the West Coast is flowing into the Arabian Sea, that there is no such water in Andhra and that there were also proposals before this Government whether they could not enter into some agreement so that the waters might be exploited both for their benefit and for ours. Now that the question of Dakshina Pradesh, I think, has been disposed of once and

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a.m.

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for all and when once we are free after reorganization of States, I am sure our Government will, in consultation with the Central Government or in co-operation with them, take up the matter with our sister States, I mean, the Kerala State and the Andhra Government and come to some settlement. I am sure they will help us because it will be for the mutual advantage of all of us.

Sir, the other important factor which the people of Madras are very much worried about is the soaring prices, or rather the very soaring prices. Of course, the Government of Madras have done something by allowing certain quantities of rice to be sold in various districts and as far as the City is concerned, they have been selling it in a very few places through the Triplicane Urban Co-operative Society. Well, I was really astonished when the Leader of the House was putting a question the other day to the hon. Member Mr. Desikar as to what his proposal was in regard to a particular matter. I am sorry to say, Sir, that it is my duty to demand what the proposals of the Government are to solve this problem.

THE HON. SRI M. BHAKTAVATSALAM: Sir, the hon. Member, experienced as he is, should realise—I have no doubt he realises—that hon. Members have also a sense of responsibility and that they have got valuable suggestions to make to the Government.

SRI MOHAMED RAZA KHAN: I know the responsibility of the Leader of the House and my responsibility also. As the Leader of the House, he is in charge of the Government and he knows the thing better. Therefore, he ought to have come out with a plan or programme and said, 'Well, these are our difficulties, etc., etc.'. In fact, there is no reference at all to this aspect in the Governor's Address. I thought there would be a statement. However, as conditions are becoming very, very abnormal, not that I will force the Government to resort to controls and the monotony of them, but, as they are in power, it is their duty to scrutinize the whole matter and place some concrete proposals before us. The Members, in the light of his statement, will make their suggestions which the Government may accept or reject. Sir, it is a very serious problem. Because of the soaring prices, the cost of living has gone up very much. Rice is being sold, I am told, at fifteen annas or one rupee per Madras measure. Therefore, things are becoming very, very costly for the middle-class and the lower middle class people and God knows what will be the fate of the poor class people. The non-gazetted officers to whom references have been made have been clamouring for an increase in pay and allowances for this very reason and we should surely appreciate their difficulties. I am sure a stage has come for the Government of Madras to solve this problem. It is not merely the price of rice that will have to be controlled but that of so many other commodities. I do not know what the opinion of the Hon. the Minister for Agriculture is with regard to this matter.

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Another important thing which I want to refer to is (I do not like to get into this controversy) with regard to the University of Madras having forced the institution of pre-University course in the second grade colleges. I do not want to say anything in an embarrassing way because the Hon. Chairman happens to be a very important Member of the Syndicate and there is the Vice-Chancellor and moreover, I do not like to enter into a controversy. Both the Government of Madras and the University should know that the philanthropic-minded public and the charitable bodies were primarily responsible for bringing up the various colleges in the State of Madras during the last ten or fifteen years. The Government of Madras can take credit and the University also can take credit and say that they are giving affiliation. But, they should know the difficulties of the people who have to find money for constructing buildings, etc., for these colleges. I feel that on account of the sudden springing up of this pre-University course, most of the second grade colleges are in a very difficult position. If substantial help is not forthcoming from the Government of Madras, it is quite likely that some of the second grade colleges will be forced to close down. I am sure on the last occasion the Hon. the Minister for Education, while replying to a question, made a promise that Government would surely go to their rescue. It is a case where the Government of Madras should appreciate the difficulties and render all possible financial help to these colleges which have been recently opened.

With regard to sales tax, I would like to say that this is a question which has been very much debated both on the floor of this House and outside also. Because, people in the business know what it is. All along I was thinking that the hon. the Leader of the Opposition was always an educationist. But I find from the way in which he puts forward the case of sales tax that he is a businessman too. After a discussion lasting over eight or nine years, we have reached a stage when we have to take a decision as to whether we should continue the multi-point tax or the single point levy. I think that there is a Bill before the Government which envisages a single-point sales tax on certain commodities. I think it is not a very practical way of doing it. The Government should have gone through the whole matter. They should have appointed a Committee of Experts to go into the entire structure of taxation, particularly that of sales tax which came into existence in 1939 with hardly four paise in the rupee. Every time there was some deficit, the Government had no other alternative except to increase the sales tax. I think it would have been much better for the Government to have appointed a Committee of Experts (I do not say 'include the Members' but they could have been appointed also) to go into the whole matter and come to a final decision. I know the Government have got an apprehension, as was stated by the previous Finance Minister of the composite State of Madras, Sri Gopala Reddi, that if we shift from multi-point tax to single-point tax, Government are certain to lose some money. I say, Sir, that even if we are going to lose a few lakhs of rupees, it is worth doing it and I am sure we will

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be doing a great service. Because, the businessmen have to be very vigilant in the maintenance of accounts, etc., and they will always be under the clutches of the Government officers and we cannot expect that uniformly all of them will treat the merchant community nicely. The Government will be taking a step in the right direction if they resort to single-point taxation in this State.

Another matter to which reference has been made by the Leader of the Opposition and other Members also, is the expansion of the future Council of this State. As far as we are concerned, it is not a question of merely increasing the number or reducing the number. What I really feel sorry for is that sometimes Government are not at all responsive to what is stated on the floor of the House. It is not a question of arithmetic or a question of numerical strength. Well, we wanted 51. The Central Government said that we could have only 48. A definite resolution was passed by this House and the Government of Madras were a party to that. We have stated 'no' in order to avoid certain difficulties and complications. I understand that the Government of India suggested an alternative saying that we could not have 51 because there should be some proper ratio. I am just asking the Leader of the House whether it is his own decision or whether the Council has got any voice in it. I feel the Government of Madras should be a little bit responsive to public opinion, to what is stated on the floor of the House. I do not know whether it is too late. But nothing is too late in our country when even such a big problem as that of the Bombay City could be solved within half a day or even less merely because some Members of Parliament intervened. Even now it is not too late, if a proper reference is made by the State Government to the Centre that we have got our own difficulties if we were to follow the directions that are given in the States Reorganization Bill. Therefore, I feel that the Government of Madras should take up the matter even now. That is the feeling expressed by the Members of this House.

11-50
a.m.

With regard to the legislative programme, there is a Bill to amend the Madras Estates Land (Reduction of Rent) Act, 1947, necessitated by the experience so far gained in the working of the Act. It was one of the legislations not thought of or conceived properly. I can understand the Government depriving people of their property saying that they do not deserve to possess it. But in this case there have been years and years of waiting, no settlement has been effected and everything is in a confused state of affairs. Already seven or eight years have passed and we do not know where the matter stands. So many complications have arisen. Accounts which have been submitted by the zamindars who have been deprived of their properties or accounts which they have given of their annual income have not been taken into consideration even in regard to fixation of interim compensation. I hope the Government of Madras will take stock of the whole thing and bring in necessary legislation so that things may improve.

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The second important piece of legislation with which we are concerned is the Bill to amend certain provisions of the Madras Buildings (Lease and Rent Control) Act, 1949. If I remember aright, it was in the year 1946 when the Hon. the Leader of the House was the then Minister in charge of Public Works that this legislation came in. We are now in the year 1956 and the Act has been on the statute-book for a long period of ten years. Last year, when there was some amendment brought forward, many hon. Members here said that the time had come for the Government to repeal the Act. When we have withdrawn control in respect of all other things, is the control over buildings necessary? Is it necessary particularly now when the reorganized States are going to come and when the Andhras have left Madras or are going to leave because most of their offices are going to be shifted from Madras City? I think the Government will be doing the right thing if they repeal this Act. All along the feeling has been what should happen to the poor tenants. But there is also the feeling what should happen to the poor landlords. Their houses which would fetch a little more income have been under control for the last ten years. Not that I am pleading for the landlords. It may be said that the moment the Act is repealed, there will be thousands of petitions filed in the courts. But things will adjust themselves. When we took up the grave responsibility of decontrolling or doing away with the rationing of rice, prophets made all sorts of prophecies. But things actually improved and people felt happy. In fact, people felt happy and said that paying half an anna more was preferable to getting doles from the ration shops once in a week. Therefore, I feel that the Government should go into this question of accommodation control. Even now, it is time that they repeal this Act. A lot of houses have been built. The co-operative societies have built houses. As far as the City of Madras is concerned, the problem will be more acute than in other cities or towns. A lot of houses have now been built by the Corporation, by the Improvement Trust and by the various co-operative societies. Therefore, I feel that the Government will do well to repeal this Act once and for all.

Then, I want to refer to another question. A number of hon. Members have dilated on that point. It is the question of having Tamil as the official language of the State. Of course, no one who claims to be in Tamil Nad will have any objection or will have the courage to raise his voice against this because the official language cannot but be Tamil. But might I say on this occasion that while we all feel happy that Tamil is going to have the proper place it deserves, we should not rush up with it? My good friend and colleague who has shifted from this side to the front may think anything, but we should realize the practical difficulties in adopting this course. There is no use simply rushing up things. Even the decision to have Tamil as the medium of instruction in colleges has not, I think, been implemented, if at all implemented, in full. Particularly in the field of administration, it is not an easy thing to change over to Tamil overnight. Therefore, while we all feel happy over this policy of the Government, I would

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caution them and tell them that going a little bit slowly will be far more preferable than rushing up things. If the Government rush up and things get complicated, nobody is going to question Sri Gajapathi Nayagar but it is the Government that will get into trouble. Therefore, I ask them to be a little bit cautious.

I want to refer to another question. It is a little bit difficult to do so. But believing as I do in expressing what I feel right, I should always express it. I find that there is a good deal of concern in the Governor's Address about the new minorities who have been created, namely, the linguistic minorities. I am really happy that the Government are having so much regard for the linguistic minorities with regard to representation in the Services, representation in the Legislature and admission into schools and colleges. But might I say on this occasion with a certain amount of feeling that the Party in Power or the Government seem to have ignored the real minorities in India, namely, the Muslims, the Christians and others? I do not claim to speak on behalf of the Christians. They are few in number here and they would take care of themselves. But might I say, particularly if I take one single question of the elections, that the stage has come when it has become almost impossible for members of the minority sections to be elected? This is due to the changes which have been brought about in this country. Possibly, your motives may be all right. Possibly, that is the best way of doing away with or eradicating communalism. But the stage has come when it has become almost impossible for the minorities to be elected by the general electorate. Not that I like to bring in communal feelings, but I feel that there is nothing wrong in saying this, if a Member has got the honesty to put forth the case before the Government so that they may appreciate it. Therefore, I feel that there is nothing wrong if a Muslim Member puts forth the case of the Muslim community. In the reorganized Assembly of Madras after the separation of Malabar and South Kanara, there will be hardly one Muslim Member. I think the Hon. the Leader of the House is aware of the fact that in the future Assembly of Madras there will be only one Muslim Member out of 192 Members. That is a very unfortunate position. There will not be a single Muslim Member in the Parliament from the Madras State. I am bringing this to the notice of the Madras Government. They will say, 'What are we to do?' The decision is made by the Central Government. But when references are being made even to revise the electoral roll system and the method of elections to Parliament, I think the Government of Madras will do well to scrutinize why such a thing is happening. We may all talk of nationalism and we may all say that we are one nation. But when we go before the masses, certain other factors play their part. You and I may be longing for the day when people will cease to think in terms of communities, castes and sects, but, unfortunately, conditions are quite different outside. I say this because a sense of frustration overtakes the minorities and they feel that they get nothing. They are very powerless and they cannot send even one or two representatives to the Legislature. Due to circumstances they have to keep quiet

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because the moment they have their say, they are being mistaken as communalists. Therefore, the Government would do well to think of what place these communities should occupy in the administration in future. There are difficulties in the matter of getting admission into professional colleges, because we have done away with the good system of communal representation. Without the system of communal representation, it is very difficult for them to get a place and have a voice in the administration of the State. Even the elementary right of getting into the Legislature and expressing their views is being denied to them. I am sure my colleagues will take it in the spirit in which I say it. Not that I am trying to talk too much of communalism. The majority section and the minority section should have the satisfaction that they are having a square deal as far as representation in the Legislature is concerned.

I would not like to take any more of the time of the House except to say that there has been progress generally. References have been made by the hon. the Leader of the Opposition and others to the law and order situation. Really all of us feel proud of the way in which law and order is maintained in the Madras State. I am sure we would have set an example to others because we in the South are accustomed to a particular way of living and a particular way of thinking. We decide issues by persuasion and by appeal. I am sure that spirit will continue and we will be a source of inspiration to others also. No doubt, the area of our State will be very limited. The population will be reduced. But I hope and trust that with a proper Government and with proper help which they would get from the Members of both the Houses and from the public, we shall march forward with the one aim that we, either as Members of the Assembly or of the Council or of the Government, should do something for the general public so that people may remember the good work done to them.

* **SRI N. ANNAMALAI PILLAI :** கனம் சபாநாயகர் அவர்களே, 12 noon.
கவர்னர் அவர்களுடைய பிரசங்கத்தைப் பற்றி பேசுவதற்கு எனக்கு சந்தர்ப்பம் கிடைத்ததற்கு சந்தோஷப்படுகிறேன். கவர்னர் அவர்கள் தமது பிரசங்கத்தில் இந்த வருஷம் ஒரு முக்கியமான விஷயத்தைப்பற்றி குறிப்பிட்டிருக்கிறார்கள். அவர் அடுத்த வருஷத்தில் நம்முடைய ராஜ்யத்தை விட்டு வெளியே போகப் போகிறார் ; நமது ராஜ்யத்தை விட்டுச் செல்லும் நேரத்தில் அவர் நமக்கு ஒரு நல்ல செய்தியைக் கொடுத்துச் செல்கிறார். அனேக வருஷங்களாக அடிமைப்பட்டுக் கிடந்த தமிழ் தேசம் இன்று தமிழ் நாடாகத் திகழப்போகிறது; அக்ஷோபர் மாதம் முதல் தேதியில் அது தமிழ் நாடாகத் திகழப்போகிறது என்று சொன்னார்; பிறகு நவம்பர் மாதம் முதல் தேதியில் அது தமிழ் நாடாகத் திகழப்போகிறது என்று திரும்பவும் சொல்லப்பட்டிருக்கிறது. எப்படியிருந்தாலும் தமிழன் தனித்து இயங்கப் போகிறான் என்று கேட்கிறபோது, தனித்து வாழ்க்கை நடத்தப்போகிறான் என்று எண்ணுகிறபோது என் உள்ளம் பூரிக்கின்றது. இந்த நிலை எப்பொழுது வருமோ என்று எங்கே கிடந்த மக்கள் இன்று ஆனந்தப்படுகிறார்கள்.

பசியினால் வாடி வதங்கிக் கொண்டிருக்கும் மனிதனுக்கு ஆலயத் தின் மீதும் ஆண்டவன் மீதும் கவனம் இருக்காது. "பசி வந்தால் பத்தும் பறந்துபோம்" என்று சொல்லப்பட்டிருக்கிறது. காஞ்சிபுரத்திற்குப் போய் வரதப்பனை தரிசனம் செய்தான் ஒருவன். ஆண்டவனைப்

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பார்த்து “கஞ்சி வரதப்பா” என்று கூப்பிட்டான் அவன். பின்னால் இருந்த ஒருவன் பசியால் வாடிக்கொண்டிருந்தான்; அவன் “எங்கே வரதப்பா?” என்று கேட்டான். தமிழ் நாடு தமிழ் நாடாக ஆகும்போது தமிழ் நாட்டில் எல்லோரும் சுபிட்சமாக இருக்கவேண்டும்; மக்கள் பசியால் வாடாமலிருக்கும்படி சர்க்கார் பார்த்துக்கொள்ள வேண்டும். தமிழ் நாடு நவம்பர் மாதம் முதல் தேதியன்று தமிழ் நாடாக ஆகப் போகிறது என்பதைக் கேட்ட மாத்திரத்தில் தமிழ் மக்கள் எல்லோரும் ஆனந்தமடைகிறார்கள்; ஆனால் இடையில் என்ன ஆபத்து நேருமோ என்ற பயமும் ஏற்படுகிறது. அந்த நிலை ஏற்படாது சர்க்கார் பார்த்துக் கொள்ள வேண்டும் என்று நான் கேட்டுக்கொள்கிறேன்.

காங்கிரஸ் கட்டு திட்டத்திற்கு உட்பட்டு அரசாங்கம் நடந்துகொண்டிருக்கிறது. தேசம் சுதந்திரம் அடைந்த பிறகு, பாஷாவாரியாக ராஜ்யங்களைப் பிரித்துக் கொடுக்க வேண்டுமென்ற தீர்மானத்தை நிறைவேற்ற வேண்டுமென்று கராச்சியில் காந்தி அடிகள் சொன்னபோது, பாஷா வாரி ராஜ்ய அமைப்பு மாத்திரமல்லாமல் இன்னும் பல திட்டங்களையும் வகுத்துக் கொடுத்தார்கள். இந்த தேசம் சுதந்திரமாக வாழ வேண்டுமானால், ஆங்கிலேயர்கள் இந்த நாட்டை விட்டுப் போய்விட வேண்டுமானால், இந்த தேச மக்கள் அடிமைப்பட்டாமல் இருக்க வேண்டுமானால், இந்த தேச மக்கள் சுபிட்சமாகவும், அமைதியுடனும் ஒருவருக்கொருவர் சண்டை சச்சரவு இல்லாமலும், சமமாகவும் வாழவேண்டுமானால், நாம் 22 திட்டங்களை நிறைவேற்ற வேண்டுமென்று சொல்லி, நமக்கு 22 திட்டங்களை கொடுத்தார். அந்தத் தீர்மானத்தை நிறைவேற்றிய பிறகு, சுதந்திரம் அடைந்தோம். சுதந்திரம் அடைந்த பிறகு, அந்தத் திட்டங்களின்படி பல காரியங்களைச் செய்து வருகிறோம். பெண்களின் முன்னேற்றத்திற்கும், பாஷை முன்னேற்றத்திற்கும், அந்தந்த ராஜ்யத்திற்கு ஏற்றவாறு எல்லாவித முன்னேற்றத்திற்கும் பாடுபட்டு வருகிறோம். இப்பொழுது பாஷாவாரி முன்னேற்றம் ஏற்பட இருக்கையில், பல சிக்கல்கள் இடையில் ஏற்பட்டிருக்கின்றன. உத்தம புருஷர் மஹாத்மா காந்தியின் வார்த்தையை மீறினால், என்ன நடக்கும் என்பது இப்பொழுது பிரதிபலிக்கிறது. பம்பாயைப் பார்த்தால், ஆமதாபாத்தைப் பார்த்தால், காந்தியின் ஆதம் சக்தி என்ன செய்கிறது என்பது தெரிகிறது. அதைப் பார்க்கும்போது, காந்தியடிகளின் வார்த்தையை மீறுவதற்குப் பயமாகவிருக்கிறது. நல்ல வேலையாக தமிழ் நாடு தனித்து இயங்க வேண்டுமென்றும், தமிழ் மொழி ஆட்சி மொழி யாக்கப்பட வேண்டுமென்றும் முடிவு செய்து விட்டதாகவும், அது நவம்பரில் அமுலுக்கு வரும் என்றும் சொல்வதைக் கேட்டு சந்தோஷப்படுகிறோம். மலையாளிகள் மீதோ, கன்னடியர்கள் மீதோ நமக்குச் கோபமில்லை. அவர்களும் தனிக் குடும்பம் நடத்தி, சுகமாக வாழ வேண்டுமென்பதுதான் நம் எண்ணம். அவர்கள் சுகமாக வாழ்வதற்கு அவர் களுக்கு நாம் உதவியளிப்பதற்கு அண்டை ராஜ்யத்தினராகிய நாம் எப்போதும் தயாராய் இருப்போம். நம்மை யாரும் தடுத்த நிறுத்த முடியாது. இயற்கையாகவே மனிதன் ஒருவனோடு ஒருவன் ஒற்றுமையாக வாழக்கை நடத்தி வருகிறான். அந்த நிலையில் அண்டை ராஜ்யத்தினருக்கு எல்லா விதமான உதவி செய்வதற்கும் தயாராயிருப்போம். அவர்களுக்கு உதவியளிக்காமல் ஒதுங்கியிருக்க மாட்டோம் என்பதை இந்த சமயத்தில் தெரிவித்துக்கொள்கிறேன். ஆனால் நாம் தனித்து இயங்குவது வேறு விஷயம். தனித்து இயங்குவது ஒரு நல்ல ஆசை. சுய அரிது மானிடமாய் பிறத்தல் அரிது. மானிடமாய் பிறந்தவன் தனித்து வாழ ஆசை கொள்ளாமல் இருக்க மாட்டான். எத்தனை கஷ்டங்கள் வந்தாலும் சுதந்திரத்திற்காகப் பாடு பட்டோம். சுதந்திரம் கொடுக்க மாட்டோமென்று ஆங்கிலேயர்கள் சொன்னார்கள். ஆங்கிலேயர்களுக்கு ஒத்தாசை செய்து வந்தவர்களும் அதை ஆமோதித்தார்கள். ஆங்கிலேயர்கள் திடீரென்று நமது நாட்டை விட்டுவிட்டுப் போய்விட்டார்கள். நாம் சுதந்திரம் அடைந்த பிறகு, இந்த 7, 8 ஆண்டுகளில் நாம் செய்து வரும் சாதனைகளை உலக மக்கள் பார்த்துக் கொண்டுகளில் நாம் 12-10 p.m. இவ்வளவு அபூர்வ சாதனைகளை செய்திருக்கும் நாம் ஒவ்வொருவரும் தனித்து வாழக்கூடாதென்று சொன்னால், அதை நான் ஒப்புக்கொள்ள

[Sri N. Annamalai Pillai] [13th August 1956]

முடியாது. மலையாளிகள் தனித்து இயங்க அவர்களுக்கு சக்தியிருக்கிறது. கன்னடியர்கள் தனித்து இயங்க அவர்களுக்கு சக்தியிருக்கிறது. ஞானம் கருதுவோனை அழைக்கும் மலை அண்ணாமலை. அண்ணாமலை என்றால் நான் அல்ல. (சிரிப்பு.) அறிவு உடையோர்களை அன்புடன் உபசரிக்கும் மலை அண்ணாமலை. அதைப்போல, அறிவு உடையவர்களை அன்புடன் உபசரிக்கும் தேசம் இந்தியா. இந்த தேசத்தில் உள்ள மலையாளிகள், கன்னடியர்கள் எல்லோரையும் நமது ராஜ்யம் அன்புடன் உபசரித்திருக்கிறது. ஜெர்மனி தேசத்தவர்களையும், இங்கிலாந்து தேசத்தவர்களையும், எல்லோரையும் ஆதரவுடனும் அன்புடனும் நாம் நடத்தினோம். ஆனால் அவர்கள் நம்மை விரோதித்துக் கொண்டால், அவர்களை இந்த நாட்டை விட்டு அகற்றுவதற்குத் தயங்க மாட்டோம்.

பாரதி ஒரு கனவு கண்டான் :

“செந்தமிழ் நாடெனும் போதினிலே
இன்பத் தென் வந்து பாயுது காதினிலே
எங்கள் தந்தையர் நாடென்னும் பேச்சினிலே
ஒரு சக்தி பிறக்குது மூச்சினிலே”

என்று ஆனந்தமாகப் பாடினான். செந்தமிழ் நாடு என்னும் போதே அவன் மூச்சினில் ஒரு சக்தி பிறந்தது. வலிவு பெற்றான். காலத்தை ஒட்டி அந்தப் பாட்டை இன்றைக்கு நான்;

“தனித் தமிழ் நாடென்னும் போதினிலே
தனிச் சக்தி பிறக்குது என் மூச்சினிலே”

எனப் பாடுகிறேன். அந்த அமர கவியின் வாக்கை, அந்த தீர்க்க தரிசியின் வாக்கை மாற்ற வேண்டுமென்பது என் எண்ணமல்ல. சமயத்தை, காலத்தை உத்தேசித்து அப்படிப்பாடி மகிழ்கிறேன். அக்கவிஞர் கண்ட கனவு இன்று நனவாகிறது. அது முழுதும் வெற்றி பெற நமது அமைச்சர் ஸ்ரீ பக்தவத்சலம் அவர்கள் எல்லா விதமான நடவடிக்கையும் எடுக்க வேண்டுமென்று கேட்டுக் கொள்கிறேன். ஸ்ரீ காமராஜர் அவர்களுடைய ஆட்சியிலே, அவர் தலைமையில் தனித் தமிழ் நாடு அமைகிறது என்பது அவருடைய பாக்கியம். ஒரு தமிழனின் தலைமையில் தமிழகம் தனித்துத் திகழப்போகிறது என்பது சந்தோஷப்பட வேண்டிய விஷயம். நான் சந்தோஷப்படுகிறேன். மேன்மைமிக்க கவர்னர் அவர்கள் குறிப்பிட்டது போல நவம்பர் மாதம் முதல் தேதி முதல் நம் ராஜ்யத்தில் தமிழ் மொழி ஆட்சி நடக்க வேண்டுமென்று ஆண்டவனைப் பிரார்த்திக்கிறேன். அதற்கான செயல்களை புரியும் சக்தியையும், வல்லமையையும் அமைச்சர் அவர்களுக்கு இறைவன் தரவேண்டுமென்றும் இறைஞ்சுகிறேன்.

அடுத்தபடியாக மதுவிலக்கு தோல்வி அடைந்து விட்டதென்று சிலர் சொல்கிறார்கள். அதிகாரத்திலுள்ளவர்களும் கூட சேர்ந்தாற் போல நான்கு பாணைகளைப் பார்த்து விட்டால் தோல்வி அடைந்து விட்டது என்கிறார்கள். மனிதன் எங்காவது தோல்வி அடையாமல் இருந்தது உண்டா? அரசாங்கம் எங்காவது தோல்வி அடையாமல் இருந்தது உண்டா? மகா கவி பாரதியார் சொல்கிறார் :

“நாலிலே ஒன்றிரண்டு பலித்திடலா மென்றான்.”

எனவே நான்கு காரியங்கள் செய்யும் போது ஒன்றிரண்டு வெற்றி அடைவதும் ஒன்றிரண்டு தோற்பதும் இயல்பல்லவா! மகாத்மா காந்தி அவர்கள் மதுவிலக்குத் திட்டத்தை மக்கள் முன் வைத்தார்கள். அவரது தலைமையில் நம் ராஜ்யம் முழுவதற்கும் அச்சட்டத்தைக் கொண்டு வந்தோம்.

இன்று அரிசி விலை படி ஒரு ரூபாய்க்கு ஏறிவிட்டது. பருப்பு படி ஒன்றேகால் ரூபாயாகி விட்டது. இப்படி மார்க்கெட்டில் உணவுப் பொருள்களின் விலை நாளுக்கு நாள் ஏறிக்கொண்டே போனாலும் கூட மக்கள் அரை வயிற்றுக்காவது சாப்பிட்டுக்கொண்டிருக்கிறார்கள் என்றால் அது மது விலக்குச் சட்டம் அமுலில் இருப்பதனால் தான் எனத் திட்டமாகச் சொல்வேன். இதற்கு முன்பாக முதல் அமைச்சராக இருந்த ஸ்ரீ ராமசாமி ரெட்டியார் அவர்கள் மதுவிலக்கினால் ஜனங்

[Sri N. Annamalai Pillai] [18th August 1956]

கனகசு எழுபத்திரண்டு கோடி ரூபாய் மிச்சமாகிறதென்று சொன்னார். அந்த 72 கோடி ரூபாயும் இன்று மக்களிடத்தில் சிதறி இருக்கிறது. அதனால் தான் இன்றைக்கு பல வகையிலும் கஷ்டம் இருந்தாலும் அவர்கள் கஷ்டத்தை உணராமல் இருக்கிறார்கள். ஒரு காலத்தில் நம் முடைய நாட்டில் ரூபாய்க்கு நாலு படி அரிசி கிடைத்ததும் உண்டு. அந்தக் காலத்தில் வாழ்ந்த ஸ்ரீ முனுசாமி என்பவர் அப்போது பாடியிருக்கிறார். அந்தப் பாட்டுப் புத்தகம் காலனா. அதில் அவர் சொல்கிறார்:

“அரிசி படி இரண்டு பணமாக ஆச்சது”

எனப் பாடிய அந்த மகா புருஷர் இன்றைக்கு படி ஒரு ரூபாயாக ஆகியிருக்கும்போது இருந்திருந்தால் எப்படிப் பாடியிருப்பாரோ? அப்படி இரண்டு பணத்திற்கு படி அரிசி வாங்கிய நாட்டில் ரூபாய்க்கு ஒரு படி வாங்கும் நிலைமை ஏற்பட்டுள்ள போதும் மக்கள் பஞ்சம் பஞ்சம் என நாட்டை விட்டு ஓடாமல் மிக்க தைரியமாக, நம்பிக்கையாக வாழ்ந்து கொண்டு இருக்கிறார்கள் என்றால் காரணம் என்ன? மதுவிலக்குச் சட்டம் தான். ஜனங்களிடத்தில் பணம் மிஞ்சுகிறது. மது விலக்குச் சட்டம் வெற்றி பெற்றிருக்கிறது என்பதற்கு இதுதான் சிறந்த அடையாளம். சட்டம் தோற்றுப் போய்விட்டது, அதைக் கைவிட்டு விடலாம். என்ச் சொல்பவர்கள், கண்டிராக்டராகவே, அல்லது அவர்கள்பால் அக்கறை யுள்ளவர்களாகவோ தான் இருப்பர். திருடக் கூடாது, கொலை செய்யக் கூடாது என மனு காலத்திலிருந்து சட்டம் இருக்கிறது. திருட்டு நடை பெறாமலும், கொலைகள் நடை பெறாமலும்தான் இருக்கின்றனவா? கொலை புரிந்தவன் தூக்கிலிடப்படுவதைப் பார்க்கிறோம். அதைப் பார்த்தும் வேறு ஒருவன் கொலை செய்வதையும், அதனால் தூக்கில் ஏறுவதையும் தான் கான்கிறோம். குற்றம் செய்யும் இயல்புடைய மக்கள் ஒரு சாரார் சமூகத்தில் இருந்து கொண்டே இருக்கிறார்கள். இதற்காக கொலை செய்யக் கூடாது, திருடக் கூடாது என்கின்ற சட்டத்தை ரத்து செய்து விடவேண்டுமென்று யாரும் சொல்வதாகத் தெரிய வில்லையே! ஆனால் இன்றைக்கு “மதுவிலக்குச் சட்டம் தோற்று விட்டது, அதற்காக அந்தச் சட்டத்தை ரத்து செய்து விடுங்கள், கள்ளக் கடைகளை எங்கே பார்த்தாலும் திறந்து விடுங்கள்” என்று சிலர் சொல்கிறார்கள் என்றால் அதைவிட மகாப் பாவம் கிடையாது, சமூகத் துரோகமான செயல் வேறு கிடையாது. நாடு முன்னேற அது ஒன்றே வழி என்பது நமது தேசப் பிதா, தீர்க்க தரிசி மகாத்மா காந்தி அடிகள் காட்டிய நெறி. ஆகவே மதுவிலக்குச் சட்டத்தை ரத்து செய்யக் கூடாது என்று கேட்டுக் கொள்கிறேன்.

அடுத்தபடியாக ஒரு விஷயம். கடந்த சில ஆண்டுகளுக்கு முன்னால் நாட்டில் மழை இல்லை. வெள்ளாளம் இல்லை. ஜனங்கள் அப்போது கஷ்டப்பட்டார்கள். ஆனால் சில வருஷங்களாக பருவ மழை தவறவில்லை. விவசாயம் நல்ல முறையில் நடந்து வருகிறது. உற்பத்தியும் பெருகி இருக்கிறது என சர்க்கார் சொல்லுகிறார்கள். பிற நாடுகளிலிருந்து சாமான்களும் வருவதற்கு வசதியாக இருக்கிறது. அப்படி இருக்கும் போது அரிசியின் விலை ஏறிக் கொண்டே போகிறதே! உணவுப் பொருள்களின் விலைவாசிகள் ஏறிக் கொண்டே போகிறதே! இதற்குக் காரணம் என்ன? இதற்கு அடிப்படையான குற்றம் எந்த இடத்தில் இருக்கிறது என்பதை சர்க்கார் ஆராய்ந்து வேரிலிருக்கிற புழுவை கிள்ளி விட நடவடிக்கை எடுக்க வேண்டுமென்று தெரிவித்துக்கொள்கிறேன்.

அடுத்தபடியாக ஒரு முனை விற்பனை வரி போட வேண்டுமென்று வியாபாரிகள் சொல்கிறார்கள். நானும் பார்க்கிறேன். அவர்கள் கூறுவதில் உண்மை இருக்கிறது. அதிகாரிகள் தங்களுக்குள்ள கட்டமையை நிறைவேற்றும்போது வியாபாரிகள் அவமானம் அடைய வேண்டியிருக்கிறது. பல துண்பங்கள் அடைய வேண்டியிருக்கிறது. பல கஷ்டங்களுக்கும் உள்ளாகிறார்கள். ஆகவே ஒரு முனை விற்பனை வரி கொண்டு வர வேண்டுமென்று கேட்டுக்கொள்கிறேன்.

[18th August 1956] [Sri N. Annamalai Pillai]

நேற்றையதினம் ஸ்ரீ எதிராஜ் அவர்கள் பேசும்போது ஜாதி ஒழிய கலப்பு மணம் வற்புறுத்தப்பட வேண்டுமென்று சொன்னார்கள். கலப்பு மணத்தினால் சாதி ஒழிந்துவிடும் என்று நான் நம்ப வில்லை. ஆதிகாலத்தில் வைஷ்ணவர்களுக்கும் சைவர்களுக்கும் சண்டை ஏற்பட்டது. சமணர்களுக்கும், சைவர்களுக்கும் சண்டை ஏற்பட்டிருக்கிறது. ஒரு நாளில் எண்ணூரிரம் சமணர்கள் கழுவில் ஏற்றப்பட்டிருக்கிறார்கள். இதனால் அங்கங்கே இருந்தவர்கள் பல விதமான கலப்பு மணங்கள் புரிந்து கொண்டும் இருக்கிறார்கள். கலப்பு மணத்தினால் சாதிகள் ஒழியும் என்றால் அப்பொழுதே ஒழிந்திருக்க வேண்டும். கலப்பு மணங்கள் இப்போதும் நடக்கின்றன. ஆனால் அப்படி அப்படியே அவர்கள் சமூகத்தில் ஒதுக்கப்பட்டே வாழ்கிறார்கள். இப்படிச் செய்வதால் குழப்பம் ஏற்படும். பயன் இல்லை. முதலியார் முதலியாராகவே, ஐயர் ஐயராகவே, நாயுடு நாயுடுவாகவேதான் வாழ்கிறார்கள். நான் என்ன சொல்கிறேன் என்றால் பெயருக்குப் பின் போட்டுக் கொள்ளும் பட்டத்தை நீக்கிக் கொண்டால் போதும். பெயர் பட்டமின்றி தனித்திருக்கும்படி செய்தாலே போதும். சாதிகள் மறைய இது வழி வகுக்கும் எனச் சொல்கிறேன். இப்பொழுதும் கூட சில பள்ளிக்கூடங்களில் ராமசாமி ஐயர் தன் குமாரன் கிருஷ்ணசாமியைச் சேர்க்கும்போது, ராமசாமி குமாரர் கிருஷ்ணசாமி எனத் தான் எழுதிக் கொள்கிறார். ஒன்றிரண்டு இடங்களில் பட்டம் இல்லாத பெயரைப் படித்து விட்டு “இவர் பிற்பட்ட வகுப்பைச் சேர்ந்தவர் போலிருக்கிறது, கொடு இடம்” என அதிகாரிகள் இடம் கொடுத்திருக்கும் விஷயம் எனக்குத் தெரியும். நமது ஸ்ரீ கஜபதி நாயகர் கூட தன் பெயரை பட்டத்தை நீக்கி விட்டு, “கஜபதி” என்று வைத்துக் கொண்டால் போதும். மிக அழகாக இருக்கும்.

SRI A. GAJAPATHY NAYAGAR:—அது பட்டப் பெயர் அல்ல. சிறப்புப் பெயர்.

*SRI N. ANNAMALAI PILLAI:—சிறப்புப் பெயர் தான் கருப்புப் பெயர் ஆகி விட்டது. ஆதியில் எல்லாம் சிறப்புப் பெயராகத்தான் இருந்தது.

அடுத்தபடியாக, தாழ்த்தப்பட்டவர்களுக்கு சர்க்கார் உதவி செய்து வருவதால், நரிக்குறவர்களைப் பற்றி (சிரிப்பு) நான் சொல்லாமல் இருக்க முடியவில்லை. நரிக்குறவர்கள் இருக்கிறார்கள் என்பதை ஞாபகப்படுத்துவதற்கு இந்த சபையில் அண்ணாமலை பிள்ளை இருக்கிறார் என்பதை ஞாபகம் வைத்துக்கொள்ளுங்கள். இந்தத் தலைமுறையில் இல்லாவிட்டாலும், அடுத்த தலைமுறையிலாவது அவர்களுக்கு விமோசனம் கிடைக்கும். இந்த வருஷத்தில் 50 நரிக்குறவர்களை நான் வோட்டர்களாகச் சேர்த்திருக்கிறேன். (சிரிப்பு.) “எல்லோரும் இன்புற்று இருக்க நினைப்பதுவேயல்லாமல் வேறொன்று அறியேன் பராபரமே” என்று சொல்லப்பட்டிருக்கிறது. நாம் மட்டும் இன்புற்றிருக்க மற்றவர்கள் எப்படியும் போகட்டும் என்று சொல்ல வில்லை. ஆகவே, நரிக்குறவர்கள், இருளர்கள் முதலியவர்களும் ஹரி ஜனங்களை விட கீழ் நிலையிலிருக்கிறார்கள். அவர்கள் எங்கெங்கே இருக்கிறார்கள் என்று பார்த்து அவர்களை நல்ல இடங்களில் குடியேற்றுவதற்கு சர்க்கார் ஏற்பாடு செய்யவேண்டும். இப்பொழுது தாழ்த்தப்பட்டவர்களுக்குப் பள்ளிக்கூடத்தில் ஒரு வேளை சாப்பாடு போடுகிறார்கள். அவர்களுக்கு இரண்டு வேளை சாப்பாடும் கொடுத்து, அவர்களுடைய முன்னேற்றத்திற்கு ஏற்பாடு செய்தால், மிகவும் நன்றாக இருக்கும். சுமார் 30, 40 வருஷங்களுக்கு முன்னால் தாழ்த்தப்பட்டவர்கள் ரொம்பத் தாழ்ந்த நிலையில் இருந்தார்கள். டி.எஸ்.பி. ஆகவும், கலெக்டராகவும், சட்டசபை சாநாயகராகவும் இருக்கும் தனிப்பட்டவர்களை அந்தக் காலத்தில் பார்க்க முடியாது. இப்போது இந்தியப் பாராளுமன்றத்தில் ஹரிஜன வகுப்பைச் சேர்ந்த ஸ்ரீமதி மரகதம் சந்திரசேகரன் அவர்கள் உதவி மந்திரியாக இருக்கிறார்கள். இங்கே நமது ஸ்ரீ பரமேஸ்வரன் அவர்கள் மந்திரியாக இருக்கிறார்கள். இதற்கு முன்பு பல தாழ்த்தப்பட்டவர்கள் இம்மாதிரி உயர்ந்த பதவியிலிருந்தார்கள். பல ஐ-ஐ-க்களும் தாழ்த்தப்பட்ட வகுப்பைச் சேர்ந்த வர்களாக இருக்கிறார்கள். தாழ்த்தப்பட்ட வகுப்பைச் சேர்ந்த ஸ்ரீ ஐதீவன்

12-20 p.m.

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ராம் மத்திய சர்க்காரின் மந்திரியாக இருக்கிறார். எத்தனையோ தாழ்த்தப்பட்ட வகுப்பைச் சேர்ந்தவர்கள் இப்பொழுது ஜில்லா கலெக்டர்களாக இருக்கிறார்கள். காலஞ்சென்ற ஸ்ரீசதாசிவ ஐயர், ஸ்ரீ சிவஸ்வாமி ஐயர், ஸ்ரீ பாரதியார் முதலியவர்கள் எல்லாம் தாழ்த்தப்பட்டவர்களைத் தூக்கிவிட அடைந்திருக்கிறார்கள். ஸ்ரீ பாரதியார், “பறையருக்கும் இங்கு தீயர், புலையருக்கும் விடுதலை, பறையரோடு குறவருக்கும் மறவருக்கும் விடுதலை” என்றெல்லாம் பாட்டுக்கள் பாடி கிளர்ச்சி செய்தார். அதன் விளைவாக தாழ்த்தப்பட்டவர்கள் முன்னேற்றம் அடைந்திருக்கிறார்கள். ஆனால், கள், நரிக்குறவர்கள் முதலியவர்களுக்கு இன்னும் கிடைக்கவில்லை. அவர்களை யெல்லாம் முன்னேற்றச் செய்யவேண்டும். மனிதனை மனிதனாக வாழச் செய்வதுதான் ஜனநாயக சர்க்காரின் நோக்கமாக இருக்கவேண்டும். அதன் படி காரியங்கள் செய்யவேண்டுமென்று சர்க்காரைக் கேட்டுக்கொள்ளுகிறேன்.

கவர்னர் அவர்களுடைய பிரசங்கத்தில் எல்லாத் தலைவர்களும் ரொம்ப பத் திருப்திகரமாக நடந்துவருவதாகச் சொல்லப்பட்டிருக்கிறது. அதில் சந்தேகமில்லை. கிராமபோனைத் திருப்பிவிட்டால், அதுபாட்டுக்கு இயங்கி கொண்டிருப்பதுபோல் சர்க்கார் வேலைகள் “ரோடென்” ஆக நடந்து கொண்டேயிருக்கும். அதைப் பற்றிக் கவலையில்லை. ஆனால், கவர்னர் அவர்களுடைய பிரசங்கத்தில் ரொம்ப விசேஷமானது என்னவென்றால், தமிழ் நாடு தனித்து இயங்கப் போகிறதென்று சொல்லப்பட்டிருப்பதுதான். அந்த செய்தி நமக்கு ஆர்வத்தையும் சந்தோஷத்தையும் உற்சாகத்தையும் அளிக்கிறது. அதற்காக கவர்னர் அவர்களை எல்லோரும் வாழ்த்துகிறார்கள். நமது ராஜ்யத்திலிருந்து விலகப்போகும் கவர்னர் அவர்களுக்கு நீண்ட ஆயுளையும் எல்லா சுகங்களையும் கொடுக்கவேண்டுமென்று கடவுளைப் பிரார்த்திக்கிறேன். தமிழ் நாடு தனித்து இயங்குமென்று கவர்னர் அவர்களுடைய பிரசங்கத்தில் குறிப்பிட்டிருப்பதை நிறைவேற்றி வைக்கும் படி கனம் அமைச்சர் அவர்களைக் கேட்டுக்கொள்கிறேன்.

மற்றொரு விஷயம் சொல்ல விரும்புகிறேன். இப்பொழுது இந்த சென்னை (மேல்) சட்டசபையில் 51 அங்கத்தினர்கள் இருக்கிறார்கள். இந்த எண்ணிக்கையை 48 ஆகக் குறைக்கப்போவதாகக் கேள்விப்படுகிறேன். அப்படிச் செய்வது சரியல்ல. வேண்டுமானால் 64 அங்கத்தினர்களை வைத்துக்கொள்வதில் சர்க்காருக்கு என்ன கஷ்டமிருக்கிறது? இப்பொழுது எத்தனையோ கோடி ரூபாய் தண்ணீராக செலவழிக்கப்படுகிறது. அது போய் எல்லா ஜனங்களுக்கும் பிரயோஜனப்படுகிறதா அல்லது வீணாகச் செலவழிக்கப்படுகிறதா என்பது சரியாகத் தெரியவில்லை. இந்த நிலையில் 64 அங்கத்தினர்களை இந்த சபையில் வைத்துக்கொள்வதில் என்ன கஷ்டமிருக்கிறது? 64 அங்கத்தினர்களை வைத்துக்கொண்டால், அப்பொழுது காங்கிரஸ் சர்க்காருக்கு இன்னும் பலம் ஏற்படும். எதிர்க்கட்சிக் (சிரிப்பு) (குறுக்கீடு) கனம் நண்பர் ஸ்ரீ லீ. வி. ராமசாமி அவர்கள், “ஐயையோ, நாங்கள் அப்படிச் சொல்லவில்லை” என்று சொல்லுகிறார்கள். ஆகவே, 64 அங்கத்தினர்களை வைத்துக்கொண்டால், மிகவும் நல்ல இன்னும் 20 வருஷங்களாவது காங்கிரஸ் சர்க்கார் இருந்தால்தான் நாடு நன்றாக முன்னேற்றம் அடையும். ஆகையால், இந்த சபை அங்கத்தினர்களை 64 பேர்களாக அதிகரிக்கவேண்டுமென்று கேட்டுக்கொள்கிறேன்.

SRI V. RAMALINGAM PILLAI: சபைத் தலைவர் அவர்களே, வணக்கம். மேன்மைமிக்க கவர்னர் அவர்கள் செய்த உரையில் வெகு சீக்கிரத்தில் “நம் மாகாணத்தில் தமிழ், ஆட்சி மொழியாக ஆகும்” என்று சொன்னார்கள். அதை நாம் எல்லாம் இன்றைக்கு சந்தோஷமாக வரவேற்கிறோம். தேவிசுளம், பீரமேடு முதலிய தாலுக்காக்கள் நமக்கு வரவில்லை என்றாலும், தமிழ் பேசும் நிலப் பரப்புக்கு தமிழ் நாடு என்று பெயர்

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வைக்கவில்லை என்றாலும், சித்தூர் பகுதியில் இருக்கிற தகராறுகள் எல்லாம் தீரவில்லை என்றாலும், தமிழ் பேசும் பெரும்பகுதி தனி மாகாணம் ஆகி, அதில் தமிழ் ஆட்சி மொழியாக ஆகின்றது என்பது மிகவும் விரும்பத் தகுந்த விஷயம்.

இந்த ராஜ்ய சீர் அமைப்புக் கமிஷன் மத்திய சர்க்காருக்கும், ராஜ்ய சர்க்காருக்கும் எல்லையில்லாத் தொல்லையைக் கொடுத்த விஷயம். எவ்வளவோ நல்ல எண்ணத்துடன் காரியங்கள் செய்யப்பட்ட போதிலும் கூட ஒரு ராஜ்யமாவது திருப்தி அடையவில்லை. இப்பொழுது மகாத்மா காந்தி அவர்கள் இங்கிருந்தால், “This is a Himalayan blunder” என்று சொல்லி இதை ரத்து செய்து விட்டாலும் தேவலை என்று ஆலோசனை சொல்வார். ஆனால் அப்பேர்ப்பட்ட அற்புதம் இப்பொழுது நிகழும் என்று நாம் எதிர்பார்ப்பதற்கு இல்லை. எப்படியோ, தமிழ் நாடு என்ற பெயர் இல்லாவிட்டாலும், தமிழ் பேசும் நிலப்பரப்பு தனியாகி, தமிழ் அதன் ஆட்சிமொழியாகப் போகிறது.

ஆனால் இங்கே நாம் கவனிக்க வேண்டிய முக்கியமான விஷயம் ஒன்று உண்டு. அது என்னவென்றால் தமிழ், ஆட்சி மொழியாவதில் இதுவரையிலும் ஆங்கிலத்தில் போட்டிருந்த உத்திரவுகளை எல்லாம் இனிமேல் தமிழில் போட்டால் மட்டும் போதாது. தமிழில் இருக்கும் “அ, ஆ, இ, ஈ, உ” என்கிற எழுத்துக்களும், “க, ங, ச, ஞ,” என்கிற எழுத்துக்களும் ஒன்று சேருகின்ற தமிழ் மொழியினால் நடத்தப்படும் அரசாட்சி பிரயோஜனம் இல்லை. ஆனால் அரசாட்சி எது செய்ய வேண்டும்? தமிழ் பண்பு அரசாட்சி செய்யவேண்டும்; தமிழ் குணம் அரசாட்சி செய்ய வேண்டும். தமிழ் பண்பு என்று உண்டா, தமிழ் குணம் என்று உண்டா என்ற திகைப்பு ஏற்படலாம். திகைக்க வேண்டிய அவசியம் இல்லை.

“தமிழன் என்றொரு இனமுண்டு
தனியே அவர்க்கொரு குணமுண்டு
அமிழ்தம் அவனுடை மொழியாகும்
அன்பே அவனுடை வழியாகும்.”

நான் தமிழன் குணம் என்று சொல்கிறபோது இப்பொழுது இருக்கிற தமிழர்களை மட்டும் எண்ணிச் சொல்லவில்லை. இரண்டாயிரம் ஆண்டு களுக்கு முன்னாலே மலையாளிகளும், கன்னடர்களும், தெலுங்கர்களும் நம்மோடு தமிழர்களாக இருந்து வளர்த்த தமிழ்ப் பண்பைத்தான் கூறுகிறேன். சேர சோழ பாண்டியர்கள் காலத்தில் வாழ்ந்த தமிழர்கள், இரண்டாயிரம் ஆண்டுகளுக்கு முன்னால் என்ன தமிழ் பண்பை வளர்த்திருக்கிறார்களோ அந்த தமிழ் பண்பை நினைப்பாடுகிறேன்.

இந்த உலகத்தில் பிறந்து, வாழ்ந்து, இறந்து போன மனிதர்களுக்குள்ளே, சரித்திர மகா புருஷர்களுக்குள்ளே மகாத்மா காந்திக்கு நிகரான மகாபுருஷரை இதுவரையில் கண்டதில்லை. இதுவெறும் புகழ்ச்சி அல்ல. அப்பேர்ப்பட்ட மகாத்மா எந்தக் கொள்கைகளால் உலகத்தை பிரமிக்கச் செய்தாரோ, உலகத்து மக்கள் எல்லாம் வியந்து போற்றி வணங்கி தெய்வமாக மதிக்கும் தன்மையை எய்தினாரோ, கிடைத்தற்கரிய அற்புதமான சுதந்திரத்தைப் பெற்றுக்கொடுத்தாரோ, அந்தக் கொள்கைகள் என்ன? அவர் கடைப்பிடித்த மூன்று கொள்கைகள் இவை தாம். தெய்வ நம்பிக்கை; சாந்தம்; சத்தியம். இந்த மூன்று குணங்களும் மனித சமூகத்தில் இல்லாமல் இருந்தால் சமூகம் நன்றாக இருக்காது. இந்த உண்மையை இரண்டாயிரம் ஆண்டுகளுக்கு முன்னரே நமக்குச் சுட்டிக்காட்டிய தமிழ் மறை திருக்குறள்.

“ஒன்றாக நல்லது கொல்லாமை மற்றதன்
பின்சாரப் பொய்யாமை நன்று”

எனச் சொன்னார் திருவள்ளுவர். மனிதன் கொள்ளவேண்டிய குணம் சாந்தம், சத்தியம், கொல்லாமை ஆகிய மூன்றும் தான். இதைக் கடைப்பிடித்த மகான் காந்தி.

சாந்தம், சத்தியம் என்பதை வெவ்வேறு மொழியில் உள்ள நூல்களும் வற்புறுத்துகின்றன என்றாலும், இவற்றின் அடிப்படை யிலேயே

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குறியை வகுத்து, எந்த வழியில் சென்றால் சமூகம் மேன்மையுறும் என்பதற்கு மிக நுட்பமான கருத்துகளை எல்லாம் எடுத்துச் சொல்லும் ஒரே ஒரு நூல் திருக்குறள். நாம் செய்கின்ற எல்லாக் காரியங்களிலும் சாந்தம், சத்தியம் என்ற இரண்டும் அமைந்திருக்க வேண்டுமென்பதை வலியுறுத்திகின்ற நூல் திருக்குறள்.

நான் இலக்கியப் பிரசங்கம் செய்வதாக நினைக்கவேண்டாம். நான் அரசியல் பிரசங்கம்தான் செய்கிறேன்.

திருவள்ளுவர் “ஒன்றாக நல்லது கொல்லாமை” என முதற்கண் கூறி “பொய்யாமை அதன் பின் சார நன்று” என வலியுறுத்தினார். மகாத்மா காந்தி அவர்கள் என்ன என்ன செய்தாரோ, என்ன என்ன சொன்னாரோ, என்ன என்ன முறையில் வாழ்ந்தாரோ அந்தக் காரியங்களுக்கு எல்லாம் நேரான இலக்கியம் போன்று திருக்குறள் நிலவுகிறது.

ஒவ்வொரு மனிதனும் செய்யவேண்டிய காரியங்களில் எல்லாம் வினைத் தூய்மை, வினைத்திட்டம், வினைசெயல்வகை ஆகிய மூன்றும் அமையவேண்டும் என்பார் போல திருவள்ளுவர் இம்மூன்றின் தலைப்பில் மூன்று அதிகாசம் வகுத்திருக்கிறார்.

வினைத் தூய்மை என்பதாவது நாம் செய்கின்ற எந்தக் காரியமானாலும் அது பாவம் இல்லாச் செயலா, பிறருக்குத் தீங்கு எண்ணாத கருமமா எனச் சிந்தித்துச் செய்வதாகும்.

“ஈன்றால் பசிகாண்பான் ஆயினான் செய்யற்க
சான்றோர் பழிக்கும் வினை”

என அதில் வற்புறுத்துகிறார். ஆகையால் நாம் செய்வது எந்தக் காரியமானாலும் அது பரிசுத்தமாக இருக்கவேண்டுமென்று சொல்கிறார்.

அப்புறம் அது பரிசுத்தமான காரியம் தான் என்பதைத் தீர்மானம் செய்துவிட்டு, செயலாற்ற முற்படும்போது யாருக்கும் பயப்படாமல் அதனைச் செய்ய வேண்டுமென்று சத்தியாக்கிரகத்தின் தத்துவத்தைப் புகட்டுகிறார்.

நீங்கள் நன்றாக கவனிக்க வேண்டும். வினைத்திட்டம் என்ற அதிகாரத் தீர்மானம் வள்ளுவர் சொல்கிறார் “நீ ஒருவருக்குத் தீங்கு செய்யும் காரியத்தைச் செய்யக்கூடாது. பாவமில்லாத, பிறருக்குத் தீங்கு விளைவிக்காத காரியத்தைச் நீ செய்யும்போது இன்னொருவன் உனக்குத் தீங்கு செய்தால் அதைக் கண்டு பயப்படக்கூடாது. மனம் தளரக்கூடாது” என்கிறார்.

“ஊடுறால் உற்றபின் ஒல்காமை இவ்விரண்டின்
ஆடுறன்பார் ஆய்ந்தவர் கோள்”

இதற்கு அடையாளம் காந்தி காட்டிய சத்தியாக்கிரக இயக்கம். வள்ளுவர் மேலும் சொல்லுகிறார். உண்மையான வினைத்திட்டம் உடையவன், ஒரு காரியம் தூய்மையானதா, பிறருக்குத் தீங்கு விளைக்காததா என சிந்தித்து, அக்காரியத்தைச் செய்துவிடுவது எனத் தீர்மானம் செய்து விட்டானால் அரசாங்கமே எதிர்த்தாலும்கூட, எதிர்ப்புக்கு அஞ்சாமல் எவ்வளவு இன்னல்கள் உண்டுபண்ணப்பட்ட போதிலும் அவனுக்கு தளர்ந்து தன் காரியத்தை, தன் கொள்கையைக் கைவிடுவது இல்லை. எத்தனை ஊறு எய்தினாலும்கூட கொள்கையில் அவன் கடைசியில் வெற்றி பெறுகிறான், எனச் சொல்கிறார்.

“வீடுறயிதி மாண்டார் வினைத்திட்டம் வேந்தன்கண்
ஊடுறயிதி உள்ளப் படும்.”

என வள்ளுவர். இரண்டாயிரம் ஆண்டுகளுக்கு முன்னர் குறள் வகுத்திருக்கிறார். இதற்கு இதுவரையிலும் சரியான உரை செய்யவில்லை. இப்பொழுதுதான் நமக்கு இரண்டாயிரம் ஆண்டுகளுக்கு முன்னால் வள்ளுவர் என்னென்ன நெறிகளுக்கு உரையாக இவ்வுலகில் வாழ்ந்து காட்டியவர் அந்தக் காலத்தின் ஒருவர் தான். வள்ளுவர் கூறிய பொன்மொழி எல்லாம் அவர் கூறியே. தானே செய்த வாழ்ந்து காட்டினார்.

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கொல்லாமை, பொய்யாமை ஆகிய இரண்டும் சேர்ந்த கூட்டுறவே மெய்க்குறான குணம். வல்லமையால் நமக்கு எல்லாம் தெரிய வாழ்ந்து, சத்துருவாய்க் கொல்லவந்தோர் தமையுங் காத்து, கொலைகளவு பொய் குது வஞ்சு மாத் கொடுமைகளை விலக்கிவிட என வள்ளுவர் போல நமக்குச் சொல்லி, சொன்னபடி செயல்முயன்று, செய்துகாட்டிய தலைவர் காந்தியைப்போல, இத்தொல்லுலகில் நாமறிந்த தலைவர் போல் யாருமில்லை. காந்தி எம்மான், “இந்தியத்தாய் உலகினுக்கே ஈந்த செல்வம்.”

ஆகையால் நான் அரசாங்கத்தைப் பணிவோடு கேட்டுக்கொள்வது என்னவென்றால் வெறும் தமிழில் மட்டும் காரியங்களை நடத்துவதில் பயன் இல்லை. தமிழ் பண்பை வளர்க்கவேண்டும். மகாத்மா காந்தியும், வள்ளுவனும் காட்டிய சத்திய சன்மார்க்க நெறியைப் பரப்பவேண்டும். தெய்வ நம்பிக்கையும் பெருகவேண்டும். சாந்தமும், சத்தியமும் இப்பொழுது நாட்டில் குறைந்துவிட்டது என்பதில் சந்தேகமில்லை. தலைத்தமிழன் தலைகிறந்து இருந்தான் என்பதில் சந்தேகமில்லை. அவன் எழுப்பிய கோயில்களும், பக்தி நெறிகளும் அதற்குச் சான்று, வட நாட்டில் மதவெறி, இனவெறி ஒங்கி நின்ற காலத்தில், இங்கே சேர சோழ பாண்டிய அரசாட்சியில் சாந்த சத்திய சன்மார்க்கம் நிலை நின்றுருக்கிறது. ஆகையால் நான் அரசாங்கத்தைப் பணிவோடு கேட்டுக்கொள்வது கல்லூரிகளிலும், கல்வி முறைகளிலும் சாந்த சத்திய சன்மார்க்கம் கடைப்பிடிக்கப்படவேண்டும். வெறும் கல்வித் திட்டங்களில் பலவிதமான மாறுதல்களைச் செய்து பயன் இல்லை. இதுவே முக்கியமான அம்சமாக இருக்கவேண்டும். மக்களிடையேயும் போதிக்கப்படவேண்டும்.

அடுத்தபடியாக ஒரே ஒரு விஷயம். விசைத்தறிகள் புகுத்துவதாகச் சொல்லுகிறார்கள். விசைத்தறிகளால் கைத்தறிகளுக்கு பாதகம் ஏற்படுமேயல்லாமல் சாதகம் ஏற்படாது. எவ்வளவு தான் மில் துணி மேல் வரி போட்டு கைத்தறிக்கு உதவினாலும் அது பிழைப்பாகாது. கைத்தறி களுக்கும் பாதுகாப்பாகாது.

ஏற்கெனவே நமது அரசாங்கம் பணக்காரர்களுக்கு அநுகூலமாக இருப்பதாகச் சொல்லி வருகிறார்கள். அது முற்றிலும் உண்மை இல்லா விட்டாலும் ஓரளவு உண்மை அதில் இருக்கிறது.

ஆயிரம் ரூபாயில் ஒரு விசைத் தறியைக் கொண்டு வந்து வைத்தால் அதன் பக்கத்திலுள்ள கைத்தறிகள் வீழ்ச்சியுறுமே யல்லாமல் பிழைக்காது. கைத்தறிகள் நிச்சயமாக பாதிக்கப்படும். எல்லாக் காரியங்களும் இயந்திரத்தால் செய்ய வேண்டுமென்பது எல்லா நாடுகளுக்கும் தீங்கு விளைவிக்கும். இந்திய நாட்டுக்கு, இப்பொழுது இருக்கிற நிலைமையில் மிகவும்தான் தீங்கு விளைவிக்கும். ஆகையால் கைத்தறிகளை அழிக்கக்கூடிய விசைத் தறிகளைப்புகுத்துவதில் அரசாங்கம் மிக்க ஜாக்கிரதையாக இருக்கவேண்டுமென்று கேட்டுக்கொள்கிறேன். காந்திய திட்டத்திற்கும், காந்திய மனப் பண்புக்கும் விசைத்தறி புகுத்துவது முற்றிலும் விரோதமானது. ஸங்கர் ஷயர், மான்செஸ்டர் முதலியவைகளில் உற்பத்தி செய்யப்படும் துணிகள் நம் நாட்டுக்கு ஏராளமாக வந்து கொண்டிருந்தன. இந்தியா சுதந்திரம் அடைந்த பிற்பாடு அத்துணிகளை நாமே உற்பத்தி செய்து கொள்ள ஆரம்பித்தவுடன், அந்நாடுகளில் அநேக மில்கள் மூடப்பட்டன. இயந்திரம் பெருகப் பெருக மனிதனுக்குத் தொல்லை அதிகமாக இருக்கிறதே தவிர வேறு இல்லை. ஆகவே விசைத்தறிகள் புகுத்தப் படாமலிருப்பது நலம்.

இதற்கு அடுத்தபடியாக தியாகிகளுடைய கஷ்டத்தை அரசாங்கம் கவனிக்கவேண்டும். இது மிகவும் அவசரமான காரியம். அதை லேசாக எண்ணக்கூடாது. அந்தக்காலத்தில் என்னோடு தோளாடு தோள் சேர்ந்து நின்று சத்தியாக்கிரகம் செய்த ஒருவன் இன்றைக்குப் பிச்சை எடுக்கிறான் என்னும்போது வீடுவாசல்களை இழந்து கஷ்டப்படுகிறான் என்னும்போது என் மனம் நொந்து புண்ணாகாமல் இருக்குமா? “உங்களுக்கு எம்.எஸ்.ஸி. பதவி ஆகியிருக்கிறதாமே! எங்கள் நிலைமையை சர்க்கார் ருக்குக் கொஞ்சம் சொல்லுங்கள்” என அவர்கள் என்னிடம் சொன்னார்கள். அதற்காக நான் இரண்டொரு வாரத்தை சொல்லக் கடமைப்பட்டிருக்கிறேன்.

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சம்மா இருக்கிற தியாகிகளுக்கு நிலம் தருகிறோம் என்று ஆசைகாட்டியது இந்த அரசாங்கம். அப்பறம் தியாகிகள் ஆசைகொள்ளக்கூடாது என்று சொன்னதும் இந்த அரசாங்கம். தியாகிகளைப் பொறுத்தமட்டில் எல்லோருக்கும் சிறப்பானது இக்கொள்கை. ஒரு தியாகி, "நான் நாட்டுக்காக சகலவற்றையும் துறந்து உழைத்தேன். அரசாங்கத்திடமிருந்து நான் இன்றைக்கும் எவ்விதமான உதவியையும் பெறவில்லை" என்று சொன்னால் மிக்க சந்தோஷம். அது மேலான கொள்கை.

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p.m.

ஆனால் இந்தத் தியாகிகளுடைய கஷ்டத்தையும் சேர்த்து, அவர்களுடைய உதவியையும் பெற்று பதவியை அடைந்த நாம் இங்கே சுகமாக இருக்கும்போது அவர்களைப் பார்த்து, "நீங்கள் அரசாங்கத்தினிடமிருந்து எவ்வித உதவியையும் எதிர்பார்க்கக்கூடாது" என்று நாம் சொல்வது மிகவும் அநீதியான காரியம், தர்மமும் ஆகாது, புண்ணியமும் இல்லை. ஆகையால் நன்றாக இதை ஆலோசனை செய்யவேண்டும். "தடியடி என்ன? சிறைவாசம் என்ன? தேசத்திற்காகப் பட்ட கஷ்டங்கள் என்ன?" என்பதை அவர்களோடு தாமும் ஒருவராகச் சேர்ந்து அநுபவித்திருக்கிற மந்திரிகள் இன்று பதவியில் இருக்கும்போதே இப்பிரச்சனை தீர்க்கப்பட வேண்டும். அடுத்த தேர்தலில் சத்தியாக்கிரகம் என்னவென்று தெரியாத ஒருவர் மந்திரியானாலும் ஆகலாம். நான் ஜெயிலுக்குப் போன காலத்தில் பிறக்காத ஒருவர் இன்றைக்குக் காங்கிரஸ் கமிட்டித் தலைவராக இருக்கிறார். தேசத்திற்காக நான் செய்திருக்கும் தியாகங்கள் அவருக்கு எங்கே தெரியப்போகிறது? அவர்மேல் குற்றம் சொல்லிப் பிரயோசனம் இல்லை. "சிறைவாசம் என்றால் என்ன? சத்தியாக்கிரகம் என்றால் என்ன" என்பதை நன்கு உணர்ந்தவர்கள் இன்று பதவியில் மந்திரிகளாக இருக்கும்போதே, நம்மைப் போலவே தேச ஊழியர்களாக இருந்து, வீடு வாசல்களை இழந்து, சொத்துக்களை எல்லாம் இழந்து, கையில் இருப்பதையும் ஊர் ஊராக எங்கே நிலம் இருக்கிறது எனத் தேடி அலைவதில் செலவழித்துவிட்டு, நிலம் கிடைக்கும் என வங்கி நிர்வாகிகளின் மீது கருணை காட்டவேண்டும், கொஞ்சம் செளகரியம் உள்ளவர்கள் அக்காலத்திலேயே வாங்கிக் கொண்டார்கள். பொலான ஏழைகளுக்குக் கிடைக்கவில்லை. இதுவும் பெரும் அநீதி. கனம் மந்திரிகள் இதைக் கவனிக்க வேண்டுமென்று கேட்டுக்கொண்டு, தலைவருக்கு வந்தனம் தெரிவித்துத் கொள்வதோடு முடித்துக் கொள்கிறேன்.

* **SRI A. GAJAPATHY NAYAGAR:** மன்றத் தலைவர் அவர்களுக்கும் இந்தப்பேரவையில் கூடியிருக்கும் சான்றோர்களுக்கும் எனது வணக்கம். மேன்மை தங்கிய கவர்னர் பெருமான் அவர்கள் தமது பேருரையில் குறிப்பிட்டபடி, நம் தமிழகம் அண்மையிலேயே பெரும்பாலாகத் தமிழ் பேசும் நாடாக அமையப்பெறப் போகிறோம் என்பதும், அதையொட்டி, தற்கால முயற்சியில் கண்ணும் கருத்துமாக இருக்கிறார்கள் என்பதும் எனக்குப் பெரு மகிழ்ச்சியளிக்கிறது. குற்றங்குறைகள் இருக்கலாம். குற்றங்குறைகள் கூறுவதற்கு இது காலமல்ல. வினைகளை மேற்கொள்ள வேண்டும்.

"எனைத்திப்பம் எய்தியக் கண்ணும் வினைத்திப்பம் வேண்டாறை வேண்டாது உலகு."

என்று திருவள்ளுவர் கூறியிருக்கிறார்.

1954-ல் யான் பெரு முயற்சி செய்து, பல நண்பர்களுடன் கலந்தாலோசித்து, தமிழ் மொழியை ஆட்சி மொழியாகச் செய்யவேண்டுமென்று மசோதா ஒன்றை இச்சபையில் கொண்டுவந்தேன். பல சந்தர்ப்பங்களிலும் அதனையொட்டியே நான் பேசி வந்தேன்; ஆங்கிலத்தில் பேசாது, ஆங்கிலத்தில் நல்ல படிப்புப் படித்திருந்தாலும் தேன். (சிரிப்பு.) ஏனென்றால், ஆங்கிலத்தில் பேசாத தாழ்ந்த பேசலாம், கட்டுக்கோப்பாய் பேசலாம். தமிழ் அந்த அளவிற்கு வளரவில்லை. இனிமேல் வளர்ந்துவிடும் என நம்புகிறேன். அரசியலார் தயாரித்துள்ள கலைச் சொற்களில் நிர்வாக சம்பந்தமான கலைச் சொற்

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களைத்தான் தயாரித்திருக்கிறார்கள். சட்ட சம்பந்தமாகவும், மற்றக் கலைகள் சம்பந்தமாகவும் இன்னும் தயாரிக்கவில்லை. ஆகவேதான், தமிழில் அவ்வளவு நன்றாகப் பேசமுடியாமலிருக்கிறது. தமிழை ஆட்சி மொழியாக்க வேண்டுமென்று நான் இதுவரை எடுத்துக்கொண்ட முயற்சியின் வெற்றி நமது கவர்னர் பெருமான் அவர்களுடைய பேருரையில் பிரதிபலிக்கிறது. அதற்காக இந்த அமைச்சர் குழுவினருக்கும், இந்த சபையில் தலைவராக இருக்கும் அமைச்சரவர்களுக்கும் கவர்னர் பெருமானுக்கும் எனது மறவா நன்றியைத் தெரிவித்துக் கொள்கிறேன். ஒருவர் மெதுவாக செல்லுங்கள் என்று சொல்வார். இன்னொருவர் தயங்காது செல்லுங்கள் என்பார். இது எல்லாம் காலத்திற்கும் விருப்புக்கும் ஏற்ற தல்ல. மற்றொன்றும் சொல்ல விரும்புகிறேன். திருத்தகு தெய்வத் திருவள்ளுவர் ஓதுகிறார்—

"சூழ்ச்சி முடிவு துணிவெய்தல் அத்துணிவு
தாழ்ச்சியுள் தங்குதல் தீது"

ஆகையால் எவ்வினையையும் காலம் தாழ்த்தாது செய்யவேண்டும். இங்கு கூடியுள்ள நாம் எல்லோரும் செய்ய வேண்டிய பணிகளை சிறப்பாகச் செய்யவேண்டும். தமிழ் நாடு ஏற்பட்டு தமிழ் ஆட்சி மொழியாக வேண்டும் என்பதிலேயே என்னுடைய மனக்கிடக்கை முழுவதும் இருந்தது. அது அண்மையிலேயே பூர்த்தியடையப் போகிறது. ஆகையால் நாம் எல்லோரும் வீணில் குற்றம் குறை கூறுவது கூடாது. செயல் முறையில் காரியங்களைச் செய்து காண்பிக்கவேண்டும். நாம் எல்லோரும் ஒன்றுபட்டு இயங்கி செய்யவேண்டிய வினைகளை வினைத் திட்டத்தோடும் மனதிடத்தோடும் செய்வேண்டும். ஒன்றுபட்டால் உண்டு வாழ்வு, பல துறைகளிலும், பல நாம் நிறைவேற்ற வேண்டிய காரியங்கள் பல இருக்கின்றன. ஆகையால் இனிமேல் நாம் எல்லோரும் ஒன்றுகூடி தமிழையும் தமிழ் நாட்டையும் நிலைக்கும்படி செய்வதற்கும், தமிழ் மக்களின் பண்பு, தமிழ் மக்களின் சீர் முதலியவை சிறக்கும்படி செய்வதற்கும் பாடுபட வேண்டும் என்று கேட்டுக்கொள்கிறேன்; நாம் எல்லோரும் அவ்விதமே செய்வோம் என்ற மன உறுதியோடு என்னுடைய பேச்சை முடித்துக்கொள்கிறேன்.

(Deputy Chairman in the Chair.)

SRI V. CHAKKARAI CHETTY: Mr. Deputy Chairman, Sir, I thank you for calling upon me to speak on this occasion. I do not want to enter into any elaborate discussion about the various things which have been mentioned in the Governor's Address. I think this speech of the Governor is conspicuous more for sins of omission than for sins of commission. Many things have been promised and many things have been said to have been performed. All those things are beyond our real comprehension. We cannot say to what extent we have succeeded in doing things and to what extent we are going to succeed hereafter. All that is in the lap of the Gods as it were. We can only speak of things which have been achieved and are present before our eyes.

I want to refer only to the grievances of labour, specially the black-coated labour, as it is called, among us. The woes of the N.G.O.'s have been voiced forth here. Their lamentation has gone from one end of the State to the other end. One party says that the Chief Minister promised to consider all the grievances. Another party says that the Chief Minister's assurance was confined only to saying that the question with regard to the quantum of help and amenities to be given would be considered. All these are matters which will be considered. But I wish to say that the

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Government should set a better example to private employers in regard to the way in which they treat their labour staff. For example, I know that in the Government Press even diploma-holders are treated worse than ordinary clerks in other offices. I have been drawing the attention of the Hon. the Minister for Public Works to this fact and I hope that sooner or later the diploma-holders in the Government Press will receive fair, equitable and proper treatment. I believe that it is one of the essential things towards the realization of, what we call, the socialist pattern of society. I do not know what our friends have in view when they speak about socialism. I have been dealing with this subject for the last so many years. Socialism is one of our chief planks and, therefore, I may say that the standard of living of our labour, whether it is black-coated labour or manual labour, should be raised. To-day, we know how the prices of commodities have been soaring up, whereas the wages of labour, whether it is black-coated labour or simple labour, have remained more or less stationary and it is very difficult for the poorer classes to make both ends meet. I, therefore, plead very much that the Government should set a better example to the employers of labour in private firms and manufactories because during negotiations with the managements, I am told very often, 'Why do you ask us to do anything more than what your Government do?'

12.50
P.M.

Their principle seems to be that supply and demand must regulate wages. If there is more supply, wages will be less and if there is more demand and less supply, wages will soar. This is not the principle to be applied to labour. They have got bodies to maintain and souls to develop and, therefore, it seems to me that the Government should set a better example to the private employers of labour. I know, as a matter of fact, that in factories where labour contributes to the production of wealth, there is a good deal of difficulties felt by the common rung of the labourers. They are not able to make both ends meet. There is a great deal of difficulty in providing housing accommodation to labour. Although housing for labour is much talked of and subsidies are also said to be given by the Central Government, in many textile mills, labourers are housed very poorly. They live in miserable dwellings. If we provide miserable dwellings, these will soon become slums. If we build pucca buildings, people inhabiting them will take care to keep them clean and tidy. If we give them a bad, dirty house, they will make it dirtier. I do not know to what extent the Government's housing scheme has progressed. Slum clearance is a longstanding cry. More slums are springing up everywhere, it has been stated. If we pass along the streets of Madras, we will see men, women and children crowding on the pavements. This is all right in hot weather. But if it begins to rain, they are put to innumerable difficulties and they run to the nearest shelter. These should be put an end to. I plead for the revision of the wage structure in various industries. No committee of enquiry has yet been appointed to examine the wage structure in industries and to what extent conditions of labour necessitate the raising of wages. There is no doubt wages have to be revised, but to what extent,

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is not known. There is, what is called, dearness allowance or D.A. paid to the workers on the basis of the cost of living index. This varies from factory to factory. It is not uniform. There is, what is called, bonus which is calculated at the end of each year. It is different at different places. There is no uniform rule about this also. Some firms declare two months' bonus and some three. It seems to me that the Government will be well-advised, without awaiting any direction from the Central Government, to appoint a committee well-acquainted with labour conditions to go into the question of the wage structure, and see that the wage earnings of labour are regulated and maintained, so as to keep pace with the soaring prices of foodstuffs. There is no doubt that the Government are trying to keep down the price-level. I do not know whether they are going to do it effectively or not. Those who are dealing in foodstuffs and other essential commodities know how to keep them in reserve and how to put them into the market and sell them at higher prices during times of scarcity. All these matters have to be considered very deeply by our Government. I know our Government are a sympathetic Government, not only sympathetic but also intelligent. One may be sympathetic and kind-hearted. But all that should be backed by intelligent planning and I believe our present Ministry is capable of doing its job very intelligently. It has got brains. I hope, therefore, the Government will apply their mind to the question of raising the wages of labour so as to raise the standard of life of labourers which is one of the primary conditions for the development of a socialistic State. Then, we will see showers of blessings being heaped on us. Just as in a monsoon, you see showers from the heavens coming upon us, so also you will see human blessings showered on us. There is a good deal of talk about the Central Government appointing a committee to go into the wage structure in industry. I hope the State Government will take time by the forelock and forestall the Central Government by appointing a committee themselves in respect of both sectors of industry—private and public—for it is they that should set an example to private employers. They must fix proper wages for their own employees first—the black-coated and the manual labour. The non-gazetted officers require immediate and prompt relief. Whatever relief the Government can provide immediately should be given immediately. Relief that is postponed loses all its value, even though it may be good and substantial. It will be found that people feel quite disgusted with long-deferred relief. Hope deferred makes the heart sick, is an old saying. When you defer the implementation of these things, you will find that it is as good as non-implementation. The employees will not respond with enthusiastic gestures. Therefore, I plead very much for quick and substantial relief for both the non-gazetted officers and labour. India, in addition to being a Republic, should also be one of the foremost of socialist States in the world. There are such big States as Russia and China and even America is said to have some kind of socialism in spite of the enormous disparities between the rich and the poor because of philanthropic associations and humanitarian impulses that we see there, pervading society as a whole. In our country, we have

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also these humanitarian impulses and these make us respond to the demands of the suffering countrymen of ours, and try to help them to rise to a higher level from their present position.

1 p.m. The Governor's speech is only a sample of the kind of things that the Government propose to do. I hope the Government will not be satisfied with mere samples but will see that the real things to come carry greater value than the sample itself. The sample as we see is, of course, better than the samples we see of things at the shops. But the things to come should not just be of the value of the sample but carry more value. Then only we will be on the way to the formation of a socialistic State. Socialism is, after all, the penultimate stage in the march to Communism. There are also States where the goal of Communism has been reached where you see prosperity and plenty and where there is no disparity between the incomes of the various classes of society.

The labourers would then come into their own and establish their power in all walks of life. With these words, I commend the speech of His Excellency the Governor and the Ministry that is behind the Governor's speech. The Address of the Governor is only an articulation of the policy of the Government in power. I hope that our Ministry will continue in spite of the oppositionist meetings held in many places.

As has already been pointed out by the hon. the Leader of the Opposition, Dr. A. Lakshmanaswami Mudaliyar, the Madras State is one of the happiest of States. It is not convulsed by Police firings. It may be owing to the fact that we are a peace-loving people and we are a good sort of people and also wise people. In the North people are emotional and passionate and violent in temperament. They fly at each other and begin to exchange blows even on the slightest provocation. It may also be that we are long-suffering race, accustomed to receive blows and not to return them. Therefore, it is that there are no such riots here. But it is quite likely if conditions of poverty and suffering continue that we may have an outburst of violence of that type in various parts of this State. There are already some such exhibitions of violence in agricultural areas and disturbances arising out of differences between mirasdars and labourers. I hope Government would step in and see how they can bring about harmony between these two classes of people. I have no doubt that the tenants and those who are working on the land producing the harvest are really suffering. Otherwise, they would not have come forward to demonstrate in this manner. I hope the Government will take up this matter also seriously along with other questions of labour and try to see what they can do in the direction of righting old wrongs and giving new impetus to the aspirations of our people and make them feel contented and happy.

I hope with the inauguration of the Tamil Raj in our State things would become better and we would go back to the palmy days of Chera, Chola and Pandya kings when everything was supposed to have been at the height of prosperity according to our

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ancient books. I do hope that our present Ministry will try to follow in the footsteps of our ancestors in this matter and bring about near peace and prosperity to our Tamil State.

I hope what our Ministry has done is only a sample of other great things they are going to accomplish. The child is the father of the man, they say. The present Ministry is still in its infancy. It is growing, and certainly when it reaches manhood, it would accomplish miracles. Once again, I congratulate the Ministry and thank you, Sir, for giving me this opportunity to say a few words on behalf of the labourers, the more unfortunate brethren of our community.

* SRI S. P. SIVASUBRAMANIA NADAR : Mr. Deputy Chairman, Sir, in supporting the resolution moved by my Colleague, Sri Sankaranarayana Pillai, I would like to say a few words. His Excellency the Governor in his Address has mentioned about the favourable monsoon conditions prevailing and has expressed his hope that it will be a period of plenty. In the southernmost districts of Tirunelveli, Ramanathapuram and Madurai conditions are quite the other way about. The monsoon has completely failed. The Thambaraparani-fed area is now suffering for want of water and the crops are withering. Numerous ryots have come to Madras with a view to requesting the Hon. Minister concerned to let in water from the hydro-electric system of Papanasam. Unless early and immediate action is taken, thousands of acres of land are likely to be affected and famine conditions will prevail in the district. Of course, the Papanasam Scheme was mainly intended for hydro-electric power and it was not intended for irrigation purposes. Yet, now that there is plenty of water in Mettur and other reservoir and that there is inter-linking of the electricity system throughout the State, if sufficient water is let in to the Thambaraparani area from the Papanasam Reservoir, it won't affect the electricity system in the State. Therefore, I request the Hon. the Minister for Agriculture to move the Hon. Minister in charge of Electricity to take immediate steps to let in as much of water as possible for the area so that the crop may be saved. Any delay will spell disaster.

Then, Sir, I will say a few words about two Acts whose life is sought to be extended. The main Bill relates to the amendment of the Cultivating Tenants Protection Act. It is proposed to extend it by another two years. One happy feature is that the definition of the term 'cultivating tenant' has been recast now so that it may be in conformity with the provisions of the Fair Rent Bill. It will go a long way in removing certain anomalies that have cropped up and it will work very smoothly. At the same time, it is proposed also to add two new clauses to remove certain difficulties, in enforcing the provisions of section 3 of the Cultivating Tenants Protection Act. In the existing Act there is no provision under which the Revenue Divisional Officer can restore the tenant to his old tenancy if he is evicted after the coming into force of the Act. Now, under the proposed section 6 (a), the power is sought to be vested in the Revenue Divisional Officer. As it originally stood, only under section 4 (1), the Revenue Divisional Officer

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was entitled to restore a tenant to possession if he was in possession of the land in December 1953 and was not in possession of the land at the time of the commencement of the Act. Otherwise, there was no power vested in the Revenue Divisional Officer. The present amendment also seeks to vest in the Revenue Divisional Officer the power to decide whether a person is a cultivating tenant or not. The original Act contained rather a lacuna in that both the Civil Courts and the Revenue Divisional Officer were empowered and they were lying with each other in the exercise of the power to decide whether a particular person was a cultivating tenant or not. It so happens that the landlord goes to the Civil Court and the tenant to the Revenue Divisional Officer, the one saying that the particular person was not a cultivating tenant and the other claiming that he was in possession of the land and seeking the protection of the Revenue Divisional Officer. The amendment seeks to vest the power in the Revenue Divisional Officer by saying that even if a suit is pending before the Civil Court, it must be transferred to the file of the Revenue Divisional Officer who will be the deciding authority as to whether a particular person is a cultivating tenant or not. In this connection, I want to draw the attention of the Government to the hardship that would be caused by the vesting of this summary power in the Revenue Divisional Officer. In the Act there is no provision for appeal. Whatever the Revenue Divisional Officer decides is final. Of course, under the contemplated land legislation, the cultivating tenant will one day or other be given the right to kudiwaram. That is the goal to which we are being led. In such a serious matter there is a tendency among people who have never been cultivating tenants to clutch at some other's land so that they might always have a kudiwaram right even though in point of fact, they have never been cultivating tenants at any time in their lives. Spurious tenants may spring up. This serious matter should not be decided by adopting a summary procedure, wherein there is no right of appeal or revision and what the Revenue Divisional Officer says is final. There are no witnesses examined there are no Government records to decide whether a particular person is a tenant or not. What the Revenue Divisional Officer decides becomes final. By this summary trial by the Revenue Divisional Officer, either the tenant or the landlord is seriously affected. In such matters there must be a judicial finding, a finding which will give satisfaction to both the parties, the landlord and the tenant. When the parties are convinced that they have had a fair trial after they have both put forth their arguments, then they may be satisfied once the judicial finding is given. But what is done in a summary manner by the Revenue Divisional Officer without properly going in to the merit of the case to decide whether a person is a tenant or not, will not give satisfaction to the parties concerned that they have had a fair trial. So, I request the Government to provide sufficient safeguards and to vest in a proper forum the power to give a judicial finding so that each party may feel that his rights would be safeguarded and that he would get a fair trial. The power to decide cases under the Rent Control Act (that

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is, cases between the tenant and landlord in regard to buildings) which was hitherto vested in the Revenue Divisional Officer has now been given to the District Munsif. That means hereafter rent control petitions would come up before the District Munsif. Both the parties would now be assured of a fair judicial trial. Similarly, the power to decide whether a particular person is a cultivating tenant or not should be left in the hands of a District Munsif. A particular time-limit may be fixed within which the District Munsif may be called upon to decide whether a particular person is a cultivating tenant or not. Then, both the parties, viz., the landlord and the tenant may feel that they would get a fair trial.

Under the Tanjore Tenants and Pannaiyal Protection Act, exemption was given to owners of land covering less than 6-2/3 acres. Owners of land covering less than 6-2/3 acres have been given the right to cultivate the lands themselves if they so desire. But, under the present Bill, even small landowners, that is, owners of nanja land comprising 10 or 15 cents also, even though they may belong to the labour community or would have worked on their lands, are not given the right to resume the land for personal cultivation. No option is given to the landlord to cultivate the land himself if he so desires, however small the extent of the land may be. Ordinarily, people work in the fields as labourers, not as cultivating tenants. In course of time, they, belonging to the labouring classes or to the agricultural labour community, may by their meagre earnings purchase some land and they should be given the right to cultivate the lands themselves. *Bona fide* workers who purchase small bits of land should be protected. They may be allowed to cultivate the lands themselves. This incidentally may give them an impetus to grow more food and to raise more useful crops to step up production. Small landowners owning less than 6-2/3 acres may be given an opportunity to cultivate the lands themselves if they so desire. The maximum extent of land that a landlord could cultivate may also be fixed. With these words, I once again support the resolution so ably moved by my friend Mr. T. S. Sankaranarayana Pillai.

DEPUTY CHAIRMAN : The House will now rise for lunch and meet again at 3 p.m.

The House then rose.

(After lunch 3—p.m.)

(Mr. Chairman in the Chair.)

*SRI N. NALLASENAPATHI SARKARAI MANRADIAR : கனம் சபைத்தலைவர் அவர்களே, இன்று கவர்னர் அவர்களுடைய உரையின் பேரில் விவாதம் நடக்கிறது. நான் கவர்னர் அவர்களுடைய உரையை ஆதரித்துப் பேசுகின்றேன். முதலாவது ஐந்தாண்டுத் திட்டம் முடிந்து இரண்டாவது ஐந்தாண்டுத் திட்டம் நடக்கின்ற நிலையிலே நாம் இப்போது இருக்கிறோம். பல திட்டங்கள் வகுக்கப்பட்டு பல கிராமங்களில் உயர்ந்த முறையில் வேலைகள் நடந்து வருகின்றன. சமுதாய அபிவிருத்தித் திட்டங்கள் மூலமாகவும், பிரதேச அபிவிருத்தித் திட்டங்கள் மூலமாகவும், மற்றைய பல திட்டங்கள் மூலமாகவும் பல வேலைகள் கிராமங்களில் நன்றாக நடந்திருக்கின்றன.

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கின்றன. இதற்கெல்லாம் ஆங்காங்குள்ள ஜனங்களின் ஒத்துழைப்பு மிகவும் தேவையாக இருந்தது. எங்கள் கோவை ஜில்லாவில் ஸ்தல அபிவிருத்தித் திட்டங்களுக்காக ரூ. 45 லட்சம் செலவழிக்கப்பட்டிருக்கிறது. இவற்றிற்கெல்லாம் பொது மக்களின் ஒத்துழைப்பும், பஞ்சாயத்து, ஜில்லா போர்டுகளின் ஒத்துழைப்பும் தேவையாக இருக்கிறது.

இந்தத் திட்டங்களை நிறைவேற்றுவதற்கு ஜில்லா போர்டுகளின் ஒத்துழைப்பும் பஞ்சாயத்து போர்டுகளின் ஒத்துழைப்பும் தேவையாக இருக்கும்போது, இந்த ஸ்தல ஸ்தாபனங்களுக்கு நிதி தேவையாக இருக்கிறது. ஜில்லா போர்டுகளுக்கு வேண்டிய நிதிக்காக சர்க்காரில் ஸர்சார்ஜ் போட்டார்கள். ஸர்சார்ஜ் போடுவதற்காக மசோதா கொண்டுவந்த போது ஸர்சார்ஜில் வருமானமாகும் தொகை முழுவதையும் ஜில்லா போர்டுகளுக்குக் கொடுக்கப்போவதாக அரசாங்கத்தார் கூறினார்கள். ஆனால் இன்னும் ஜில்லா போர்டுகளுக்கு போதிய நிதி வசதி அளிக்கப்படவில்லை. ஸ்தல ஸ்தாபனங்களுக்கு நிறையச் செலவுகள் இருக்கின்றன. உதாரணமாக, ஒரு கட்டிடத்தைக் கட்டினால் அந்தக் கட்டிடத்தைக் கட்டிய பிறகு அதைப் நிர்வகிப்பது அல்லது பராமரிப்பது (maintenance) என்ற முறையில் ஜில்லா போர்டுகளுக்கு செலவு அதிகமாகிறது. இதற்கெல்லாம் சர்க்காரி விருந்து நிதி கொடுத்தால் மிகவும் நன்றாக இருக்கும். ஸர்சார்ஜ் வருமானம் ஜில்லா போர்டுகளுக்குக் கொடுக்கப்படும். ஸர்சார்ஜ் வருவார்த்திருந்தோம். ஆனால் இந்தத் தொகையை வேலைகளுக்கு வேண்டும் என்று தீர்மானித்து விட்டார்கள். நிரந்தர வேலைகளுக்கு ஜில்லா போர்டுகளுக்குப் பணம் கொடுத்தால், நிரந்தரவேலையை ஜில்லா போர்டுகள் எடுத்துக் கொண்டால் அதற்கு உடனடியாக அதிகச் செலவு இருக்கிறது. போதிய நிதி வசதி இல்லாததால், பஞ்சாயத்துக்களில் பல வேலைகள் செய்யப்படவில்லை. பல இட்பேரி ரோடுகள் ரிப்பர்ப்பட்ட ரோடுகள் எல்லாம் இப்போது மறுபடியும் இட்பேரி ரோடுகளாக ஆகிவிட்டன. அதற்குக் காரணம், ரோடுகளை metal செய்து நல்ல முறையில் பராமரிக்க முடிவதில்லை. இதற்கெல்லாம் காரணம் ஜில்லா போர்டுகளுக்குப் போதிய நிதி வசதி இல்லாததுதான்.

இப்போது சில ஜில்லா போர்டுகளில் ரெயில்வே நிதி என்று கொஞ்சம் பணம் இருக்கிறது. இதை ரெயில்வே செஸ் என்றும் சொல்வார்கள். இது கோவை, சேலம் ஜில்லாக்களில் இருக்கிறது. இந்தத் தொகையை நேரிடையாக ஜில்லா போர்டின் பொறுப்பில் வைத்து செலவு செய்தால் நல்லது. சர்க்கார் இந்தத் தொகையை capital works-க்குத் தான் செலவழிக்கவேண்டும் என்று ஒதுக்கியிருக்கிறது. ஆனால் மூலதன வேலைகளுக்கு இந்தத் தொகையை எடுத்துக்கொள்ள வேண்டுமென்றால், அந்த வேலைகள் முடிந்தவுடன் உடனடியாக ஜில்லா போர்டுகளுக்குச் செலவு மாணங்களை போட்டு சர்க்காருக்கு அனுப்பி யிருக்கிறோம். இதை யெல்லாம் சர்க்கார் அனுதாபத்தோடு கவனித்து ஜில்லா போர்டுகளுக்கு உதவினால், அவைகள் பொது ஜனங்களுக்கு எல்லா சௌகரியங்களையும் செய்து மாக இருக்கும் என்பதை இந்த சந்தர்ப்பத்தில் தெரிவித்துக் கொள்ளுகிறேன்.

மேலும், இப்போது ஜில்லா போர்டுகளில் இருக்கும் உத்தியோகஸ்தர்களுக்கும், முனிசிபாலிட்டியில் இருக்கும் உத்தியோகஸ்தர்களுக்கும் சம்பள வித்தியாசம் இருக்கிறது. ஒரு ஜில்லா போர்டில் வேலை பார்க்கும் அக் கொண்டன்டினன் சம்பளத்தை விட முனிசிபாலிட்டியில் அதே வேலை பார்க்கும் அக் அக்கொண்டன்டினன் சம்பளம் அதிகமாக இருக்கிறது. அதே போல் ஜில்லா போர்டு ஊழியர்கள் வாங்கும் சம்பளத்திற்கும் சர்க்கார் ஊழியர்கள் வாங்கும் சம்பளத்திற்கும் வித்தியாசம் இருக்கிறது. ஆகவே ஜில்லா போர்டு ஊழியர்களின் சம்பளத்தை உயர்த்திக் கொடுப்பதற்காகவும் ஜில்லா போர்டுகளுக்கு இன்னும் பணம் தேவையாக இருக்கிறது. இது

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பற்றியும் ஜில்லா போர்டுகள் சங்கத்தில் தீர்மானம் போட்டிருக்கிறோம். இதை சர்க்கார் அனுதாபத்தோடு கவனித்து எங்களுக்கு அனுசூலமாக முடிவு செய்தால் மிகவும் நன்றாக இருக்கும். ஜில்லா போர்டு ஊழியர்களுக்கு போதிய சம்பளம் கிடைத்தால் இவர்களும் சந்தோஷத்தோடு தங்கள் வேலைகளை மிகவும் நன்றாகச் செய்வார்கள். ஆகவே இந்த விஷயங்களை யெல்லாம் சர்க்கார் அனுதாபத்தோடு கவனிக்க வேண்டுமென்று கேட்டுக்கொள்கிறேன்.

மற்றும், இன்று கோவை ஜில்லாவில் ஆரம்பப் பள்ளிகளை எடுத்துக் கொண்டால், அவை 1,200 இருக்கின்றன. அங்கு 1,200 ஆரம்பப் பள்ளிகள் இருக்கின்றன என்றால், சமார் 4,000 ஆரம்பப் பள்ளி உபாத்தியாயர்கள் அங்கு இருக்கிறார்கள். இவர்களை நேரடியாக மேற்பார்வை செய்பவர்கள் சர்க்கார் கல்வி இலாகாவைச் சேர்ந்தவர்கள். அதற்கு “கிராண்ட்” கொடுக்கப்பட்டிருக்கிறது. அவர்களுடைய ரிபோர்ட்டை வைத்து ஜில்லா போர்டில் வேலை செய்து வரவேண்டியிருக்கிறது. இவர்களுக்குப் பதிலாக ஜில்லா போர்டே ஸ்தலவைசர்கள் என்பவர்களை, தாலுகாவிற்கு ஒருவர் வீதம் நியமிப்பதற்கு சர்க்கார் உத்திரவு கொடுத்தால் மிகவும் நன்றாக இருக்கும். அப்படிச் செய்தால் இந்த ஆரம்பப் பள்ளிகளின் நிர்வாகத்தை ஜில்லா போர்டாரே நல்ல முறையில் நடத்தி பல காரியங்களைச் செய்வதற்கு சௌகரியமாக இருக்கும். இன்று சர்க்காரில் ஜில்லா போர்டுகளுக்காக ரெவின்யூ ஆபிசர்கள் இருக்கிறார்கள், அவர்களுக்குக் கீழே லைசென்ஸ் இன்ஸ்பெக்டர்கள் இருக்கிறார்கள்; இன்னும் மற்ற உத்தியோகஸ்தர்களும் இருக்கிறார்கள். ஜில்லா போர்டுகள் மூலமாக ஸ்தலவைசர்களை நியமிப்பதற்கு சர்க்கார் ஏற்பாடு செய்யவேண்டும்.

அடுத்தபடியாக, விவசாயத் துறையை நாம் எடுத்துக்கொண்டோமானால் மற்றெல்லாத் துறைகளிலும் பாடுபடுபவர்களை விட விவசாயம் செய்பவர்கள் மிகவும் கஷ்டப்படுகிறார்கள் என்பது எனது அபிப்பிராயம். அதற்கு முதல் காரணம் இன்று இயற்கை கோளாறினால் நல்ல மழை பெய்யாதது ஆகும். சரிவர மழை பெய்தாலும், அப்போது பண்ணையை நன்றாக நடத்துவதற்கு ஆட்கள் கிடைப்பதில்லை. இதற்குக் காரணம் என்னவென்றால், பக்கத்திலுள்ள நகரங்களில் வேலை செய்யச் சென்றுவிடுகிறார்கள் பல தொழிலாளர்கள். பண்ணையில் கஷ்டப்பட்டு வேலை செய்வதற்குத் தகுந்த கூலி அவர்களுக்குக் கிடைக்காமல் இருக்கலாம். அவர்களுக்கு நியாயமான கூலி கிடைப்பதற்கு சர்க்கார் ஏற்பாடு செய்துகொண்டு வருகிறார்கள். இதை நான் மிகவும் வரவேற்கிறேன். ஆனால் அந்தத் தொழிலாளர்களுக்கு வேண்டிய கூலியைக் கொடுப்பதற்குத் தகுந்த நிலையில் இன்று விவசாயம் செய்கிறவன் இல்லை. இதற்குக் காரணம் என்னவென்றால், விவசாயிக்கு முக்கியமாகத் தேவைப்படும் பருத்திக்கொட்டை, பிண்ணாக்கு முதலியவைகளின் விலை உயர்ந்துகொண்டே போகின்றது. அதைப்போலவே “மோட்டார் ஸ்டார்டர்”-இன் விலையும் உயர்ந்துகொண்டே போகிறது. ஒரு பண்ணையில் கிணற்றிலிருந்து தண்ணீரைக் கொண்டுவருவதற்கு மின்சார மோட்டாரை நிறுவ வேண்டுமென்றால் அதற்கு ஒரு “ஸ்டார்டர்” வேண்டியிருக்கிறது. ஸ்டார்டரின் விலை இப்போது ஒன்றுக்கு மூன்று மடங்காக ஏறி யிருக்கிறது. பண்ணைத் தொழிலாளிக்கு நல்ல கூலி கொடுக்க வேண்டும். அதே சமயத்தில் விவசாயியின் வருவாய் குறைந்துகொண்டே போகிறது. அவன் உற்பத்தி செய்யும் பொருள்கள் குறைந்த விலையில் விற்கின்றன. ஆகவே அவனுக்கு நல்ல வருமானம் இல்லை. அரிசியின் விலை சில தினங்கள் உயர்ந்து இருந்தால் கூக்குரல் வருகிறது. இந்த நிலைமையில் விவசாயியின் வருவாய் குறைந்துகொண்டே போகிறது. ஆனால் ஸ்டார்டர் போன்ற பொருள்கள் அதிக விலைக்கு விற்கின்றன. நான்கைந்து ஆண்டுகளுக்கு முன்பு ரூ. 100-க்கு வற்ற ஸ்டார்டர் இப்போது ரூ. 250-க்கு விற்கிறது; விலை இரண்டரை மடங்கு ஆகியிருக்கிறது. அதே மாதிரி எஞ்சின்களுக்கு வேண்டிய டீஸல் எண்ணெயின் விலையும், குரூட் ஆயிலின் விலையும் அதிகரித்திருக்கிறது. இந்த நிலைமையில் ஒரு சின்னப் பண்ணை வைத்து நடத்தும் விவசாயி, நேரடியாகத் குத்தகைக்கு வரும் விவசாயி இவ்வளவு அதிக விலை கொடுத்துப் பொருள்களை வாங்குவதற்கு மிகவும் கஷ்டப்படுகிறான். இந்த நிலைமையில் விவசாயி இருக்க

[Sri N. Nallasenapathi Sarkarai Manradia] [18th August 1956]

கிறான் என்பதைக் குறிப்பிட விரும்புகிறேன். கூடிய சீக்கிரத்தில் குத்தகை சம்பந்தமாக சட்டம் கொண்டுவரப் போகிறோம். குத்தகைதாருக்கு மகசூலில் எவ்வளவு கொடுப்பது என்று சட்டம் கொண்டுவரப் போகிறோம்.

இப்போது விவசாயிகளுக்கு கடன் முறையில் டிராக்டர்கள் கொடுத்து வருகிறார்கள். கிணறு வெட்டுவதற்கும் சர்க்கார் கடன் கொடுத்து வருகிறார்கள். ஆயில் எஞ்சின்களும் கடன் முறையில் கொடுக்கப்படுகின்றன டிராக்டருக்கான கடன் தொகையை ஐந்து வருஷங்களுக்குள்ளாக செலுத்திவிட வேண்டும். கிணறு வெட்டுவதற்கான கடன் தொகையை பத்து வருஷங்களுக்குள் செலுத்திவிட வேண்டும் என்றெல்லாம் நிர்ணயிக்கப்படுகிறது. டிராக்டர் வாங்கும் போதோ, கிணறு வெட்ட ஆரம்பிக்கும் போதோ, கடன் தொகையைத் திருப்பித்தர வேண்டிய காலத்தை நிர்ணயிக்க முடியாது. நல்ல மகசூல் வரும், நிறைய வருமானம் வரும், குறித்த காலத்திற்குள் கடன் தொகையைத் திருப்பித் தந்து விடலாம் என்ற நம்பிக்கையில் விவசாயிகள் சர்க்காரில் நிலத்தை அடமானம் வைத்துக் கடன் வாங்குகிறார்கள். “Hire purchase system”-ல் லெக்யூரிடி கொடுத்து தான் கடன் வாங்க வேண்டியிருக்கிறது. ஆனால் விவசாயிக்கு நல்ல மகசூல் கிடைப்பதில்லை. நான் விவசாயத்தில் நேரிடையாக அனுபவமுள்ளவனாக இருப்பதால் இவையெல்லாம் எனக்குத் தெரிகிறது. ஆகவே விவசாயியினுடைய இம்மாதிரியான கஷ்டங்களையெல்லாம் பார்த்து இந்த விஷயங்களை நிர்ணயம் செய்தால்தான் ஒரு விவசாயம் செய்யும் குடும்பம் முன்னேற முடியும் என்பது என்னுடைய அபிப்பிராயம். உதாரணமாக, பருத்தி மகசூலாகும் என்று எதிர்பார்த்து அப்படி விதைக்கிறேன். ஒரு ஏக்கருக்கு குறைந்தது 3 பொதிகள் வீதம் 10 ஏக்கருக்கு 30 பொதிகளாவது கிடைக்கும் என்ற நம்பிக்கையில் அவன் 10 ஏக்கருக்கு பருத்தி விதைக்கிறான். விதைக்கும் போது நம்பிக்கையுடனும், சந்தோஷத்துடனும் விதைக்கிறான். ஆனால் கால நிலை கோளாறினால் மழை பெய்யா தில்லை. அல்லது, நல்ல வெள்ளாமை கிடைத்தாலும், நல்ல விளைவுக்கு பொருள் விற்பனையாவதில்லை. விவசாயி, மாட்டுக்குப் பருத்திக் கொட்டை வாங்க வேண்டியிருக்கிறது. பருத்திக் கொட்டை அதிக விலைக்கு விற்கிறது. ஆனால் விவசாயி தான் சாகுபடி செய்த பருத்தியை விற்கச் செல்லும்போது அது குறைந்த விலைக்கே விற்பனையாகிறது. இம்மாதிரி விவசாயி மிகவும் கஷ்டப்படுகிறான்.

நமது விவசாயி மந்திரி அவர்கள் வெளி நாட்டுக்குச் சென்று அங்கு விவசாயத்தையும் கால்நடை அபிவிருத்தியையும் பார்த்து வந்திருக்கிறார்கள். நமது ராஜ்யத்தில் விவசாயத்தையும் கால்நடைகளையும் அபிவிருத்தி செய்வதற்கு அவர் விவசாயிகளுக்கு நன்கு உதவுவார் என்று நம்புகிறேன். நல்ல முறையில் கால்நடைகளை வளர்க்க வேண்டுமென்றால் ஒரு மேய்ச்சல் தரை வேண்டும். அதைப் பற்றி கனம் அங்கத்தினர் ஸ்ரீ ஓ. பி. ராமசாமி ரெட்டியார் அவர்கள் நன்றாக எடுத்துச் சொன்னார் யாடித் திரிவதற்கு நல்ல மேய்ச்சல் தரை வேண்டுமென்றால், அவை நன்றாக கவனிக்க வேண்டும். மேய்ச்சல் தரை வேண்டும். முதலில் அதைத்தான் காதிரமாக வளருவதற்கு ஏதுவாக இருக்கிறது. மேலும், இப்போது, நமது சென்னை ராஜ்யத்தில் பல இடங்களில் செயற்கை முறையில் கன்று மிகவும் வரவேற்கத்தக்கது. இது ஒவ்வொரு இடத்திலும் மிகவும் நன்றாக நடந்து வருகிறது. இன்று நமக்கு நிறையப் பால் கொடுக்கக்கூடிய நல்ல ஜாதி பசுக்கள் கராச்சியில் இருக்கின்றன. சிந்தி என்ற தேசத்திலிருந்து பிரிந்து இருப்பதால், சிந்தி ஜாதி பசுக்கள் நமது கிடைப்பது மிகவும் கஷ்டமாக இருக்கிறது. இப்போது சிந்தி ஜாதி பசுக்கள் ஹொஸூர் சர்க்கார் பண்ணையில் இருக்கின்றன. அங்கே அந்த ஜாதி பசுக்கள் நன்றாக வளருவதற்கேற்ற சீதோஷண ஸ்திதி இருக்கிறது.

[13th August 1956] [Sri N. Nallasenapathi Sarkarai Manradia]

அங்கு இன்னும் இரண்டு மூன்று ஜாதிப் பசுக்களை சர்க்கார் பராமரித்து வருகிறார்கள். காங்கேயம் ஜாதிப் பசுக்களும், கிரீ ஜாதிப் பசுக்களும் அங்கே வளர்க்கப்படுகின்றன. இவை தவிர அலிகார் என்ற ஜாதியும் அங்கே பராமரிக்கப்படுகிறதென்று நினைக்கிறேன். இந்த ஜாதிப் பசுக்களையெல்லாம் வேறிடங்களுக்கு மாற்றிவிட்டு நமக்கு வேண்டிய சிந்தி ஜாதிப் பசுக்களை அங்கே அபிவிருத்தி செய்தால் நன்றாக இருக்கும். சிந்தி ஜாதிப் பசுக்கள் அதிகமாகப் பால் கொடுப்பது நமக்குத் தெரியும். சில இடங்களில் காங்கேயம் ஜாதிப் பசுக்களை வேலைக்குப் பயன் படுத்துகிறார்கள். குடித்தனக்காரர்களுக்கு பசுக்கள் வேலையும் செய்ய வேண்டும், பாலும் கொடுக்க வேண்டும், கன்றும் கொடுக்க வேண்டும். இதற்காகத் தான் என்னுடைய பண்ணையில் பரீட்சாத்தமாக ஒரு சோதனை நடந்து வருகிறது. அதாவது, பசுக்களை “Utility type” ஆக ஆக்குவது. அதற்கு சர்க்காரிலிருந்து ஒரு சிறிய தொகை கொடுக்கிறார்கள். மீதித் தொகையை நாங்கள் செலவழித்து இந்த சோதனையை நல்ல முறையில் நடத்தி வருகிறோம். மேலும், பரீட்சா என்ற ஒரு ஜாதிப் பசுக்கள் இருக்கின்றன. இவை அந்தியூர், சத்தியமங்கலம் முதலிய இடங்களில் மலையில் வளரக்கூடியவை. இந்த ஜாதிப் பசு காட்டுமேடுகளுக்குள்ள சாமர்த்தியத்தைக் கொண்டதாக இருக்கிறது. காட்டுமேடுகளை கன்று போட்டவுடன் கன்று எழுந்து ஓடும். பசுக்கள் அப்படியில்லை. பசுக்கள் கன்று போட்டால், பசு தன் கன்றுக்கு குடு வரும் அளவிற்குத் தடவிக் கொடுக்கும்; குடு வந்த பிறகுதான் கன்று எழுந்து நிற்கும். பரீட்சா ஜாதி அப்படி இல்லை. பரீட்சா ஜாதிப் பசுக்கள் அளவில் சிறியதாய்தான் இருக்கும்; ஆனால் காட்டுமேடுகளுக்கு இருக்கும் சாமர்த்தியம் இதற்கும் உண்டு. பரீட்சா பசு உயரத்தில் சிறியதுதான், கனத்திலும் குறைவானதுதான்; ஆனால், மிக நன்றாக வேலை செய்யும். இந்த ஜாதி மறைந்துகொண்டே வருகிறது; அனேகமாக மறைந்து விட்டது என்றே சொல்லலாம். பரீட்சா பசுவின் நிறம் சிகப்பு, கருப்பும் சேர்ந்ததாக இருக்கும்; செம்மறி என்று சொல்லலாம். இந்தப் பசுவின் கன்றின் கால் குளம்புகள் இலேசாக சாகத்தான் இருக்கும். சாதாரணமாக, கன்று போட்டவுடன் கன்றின் கால் குளம்புகளை நகத்தால் கிள்ளி எடுத்துவிட முடியும். இதன் குளம்புகள் இலேசாக இருப்பதால் உழவதற்கு மிகவும் செளகரியமாக இருக்கிறது. கனமான குளம்புகளையுடைய மாடுகளைக் கொண்டு சேற்றில் உழவது கஷ்டம்; ஏனெனில், உழும்போது மாட்டின் குளம்புகள் சேற்றில் பதிந்து விடுகின்றன. அப்போது மாட்டின் கால்களை சேற்றிலிருந்து எடுத்து விட வேண்டியிருக்கிறது. இதனால் வேலை மிகவும் கெடுகிறது; உழவதற்கு அதிக நேரம் பிடிக்கிறது. பரீட்சா ஜாதி மாடுகளுக்கு இலேசான குளம்புகள் இருப்பதால் அந்த மாடுகளைக்கொண்டு உழவது மிகவும் செளகரியமாக இருக்கிறது. இந்தக் காரணங்களால், இந்த ஜாதியை நன்றாக கவனித்து அபிவிருத்தி செய்ய வேண்டுமென்று கனம் மந்திரி அவர்களைக் கேட்டுக்கொள்கிறேன். அந்தியூர் அருகிலுள்ள மலையை அடுத்து பெரிய சமவெளி இருக்கிறது. அந்த சமவெளியில் ஒரு பண்ணையை ஏற்படுத்தினால் இந்த ஜாதியை விடாமல் காப்பாற்றலாம். மேலும் புங்கனூர் என்ற ஒரு நல்ல ஜாதிப் பசுக்கள் இப்போது அநேகமாக மறைந்துவிட்டன. இந்த ஜாதிப் பசுக்கள் நிறையப் பால் கொடுக்கும். இப்போது நமது ராஜ்யத்தில் இந்த ஜாதியில், மைசூரிலுள்ள பவநகர் மஹாராஜாவால் கொடுக்கப்பட்ட சில பசுக்கள்தான் இருக்கின்றன. இந்த ஜாதிப் பசுக்களுக்குக் கொடுக்கவேண்டிய தீனி மிகவும் குறைவு. இந்த ஜாதிப் பசுக்களுக்குக் கொடுக்கப்படும் தீனியில் நான்கு, ஐந்து மடங்கு கிரீ ஜாதிப் பசுக்களுக்குக் கொடுக்கவேண்டும். இம்மாதிரி நல்ல ஜாதிப் பசுக்களை அபிவிருத்தி செய்வதில் உடனடியாக கவனம் செலுத்தி நடவடிக்கை எடுக்க வேண்டுமென்று சர்க்காரைக் கேட்டுக்கொள்கிறேன்.

அடுத்தபடியாக, ஒரு முக்கியமான விஷயத்தைப் பற்றி மட்டும் சொல்ல ஆசைப்படுகிறேன். (The Chairman sounded the gong.) மற்றும் சில விஷயங்களை பற்றி பேச வேண்டுமென்று விரும்பினேன். ஆனால் கனம் தலைவர் அவர்கள் நேரமாகி விட்டதென்று மணியை ஒசைப்படுத்துவதால் அவற்றையெல்லாம் விட்டு விட்டு ஒரே ஒரு முக்கியமான விஷயத்தைப் பற்றி மட்டும் சொல்லிக்கொண்டு என்னுடைய வார்த்தையை

[Sri N. Nallasenapathi Sarkarai Manradiar] [13th August 1956]

முடித்துக்கொள்கிறேன். இப்போது கோவையில் ஒரு சர்வகலாசாலையை (University) ஏற்படுத்துவதற்குத் தீர்மானித்திருக்கிறோம். ஒரு சர்வ கலாசாலை நிறுவுவது சுலபமான காரியம் அல்ல என்பதை நாங்கள் இப்போது தெரிந்துகொண்டோம். இன்று காலையில் நாங்கள் ஒரு “பெட்டேஷன்” சென்றோம். அதன் பிறகு ஒரு சர்வகலாசாலை நிறுவுவது சுலபமான காரியம் அல்ல என்பதைத் தெரிந்துகொண்டோம்; நினைத்தால் அது சுலபம்தான், ஆனால், நாங்கள் நினைத்த அளவுக்கு சுலபம் அல்ல என்பதை கனம் மந்திரிகளைப் பார்த்த பிறகு தெரிந்துகொண்டோம். ஆனால் இப்போதும் நமது மதிப்பிற்குரிய (அண்ணாமலை) சர்வ கலாசாலை உப அத்யட்சகர் அவர்கள் (Vice-Chancellor of the University) நம் முன்னிலையில் இருக்கிறார்கள். ஸ்ரீ லட்சுமணஸ்வாமி முதலியாரும் இங்கு வந்திருந்தால் மிகவும் நன்றாக இருந்திருக்கும் என்று நினைக்கிறேன். இவர்கள் இரண்டு பேரும் மனதுவைத்தால் எங்கள் ஊரில் சர்வகலாசாலை நிறுவ முடியும் என்று நினைக்கிறேன். எவ்வாறு முயற்சித்தால் நாங்கள் வெற்றிபெற முடியும் என்று அவர்கள் எங்களுக்கு புத்திமதி கூறினால் அதைக் கேட்பதற்கு நாங்கள் தயாராக இருக்கிறோம். நாங்கள் இப்போது பல ஏற்பாடுகள் செய்து கொண்டிருக்கிறோம். 1957-ம் வருஷம் ஜனவரி மாதத்தில் சென்னை சர்வகலாசாலையின் நூற்றாண்டு விழா கொண்டாடப் போகிறார்கள். அதன் ஞாபகார்த்தமாக இவர்கள் இரண்டு பேரும் சேர்ந்து கோவை ஜில்லாவில் ஒரு சர்வகலாசாலையை நிறுவுவதற்கு உதவினால் மிகவும் நன்றாக இருக்கும் என்று கோவை ஜில்லா வாசிகள் சார்பில் தெரிவித்துக்கொள்கிறேன். மேலும் கோவை ஜில்லாவில் ஏதாவது செய்ய வேண்டுமானால் ஒரு கஷ்டம் இருக்கிறது. அதாவது, கல்வி மந்திரி அவர்கள் கோவை ஜில்லாவைச் சேர்ந்தவராக இருப்பதால், கோவை ஜில்லாவில் ஏதாவது செய்தால், எல்லாம் அவருடைய ஜில்லாவிற்கே செய்யப்படுகிறது என்று கூக்குரலிடப்படுகிறது. அந்தமாதிரி நினைக்கக்கூடாது என்று கேட்டுக்கொள்கிறேன். எங்கள் ஜில்லாவில் சர்வகலாசாலையை நிறுவுவதற்கு வேண்டிய உதவிகளை உப அத்யட்சகர்களாக இருக்கும் பெரியவர்கள் இரண்டு பேரும் செய்வார்கள் என்று நம்புகிறேன். சென்னை சர்வகலாசாலை நூற்றாண்டு விழாவின் ஞாபகார்த்தமாக எங்கள் ஜில்லாவில் ஒரு சர்வகலாசாலையை ஏற்படுத்திக் கொடுக்க வேண்டும் என்று கேட்டுக்கொண்டு, நான் பேசுவதற்கு வாய்ப்புக் கொடுத்த கனம் தலைவர் அவர்களுக்கும் வணக்கத்தைத் தெரிவித்துக் கொள்கிறேன்.

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* SRI T. M. NARAYANASWAMI PILLAI: Mr. Chairman, Sir, of course, I join my colleagues in offering our thanks to the Governor for his Address. The picture given in the Address, taken as a whole, is very satisfactory. There is no activity or sphere in which the Government have not attempted to do good to the people and a fair measure of success must be said to have been achieved by the Government in these spheres. As a result of the execution of the First Five-Year Plan and the launching of the Second Five-Year Plan, we see evidence of good progress, good economic progress, in the life of the people. While I express general satisfaction with what the Government have done and with the picture given in the Address, there are one or two points to which reference, I believe, has already been made by hon. Members and in respect of them I do not feel the same satisfaction as I feel with the Address as a whole. Those two points are these.

One of them relates to the rise in the prices of essential commodities and the other relates to the position with regard to law and order. When I refer to the rise in the prices of essential commodities, I must say that I do so on account of certain questions put in this House by hon. Members and the answers given by

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the Hon. Minister thereto. I am not an expert on the subject of prices and I have no knowledge about that. Sir, this question was raised by my hon. Friend, Mr. Mohamed Raza Khan. If one reads the Address, it looks as though the Government have not taken a serious view of this. What is it that is said there? It is said that there is a tendency for the prices to rise and the second sentence in paragraph 5 of the Address adds that with the opening of more fair price shops and release of buffer stocks, the situation will ease and that there is, therefore, no need to resort to more drastic measures. I do not know if really the situation does not warrant a more careful consideration of this subject. As I said, I am not an expert. Even to a layman, however, this sudden rise in prices all round—not only in respect of rice and other agricultural commodities but manufactured articles as well—should appear to be not a mere local affair. It is nobody's case that there has been a shortfall in production; it is nobody's case that there has been a failure of monsoon. Still, why should there be this rise in the prices of foodstuffs and manufactured articles?

As someone said this morning here, it is a very difficult question for laymen, as we are, to answer. But, at any rate, the Government must be in possession of sufficient information; they must be watching this movement; they must be watching the rise in prices. If one reads the newspapers, one will find various explanations being given of this one phenomenon. I would like to point out one thing. There are some economists who have given their thought to this question and who feel that this is a serious warning and that it marks the beginning of an inflationary trend which will affect us adversely. I am one of those who believe that our progress depends upon the proper execution of the first two Plans, not to speak of the Plans that may follow, and that their careful execution is a matter whose success depends upon the stabilisation of prices. We are already having an anxious time with regard to finding out resources for the execution of the Second Five-Year Plan. Finding of resources depends upon a certain price structure. We have now a rise in prices of 30 per cent and gradually it may go up to 50 per cent or more. Then what is to become of the successful execution of the Second Five-Year Plan? The whole scheme under which we are working fundamentally seems to be on the brink of a collapse. I hope it will not. But it is a serious warning and people who have studied the question have raised this point. Therefore, I wish the Government do not treat the question with complacency but devote to it all the attention which it deserves. If necessary, they can place the whole thing with facts before the House and invite a discussion. Then perhaps we may be able to give such views as we have on the question. The mere opening of fair price shops or releasing of buffer stocks would not solve the question of rising prices. With regard even to the releasing of buffer stocks, I think there is some kind of—I do not know what to say—tardiness, not to use a harsh expression, and in many places I know for several years stocks have been piled up and perhaps these stocks might have got damaged by this

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time. Any way these are administrative details. There must, however, be a policy by which as each harvest comes in, the older buffer stocks may be released every year instead of being piled up for three to four years only to find at the end that the stocks have been rendered unfit for consumption.

The other point to which I think I might usefully draw the attention of the House is the question of law and order. Here again I do not say the position has deteriorated. I do not want to be an alarmist. I do not want to say that our position is in any way as bad as what appears to be in the North. We must congratulate ourselves on the way in which law and order has been maintained in our State. But look at the surrounding circumstances. Look at the picture as a whole. The agrarian unrest has been treated as though it can easily be dealt with. I am in the midst of some districts which are giving rice to us, Tanjore, Tiruchirappalli and South Arcot, not to speak of the other districts and about which I do not know enough. In these three districts there are agrarian problems and a kind of atmosphere has been created favourable for the outbreak of sporadic violence. Somehow we are a quiet people. I really agree with the respected Poet Laureate that the Tamilian might pride himself on the possession of a separate virtue, the characteristic being 'Santham'. Unfortunately, now, we do not know to which forces we have fallen victim. Factors other than 'Santham' seem to have taken hold of us. Whether it is a political question or an economic question, we seem to feel that they could be solved by the application of force, exactly that which is not characteristic of the Tamilian culture. I do not know why the Tamilians should have fallen so low. But yet there it is and as one who is in the midst of such an atmosphere I should not fail to bring that to the notice of the Government. Therefore, it is a problem which has to be very carefully considered and solved. There seems to be a general tendency, or a general feeling to take hold of any situation and make it an excuse for breaking law and order. I am not now on the question of the relationship between the landlord and the tenant, on the provisions of the Fair Rent Bill or on the provisions of the Act relating to the eviction of tenants. But some of these measures, though well intentioned, though they purport to be on behalf of the tenants, seem to carry with them the seeds of revolution, the seeds or beginnings of attempts to break law and order. To quote one instance, to make my position clear, to-morrow, or the day after or the next week we will have a Bill for protecting the tenants from eviction. The Act was passed in 1955. Then it was stated that it would be in force only for one year. Now, again, that Act is sought to be extended. I am not here discussing the merits of the question. Now, meanwhile people who are not big landlords, people who are small landowners, who are in possession of not more than an acre or two, were lulled into security by saying that they would have the right of evicting the tenants. But now the tenants have, so to say, got a vested interest, right for all time, if I may so loosely use that expression. When the Bill is brought here, there will be two conflicting interests,

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one the interest of the small landowners and the other the interests of the tenants who have been put into possession and whose possession has to be safeguarded. The very Bill which was sought to be in the interest of the tenants has given rise to conflicting claims and both the parties are ready to take the law into their own hands and enforce their rights. Therefore, mere legislation alone will not be conducive to the establishment of law and order. Large numbers of people are affected by such legislations and it looks as though these very legislations are responsible for the unrest. Paragraph 6 of the Address seems to indicate that by passing the legislation, all the unrest is bound to disappear. I very much doubt that statement. Some other method, some other steps should be adopted, some general changing of the men's minds is necessary to achieve the objective. Otherwise, legislation itself would not be useful or fruitful.

In this connection, I must say two things are necessary for the success of our infant democracy. Democracy is good. Democracy perhaps is the best form of Government. At the same time, it may prove to be the worst type of Government. It may prove to be much worse than autocratic Governments, not that I plead for autocratic Governments. There are one or two essential conditions which are to be satisfied by a good Government. One is maintenance of law and order. What is the use of a Government, if law and order cannot be maintained? It is not as though we must fear authority. We must have respect for authority. We must have respect for law, for the rule of law. The rule of law is the one thing which is fundamental. But I think that is now in jeopardy. What is the remedy for it? I am not able to suggest. Parties and public opinion must assert in favour of the enthronement of the rule of law. Then alone can democracy succeed. Similarly, also, the economic stability of the country is necessary. Without economic stability the whole edifice will collapse. Therefore it is that I was anxious that the rise in prices should be checked by all means possible. People must be assured that the prices will be maintained at an economic level. That alone will carry them through and enable the Government to carry out their plans successfully.

The other point to which I wish to refer is this. I am obliged to my hon. Friend Sri Mohamed Raza Khan for pleading for economy in administration. I do not belong to any class of agitators. I do not say that the Government can really at once bring down the cost of administration. But there is a dominant fact connected with this reorganisation of States. Our State after reorganisation will shrink in size. No doubt, the same extent of administration has to be carried on. But it is time Government applied themselves to this question. At one time when there was no separation of Andhra or Kerala from Madras, a number of Chief Engineers and Superintending Engineers might have been necessary. Is it not now time for the Government to consider whether the same number of heads of departments should continue? That is all I would say at present. I have not got enough details to

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say whether so many jeeps are necessary or not. The hon. the Leader of the Opposition pointed out what great economy could be effected in this respect. This is the opportune time for the Government to examine their commitments and see if without prejudice to efficiency of administration, they cannot lessen the number of high intermediary officials. The smallness of the State will enable the heads to be in direct touch with the people.

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The hon. Member Sri M. P. Govinda Menon was telling us very much about accusations and counter-accusations. We are not here on that point. I join with my other respected friends in appealing for kindness. This is not the time to quarrel. I know the hon. Member Sri M. P. Govinda Menon is a great debator. The House would be the poorer for his leaving us. Even though he is an able debator, he has painted a distorted picture of things. Whatever may be the thing, I do not know whether he was justified in saying that the Madras Government or any Minister or the Hon. the Leader of this House was aware of those things which he complained of, and which were trivial. He is not here now. I would have replied to him in detail. But I have been saying and what I say now is that we are part and parcel of one great country. Kannadigas, Malayalees, Telugus and Tamils—all belong to one race. By force of circumstance and in the course of history, customs and manners changed and these transformations took place. Has not Kerala benefited by the impact of Christian civilisation? Has it not benefited by the landing of Vasco da Gama? Has it not been benefited by the civilisation introduced by Brahmans from other parts of India? How is Kerala something very different? For Malayalees (I am not referring to you, Mr. Chairman, for I consider you a Madrasi) we have nothing but kindness. Their course of history is such. I know how clever Malayalees are and how much they are devoted to their task. We owe a great debt to their energy and enterprise. I know as a boy how much I was impressed by the personality of Sri Krishnan Nair, the great Mr. Sankaran Nair, a Malayalee. All advocates in the South held him in high esteem. They were our leaders. We allowed ourselves to be represented by Malayalees. When such is the bond of friendship and mutual love between Tamils and Malayalees, could anybody imagine that we would not treat the people of Malabar fairly? Could there be a Tamil Minister who would be unfair to Malayalees, because then he would be untrue to the Tamil tradition of love and kindness to others? What is it that Tamil Nad will gain or the Government will gain by ill-treating the people of Malabar? Mr. Govinda Menon is not here. Let me say that even though we are parting now, a time will come when we will all unite together and work for the glory of the great India. I am a believer in the unity of India. As one who has been nourished and bred up in the Hindu tradition, I know from the 7th century A.D. and even earlier than that, the whole of India from Cape Comorin to the Himalayas has been treated as one unit. This is what I gather from the books which I have studied. The basic unity of India remains.

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I must refer to the people talking of the glory of Tamil language. I welcome the introduction of Tamil as the State language. But that does not mean that we have become an independent entity, country or land. I am very glad to hear so many Tamil speeches from hon. Members in this House. They spoke very well in Tamil. That is the first proof whether Tamil language is good or not. The level of debate in Tamil has been fairly high. That so many hon. Members were allowed to speak in Tamil shows the efficacy of Tamil. But the transition should be smooth and it should not be hasty. I am glad that there is that note of caution in the Governor's Address. Leadership there should be and that leadership should guide us so that we may not commit a wrong; we should proceed slowly to attain our objective. Now what Mr. Raza Khan told us comes to my mind. We should not forget the minorities. Whether Muslims, Christians or Hindus—we have all been carrying on together all these days as one unit. If we read the history of representation, we have been giving representation to the minorities, especially the Christians and the Muslims. We should allow the minorities to flourish. Simply because one group is in a majority, the minority community should not be allowed to suffer. If the electorate had been a small one and not as big as it is now, I would have suggested proportional representation by means of single transferable vote for the minorities. But our electorate is big. Therefore, Government should see to it that in the next election they put up strong and powerful candidates who would succeed without caste coming to their aid. Those candidates if they come out successful in the coming elections would surely take a broad view of things and the minorities would definitely stand to benefit. If that fails, we should then think of other constitutional safeguards for the protection of the minorities. Representation should then be found for the minorities in the Legislature. That is what I was reminded of when I heard Mr. Raza Khan's speech.

The hon. Member Mr. Govinda Menon raised the question of the ruling party *vis-a-vis* the Government. He said that the Congress Party would be losing its hold on the masses in the coming elections due to the present happenings which he complained of. I wish what all he said were not correct. It is of course, true that we do not have a healthy Opposition Party against the Congress in India. Suppose there are 194 seats in the Assembly. The ruling party, i.e., the Congress contests all the 194 seats. On account of the prestige which it has been enjoying and due to its role in the achievement of freedom for the country, the Congress Party may well succeed. There is no strong opposition to the Congress. I want to know what is the duty of the ruling Party in respect of the coming elections. Should they not see and try as far as possible to encourage, if not establish another Opposition Party well-wedded to constitutional principles? I do not think the Opposition Parties should break the Constitution. We should have parties really wedded to work the Constitution. The elections are fast approaching and that is all we want. It is for the ruling Party to look into this aspect of the matter because any good

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work depends upon the existence of a healthy Opposition. Otherwise, they themselves will be torn to pieces and perhaps another crisis may come. Therefore, in their own interests and in the interests of the country, they must think of establishing a good, healthy Opposition which it is for them to do.

Then, I must refer a bit to Dr. Sivanandam and his advocacy of the allopathic system. I am not against the allopathic system (Modern Medicine) or allopathic doctors. I have got a friend of mine, a doctor, on my right and another one in front . . .

SRI A. M. ALLAPICHAI: We are surrounded by doctors everywhere.

* SRI T. M. NARAYANASWAMI PILLAI: Yes, Sir. That is true. Sir, sometimes in the course of a country's history, things change. Just as English overshadowed everything else sometime ago, even if we give training to our men in indigenous medicine, they want to inject medicines in the same way as allopaths do. I have a feeling that in respect of other cases also, the same thing happens. For instance, when we think of admission to the Engineering Colleges, the best students who have scored one hundred per cent in Mathematics flock to the Engineering College. They do not go in for the Mathematics Honours course. That would be a waste of talent in the long run. Fundamental science is important. In fact, we cannot ignore Mathematics, Physics or Chemistry. But still, these men go only to the engineering side. Similarly, here also, when the whole atmosphere has become Western, rightly or wrongly, the only result is that people, the best men, have been attracted to the allopathic system. But where is a talented person who goes through the literature, etc., pertaining to our indigenous medicines? It requires either a knowledge of Sanskrit or Tamil or Arabic or Persian. Who is there that takes interest in unravelling these things, studying these things and trying to understand these things? Further, Sir, it will flourish well only in a country where there are good senior doctors of the indigenous system of medicine. That is another difficulty. But at the same time, on account of these difficulties, on account of the absence of proper men in the field, let us not decry it. I for one have been brought up in traditions; I really feel that there is so much to be learnt from our sister systems, from the Ayurvedic and Unani systems of medicine. I know a great person, a doctor at whose doors more than five hundred children would be waiting. This I have seen with my own eyes and I have also seen another doctor who treated the patients without receiving any money. Where has that experience gone? Therefore, what the Government have to do is to provide opportunities for the best men to be attracted to this profession. They should also provide opportunities for the standardisation of Indian Medicine. If they do these things, then certainly it will be a better day for us. That will be a good combination. But, it is no use saying that the East has nothing to give in respect of these medicines.

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Then, Sir, I must refer to the appeal made by my hon. Friend for the establishment of a University in Coimbatore. I do really feel glad that the citizens of Coimbatore have been thinking of starting a University there. Of course, if there is one place, which is fit to have it, it is no doubt Coimbatore. But, what is it that a poor mortal like me could do for it? I could very well imagine our Leader of the Opposition being of some service. But whatever service he expects of me, I am willing to render and it is for him to say in what direction I should move. I am really glad that another University is being started. In the case of Universities, there is no use saying that there are too many Universities. As a matter of fact, there are not many. The establishment of other Universities should not mean the lowering of standards. That is all we are anxious about. As you know, I am very fond of Coimbatore and Coimbatore citizens and, therefore, there is no difficulty with regard to it.

Sir, I do not like to take much of your time except to refer to the necessity for the Government to do something to maintain the present strength or at least increase the strength of the Legislative Council to 64, because so many people have talked in support of it and I will also add my voice. Thank you, Sir.

* SRI A. M. ALLAPICHAI: Mr. Chairman, Sir, it was a very pleasant thing for us to hear the very powerful speech of the hon. Member, Sri T. M. Narayanaswami Pillai.

SRI K. BALASUBRAMANYA AYYAR: And also the sensible speech . . .

* SRI A. M. ALLAPICHAI: Well, that goes without saying. His speech is always sensible. The last point that he made was that we should not reduce the number of Members of this House, but that, on the other hand, we should increase it to 64, if possible. Sir, I shall give some reasons for that. Sir, I do not generally agree with my friend, Sri Mohamed Raza Khan in respect of so many things. But there is one point which I should mention here. Sir, we, the Members of the Legislative Council, are elected by means of some kind of indirect election. An indirect election is much easier than a direct election. Take, for example, the election to the Legislative Assembly. We have to canvass support from not less than 75,000 or a lakh of persons. We have to go from place to place; we should have a lot of influence and things like that. But here, during a period of transition, what I wish to impress upon the Government is this. The Congress Party is the ruling Party.

SRI K. BALASUBRAMANYA AYYAR: I think, I heard the word 'ruining!'

* SRI A. M. ALLAPICHAI: The hon. Member can never expect me to say any such thing.

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Sir, the Congress is the ruling Party and if the strength of this House is raised to 64, we can very easily satisfy some of the special interests like the minorities, women and . . .

SRIMATHI S. MANJUBHASHINI : We are not in a minority.

* SRI A. M. ALLAPICHAJ : Yes, you are in a majority. I know it. But, what I wish to say is this, Sir. Now, as a matter of fact, for so many reasons, we are not able to get a large number of women Members into the Assembly. There are so many factors which we have to take into account. Election means spending of Rs. 12,000 to Rs. 15,000. This is for an ordinary election. I am putting it on a modest scale. How can we expect our ladies to spend about Rs. 15,000?

THE HON. SRI M. BHAKTAVATSALAM : I would very humbly suggest to the Hon. the Deputy Chairman to be fairer to the fair sex. He should not take up this patronising attitude. Already I see behind me the hon. Lady Members getting excited over it.

* SRI A. M. ALLAPICHAJ : I do not believe in any patronising attitude. When I feel it is absolutely necessary, it is my duty to say frankly what I feel. Now, we have got about 196 or 200 Members in the Assembly. How many of them are ladies? Perhaps, there is only one woman Member. I do not blame anybody for this. Even in a very forward country like England there are only about 6 women Members in the Parliament and in America there are very few women Members. Even in the most advanced countries, women are very few in the representative bodies. But somehow or other, in our country, we Congressmen are very fair and we feel that we must help our women. What can we do to help them? We can help them by electing them to bodies like our Council by means of indirect election. Suppose the strength is 64; we can have two or three more women Members; we can have a few more Mussalmans and a few more Christians also. It will be in the interest of our Party too. After all, everybody knows that everybody here is to look after the interests of the people in the country and it is much more so in the case of the Government.

Moreover, but for a body like this Council, how can we have the counsel of men like Dr. Guruswami Mudaliar? We have got eminent men here, men of whom any country may be proud. We have got here Dr. Lakshmanaswami Mudaliyar and Sri T. M. Narayanaswami Pillai. We have got our Minister here, the Hon. Sri M. Bhaktavatsalam. So many good friends we have got here. Really this is a body which must be respected.

There is a lot of difference between the House of Commons and the House of Lords. There is a lot of difference because the House of Lords, at the beginning of its history, was more or less opposed to the House of Commons, or rather the House of Commons was more or less opposed to the House of Lords which represented different interests, almost opposite interests. But

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there is no such thing as far as our Legislative Council is concerned. Most of us are elected by the Assembly. Some of us are elected by the Graduates. We are not rich people. There is no vested interest in this House. I shall even suggest to the Parliament that it must give more powers to this House, if not more powers, at least equal powers. There is no meaning in comparing the Assembly with this House. If we go through the constitutional history of the House of Lords, we can understand that it represented different interests—the Nobility, the Royalty, the Clergy, etc. The House of Commons represented something else and there was always a conflict between the two Houses. Sometimes, the House of Lords wanted to rule over the House of Commons. But there is no such thing here. I do not know why we should copy the British system with regard to this House. Some big mistake has been made in this matter. I want to impress upon this House and the Parliament also that we must have as much power as the Assembly.

The hon. Member Sri T. M. Narayanaswami Pillai said that there was some kind of indiscipline here. You may kindly remember, Sir, that sometime back when our beloved leader, Pandit Jawaharlal Nehru addressed us from the parapet here, he was rather very sad when he referred to the indiscipline of the youth in the whole of North India. May I say what I feel to be correct? Rightly or wrongly, we felt that we should not have religious instruction in our colleges and high schools. No doubt, the Government have to face certain difficulties. I can surely realize their difficulty in a country like India where there are so many religions, Hinduism, Christianity, Islam, Jainism, Buddhism and so many other isms. In a country like this, it is really very difficult for the Government to provide for religious instruction in colleges and high schools. They have feared that it will lead to a lot of confusion. We can understand that they are quite justified in feeling so. But what is the result? Our boys do not get any religious instruction. Their minds are completely vacant and there is no idea of God or goodness in them. Your mind should not be vacant. It should be filled with something. If it is vacant, unconsciously you go the wrong way. Therefore, there is nothing wrong in imparting religious instruction in schools and colleges. All the religions stand for some good. No religion says that you must commit theft, that you must deprive people of their property. Every religion says that we must lead an honest and good life. In a country like this where there has been a lot of confusion, on account of religious fanaticism, differences were created by some vested interests. If I know something of Hinduism and something noble about Hinduism, don't you think that to that extent, I become a friend of the Hindus? So also, when a Hindu knows something good about Islam and the Mussalmans, to that extent he becomes a friend of the Mussalmans. So, what harm is there if all of us belonging to different religions try to know something of Islam, Christianity, Hinduism, Jainism and so many other isms in this country? Is it not our duty, as the citizens of this great country, to know about the different religions? Sometimes we feel that it will be

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much better for us to know all the languages of India. It is a legitimate pride of anyone. Suppose there is somebody here who says that he knows all the fourteen languages of this country. Surely everyone of us will feel happy. So also if there is any Indian who comes forward and says that he knows about all the religions and even begins to preach about them, would we not all feel proud of that? We should not take shelter under the Constitution. We should remember that at the time the Constitution was framed, the country was in confusion. There was bloodshed in the country then. There was also bitterness in our hearts. Perhaps, leaders like Pandit Jawaharlal Nehru thought that might lead to hatred and ill-feeling between people. At such a time the Constitution was framed. It is also a wonder how we framed the Constitution in spite of so many difficulties. Because of difficulties, there was some hesitation, I think, on the part of the Constitution-makers to provide for religious instruction in the colleges and schools. But it is not too late. We must change our views. Our children do not get religious instruction. We are not rich people to give them instruction in our houses, spending Rs. 25 or Rs. 30 a month. Perhaps, some people can do that. If we do not give them religious instruction at home, or in the high school or in the college or in some other common place, what will happen? Our boys may know something of science, mathematics and history but they may not be very good citizens. Their minds will be vacant and as far as goodness, godliness and respect for old age are concerned, their idea will be something blank.

4-10 p.m. I attribute this indiscipline to want of religious instruction at the proper age. For the last eight years, we have not provided religious instruction to our boys and girls. Sir, during the British regime, our boys were much disciplined. They could have been indisciplined with justification during the British rule. But they were not. Why? Because the Hindus were having religious instruction in schools and colleges. The Muslims were having religious instruction. The Christians were having religious instruction. I do realize, Sir, we have no power to make any laws in this respect now. But our voice must be heard by the Parliament. We must tell Parliament bluntly that indiscipline among students is mainly due to lack of religious instruction in schools and colleges. There may be other causes also for this indiscipline. But this thing must be the main reason.

Sir, there is one thing which our Poet Laureate referred to. He put it very nicely. He said: "You must treat the 'thyagis' well; if you do not treat them well, it is an injustice". He put it in a strong way. He is a kind man. Every inch he is a true poet. I have read some of his poems which bring out his breadth of vision. They are very grand. He says it is an injustice if we do not treat the 'thyagis' well. Don't you think, Sir, that we have a responsibility to treat them well? Here, there is no question of Congressmen or non-Congressmen. As a matter of fact, we, Congressmen, feel it delicate to talk about the heroism of the

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Congressmen. Please remember this. Whether they are Congressmen or non-Congressmen, let us remember some people have done something noble for our country and as a result of that noble deed, as a result of their great and unique sacrifices, we are now able to walk with our heads erect in the streets of London and other great cities of the nations of the world. If we do not think about the sufferings and sacrifices of our heroes and forget that it is they that shed their blood for our freedom, then I am sorry, we do not deserve the name 'nation'. I am putting it very strongly. If a nation does not honour and cannot honour its heroes, well, that nation does not deserve the name of a nation. It will fall down. There may be very many difficulties for the Government to help them. I quite realize the difficulties of the Government. I am not very emotional to put things in a random manner. Should we not help them? Persons who fought for the foreigner and who gave blows and persons like Mr. Bhaktavatsalam here are receiving inams. What about people who gave their life and who never could dream that freedom would come to our country? Are not people who gave lathi blows to our men and stood against freedom of our land receiving some inams? So, the Government must take courage in both hands and do something for those who stood by the people and who were expecting every minute death, shooting and the gallows.

Sir, lastly, we are glad we are going to have Tamil as our State language. I love my language. It is my mother-tongue. I want this great language to become greater. But I want to say one thing. We should be very large-hearted. Tamilians, in fact, are large-hearted. That is our pride. In regard to language also, we should be large-hearted. As far as possible, let us borrow whatever is good in other languages; let us borrow from anywhere and everywhere, if it is good. Let not distance stand in the way. We are a dynamic people. We must go forward and forward. Then it will be no wonder if we become a very great nation. Let us take what is good from other languages, whether it is Sanskrit, Arabic, Persian, Chinese, Greek or English. If we can, let us do it and enrich our vocabulary. Let us have a big dictionary instead of a small one.

Sir, with these few words, I support the Motion of Thanks and I am grateful to you for the opportunity you gave me to speak on it.

* SRI JOHN ASIRVATHAM: Mr. Chairman, I rise to speak on His Excellency the Governor's Address to the Legislature. Let me, Sir, at the outset, congratulate the Government on their achievements in several fields of activity in the State. But I must sound a discordant note that no mention was made of the progress in the Health and Medical Departments in the Address.

Special praise is due to the Hon. the Chief Minister and the Hon. the Minister for Public Works for rushing to the aid and succour of the needy in the Ramanathapuram district during the devastating cyclone of last year and giving succour and relief to

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those affected. I am glad deserving tributes have been paid to them by two of the elder statesmen in this House sitting on these Benches—Dr. A. Lakshmanaswami Mudaliyar and Sri Mohamad Usman.

Let me extend to the Hon. the Leader of the House my warm congratulations on the rapid strides made by his Department in agriculture during the First Five-Year Plan period and on the emphasis that the Governor has laid on agricultural development during the Second Five-Year Plan period. It is gratifying to note that all our major irrigation projects are nearing completion. I am particularly interested in the Manimuthar Project in my native district of Tirunelveli. I was told by a legislator from Tirunelveli the other day that the Manimuthar Project should have been completed before April 1956. But His Excellency the Governor in his Address told us that it would be completed before the end of 1956. I hope and pray that no further delay will be caused and that the Manimuthar Project will become a *fait accompli* before the end of this year, for it will be a boon and blessing to the hundreds of thousands of agriculturists in the Nanguneri and Tiruchendur taluks which have hitherto depended upon monsoon rains which have sometimes very badly failed them.

4 20 p.m. Reference has also been made in the Governor's Address to the four industrial estates and five industrial schools. I am glad that the Government are laying stress on industrial development of our State for unless, side by side with agricultural development, industrial progress keeps pace, the progress of the State will be in jeopardy. The prices of foodstuffs are soaring, as has been stated by several hon. Members. The lower and the middle classes are very hard hit and I appeal to the Government to take steps in the right direction to arrest the rising trend in prices.

Law and order continue to be well maintained, it is stated in the Governor's Address. But I am sorry to state that crimes are on the increase in the City of Madras, such as burglaries, pick-pocketing and illicit distillation. Therefore, greater vigilance is required on the part of the Police to put an end to these prevailing crimes. An unwary visitor to the City is sometimes deluded and all his belongings are robbed.

As I said at the outset, nothing has been said in the Governor's Address about the problems pertaining to health and hygiene in the State. Acute scarcity of water is experienced in the municipal towns of Ramanathapuram district like Sivakasi, Virudhunagar and the major panchayats, during summer. I appeal to the Hon. the Minister for Public Health to expedite the protected water-supply and drainage schemes for these towns as the health of the people in these areas is in danger. Sivakasi is a growing industrial centre and hundreds of thousands of labourers are working in the match factories there. The stink that one gets as he rises in the early morning from these gutters is most abominable and I request the Government of Madras to take immediate steps to better the hygienic conditions of the town before it is too

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late. I had occasion to visit some of the interior villages in the Tirunelveli district during the last summer holidays and I was simply struck by the amenities provided by the Government by way of electricity and good roads along those sandy tracts which we use to call 'Therikadu.' I thank the Government for providing the villagers with these necessities in this modern age.

Reference has been made in the Address to the White Paper on Education. I think, as one representing the Teachers' Constituency in the Council, I will have to speak at some length on this subject. I would like to utter a word of caution to those who are in charge of education in the State not to be tinkering with the educational policy. We have to answer posterity. Revolutionary changes are impending in all spheres of education, elementary, secondary and University. You cannot make those responsible, I mean the teachers, to work these changes, when they do not even get a living wage and have to work with hungry stomachs. I would strongly urge upon the Government to adopt the scales of pay recommended by the Aided Managements' Association in the City who put forward the claims of the teachers before the White Paper Committee.

I strongly deprecate young and inexperienced District Educational Officers sitting in judgment over the work of experienced educationists who fill the difficult role of Headmasters. The Department of Education needs thorough overhauling. Some years ago, I mean, from the year 1949-50, there was a State Advisory Committee for Education. Now it has gone out of existence. I urge upon the Government to revive that body and make it a statutory body and before any rules are framed by the Government or the Director of Public Instruction, this statutory body should be consulted. As I said just a few minutes ago, the present system of inspection must go. Instead of annual inspection of schools, thorough inspection periodically by eminent educationists on the lines of the University Inspection Commission should be attempted.

Government have opened recently a number of training colleges and they are manned by men who have got only normal qualification. I would suggest that the training colleges must necessarily have Principals and Lecturers who have professional competence and who would be able to inspire the trainees.

The linguistic fanaticism that has gripped the State must go once and for all if we are to survive as a nation and preserve the unity of our country. After the reorganization of States in November, Madras will become a small State and is likely to be swamped by the mighty of the big States, the bilingual State of Bombay and Uttar Pradesh. I, therefore, plead for the formation of a large Southern State comprising the States of Madras, Mysore and Travancore-Cochin. To start with, we may have a bilingual State of Madras and Travancore-Cochin. The State of Madras in the extreme South cannot afford to live in isolation and a large bilingual State has its own advantages.

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I request the Government of Madras to revive the annual exodus to Ooty and consider holding the sessions of the Legislature at Ooty during summer months. I am a student of Indian History. So I would like to quote the words of Sir John Lawrence, the third British Viceroy, who said that six days' work in hot summer in Calcutta—Calcutta was then the Imperial Capital—could be performed in one single day in Simla. That was why during Lawrence's time Simla was made the summer capital of India.

4-30 p.m. Before I conclude, I must enter my emphatic protest against whittling down the number of seats in the Second Chamber, I mean, in our Council. According to the Constitution, we are entitled to 64 seats and to bring down the number to 48 is a most ill-conceived piece of legislation. The utility of the Second Chamber has been recognized all over the world. I would like to quote the words of the great political thinker, viz., Lord Bryce about the composition of a Second Chamber. This is what he says:—

“The Second Chamber may be a kind of reservoir of special knowledge and ripened wisdom to be added to whatever knowledge and wisdom have already been gathered in the popular House. Place must be found in it for persons representing great professions such as scientific research, medicine, law, engineering, though, of course, it ought not to be a mere aggregate of specialists, but predominantly composed of men familiar with public life and capable of dealing with political questions in a practical spirit.”

Now, I ask wherefrom you could get Members belonging to the great profession like law, medicine, engineering and teaching? Surely, it is the Graduates' constituency which could supply the real men belonging to these great professions and, therefore, I plead for the doubling of the number of Members representing the Graduates constituency. I hope the Government of Madras will use their good offices and they would see to it that the number of representatives from the Graduates' constituency is increased and not diminished.

I thank the Governor for his Address. His Excellency the Governor has endeared himself to all sections of the people and I pray that he will serve as Governor of our State for another term of five years.

SRI K. BALASUBRAMANYA AYYAR: I think the Mover of the motion of thanks has a right to reply.

MR. CHAIRMAN: The practice has been this. The Hon. the Leader of the House alone replies. Therefore, the Hon. the Leader of the House may now speak.

* THE HON. SRI M. BHAKTAVATSALAM: Mr. Chairman, Sir, I must at the outset, express my sense of gratification at the very warm reception accorded to the Governor's Address by hon. Members, who participated in this discussion, without exception.

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Sir, even the hon. Member Mr. Mohamed Raza Khan who is quite conscious of his seat in the Opposition could not help expressing his approbation of the Address of the Governor and, in general, of the administration that is carried on in this State by the Government. I also echo the sentiments expressed by the hon. Member Sri T. M. Narayanaswami Pillai.

Government are quite conscious and they are aware that the essence of democracy is a well-organized Opposition with definite ideals and programmes. I do feel that there is this want in this administration and when I say that, I speak nothing disparagingly against the Members of the Opposition in this House who have been discharging their duties so ably. But I am referring to the Opposition Party in the State, the party that should be in Opposition to the ruling Party. It has been my feeling that this essential element in democracy is not available to the Government; there is no organized opposition to the ruling Party either in this State or in Parliament. We are all quite well interested in a well-organized Opposition Party. But I may tell the Vice-Chancellor of the Annamalai University that Government cannot create an Opposition and if Government create an Opposition, then that Opposition will lose its value. Particularly the hon. Member Mr. Mohamed Raza Khan, who is so zealous about the functions of the Opposition would well realise that Government should have nothing to do with the formation of an Opposition, however much they may need the same.

SRI T. M. NARAYANASWAMI PILLAI: It is not that Government should create an Opposition. If there are 194 seats, the ruling Party contests all the seats. It does not leave any seat uncontested giving an opportunity for the best men to come in. They do not seem to realize that way of forming an Opposition.

* THE HON. SRI M. BHAKTAVATSALAM: That was what I meant. There cannot be an electoral alliance between the Opposition Party and Government. There could be an electoral alliance between the Praja-Socialist Party and the Communist Party to form an effective opposition to the Congress Party.

SRI T. M. NARAYANASWAMI PILLAI: In England the seat of the hon. the Leader of the Opposition is not contested. Does it mean then that there is an alliance between the Opposition and Government? If the Hon. Minister does not want to understand me, then it is all right.

* THE HON. SRI M. BHAKTAVATSALAM: One or two eminent men like the Vice-Chancellor of the Annamalai University do not make an Opposition. That is my worry. I do want eminent Leaders of the Opposition. But I also want an organized Opposition Party. That is what I want to refer to. Therefore, I do hope that hon. Members will put their counsels together and help in organizing an effective Opposition to the Congress Party in the coming elections.

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4-40.
p.m

The hon. Member Mr. Mohamed Raza Khan and the hon. Member Mr. Narayanaswami Pillai cautioned Government that although there has been universal approbation of the Governor's Address and of the administration that is being carried on, there should be no complacency on the part of Government. I entirely agree with them and I assure them that there is no kind of complacency on the part of Government whether it is with reference to the alarming rise in the price of foodgrains and other products or whether it relates to a question of reduction in expenditure and retrenchment in administration which was referred to by the hon. Member Mr. Mohamed Raza Khan. Government are anxious that they must reduce expenditure on administration particularly when the size of the State is going to be reduced. But, as pointed out by the hon. Member Mr. T. M. Narayanaswami Pillai, although the area is cut down, we have to carry on the administration and we cannot drastically reduce the organization; but at the same time, I assure hon. Members that every now and then we are looking into the question and we are carefully scrutinizing proposals which relate to the reorganization of States. We shall see to what extent we could reduce expenditure without prejudice to the efficiency of the administration and without prejudice to the needs of those expanding development schemes of the administration. Hon. Members will no doubt realise that we have a very big expansion programme in the various sectors of development. In this connexion, I must refer to certain comments made by eminent Members about the over-expenditure on staff that is incurred by the Government particularly in the Community Development areas. I have explained in this House more than once the exact position. After all, Sir, the work has to be carried out. It is a new type of work. We have to create a mentality among the people and people have been very grandly responding to this call. We do need technical staff; we do need people who can create the necessary atmosphere and the necessary psychology in that service. I may assure the hon. Members that the Central Administration for these Community Development sections has been getting reports about the work done in the various States. The Community Development areas are examined periodically by their evaluation committees and the independent, critical reports that are submitted by these evaluation committees that go over these Community Project areas, I may tell hon. Members, are indeed encouraging. In their latest report, they have pointed out that the results are better, that people have been taking to these activities seriously and that there has been marked progress in the various areas commensurate with the expenditure that is incurred, along with the unstinted, enthusiastic contribution given by the people.

Sir, about the question of rise in prices, it is not as if the Government have no policy or programme. The Government have been taking all possible steps to check the growing prices. The other day I intervened when the hon. Member from Tanjore was speaking. He is a leading Mirasdar. He grows rice and therefore, I wanted his specific suggestion which should help us in

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adopting other measures to ensure reduction and stabilization of prices. But, so far as the Government are concerned, as I gave the assurance the other day, short of re-introduction of controls, this Government have been taking all possible steps and will take further steps in the matter. They are examining the question now and then.

SRI MOHAMED RAZA KHAN: What are the reasons for this abnormal rise in prices? Is it due to hoarding or stocks being sent to other States?

* THE HON. SRI M. BHAKTAVATSALAM: Well, Sir, I have answered this question in the other House. But I should not refer to what happened in the other House. I am sorry no hon. Member put any question here. There is hoarding. The merchants from Travancore-Cochin and other areas purchase rice and take it away to sell it and they give this price. The Andhra rice is not coming because it is purchased for Orissa and West Bengal. And now, regarding the steps that are being taken I would say that the Government have now stopped purchasing rice. Rather, if necessary, the price of imported rice, say, from Burma, could be brought down in order to make it available in the fair price shops in all urban areas. We have completely stopped export of rice. Hon. Members would remember that last year there was the other cry about the fall in prices and Government had to come in and purchase the rice. The Government were asked to consider the question of allowing exports from the Madras Harbour and Government were taking these steps in order to check the fall in price. Now, we have to check the rise in prices. Of course, I do agree with the hon. Member Sri Narayanaswami Pillai that we must take up the question of permanent stabilization of prices. Therefore, hon. Members will see that there is the long-term aspect of the problem and there is the short-term aspect also. So far as the short-term aspect is concerned, the Government are looking into it and so far as the long-term aspect is concerned, the Government are also looking into it in consultation with the Government of India. Therefore, I would assure the hon. Members that Government are as much concerned as hon. Members about the rise in prices and Government will not fail to take any steps that would be necessary to check this rise in prices.

SRI K. BAIASUBRAMANYA AYYAR: Can we not introduce some sort of co-operative movement in order to check the rise in prices?

* THE HON. SRI M. BHAKTAVATSALAM: Yes, Sir, To the extent possible, we can introduce that system. The hon. Member Sri Narayanaswami Pillai went into the whole question and he has presented a report about the working of the co-operative societies, how we can expand their work, etc. We have a big programme. The Government will certainly examine how far the services of co-operative societies could be utilized in this matter.

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I am particularly grateful for the valuable contribution made by the two eminent Vice-Chancellors of Universities in this discussion. I could at once say that I too generally agree with many of the sentiments that were given expression to by these hon. Members.

Hon. Members of this House will no doubt express appreciation of the particularly valuable contribution made by the hon. the Leader of the Opposition. He made certain affectionate references to my recent participation in the I.L.O. Conference in Geneva and to my visit to foreign countries. I am very grateful to him for these affectionate references. As he very rightly pointed out, wherever we go, although there is such a lot of difference between the standard of living in those countries and that obtaining here, which we seek to raise considerably, there is this feeling that there is nothing like our country. At the same time, these visits or short itineraries are not only interesting but instructive and inspiring also. We do feel when we see conditions in other countries, how certain countries have made phenomenal progress after suffering serious damages. We are only emboldened and encouraged that if all of us would put our heads together without diverting our attention to petty meaningless quarrels and factions, we could also make phenomenal progress as West Germany has done.

I should also like to echo the sentiments expressed by the hon. Member Sir Mohamed Usman. The States Reorganization Bill has been passed by the House of the People. Therefore, it is time that we do not continue the controversies about the reorganization of States, wherever they are.

4.50
p.m.

Sir, the last hon. Member who made his maiden speech, I believe, referred to the smallness of our State. When we examine the reduced size of our State, we should remember that we are in a Union. The country continues to be big even after the division of Pakistan. We have almost the same population as old India and we are only part of that great country. It is a federal type of Constitution that we have. I see that under the Constitution of the United States of America there are States which are much smaller than ours. But, certainly, we should like to have bigger States. Bigger States may have their own advantages. Even bilingual States do have their own advantages. I do not deny it and I should take this opportunity of congratulating—I do not know whom I should congratulate—on behalf of this House, on the whole, the people of Bombay on this decision of the Parliament that they should have a bilingual State. Although we have been hearing harrowing reports about the happenings in Ahmedabad and other areas most surprisingly, still I do hope that this will set at rest these bitter controversies about the Maharashtra State and all that and that this new State will set about its task in the direction of constructive activities, giving up all controversies before long. This State, I may tell hon. Member, is quite big and among the 14 States that will come into being under the reorganized set-up, this will have a fairly big area. There are many States

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which are much smaller than this State. We have resources. Let us put our heads together to see how this new State would flourish and ensure prosperity to the people inhabiting this State. That was the appeal made by the Hon. the Prime Minister that once the Parliament enacted a law, that was the final, ultimate and sovereign authority. Let there be no further controversies over the decision of the Parliament. We do have changes. There is nothing permanent about ourselves, even about the formation of our society and States. Therefore, we may have changes, sometime later on. But, for the present, let us not talk about that and let us all concentrate on doing things which should ensure the permanent prosperity of this State of ours.

Some hon. Members including the last Member who spoke referred to various omissions like public health and other things. I may tell the hon. Members that one should not expect an exhaustive catalogue or narration of the administrative acts that are done or that are proposed to be done in an Address of the Governor. I may refer to the Queen's speech made in the Parliament. Hon. Members would have seen reports of these King's and Queen's speeches and they would have seen that these King's and Queen's speeches are much briefer than the speech which the Governor was good enough to deliver to the Legislature giving so many details. But, at the same time, it would not mean that the Government do not attach any importance to subjects like health which have not found a place in the Governor's Address just as if I fail to refer to every point that was sought to be made out or that was made out by hon. Members in this House, it should not mean that the Government will not take note of those valuable suggestions.

The hon. the Leader of the Opposition made a very valuable suggestion. That was that the Government could usefully issue a half-yearly review of administrative acts under various departments to the Houses of the Legislature. That is indeed a very valuable suggestion, valuable not only to the hon. Members of the House but also to the Government. Therefore, I could tell the House that the Government will certainly take up that suggestion. Development is the main activity in administration and there is a Development Committee which has been meeting once every three months and it reviews the activities under the various departments. Therefore, the Government would certainly welcome the suggestion to prepare half-yearly reviews of progress under the various heads and issue them to the Houses of the Legislature.

The hon. the Leader of the Opposition particularly made reference to the question of slum clearance and he referred to the passing of the Act with reference to slum clearance in the Madras City. Of course, the Government have their own difficulties, particularly difficulties in finding suitable sites where these slum-dwellers could be taken. But, still, Sir, the Government now have taken up the improvement of 17 slums on Government land in the City. The Government propose first to concentrate on the slums that have come into existence on Government land. That is easier and, therefore, the Government have taken up the improvement of 17

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slums on Government land in the City during 1956-57 and the City Improvement Trust and the Commissioner, Corporation of Madras, have been asked to go ahead with the preliminary survey, etc., of the slums in anticipation of sanction of funds by Government. Again, on the whole, a survey has been taken in the City. There are 310 slums in the Madras City, 128 in South Madras and 182 in North Madras. Of these, 60 in South Madras and 67 in North Madras which are in comparatively worse condition have been selected by the Corporation of Madras and the City Improvement Trust for improvement during the Second Five-Year Plan period. Government are further looking into the matter.

About meeting the shortage of housing, it is there everywhere in the State. Government have been continuing to take measures through the co-operative societies and through other efforts. I may tell the House that the Government are particularly concentrating on providing housing for people in the low income groups. Yesterday I had a conference of the officers concerned. We are taking steps in the matter. I can assure the House that we will expedite execution of the programme so that we may utilize fully the funds that would be available from this State and also from the Central Government. So far as industrial housing is concerned, the hon. Member from Coimbatore made a reference to it. There is the programme that at least 2,000 houses for the labourers should be constructed this year by the Government themselves. As hon. Members are aware, there is a scheme according to which the managements of industrial concerns could undertake the construction of houses with the aid of subsidy and loan from the Government. There is also a scheme under which co-operative societies could be formed and they could undertake construction of houses for the industrial workers in the urban areas. But besides this, the Government do propose to take up on a large scale construction of houses themselves.

Several hon. Members were no doubt agitated and they made references, copious references, to the impending reduction of the strength of this House from 51 to 48. I may tell the House that it will not be right for any hon. Member to think that the Government have been quite indifferent about retaining the present strength of this House. The Government warmly supported the idea of retaining the strength of 51 when the draft States Reorganization Bill was discussed in this House last time, and the other House also was good enough to support that idea. But then, at the stage of the Joint Select Committee of the Parliament, it was found that that proposal could not be accepted by the Government because if the strength of 51 was retained, the ratio between various interests would not conform to the general basis which had been provided for and which had been accepted. Therefore, they would not accept this retention of the strength of 51. So, they proposed to reduce it to 48. This Government were informed that it would not be possible for the Government of India to accept this strength of 51 for this House, but that they might not have any objection to raising this strength to 64, if we were particular about retaining

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the present strength of the elected and nominated representatives. I may also inform the House that just then there was a telephonic call from Delhi. The Joint Select Committee was in session. The Government could not possibly have consulted this House then. It was not practicable. So, they thought that rather than increasing the strength of this House to 64, they might leave it at 48. Under the present arrangement, the strength of the Second Chamber should not exceed 25 per cent of the strength of the Lower House.

SRI K. BALASUBRAMANYA AYYAR : It is one-third.

* THE HON. SRI M. BHAKTAVATSALAM : The Bill has not yet been passed. Under this Bill, the position is, of course, different. Twenty-five per cent is sought to be changed into 33-1/3 per cent. This is because there are certain States which are very small and the strength of the Lower House in these States is also very small, so small that the Government want some decent strength to be provided for the Second Chamber. Therefore, they have now increased their strength to 33-1/3 per cent. That, however, should not necessarily mean that everywhere, the strength should be raised to one-third. May I humbly point out to the hon. Member—not that I talk in any disparaging way about a larger House, the Lok Sabha is a large House—the smaller the number of Members, the more effective would be its functioning? Of course, there is another factor. If there is proper appreciation of the worth of Members, there should be no difficulty in finding places for them even in that small body.

* SRI V. V. RAMASWAMI : கவுன்சில் எண்ணிக்கையை 51 என்று வைக்கமுடியாது. 48 ஆகக் குறைக்கவேண்டும் அல்லது 64 என்று வைத்துக்கொள்ளலாம் என்று இந்திய சர்க்கார் சொல்லியிருக்கும்போது ஏன் 64 என்று கூட்டியதை ஒத்துக்கொண்டிருக்கக் கூடாது என்று கேட்க விரும்புகிறேன்.

* THE HON. SRI M. BHAKTAVATSALAM : ஒத்துக்கொண்டிருந்திருக்கலாம், ஒத்துக்கொள்ளாமலும் இருந்திருக்கலாம். ஒத்துக்கொள்ளவில்லை ; இது நான் நடந்தது. ஆனால் ஏன் ஒத்துக்கொள்ளவில்லை என்று நான் சொல்லவில்லை.

The question is whether at this stage, when the Lok Sabha has passed the Bill and the Government at Delhi are in such a hurry to push it through the other House as to get ready for the next elections in time, I believe the elections are to start from the 1st of February next, it is possible to have this change in the Bill. I have no doubt that hon. Members will appreciate that the Government are not in any way obstinate or indifferent in the matter. In this connexion, the Deputy Chairman also dealt at length with the importance of this House.

SRI K. BALASUBRAMANYA AYYAR : May I know whether this question was discussed at the Cabinet level? Having regard to the responsibility the Government owe to the Legislative Council, I feel that the matter should have been discussed at the Cabinet level.

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* THE HON. SRI M. BHAKTAVATSALAM: Suddenly one night or one morning, there is a telephonic call from Delhi, perhaps from the Home Minister there. It is not even possible to convene a meeting of the Cabinet. However, I have no information about this as I was not in India at the time. I believe it was not possible even to convene a meeting of the Cabinet to consider this question then.

SRI K. BALASUBRAMANYA AYYAR: Could not the Government have told the Home Minister that they would like to go into the question and would like it to be discussed by the Cabinet at least? There was no hurry then.

* THE HON. SRI M. BHAKTAVATSALAM: The hon. Member has been in so many Joint Select Committees. If a question just crops up or if an issue is just raised when a question is examined by the Committee, it will not wait and it cannot wait for three or four days to be solved, until after the Cabinet takes a decision. On the spur of the moment, the Minister concerned consults the Government. Therefore, one should not have expected the Government to take it into their head to put the matter before the Cabinet or the Legislature.

SRI K. BALASUBRAMANYA AYYAR: Is it right on the part of one Member of the Cabinet, however distinguished he may be, to decide the strength of this Chamber—whether it is 64 or 48?

* THE HON. SRI M. BHAKTAVATSALAM: Sometimes, even one representative of the Cabinet will have to take decisions and I may also humbly tell the hon. Member that comparatively speaking, this is not such an important matter.

In this connexion, I would like also to point out that there has been a view that steps should be taken even in a full-fledged democracy to reduce elections to the barest minimum. I have seen that such a view is gaining support and I have also seen that in very high quarters the view is being supported. I do not canvass support for this view nor am I expressing my view or committing the Government to any view. It is a very big question relating to the provisions of the Constitution which may be taken up for examination by the Government or may not be taken up at all. I mention it, just because it occurred to me. There is this view that after all, it would be sufficient to have one full-fledged election by which the sovereign Legislature of the country could be formed. Perhaps, if this view gains further support, there might be more indirect elections and perhaps more eminent persons may get into the Legislature of our State.

I will now come to the comments made by the hon. Member from Malabar, Mr. Govinda Menon. He told me that he had to be unavoidably away from the House to-day. Sir, I told him that I was pleasantly disappointed at the tone of his speech. I did expect his usual tone but that was not there. That was because he could not himself make out any case against the Government in spite of the

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fact that he warmed himself up and prepared himself well. He could not even make a mild attack because he had no specific causes for complaint. Of course, he made references to what appeared in the Press and what was given expression to by other representatives of the people from Malabar. Sir, I do not want to add to the controversy or to the bitterness that is prevailing now. But I am bound to tell the House categorically what the Government have done and what the Government have not done because so much publicity has been given to very petty allegations. I may tell the House that this Government did not issue any order with reference to the movement of elephants or the cutting down of trees or any other thing. This Government did not issue any instructions to the officers of the Forest Department or any other Department in regard to these matters. I might also maintain that there was no wrong act done by any of our officers in this matter.

5-10
p.m.

With reference to the cutting of teak trees and taking them away somewhere, about which hon. Members would have also seen reports in the Press, I might tell the House that about the exploitation of these teak trees, formerly there was to be a rotation of seventy years. Once in seventy years the trees have to be thinned and trees which did not flourish had to be cut. In 1954 there was a discussion—I want the hon. Members to underline the year 1954—between the Government and the then Conservator of Forests. The Conservator of Forests suggested that the seventy years' rotation did not work profitably and that, therefore, there could be a thirty years' rotation. If once in thirty years the trees were thinned, the income from the forests would be raised by about 15 per cent. There was also a suggestion that if the trees could be thinned once in 17 or 18 years, it would be better. I may add, for the information of the hon. Members, that the thinning is done once in 17 or 18 years by the Travancore-Cochin Government. This was the decision taken regarding the policy of rotation and the exploitation of the forests. Now, it was in accordance with that policy that the officers proceeded to mark the trees for cutting and felling and called for tenders. That was all what was done. And this procedure was to be adopted not only in Malabar areas but also in non-Malabar areas, in all forest areas where teak is grown. Then there was this ill-informed or interested agitation. Therefore, this Government thought it best not to proceed further. In the midst of suspicion, Government thought it would be best not to do anything. That was what happened with reference to the cutting of teak trees.

Then there was another allegation. I just want to give a few more instances. You, Sir, Mr. Chairman, would not mind my taking a little more time. I think it is right and necessary that I should clear the misapprehensions. Otherwise, people will go on talking about them. There was some printing Press in Cannanore Jail and that was taken away to some place in the Tamil area. This was another allegation. The Hon. the Minister for Finance who is also in charge of Prisons categorically said elsewhere that there was no printing Press at all in Cannanore.

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That could easily be verified, whether there was a printing Press or not. If there was no Press at all, where does the question of removing it to some other place arise?

Then, there is the polytechnic in Kozhikode. There are three polytechnics in the Tamil area, one in Madurai, another at Coimbatore and the third at Madras. There is one at Kozhikode and another at Mangalore. We have been expanding the Kozhikode polytechnic as we have been expanding the others, particularly the carpentry section has been sufficiently expanded, so that they could do things for order. Therefore, when we proposed to start a number of industrial schools, the Kozhikode polytechnic carpentry section was asked to make furniture for three industrial schools. Of course, the cost of furniture that would be supplied would be credited to the account of the carpentry section of that polytechnic. Without the intervention of any hon. Member from Malabar, I myself thought, although there was an industrial school at Kozhikode, when we proposed starting a few more schools elsewhere, we should also start immediately another industrial school at Cannanore. This has been organized. So, the furniture was ordered to be manufactured for three institutions. So, the furniture intended for Cannanore and the furniture that was required for the other institutions elsewhere were sought to be removed. And there was this agitation that the furniture that was intended for Cannanore school had been taken away.

Then, Sir, there was the funny allegation about the elephants. Even if it is three, four or five, I do not apologise and there is no need to apologise. The hon. Member Sri Govinda Menon talked as if it was a small matter where there might be some indulgence. There is no question of any indulgence in this matter. There was no wrong act. Elephants move from one place to another according to the work that has to be carried out. In fact, when I enquired into the matter, I found that there was no Government Order issued in the matter. It was all done in the usual administrative routine. During my enquiry into the matter, I found that some elephants were taken to the Nilambur forest where there was more work. After the work was finished there, they were taken to an area part of which will go to Malabar under the re-organization. Even to-day the places where the elephants are camped will go to Malabar. It is to that place that the elephants from Nilambur were brought. The Chief Conservator thought that there was more work at Nilambur at that time and he ordered them there, as he could do it. Still, at the time of partition, all the elephants and all the other things will be taken into account and the allotment will be made on merits as to how much should go to Kerala and how much should go to Tamil districts. They are done independently wherever the elephants are now. The elephants that are due to Malabar will be given to Malabar. That is being looked into separately. So far as we are concerned, we do not entertain any kind of discrimination or partiality.

Hon. Members are aware that even just a month back a new irrigation project was inaugurated by the Hon. the Chief Minister

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in Malabar. This Government, with the approval of the Government of India, propose to organize some industrial estates, and I myself took up the question and said as we had two or three industrial estates in the other districts, we must organize one in Malabar. The Hon. the Minister for Commerce and Industry at the Centre was good enough to make the allotment and an industrial estate for Palghat is being organized. Therefore, Malabar will have an industrial estate and an industrial school.

Then, Sir, hon. Members would be amused when they hear this, as they are quite well-informed. An hon. Member in Parliament, I think he is the Leader of the Opposition and the Leader of the Communist Party, Mr. A. K. Gopalan, wrote to the Prime Minister and to others that trees worth three crores of rupees had been cut away from Malabar and sold by the Madras Government. The entire forest revenue from all the forest areas in Tamil Nad, South Kanara, Malabar and Kollegal is only one crore of rupees. Then how is it possible to realize three crores of rupees? He is a very responsible Member of Parliament. He is supposed to be the Leader of the Opposition and he makes such an allegation. Then, the hon. Member Sri Govinda Menon says : 'There are these allegations; what can you do?'

SRI A. M. ALLAPICHAJ : He might have mistaken lakhs for crores.

* THE HON. SRI M. BHAKTAVATSALAM : I do not know. I don't think he made any such mistake. This is a deliberate allegation. That is the way of the party to which he belongs.

The hon. Member Sri M. P. Govinda Menon referred to the fate of Malabar after reorganization. I entirely sympathise with him and with Malabar. All other hon. Members will equally sympathise with Malabar. A stable Government could not be formed in Travancore-Cochin State. On account of the exigencies of reorganization, Malabar is to go without representation in the legislature from the 1st of November for some time. I have my entire sympathy for Malabar and for Sri M. P. Govinda Menon. But he made a suggestion whether Malabar could not continue to remain in Madras State till the elections are held and till the legislature is formed, when elected representatives could function. But I wonder, Sir, and I have no doubt hon. Members will have no other opinion, whether in this atmosphere of suspicion, such a thing is possible. There is a limit to these things. Of course, we politicians should not mind being abused. But there is a limit. To make such unfounded allegations against Government is not fair. It is not against one individual or another individual. They say, "It is your own Congress people, your own elected representatives of the Congress who have made these allegations and as such they should be true". Is this fair? Such unfounded allegations should not be made. With this kind of suspicion that has been aroused, I do not know whether it would be in the interest of Malabar itself apart from the interest of other areas, if Malabar should continue to remain within Madras even after reorganization.

5-20
p.m.

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(Sri K. Balasubramanya Ayyar: Sri M. P. Govinda Menon referred to Police officials doing something.) Those are vague allegations and whenever specific references are made to the Government, Government would surely look into the matter. The hon. Member Sri T. M. Narayanaswami Pillai made reference to that. Of course, it is not helpful to anybody to make such unfounded allegations.

I am gratified to see that several hon. Members evinced great interest and expressed so much elation at the announcement of Government that Government would take steps at an early date to have the administration of the State carried on in Tamil. That is not entirely new to us. We have been trying to introduce Tamil. We have been carrying on so many affairs in Tamil. The hon. Member Sri T. M. Narayanaswami Pillai sounded very rightly a note of caution. We should not think that we are heading towards a sovereign State for Tamil Nad. We shall be part of the Indian Union. That is what he said. I entirely agree with him. We are anxious that we should implement this decision, though no doubt gradually, taking a practical view of things. We do not want to hurry up. But I do want and I have no doubt that I will get the co-operation of hon. Members and the public, since that co-operation is very essential for the successful carrying out of this reform. (Sri K. Balasubramanya Ayyar: May I point out that the elation of hon. Members was due to the fact that Tamil was going to be made the official language of the State?). Even then, we have been speaking in Tamil in this House and for my part from whichever quarter I get representation in Tamil, I do reply in Tamil. In the villages we have been carrying on in Tamil. I do not want to mar the enthusiasm of hon. Members. But we must have a sense of realism in this matter. That is why I made a reference to this.

Several hon. Members referred to the question of N.G.Os. I may assure hon. Members that so far as the appreciation of the difficulties and the need to give relief to the N.G.Os. are concerned, Government do not lag behind any other hon. Member. Government, as has been pointed out in the other House by the Hon. the Minister for Finance, have been examining the question of increasing the dearness allowance of the N.G.Os. But I must point out that in the interest of the N.G.Os. and in the interest of the general public, there must be a sense of discipline that should be observed, even in the midst of difficulties. We should not lose our balance. Nobody should lose his balance. Then I may also point out that it would be good for the N.G.Os. that they should take the sympathies not only of the hon. Members of the Legislature but of the general public also with them. I have no doubt that they would behave in such a way that they would have more of the sympathies of the general public as they have of the sympathies of the hon. Members of the Legislature.

The esteemed Member, Sri O. P. Ramaswami Reddiar, made valuable suggestions and Government will no doubt look into those suggestions and see how they could be accepted. He referred

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to the need for propaganda and publicity regarding agricultural improvements that are being effected and that are to be undertaken for the sake of the people. Sir, in this connection, I may point out that I was struck by the very keen interest evinced in the International Labour Conference by the delegates of several countries on the question of organizing efficiently vocational training to the farmers in agriculture. On that International Labour Organization they devoted considerable time and they evinced considerable interest in effectively organizing useful vocational training which should cover various aspects of agriculture. They were all anxious that such training should be given to the farmers. The Agriculture Ministry in France showed me slides they had prepared for agricultural propaganda. It is a big section and they told me that those slides were for agricultural publicity and they told me that those slides were more popular than the ordinary cinema slides. Therefore, I do feel the need for organizing some effective publicity in order to carry out our agricultural programmes and exhibitions with the willing enthusiasm and co-operation of the people.

The hon. Member, the Pattagar from Coimbatore, spoke about the need for more special attention being paid to the improvement of livestock and as a necessary corollary to improve and provide necessary facilities for grazing of cattle. That is a very essential thing. I have been anxiously examining whether we should not link up the question of providing grazing facilities for cattle with the reorganization of village forests, where you find nothing but just a few trees. Government have a programme of improving village forests and I think we could link up the question of providing necessary grazing facilities for cattle with this programme. I do agree that it would be more useful if other breeds are taken out of Hosur so that Hosur may concentrate more on Sindhi cattle. That is so much appreciated. There was a persistent request from the Kashmir Government that we should send them a few cows, bulls and a few heifers and they are so much appreciated. Therefore it is, I am anxious that they must be attended to properly and that facilities should be provided so as to concentrate on the Sindhi variety in Hosur. I have also been examining whether we should not take out the Kangayam and other breeds to other suitable places. In this connexion, I have been examining the utilisation of the Andhiyur forest area which was referred to by the Pattagar of Palayakottai.

5-30
p.m.

Sir, another important subject on which several hon. Members dwelt with keen interest and sometimes with a little vehemence also is the question of handlooms. Hon. Members are agitated over the proposal to introduce power looms. Some Members are more agitated because they see agitation elsewhere. They see agitation directly or agitation which was reported in the Press. I do not find fault with them. I assure them that Government are equally interested in not only protecting the handlooms but also in seeing that not one weaver is affected by the new proposal that is undertaken either by the Government of India or the Government of Madras. We are equally interested in seeing that

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not even a single pie of the wages earned by the handloom weavers should be touched by any proposal that may be undertaken by any of these Governments. I would only remind the hon. Members of the progress that has been made ever since this Government, in co-ordination with the Government of India which showed such keen interest, took up the question of rehabilitation of the handloom weavers. The Government of India levied a cess on mill cloth. They formed a cess fund and from out of the fund they undertook so many measures in order permanently to rehabilitate the handloom weavers. Feeling that co-operative method is the best method, the Government, through all possible facilities, encouraged the weavers to get into co-operative societies. Now, co-operative societies have grown in number. If there were before the introduction of the cess fund 97,642 looms under the co-operatives, after the introduction of the cess fund till February, there were 157,000 handlooms under the co-operative societies. Before the cess fund was introduced, the total cost price of cloth that was sold by these societies per month was only Rs. 21 lakhs and now, after the introduction of the cess fund, up to February, our statistics show that cloth worth Rs. 60 lakhs produced by the co-operative societies had been sold per month. Now, under the co-operative societies, the looms have increased one and a half times but the price of cloth has increased three times. That would show how the earnings of individual weavers have also increased.

Then, hon. Members are aware that Government have been adopting so many other measures and even under the Second Five-Year Plan, about five crores of rupees have been set apart under the cess fund for the rehabilitation of the handloom weavers. The hon. Member Sri Govinda Menon is not here; whether he believes or not, we have taken steps to see that there is a separate allotment for Malabar under the Second Five-Year Plan for the rehabilitation of the handloom weavers. And now, I was discussing with the Union Minister and he was good enough to say that although this allotment was for the Plan period of five years, we could spend that amount even in two years and then we could find funds for the other three years. That is the interest this Government have been taking in the permanent rehabilitation of the handloom weavers. Hon. Members would easily realize and the hon. Member who vehemently spoke in support of the handlooms, will agree that this Cess Fund cannot be a permanent feature nor can it be an "*Akshaya Pathra*". This Fund arises out of the levy on mill cloth. If more people take to handloom cloth, there will be no Cess Fund. So, we must see how the handloom could stand on its own legs and how the handloom weaver could get enough wages in order to live. The price of cloth must be low so that people could purchase; we cannot order people to purchase handloom cloth at a particular price, whatever legislation we may make. Therefore, Government have been considering the various measures which should go to the permanent rehabilitation of the handloom industry in this country.

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As one of the measures, the Government of India propose to introduce some powerlooms not in a haphazard manner, or in order to enrich the rich handloom weaver. But the proposal of the Government of India was that these looms should be provided to the weaver in a co-operative society and in order to enable that weaver to take to this powerloom, they give all the aid, advance, loan, subsidy and all that. There are 157,000 handlooms under the co-operative societies and according to the statistics of the hon. Member who spoke in support of the handlooms, there are 5.6 lakhs of handlooms in the State. What is the proposal about the powerlooms? The proposal is that for the whole of India, they would introduce on the whole 35,000 powerlooms and so far as this State is concerned, we may get 3,500 powerlooms this year and another 3,000 next year. That is all the proposal. This proposal is underlined by our guaranteeing that we will do nothing and even if we do anything which would in any way affect any handloom weaver or his wages, we will not hesitate to withdraw. We are interested in the permanent rehabilitation of the industry and, therefore, we do it. Recently, there was a conference to which this Government was invited. At that conference, Andhra and other States warmly welcomed this proposal. Now, if we should refuse all these facilities, all this aid, loans, etc., other States would have the benefit and they will produce cloth from the powerlooms and we cannot prevent that cloth from being imported into this State.

Then, Sir, if hon. Members are so much afraid and so much concerned about the introduction of powerlooms, may I ask them whether they would exhibit the same interest in the matter of the poor spinner of the charka? Does he earn as much as the handloom weaver? I would welcome their suggestions if they could exhibit the same interest in spinners who make Khadi out of handspun yarn. We will train our weavers. We will also undertake to give yarn spun out of the charka. Of course, Sir, it is the definite policy of the Government that they will not permit any expansion of the powerlooms in this State. But, if spinning mills want additional spindlage, this Government would have no objection to recommending them in the case of individual firms. But the All-India Khadi Board have been vehemently opposing it. They said we could undertake to supply all the extra yarn that will be required under an expansion programme. There has been a controversy. But, now a compromise has been arrived at and it has been agreed that Ambar charkas should be accepted to a limited extent. This State will have its due share and we do take steps to make the price of Khadi also cheaper through the introduction of the Ambar charka. On the other hand, one of our colleagues in the Legislature, who has a very good contact with the handloom weavers, was mentioning to me yesterday that in many places the handloom weavers would insist on yarn of a particular mill. They would not even be satisfied with yarn produced in some other mill. They want yarn of the particular mill. Now, we take so many steps to see that the standard of living of the people is considerably raised, and if the standard of

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living is raised, there will be demand for more cloth. There should not be any dog-in-the-manger policy in this matter and we must be able to produce that cloth. Of course, it would not affect in the least the handloom weavers. There is no question of change of policy. That is the programme that has been undertaken by the Government of India and this Government would also see to what extent they could fit in with that programme. That is the position and, therefore, I would once again assure all the hon. Members and others outside that there need not be any fear that by any act of this Government or the act of the Government of India, the handloom weavers would be affected in any way.

The hon. Member representing the teachers, not the new Member, but the old Member Sri Krishnamoorthi, as usual, made a very eloquent plea for the teachers. He is a representative of the teachers and, therefore, he would plead only for teachers. He is not interested in other things. He wonders why the poor children should be supplied with midday meals. If the children are starving, what is the teacher to do? The teacher must have children to teach, but the hon. Member does not look into all that. He is only interested in the teachers who form his electorate. Therefore, he does not appreciate the need for providing midday meals. The most surprising thing is—of course, it is not surprising to me, I know that he is interested in the teachers and exclusively in the teachers—he cannot understand why there should be a programme for more schools. He will be satisfied if teachers get everything. That was the plea that was put forth by the hon. Member. But I may tell him that the Government are quite alive to the conditions of the teachers but that they are also anxious that they must expand education. Therefore, they are looking into all aspects of the question and they will take steps which would give relief to those who need it urgently.

Another reference was made by some hon. Member to the political set-up. Again, I would say that so far as this Government are concerned, they are not lagging behind in the interest and concern that should be shown to those who suffered for the country and who are suffering now. But, at the same time, I would sound a note of caution that particularly these patriots should not allow themselves to be exploited by political seekers.

The hon. Member from Coimbatore made a very eloquent plea, particularly taking advantage of the presence of the Vice-Chancellor of the Annamalai University, for his good offices and the good offices of the other Vice-Chancellors and the Government for starting a University in Coimbatore. I have my entire sympathy with that proposal. I have no doubt that Coimbatore is a very fine and appropriate place for locating a University. But, at the same time, I would like to point out to the hon. Member that before we can take up the question of forming a University, he must take up the question of organising a Medical College for Coimbatore. There are so many other institutions.

13th August 1956] [Sri M. Bhaktavatsalam]

A Medical College is lacking in Coimbatore. A University must have all institutions and as the President of the District Board of Coimbatore, the hon. Member knows too well how he has been suffering on account of the shortage of medical men. The only way of meeting the shortage is to produce more doctors. Of course, now when there is a shortage, there are medical men who do not care to go to the villages. But if there are more medical men, they would seek offices with the President of the District Board himself and after the organisation of the Medical College in Madurai, Coimbatore is the best place because I know about the hospital there and there is an extension programme also under the Employees' State Insurance Scheme and as a general proposal. Therefore, the hospital is ready-made. A building also could be provided to start one college. Therefore, it is the most appropriate place for starting another Medical College about the need of which there can be no other opinion. Therefore, I would suggest to the hon. Member to use all his good offices to first organize a Medical College and then we might take up the question of starting a University.

I thank hon. Members once again for the various constructive suggestions they have given in the course of the discussion and if I have not referred to any of them, I can once again assure them that the Government will look into all those things.

Thank you, Sir.

SRI T. PURUSHOTHAM: Can the Hon. Minister tell us the position about the transfer of the portion of Pulliyara pakuthi in Travancore-Cochin State which, it was originally agreed, would be transferred to Madras territory? I should be glad if the Hon. Minister will tell us whether anything will be done to settle the question of the alignment of the borders of the reorganised States in a satisfactory way.

* THE HON. SRI M. BHAKTAVATSALAM: Even as regards that question, when the Government's attention was drawn to some mistake that was reported to have occurred in the matter of the formation of Shencottah taluk anew by the Travancore-Cochin Government, this Government took up the question with the Central Government. But I do not know whether it is too late. Anyhow, just when this Government's attention was drawn to it and when they immediately took it up, we found that the House of the People had already passed the Bill. I do not know whether anything would be possible hereafter. But, I can assure the hon. Member that so far as this Government are concerned, they have taken all steps possible. But, still, I would also put it to the hon. Member that if once a final decision is taken, we need not pursue this controversy.

The amendment of the hon. Member Sri Mohamed Raza Khan was, by leave, withdrawn.

[13th August 1956]

MR. CHAIRMAN : The question is—

“That an humble Address be presented to the Governor that the Members of the Madras Legislative Council thank him for the Address delivered to the Members of the Legislature on the 8th August 1956.”

The motion was put and carried.

MR. CHAIRMAN : I have to inform the House that in modification of the programme of business announced to the House already, the Council will meet at 11 a.m. on Monday, the 27th August 1956, instead of at 3 p.m.

The House then adjourned to meet again at 11 a.m. on Monday, the 27th August 1956.

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

Parliamentary Proceedings on the Constitution (Sixth Amendment) Bill, 1956, as passed by the two Houses of Parliament.

13th August 1956]

APPENDIX I.

[Vide answer to clause (b) of starred question No. 19 asked by Sri T. Purushotham at the meeting of the Legislative Council held on 13th August 1956, page 143 supra.]

The essential needs of the agriculturists are water-supply, improved seeds, chemical fertilisers and other manures, mechanical aids to cultivation, supply of power, insecticides and pesticides, etc. Though there is no statutory control over the prices of these requisites, the Government have taken steps to ensure that they are easily available in adequate quantities and that their prices are reasonably within the reach of the ryots. As regards irrigation facilities, apart from the execution of various major and minor irrigation schemes which are intended to increase the water-supply the Government are distributing oil engines and electric pumpsets and sinking tubewells and filter points on the hire-purchase system, supplies being made after inviting tenders from leading firms. They are also lending departmental pumpsets at hire charges calculated on 'no profit—no loss' basis. Various strains of improved seeds grown in agricultural farms and multiplied in the ryots' holdings are stocked in the agricultural depots spread all over the State and are made available to ryots at market rates plus 10 per cent seed farm premium. The most popular among the nitrogenous fertilisers, viz., ammonium sulphate, and other fertilisers such as super-phosphates are distributed by Government through authorized merchants at a pool price which is also based on 'no profit—no loss' basis. Compost manufactured by municipalities and local bodies are sold to ryots at a concessional rate of Rs. 2 per ton. Select varieties of green manure seeds are also stocked in agricultural depots and sold to ryots at cost price plus incidentals. Short-term takkavi loans are also advanced to ryots so as to enable them to purchase seeds, manures, etc., in time and special loans are granted to ryots under the "Intensive Manuring Scheme" for purchase of ammonium sulphate with a view to popularise this type of manure. With a view to help the ryots in adopting improved mechanical cultivation practices, the Agricultural Department are lending out tractors and bulldozers at reasonably low hire charges and the scheme though originally conceived on a self-supporting basis is actually working at a loss to the Government much to the advantage of the ryots. As regards agricultural implements, a scheme for their manufacture and distribution through co-operative societies and private organizations under the supervision of the Agricultural Department staff is in vogue and under this scheme the implements are sold at a price not exceeding $6\frac{1}{2}$ per cent over the all-in-cost as fixed by the District Agricultural Officers. Supply of electricity for agriculturists is progressively increasing and the rate charged in most of the areas in the State, viz., about one anna to an anna and a half per unit is the lowest in India, a fact which earned the praise recently of no less a person than the Union Minister of Agriculture. Insecticides and pesticides are acquired on Government account

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at the lowest rate and sold to ryots at half the cost price during serious outbreaks of epidemics and at cost price in normal times. Sprayers and dusters are also purchased by the Agricultural Department and loaned to ryots wherever necessary and free technical advice is given by the Plant Protection staff. Thus every one of the measures undertaken by the Government is intended to minimize the task of the agriculturists to the extent possible without destroying his initiative or impairing his efficiency.

APPENDIX II

[13th August 1956]

APPENDIX

[Vide answer to starred question No. 20 asked by Sri T. Puru
[13th August 1956,

HINDU RELIGIOUS AND CHARITABLE ENDOWMENTS—TEMPLES

List of temples damaged by the recent cyclone, showing the extent and
Tanjore, Tiruchirappalli,

Serial number and name of temple, village and taluk.	Extent and nature of damage to temple.	Approximate cost of damage.	Amount sanctioned.
(1)	(2)	(3)	(4)
1 Sri Sundareswarar tem- ple, Thambikottai, Pattukkottai taluk.	Tiles in the temple kitchen room, tirumalai room, western prakaram varandah, nava- grahamandapam, shed before the rajagopuram and office building back portion and front shed were blown off. The fuel shed was entirely collapsed.	..	TANJORE ..
	The thatched houses belonging to the temple, cattle-shed and sagadam shed were com- pletely damaged. The mud- walled house in Thachan- kottai village, belonging to the temple was damaged. Five hundred and sixty-two trees of seven kinds were uprooted, and fencing to nandavanam and coconut topes completely damaged.	Ra. 27, 908.	
2 Sri Sathgunanathaswami temple, Idumba- vanam, Tiruthurai- pundi taluk.	5,606 coconut trees, 193 pal- myrah trees, 4 tamarind, 2 mango, 1 iluppai and 40 bamboo clusters fallen down. Damages to buildings, fences and sheds were also severe.	Ra. 13,47,150. Ra. 2,970.	
3 Sri Manthrapuriswarar temple, Kovilur, Tiruthurai-pundi taluk.	Thatched shed before the Amm- an shrine blown off. The tiles in the office building and the three rooms in the granary displaced. House occupied by the Superin- tendent severely damaged. Two tiled houses were fallen down while the tiles in the other ten houses were dis- mantled. A tiled upstairs building has fallen down. About 2,000 coconut trees and 500 other trees were uprooted. Electric wiring, bulbs have been damaged to a greater extent. 80 to 90 per cent of casuarina trees and iluppai trees in Vadagadu were up- rooted or broken into pieces or blown off.	Further report is awaited.	
4 Sri Soundareswarar tem- ple, Muthupet, Tiru- thurai-pundi taluk.	973 trees were uprooted. Casua- rina topes in Pettai and Thillai-vilagam completely damaged. Lands in Pallimedu and Thillai- vilagam villages affected.	50 tons 171 kalams 2 marakkals.	

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II.

shotham at the meeting of the Legislative Council held on
page 144 supra.]

DAMAGED BY THE RECENT CYCLONE—EXTENT OF DAMAGE—STATEMENT.

nature of the damages and steps taken to repair them in the districts of
Madurai and Ramanathapuram.

Steps taken so far to repair them.	Amount spent.	Further steps to be taken to repair them.	Remarks.
(5)	(6)	(7)	(8)

DISTRICT.

Estimates are awaited

Fallen trees stocked, tiles
were put up where tiles
were blown off, and re-
fencing was made.

Estimates are awaited

Executive officer permitted
to incur necessary urgent
expenditure in connection
with the floods and
report the actuals spent
for approval.

Estimates are awaited

Executive officer's action
in having incurred neces-
sary expenditure for
collection of uprooted
trees is approved. The
executive officer is infor-
med that the expenditure
should be limited to the
minimum.

Estimates are awaited

[18th August 1956]

13th August 1956]

[illegible][illegible]

[13th August 1956]

Serial number and name of temple, village and taluk.	Extent and nature of damage to temple.	Approximate cost of damage.	Amount sanctioned.
(1)	(2)	(3)	(4)
10 Sri Pasupathiswarar temple, Pandanallur, Kumbakonam taluk.	Sixty plantain trees uprooted and 50 bundles of straw damaged.	Rs. 57-8-0 ..	TANJORE ..
11 Sri Saranathaperumal temple, Tiruchurai, Kumbakonam taluk.	44.36 acres of second crop and 15.28 acres of plantain trees completely damaged.	..	..
12 Sri Kasi Mutt religious charities, Tiruppanandal, Kumbakonam taluk.	259 trees of three kinds uprooted, one tiled shed, two buildings at Paingattoor and two walls of a thatched house besides damage to standing crops.	..	..
13 Sri Sathurangavallabathar temple, Poovanur, Mannargudi taluk.	Twelve trees of five kinds uprooted.	..	..
14 Sri Arunachaleswarar temple, Vadapathimangalam, Mannargudi taluk.	Fifteen coconut trees uprooted, thatched houses in Mayanur and Visalakshipuram villages (6 to 7 houses), tiles in the houses in north street, Melamayanur blown off, sheds in front of the temple and inside the temple, 2,000 ripe and tender coconuts fallen down, cattle sheds in Melamayanur and Visalakshipuram, three plough cattle, standing crops in Visalakshipuram and 100 straw bundles.	Excepting the damages to the crops and the houses, the damages to trees, roofs, straw bundles and three plough cattle come to Rs. 750.	..
15 Sri Palace devasthanams, Tanjore.	Overhead copper line of the electric light of the front gopuram outside para-gate, lead wires of Bairava mantapam broken and tiled shed of Karurar sannadhi fallen down. Eighteen trees of two kinds uprooted.	Rs. 174-9-0 ..	..
16 Sri Kotiswara Iyer's endowments, Tanjore.	114.72 acres in Aryaloor, Tiruthuraiyundi taluk drowned in water and crops shaken by wind.	..	..
17 Sri Margashayeswarar temple, Moovalur, Mayuram taluk.	The shed in front of the office was damaged and twenty trees uprooted.	Rs. 75-0-0 ..	..
18 Sri Subramaniaawami temple, Perambur, Mayuram taluk.	Twelve trees uprooted	Rs. 33-0-0 ..	..
19 Sri Amaruviperumal temple, Therashundur, Mayuram taluk.	Compound wall of tank collapsed in two places to a length of 20 feet.	Rs. 50-0-0 ..	..
20 Sri Subramaniaawami temple, Thiruvidaikashi, Mayuram taluk.	Seven trees uprooted	No serious loss.	..
21 Sri Veerattaswarar temple, Valuvor, Mayuram taluk.	Thatched shed in front of the temple collapsed and five trees uprooted.	Rs. 135-0-0 ..	..

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Steps taken so far to repair them.	Amount spent.	Further steps to be taken to repair them.	Remarks.
(5)	(6)	(7)	(8)
Distric —cont.	..	..	..
....	..	..	..
Estimated are awaited	..	..	..
....	..	..	..
Estimates are submitted for repairs.	..	..	..
Action taken to repair the damaged items.	..	..	..
....	..	..	..
Shed repaired, Rs. 19-4-0	..	..	..
....	..	..	..
Action taken to close the gaps.	..	..	..
....	..	..	..
Steps taken to erect a new shed.	..	..	..

[18th August 1956]

Serial number and name of temple, village and taluk.	Extent and nature of damage to temple.	Approximate cost of damage.	Amount sanctioned.
(1)	(2)	(3)	(4)
22 Sri Ranganathaperumal temple, Vadarangam, Sirkali taluk.	The tiled roof and the front room in one of the staff quarters completely damaged.	Rs. 300-0-0 ..	..
23 Sri Vaidyanathaswami temple, Vaithiswaran koil, Sirkali taluk.	Sixty-three trees of five kinds uprooted.	Rs. 325-0-0 ..	..
24 Sri Brahmapuriwarar temple, Ambal, Nannilam taluk.	Fencing of temple garden blown off and three coconut trees fallen down.	Rs. 115 ..	Rs. A. P. 100 0 0
25 Sri Vanchinathaswami temple, Srivanchiam, Nannilam taluk.	Four trees uprooted	Rs. 80 ..	..
26 Sri Rudhrapathiswarar temple, Tiruchengattangudi, Nannilam taluk.	The house in Sannidhi street has fallen down on the eastern and northern sides. Two other houses in south street were also damaged, as the tiles were thrown off. Eleven trees were uprooted, and there were five breaches in the canal.	Rs. 160 ..	..
27 Sri Sourirajaperumal temple, Thirukkannapuram, Nannilam taluk.	The upper portion of the temple's western outer prakaram about 30 feet has fallen down; seventeen trees were uprooted.	Rs. 62-8-0 ..	..
28 Sri Rathnagiriwarar temple, Tirumarugal, Nannilam taluk.	A portion of the eastern wall of the nandavanam to a length of 25 feet has fallen down. Eleven trees were uprooted.	Rs. 75 ..	..
29 Sri Agniswarar temple, Thirupugalur, Nannilam taluk.	Nine trees were uprooted .. ..	.. ..	..
30 Sri Akshyalingaswami temple, Kivalur, Nagapattinam taluk.	Thirty trees were uprooted. A temple house in West Madavilagam and the northern wall of the temple garden were damaged. Roof of a house in west street damaged. About 3½ vols of Kar paddy and 10½ mahs severely affected.	Rs. 142 .. Rs. 500 .. Rs. 50 ..	.. .. ..
31 Sri Kayarohanaaswami temple, Nagapattinam town and taluk.	Dislocation of tiles in certain temple houses. Twenty-three trees were uprooted. Some electric articles broken or rendered useless. Kalasam on Cholagopuram ..	Rs. 300 .. Rs. 76 .. Rs. 25 .. Rs. 50 ..	.. .. .. ..
32 Sri Kailasanathaswami temple, Sembiamahadevi, Nagapattinam taluk.	Fifty-eight trees were uprooted. Tiles in hospital building belonging to the temple, madappalli and Amman temple blown off—60 acres of paddy crops damaged.	Rs. 100 .. Rs. 400 ..	

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Steps taken so far to repair them.	Amount spent.	Further steps to be taken to repair them.	Remarks.
(5)	(6)	(7)	(8)
DISTRICT—cont.			
Estimates submitted for sanction.	..	..	..
....	..	..	..
Fencing carried out	..	..	..
....	..	..	..
Estimates for repairs submitted for sanction.	Rs. 110. ..	..	..
Estimates are awaited	..	..	..
Do.	..	..	..
....	..	..	..
Estimates are awaited	..	..	..
Repairs attended to	..	..	..
....	..	..	..
....	..	..	..
....	..	..	..
Estimates for repairs submitted for sanction.	..	..	..

[18th August 1956]		Approximate cost of damage.		Amount sanctioned.
Serial number and name of temple, village and taluk.	Extent and nature of damage to temple.	(3)	(4)	
(1)	(2)			
33 Sri Navaneetheswarar temple, Sikkil, Nagapattinam taluk.	Cattle shed in Sellur village fallen down.	Rs. 300 ..	..	TANJORE
	16½ velis of lands in Sellur affected.	Rs. 3,000 ..	..	
	Thirty-six trees were uprooted.	Rs. 1,700 ..	..	
34 Sri Devapuriwarar temple, Thevur, Nagapattinam taluk.	Two tiled houses, samba crops in 20 acres. Rajagopuram, electric wire and bulbs and tamarind were damaged—Nineteen trees were uprooted.	Rs. 1,822, 300 kalam and 350 maunds of tamarind.	..	
35 Sri Thiagarajaswami temple, Thiruvaimur, Nagapattinam taluk.	Office building, two sheds, two mud wall houses occupied by temple servants, three tiled houses, and electric wiring damaged. Samba crops greatly damaged. 158 trees were uprooted.	Rs. 1,000 ..	..	
	Most of the trees (170) planted in fasli 1358 and 1360 were uprooted and flower plants in Nandavanam damaged.	Rs. 5,000 ..	..	
	Mercury light in the outer prakaram west madhil wall.	Rs. 1,000 ..	..	
36 Sri Hirudayakamalanathaswami temple, Valivalam, Nagapattinam taluk.	Thirty trees were uprooted. Shed in front of Madapalli, electric wiring and bulbs, etc.	Rs. 250 ..	..	
37 Sri Vedapuriswarar temple, Nemam, Tiruthurai pundi taluk.	Sixty-six trees were uprooted. 20.97 acres in Koil Siddamalli village.	Rs. 70 ..	..	
	The tiles in three houses were scattered. The thatched shed in front of the houses and the cattle shed were damaged. Embankment in the midst of fields in Koil Siddamalli damaged. The walls of a temple building collapsed on three sides. Decorative diaties on the gopuram and four lights on madil walls uprooted and broken.	Rs. 362-8-0 ..	..	
		Rs. 1,000 ..	..	
		Rs. 500 ..	..	
		Rs. 140 ..	Rs. 1,095.	
38 Sri Kachaneswarar temple, Kachanam, Tiruthurai pundi taluk.	(1) Thatched sheds erected for Tirupani works were damaged. Tiled houses were also damaged by the cyclone.	Approximate cost of damage is Rs. 500.	..	
	(2) About twenty-five iluppai and coconut trees were uprooted and several branches of trees were broken and it will come to about 25 cart-loads.		..	
	(3) Standing crops were affected in temple lands.		..	
	(4) Mercury vapour lamp and all bulbs and shades in the water light were broken.	Approximate loss is about Rs. 180.	..	

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Steps taken so far to repair them.

Amount spent.

Further steps to be taken to repair them.

Remarks.

(5)

(6)

(7)

(8)

DISTRICT—cont.

Action taken to construct a shed at a cost of Rs. 300.

Steps taken to attend to the repairs.

Estimates are awaited

Estimates are awaited

Steps taken to repair the buildings, etc.

444

Approximate cost of damage.	Amount sanctioned.
--------------------------------	-----------------------

223

*Steps taken so far
to repair them.*

Amount
spent.

*Further steps
to be taken
to repair them.*

Remarks.

TANJORE

DISTRICT—cont.

The Executive Officer reports that he will take steps to notify the damages and send estimate separately for the same.

Now fencing was made

Arrangements are made for retiling the tiles of the temple buildings.

Applied for remission of rest.

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Serial number and name of temple, village and taluk.	Extent and nature of damage to temple.	Approximate cost of damage.	Amount sanctioned.
(1)	(2)	(3)	(4)
43 Sri Saptarishiswar temple, Ezhiloor, Tiruthurai-poondi taluk.	(1) Complete damages to madhils of the temple. (2) Sri Bairavar temple has fallen down. (3) All stupies have fallen down. (4) Crops were damaged	Rs. 3,000	..
44 Sri Arunachaleswarar temple, Keelayur, Nagapattinam taluk.	(1) Twenty-two coconuts, 2 elavai, 1 iluppai, 2 portion were fallen down. (2) Shandy kottagai has fallen down. (3) Office kottagai has fallen down. (4) Zinc sheet in the Subramanyar shrine has been slightly damaged. (5) The roof of the Maniam's house has been heavily affected. (6) About 3,000 tiles were destroyed. (7) Lands, which were leased out were affected by the cyclone.	Rs. 98 Rs. 50 Rs. 60 Rs. 5 Rs. 40 Rs. 30	.. .. .. .. .. ..
45 Sri Soundararaja Perumal temple, Nagapattinam town.	Six coconut trees were fallen down.	Rs. 11	..
46 Sri Viswanathar temple, Kothamangalam, Tiruthurai-pundi taluk.	(1) Thatched shed in front of the temple has been damaged. (2) Madapalli thatched shed has also been collapsed. (3) Eastern main wall of the temple about 30 feet has been damaged. (4) Thatched shed over Ayyanar temple has been damaged. (5) Temple tiled house has been affected and the walls of three sides have been collapsed. (6) Thatched house where mci-kaval resides was also affected. (7) Coconut trees 19, tamarind trees 2, ilupai trees 3 have fallen down.	Rs. 300 Rs. 200 Rs. 200 Rs. 150 Rs. 500 Rs. 80 Rs. 300	
Total ..		Rs. 1,730	

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Steps taken so far to repair them.	Amount spent.	Further steps to be taken to repair them.	Remarks.
(5)	(6)	(7)	(8)
District—cont.			
Action is proposed to be taken for repairs.	..	..	
....	..	..	
....	..	..	
....	..	..	
Kottagai has been rethatched at a cost of Rs. 60.	Rs. 60	..	
Zinc shed has been repaired.	Rs. 5	..	
....	..	Action is being taken to get orders and get repaired.	
....	..	Do.	
....	..	..	The Executive Officer reports that the leasees are praying for remission.
....	..	..	
....	..	..	
....	..	..	
....	..	..	
....	..	..	

[18th August 1956]

Serial number and name of temple, village and taluk.	Extent and nature of damage to temple.	Approximate cost of damage.	Amount sanctioned.	
(1)	(2)	(3)	(4)	
47 Sri Vedapuriswarar temple, Satiakudy, Nagapattinam taluk.	(1) Tamarind 1, coconut 3, karuvelan 5 have fallen down. (2) Front gate parapet wall collapsed and damaged.	Rs. 14 Rs. 15	.. ..	TANG
48 Sri Theevukottai Sri Vijayakothandaramar temple, Mahendrapalli, Sirkali taluk.	Lands 1.60 acres were affected.	Paddy Rs. 30-3-0 loss.	..	..
49 Sri Rajathagiriswar temple, Tiruthangoor, Tiruthurai-pundi taluk.	(1) About 40 coconuts were fallen down. (2) Temple prakaram walls were fallen down in five places. (3) Tiles were damaged in five temple houses.	Income Rs. 30 per year. Rs. 700	.. ..	..
50 Sri Bairavanathar temple, Thagattur, Tiruthurai-poondi taluk.	(1) Palmyrah 220, coconut 3, casuarina 30,000 (mostly) tamarind 1 have fallen down. (2) Broken branches of iluppai trees and pungai trees (about 200 cart-loads). (3) Damaged one house roof and office roof. (4) Damaged paddy in pattarai ks. 4.	Rs. 3,700	..	..
51 Sri Agniswarar temple, Tirukollikadu, Tiruthurai-pundi taluk.	(1) A hut and a temple house have been damaged. (2) Crops were damaged.	Rs. 700	..	..
52 Sri Karpaganathar temple, Karpaganathar kulam, Tiruthurai-pundi taluk.	(1) Total 2,795 coconut trees were fallen down. (2) Two tamarind, 200 palmyra trees were also fallen down. Broken iluppai trees—300 cart-loads. (3) The thatched shed in front of the office, the cattle-shed and other sheds have fallen down. The staff quarters have been severely damaged. The walls on the backside of the temple upstairs building have fallen down. A portion of compound wall of Perumal and Vinayagar temples have fallen down.	Rs. 30,000 Rs. 1,000 Rs. 500 Rs. 31,500	.. .. .. ..	..
53 Sri Ramalingaswami temple, Keelapidagai, Nagapattinam taluk.	(1) Nanja land about 2 acres was affected. (2) One tiled house was damaged. (3) Damages caused to madhil, garpagraham, mahamandapam and Nandikeswara mandapams.	Rs. 15,000	..	..

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Steps taken so far to repair them.	Amount spent.	Further steps to be taken to repair them.	Remarks.
(5)	(6)	(7)	(8)
DISTRICT—cont.	..	..	..
....	..	..	..
Action is being taken to rebuild the wall.	..	..	..
....	..	..	..
The Executive Officer reports that he has applied for 200 coconut plants and loan of Rs. 1,000 for planting coconut trees, etc., to the Tahsildar, Tiruthurai-pundi.	..	..	The Executive Officer reports that he expects an expenditure of Rs. 300 for the purpose of planting coconut trees instead of fallen trees.
Fallen trees were collected and the house residing by the gurukul has been built.	..	..	..
The Executive Officer reports that he is trying to get remission of kist from Government in the area affected by the cyclone.	..	..	..
The Executive Officer reports that he has addressed the Assistant Agriculturist, Research Station, Pattukottai, for getting coconut seedlings at concessional rates. He reports that he has planted about 400 seedlings after cyclone.	..	..	The Executive Officer reports that the annual loss of income is rupees 8,000 due to fall of coconut trees.
he trustee reports that he has prepared estimates for the repairs of house and submitted to this office for sanction.	..	..	..

[13th August 1956]

Serial number and name of temple, village and taluk.	Extent and nature of damage to temple.	Approximate cost of damage.	Amount sanctioned.
(1)	(2)	(3)	(4)
54 Sri Tiruppalanathar, Thiruppalakudi, Mannargudi taluk.	Mangalore tiles of (1) Sri Pillayar, (2) Mariamman and (3) Samabaladevi temples flown off.	Rs. 150-2-0	..
55 Sri Ranganathaperumal, Thirumakkottai, Mannargudi taluk.	Bandy shed Cattle shed	Rs. 3,000 Rs. 300	.. ..
56 Sri Balasubramania-swami, Manjavayal, Pattukkottai.	From shed of the temple, Vahanam shed, office room, gurukkal house, and kitchen roof of the temple.	..	..
57 Sri Kalyanaramaswami, Mimisal, Aranthangi.	Six thatched sheds	Rs. 4,035	..
58 Sri Varadarajaperumal, Ullikkottai, Mannargudi.	Threethousand tiles flown off at roof of Mariamman temple—2,000 tiles flown off at roof of Pillayar temple.	..	..
59 Sri Viswanathaswami temple, Melanatham, Mannargudi.	Nandi Mandapam fallen. Shed in front of Swami Sannadhi damaged—Roof of Muthumariamman temple 50 tiles flown off. Gurukkal house damaged.	..	..
60 Sri Devangaperumal, Sengamangalam, Pattukkottai taluk.	Temple premises fallen. Houses of gurukkal and pandaram fallen.	..	..
61 Sri Viswanathaswami, Arantangi town and taluk.	Tiles of store room Madapalli fallen—Temple house fallen.	Rs. 400 Rs. 400	.. ..
62 Sri Sundararajaperumal, Arantangi town and taluk.	Tiles of the temple premises ..	Rs. 130	..
63 Sri Veerahanumar temple, Arantangi.	Do. ..	Rs. 50	..
64 Sri Muthumariamman, Karambayan, Orathanad taluk.	Two thousand Mangalore tiles, school attached to the temple.	Rs. 1,000	..
65 Sri Sivan temple and Perumal temples, Karambayan.	Temple premises. ..	Rs. 4,000	..
66 Sri Abayavaradiswarar, Adhirampattinam, Pattukkottai.	Temple and its buildings, tiles in Portico, Navagarah Mandapam, front shed of office buildings and cattle shed roof.	Rs. 25,000	..
67 Sri Ellaiamman temple, Akkaraikottagam, Tirukkalar P.O.	Tiles of temple premises ..	Rs. 100	..
68 Sri Naganathaswami, Annavasal, Mannargudi.	Dwajasthambam—Fallen down.	..	..
69 Sri Balasubramania-swami, Nagaram, Pattukkottai.	Temple premises—Damaged ..	Rs. 600	..
70 Sri Prasannavenkateswarar, Peravurani, Pattukkottai.	Do. ..	Rs. 250	..
71 Sri Balathandayuthapaniswami, Tiruppalakudi.	Do. ..	Rs. 187-8-6	..
72 Sri Durgaiamman temple, Palathali, Pattukkottai.	Do. ..	Rs. 1,000	..

TANJORE

The executive authorities of such religious institutions have been instructed to utilise the amounts sanctioned already under the budget head 'building repairs' for repair of damages caused to the temple by the recent cyclone.

13th August 1956]

Steps taken so far to repair them.

Amount spent.

Further steps to be taken to repair them.

Remarks.

(5)

(6)

(7)

(8)

DISTRICT—cont.

Repairs are in progress. They have been instructed to submit reports as soon as repairs are completed. The reports are awaited.

The details of amounts spent so far have been called for. They are awaited.

The executive authorities have been instructed to apply to the Tahsildars concerned and avail themselves of the concessions granted by the Government in G.O. Ms. No. 434, Finance, dated 12th March 1955.

[13th August 1956]

Serial number and name of temple, village and taluk.	Extent and nature of damage to temple.	Approximate cost of damage.	Amount sanctioned.
(1)	(2)	(3)	(4)
73 Sri Othai Street Vinayagar, Mannargudi.	Temple tank steps	Rs. 20	.. ..
74 Sri Nageswaraaswami, Kumbakonam town.	Buildings and thatched sheds.	Rs. 2,876-8-0.	.. ..
75 Sri Adikesavaperumal, Paramandur, Arantangi.	Three kalasams of Rajagopuram—One kalasam of front Swami Vimanam—Vahana kottagai — Chovukandi—House of Archaka—House of Swayambagi.	Rs. 500	.. ..
76 Sri Sundareswarar, Palayamur, Mannargudi.	Shed of Pillayar Sannadhi and shops	Rs. 30 Rs. 60	.. ..
77 Sri Agasthiwarar, Ettithalai, Arantangi.	Shed of Pillayar temple—House—Gurukkal.	Rs. 20	.. ..
78 Sri Kasivisvanathar, Orathanad, Pattukottai.	House—Swayambagi	Rs. 300	.. ..
	Sheds in front of (1) South gopuram, (2) Amman Sannadhi, (3) Swami Sannadhi and (4) Subramaniam Sannadhi.	Rs. 300	.. ..
79 Sri Oushadapuriswarar, Marungapallam.	Shed in front of the temple	Rs. 100	.. ..
	Gurukkal house	Rs. 100	.. ..
80 Sri Subramaniaswami, Palamukthi, Enadi, Pattukottai taluk.	Swayambagi house	Rs. 75	.. ..
	Idumban swami	Rs. 50	.. ..
	Moolasthan tower	Rs. 500	.. ..
81 Sri Balasubramaniam, Nagaram, Pattukottai.	Thatched shed	Rs. 75	.. ..
	Tin shed	Rs. 3,000	.. ..
	Kodimaram	Rs. 150	.. ..
	Office room	Rs. 1,000	.. ..
	Chathram buildings	Rs. 1,500	.. ..
	Car shed	Rs. 100	.. ..
	Car shed	Rs. 100	.. ..
	Vahana Mandapam	Rs. 1,000	.. ..
82 Sri Perungaramunda Ayyanar temple.	Main building	Rs. 1,000	.. ..
83 Sri Baskareswarar, Paruthiapparkoil.	Uthasavar car shed	Rs. 800	.. ..
	Office shed	Rs. 60	.. ..
	Tile houses	Rs. 1,000	.. ..
84 Sri Subramaniaswami, Chidambaraviduthi.	Sivankoil roof	Rs. 250	.. ..
	Mel mandapam	Rs. 400	.. ..
	Uthasava car shed	Rs. 800	.. ..
	Office shed	Rs. 60	.. ..
	Tiled houses two	Rs. 1,000	.. ..
	Front shed	Rs. 300	.. ..
85 Sri Meenakhisundareswarar, Thuvankurichi, Pattukottai taluk.	Thatched shed	Rs. 25	.. ..
86 Sri Parijathavaneswarar, Thirukkalar, Mannargudi taluk.	Six houses	Rs. 235	.. ..
	Fuel room	Rs. 40	.. ..
	School attached to temple	Rs. 100	.. ..
	Bandy shed	Rs. 40	.. ..
	Temple bandy	Rs. 75	.. ..
	Temple car	Rs. 500	.. ..
	Wheel shed	Rs. 150	.. ..
87 Sri Valeeswarar temple, Kottaiyur, Arantangi taluk.	Madapalli shed	Rs. 300 + 300.	.. ..
	Melmandapam of Swamy	Rs. 100	.. ..
88 Sri Gnanapuriswarar, Thirumakkottai, Mannargudi taluk.	Stoothi of Uthasava	Rs. 100	.. ..
	Subramaniam shrine.	.. ..	.. ..
	School building, tiled houses and sheds.	Rs. 1,500	.. ..
89 Sri Santhanarajagopalar, Rajamadam.	Mandagapadi shed	Rs. 500	.. ..
	Vahana shed	Rs. 500	.. ..

Executive authorities of such religious institutions have been instructed to utilize the amounts sanctioned already under the budget head 'building repairs' for repair of damages caused to the temple by the recent cyclone.

TANJORE

13th August 1956]

Steps taken so far to repair them.	Amount spent.	Further steps to be taken to repair them.	Remarks.
(5)	(6)	(7)	(8)

DISTRICT—cont.

Repairs are in progress. They have been instructed to submit reports as soon as repairs are completed. The reports are awaited.

The details of amounts spent so far have been called for. They are awaited.

The executive authorities have been instructed to apply to the Tahsildars concerned and avail themselves of the concessions granted by the Government in G.O. Ms. No. 434, Finance, dated 12th March 1955.

[13th August 1956]

13th August 1956]

Serial number and name of temple, village and taluk.	Extent and nature of damage to temple.	Approximate cost of damage.	Amount sanctioned.	Steps taken so far to repair them.	Amount spent.	Further steps to be taken to repair them.	Remarks.
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
90 Sri Sundararajaperumal, Vellur.	Roof in front of the temple ..	Rs. 200	..	TANJORE	DISTRICT—cont.		
91 Sri Nellivannathar, Tirunelikkaval.	Tiled house—8 ..	Rs. 8,500	..				
	One thatched house and cattle shed.	Rs. 300	..				
92 Sri Naganathaswami, Pannani, Mannargudi taluk.	Tiled shed and garden ..	Rs. 40	..				
	Thatched shed and Amman san-nadi.	Rs. 35	..				
	Thatched houses—3 ..	Rs. 150	..				
	School Building ..	Rs. 200	..				
	Tiled houses—4 ..	Rs. 435	..				
93 Sri Kasiviswanathaswami, Rajamadam.	Madapalli Amman ..	Rs. 619	..				
94 Sri Ulagalandaswami, Kannanthangudi, Melayur.	Thatched shed ..	Rs. 200	..				
95 Sri Viswanathaswami, Erichi, Arantangi taluk.	Gopura Sthoopi ..	Rs. 100	..				
	Amman sannadhi shed ..	Rs. 300	..				
	Achara Kottagai ..	Rs. 400	..				
	Melmandapam ..	Rs. 200	..				
	Madapalli ..	Rs. 200	..				
	Madil walls ..	Rs. 300	..				
	Rishaba vahanam ..	Rs. 25	..				
96 Sri Karaialagar temple, Nallikkottai, Mannargudi.	Thatched shed where idols are kept damaged. ..	Rs. 300	..				
97 Sri Lakshminarayana-perumal, Karuppu-kilar.	Moolasthanam shed ..	Rs. 30	..				
	Side walls Temple ..	Rs. 100	..				
	Temple house ..	Rs. 65	..				
98 Sri Annamalai-nathar temple, Mannargudi town.	Compound wall ..	Rs. 150	..				
99 Sri Prasannakrishnaswami, Kummadithidal.	Tiles and electric lights ..	Rs. 100	..				
100 Sri Pambaniamman temple, Vilanur, Arantangi taluk.	Front-shed-Ukrana room ..	Rs. 900	..				
101 Sri Selliamman temple, Enadi.	Mandagapadi building ..	Rs. 290	..				
	Mariamman temple ..	Rs. 50	..				
	Ayyanar temple ..	Rs. 700	..				
	Pattavan temple ..	Rs. 25	..				
	Buildings at North street ..	Rs. 355	..				
102 Sri Admadyarjuneswarar, Mangalakoil, Vellalaviduthi.	Madil wall of Mariamman temple Vahanam, shed, granary.	Rs. 800	..				
103 Sri Viswanathaswami, Edayankottai, Arantangi.	Front shed and rest-house, Cooking room ..	Rs. 800	..				
	.. ..	Rs. 500	..				
104 Sri Viswanathaswami, Pattukkottai.	Tiled shed of Subramaniam shrine.	Rs. 75	..				
105 Sri Kailasanathar temple, Pattukkottai.	Compound wall ..	Rs. 75	..				
106 Sri Ranganathaswami, Pattukkottai.	Tiled shed of the temple ..	Rs. 750	..				
	Madapalli ..	Rs. 35	..				
107 Sri Sundaravinayagar, Pattukkottai.	Madappalli ..	Rs. 75	..				
108 Sri Chandrasekara-swami, Pattukkottai.	Images of Gopuram ..	Rs. 150	..				
	Thatched shed ..	Rs. 40	..				
109 Sri Kailasanathar temple, Nallur, Mannargudi taluk.	Gurukkal house ..	Rs. 80	..				
110 Sri Kailasanathar temple, Mannargudi town.	Compound walls ..	Rs. 250	..				

The executive authorities of such religious institutions have been instructed to utilise the amounts sanctioned already under the budget head 'building repairs' for repair of damages caused to the temple by the recent cyclone.

Repairs are in progress. They have been instructed to submit reports as soon as repairs are completed. The reports are awaited.

The details of amounts spent so far have been called for. They are awaited.

The executive authorities have been instructed to apply to the Tahsildars concerned and avail themselves of the concessions granted by the Government in G.O. Ms. No. 434, Finance, dated 12th March 1955.

[13th August 1956]

Serial number and name of temple, village and taluk.	Extent and nature of damage to temple.	Approximate cost of damage.	Amount sanctioned.	Remarks.
(1)	(2)	(3)	(4)	(8)
111 Sri Nadiamman temple, Pattukkottai town.	Mandagapadi music hall .. Front shed Madapalli Shed over terraced building .. Vahanam shed Office building Temple car-shed Electric fittings Vahanams and dalavadams .. Shops in mandapam	Rs. 1,400 .. Rs. 350 .. Rs. 35 .. Rs. 500 .. Rs. 300 .. Rs. 30 .. Rs. 300 .. Rs. 100 .. Rs. 1,250 .. Rs. 350 ..	.. .. .. .. .. .. .. .. .. ..	
	Total ..	Rs. 86,878-2-0		

TANJORE

The executive authorities of such religious institutions have been instructed to utilise the amounts sanctioned already under the budget head 'building repairs' for repair of damages caused to the temple by the recent cyclone.

TIRUCHIRAPPALLI

1 Pudukkottai State temples, Pudukkottai.	The stone roofing of front prakaram of Sivan temple, Annavaasal has fallen to a length of 10 feet. Several trees belonging to Tirugokarnam temple have fallen down. The car-shed of Thirumayam Perumalkoil has been damaged. The tin sheet covering and tiled roofings have been damaged. The gold gilded sthupi of Ambal shrine of Nedungudi Siva temple, and the copper sthupi of Sri Nataraja shrine have fallen down.	Rs. 300 ..	Nil.	Details are awaited.
2 Sri Setti Urani Pillayar temple, Alan-gudi.	Tiles of the temple roof have been thrown out. Wet lands to the extent of 4 acres are covered by mud, and thus the lands are made unfit for cultivation.	Rs. 400 ..	..	
3 Sri Srinivasaperumal temple, Arimalam, Thirumayam taluk.	Tiles of the temple roofings have been removed. A portion of the temple walls has fallen down. Eleven coconut trees have fallen down. The temple lands are covered by mud and thus have become unfit for cultivation.	Rs. 400 .. Rs. 110 .. Rs. 400 ..	 Nil. ..	

13th August 1956]

Steps taken so far to repair them.	Amount spent.	Further steps to be taken to repair them.	Remarks.
(5)	(6)	(7)	(8)
DISTRICT—cont.			
Repairs are in progress. They had been instructed to submit reports as soon as repairs are completed. The reports are awaited.	The details of amounts spent so far have been called for. They are awaited.		The executive authorities have been instructed to apply to the Tahsildars concerned and avail themselves of the concessions granted by the Government in G.O.Ms. No. 434, Finance, dated 12th March 1953.

DISTRICT.

Tiles have been replaced out of the private funds of the Trustee. No steps have been taken to remove the mud on the lands.	Rs. 100 ..	The trustee has been instructed to avail the concession granted by Government.
Repairs to the temple buildings are being done.	Rs. 320 ..	Do.
Nil	Nil	Do.

[13th August 1956]			
Serial number and name of temple, village and taluk.	Extent and nature of damage to temple.	Approximate cost of damage.	Amount sanctioned.
(1)	(2)	(3)	(4)
TIRUCHIRAPPALLI			
4 Sri Peria Ayyanar and Veoramahali- amman temple, Kudalur, Vattam, Thirumayam taluk.	The shed in front of Sri Veera- mahali- amman Garbagraham has fallen down.	Rs. 150	.. Nil.
5 Sri Thittani Ayyanar temple, Neivasal, Pillamangalam Vattam, Thirumayam taluk.	The terrace and the walls of the building have been damaged. The sheds have been over- thrown.	Rs. 1,700	.. Nil.
6 Sri Sundararajaperu- mal temple, Idumba- nadu, Thirumayam taluk.	The mandapam in front of Sri Sundaravalliamman shrine has fallen down. The sthupi in front of Amman shrine has been broken. Cracks have formed on the Swargavasal. Cracks have formed on the Gopura mandapam of Swami and Amman shrine.	Rs. 400 Rs. 25 Rs. 100 Rs. 250	 Nil. ..
7 Sri Dhandayudapani temple, West Raja street, Pudukkottai.	Three coconut trees have fallen down. The temple buildings have been damaged.	Rs. 500	.. Nil.
8 Sri Muthumariamman temple, Konnayur, Thirumayam taluk.	The doors of the car-shed have been damaged.	Rs. 50	.. Nil.
MADURAI			
1 Sri Kudal Alagar temple, Madurai.	Upper portion of a wall in Yanai Mahal to a height of 10 feet fell down. Electric wires were twisted and cut. The wooden beams supporting the tiled roofs near madapalli have broken. The terrace has become leaky in many places.	Rs. 100 Rs. 100 Rs. 150 Rs. 200	.. .. .. ..
2 Sri Minakshi Sunda- reswarar temple, Madurai.	Buildings, lands, and trees ..	Rs. 9,400, Rs. 730 and Rs. 222.	..
3 Puttu festival kat- talai attached to Sri Minakshi Sunda- reswarar temple, Madurai.	2.92 acres of lands in Attukulam damaged. Madapalli in Sri Chockanathar temple. Five coconut trees uprooted ..	Rs. 198 Rs. 500 Rs. 10	.. .. ..
4 Sri Kallazhagar temple, Valayapatti, Melur taluk.	Sixty-six trees were uprooted .. 3.17 acres of lands in three villages affected. Buildings	Rs. 150 Rs. 250 Rs. 1,100	.. .. ..
5 Sri Thandumariamman temple, Dindigul Road, Madurai town and taluk.	Upper floor of the terraced build- ing damaged.	Rs. 50	..

13th August 1956]

Steps taken so far to repair them.	Amount spent.	Further steps to be taken to repair them.	Remarks.
(5)	(6)	(7)	(8)
ont.			
Nil	Nil	..	The trustee has been instructed to avail the concession grant- ed by Govern- ment.
Nil	Nil	..	Instructions have been issued to the trustee to avail the con- cession granted by Government.
The stupi has been replaced at a cost of Rs. 25. The remaining items have not been repaired.	Rs. 25 ..	Do.	
The trustee has applied to the Deputy Collector for loan of Rs. 500.	Rs. 50 ..	Do.	
Nil	Nil	Do.	
DISTRICT.			
....	..	..	
....	..	..	
Estimates are awaited.	..	..	
....	..	..	
Estimates are awaited.	..	..	
....	..	..	
....	..	..	
....	..	..	
Estimates are awaited.	..	..	
....	..	..	
....	..	..	
....	..	..	

[13th August 1956]

Serial number and name of temple, village and taluk.	Extent and nature of damage to temple.	Approximate cost of damage.	Amount sanctioned.
(1)	(2)	(3)	(4)
6 Sri Kalamegaperumal temple, Thirumohur, Madurai taluk.	Six coconut trees and four goa trees uprooted.	Rs. 80	MADURAI
7 Sri Kalyanasundareswarar temple, Melur.	(a) One tamarind tree, five coconut trees, two manjanathi trees, one vela tree and one vagai tree uprooted. (b) Paddy seedling of 64 measures spoiled.	Rs. 60 Rs. 22	..
1 Sri Ramanathaswami temple, Rameswaram, Ramanathapuram taluk.	Breach of Landai tank .. Tiled roof of water tank .. Kar crops in Veeravayal severely damaged in 75.88 acres and 516.10 acres.	Rs. 5,000 Rs. 100 Full remission to 49.87 acres and partial remission to 25.99 acres. Remission of Kalams 9-1-0 per acre to 516.10 acres. Leased out under Tanjore Tenants Pannayal Protection Act, 1952.	RAMANATHAPURAM
2 Sri Kailasanathar temple, Kudi, Tirupathur taluk.	Hundred and thirty-eight trees uprooted. Mainly office building, Viduthi, Keeranipatti-viduthi office, cow-shed, and bandy shed all of Mangalore tiles damaged.	Loss not reported.	..
3 Sri Koppudayanayagi- amman temple, Karai- kudi, Tirupathur taluk.	Three servants' quarters with Mangalore tiles damaged. Buildings [weekly market, old market compound, bazaar area of Kallukatti (shops), granary of the temple, Kat-tamman temple]. Thirty-eight trees and 400 measures of paddy.	Rs. 500 Rs. 4,880 Rs. 1,000 Rs. 1,210 Rs. 300	.. .. .. .. ..

13th August 1956]

Steps taken so far to repair them.	Amount spent.	Further steps to be taken to repair them.	Remarks.
(5)	(6)	(7)	(8)
—cont.	..	..	..
....	..	..	..
....	..	..	..
....	Rs. 14-12-6.	..	..
DISTRICT.	..	..	..
Estimates for Rs. 3,025 pending sanction.	..	..	..
....	..	..	..
....	..	..	..
Estimates are awaited	..	..	..
....	..	..	..
Estimates for Rs. 1,210 submitted for sanction—Pending.	..	..	..
Estimates for Rs. 3,660 pending sanction.	..	..	..
Estimates for Rs. 322-8-0 pending sanction.	..	..	..

Serial number and name
of temple, village and
taluk.

(1)

Extent and nature of
damage to temple.

(2)

[13th August 1956]

Approximate
cost of damage.

Amount
sanctioned.

(3)

(4)

RAMANATHAPURAM

[13th August 1956]

Steps taken so far
to repair them.

(5)

Amount
spent.

(6)

Further steps
to be taken
to repair them.

(7)

Remarks.

(8)

DISTRICT—cont.

Estimates are awaited

Estimates are awaited

Estimates are awaited

taluk.

Instructions issued to sell
the trees by public auction.

The authorities of the temple
have proposed to attend
to the repairs immediately
required.

- 4 Sri Silambanichidam-
baravinayagar temple,
Devakottai, Tiruva-
danai taluk. Tiles in the roof of the office
building were blown off—
Cattle shed tiles numbering 50
were damaged.
One house was razed to the
ground. Rs. 100
Fifty tiles of market building
were blown off. Two houses
in Perattukottai damaged.
Thirty trees in coconut tope
at Devakottai uprooted.
Eleven trees in Gnanarendal
village uprooted.
Standing crops (Keppai and
Vali) damaged.
Elangundram kanmoi breached. Rs. 250
- 5 Sri Sowmyanarayana-
swami temple, Thiru-
koshtiyur, Sivaganga
taluk. Car coverings blown off
Thatched shed of Adi car
blown off. Rs. 1,000
Travellers' bungalow of the
temple slightly damaged. Rs. 50
Zinc sheet shed in front of
Udayavar sannadhi blown off. Rs. 1,250
Sixty-two trees uprooted. One
cow died. Rs. 25
- 6 Sri Swarnakaliwarar
temple, Kalayarkoil,
Sivaganga taluk. Saraswathimahal building
Thatched shed in front of the
range office within the temple
compound has fallen down.
Rathakottagai blown off
Old rest house .. Rs. 100
Car coverings zinc sheet
damaged. Rs. 250
Eighteen trees were uprooted .. Rs. 250
- 7 Sri Adaikalamkatha
Ayyanar temple,
Madapuram. Iluppai trees—2, tamarind
trees—3 and coconut trees
were uprooted.
- 8 Sri Vettudayakaliyamman
temple, Ariyakurichi. Cracks in the terrace of the
temple. The tiles of the
roofing of Madapalli and
Padsham room were fallen and
damaged. The tiles of pil-
grims shed and granary
were also damaged. About
30 margosa trees and 34 tamarind
trees and 17 coconut
trees yielding ones were also
uprooted. Rs. 300
- 9 Sri Perumalkoil, Siva-
ganga town and taluk. Tamarind tree—1 and margosa
trees—2 were uprooted and
building owned by the temple
and situate at Thirunplai
was damaged. Rs. 425

Sivaganga

Serial number and name of temple, village and taluk.	Extent and nature of damage to temple.	[13th August 1956]	Approximate cost of damage.	Amount sanctioned.
(1)	(2)	(3)	(4)	
22 Sri Ulaganayagi Amman temple, Sethuregnathapuram.	Many trees were uprooted—Nanja and punja lands were affected—Temple building was damaged—Tiles were blown off.	Rs. 2,000	RAMANATHAPURAM	Tirupathur
23 Sri Ponnambalamoorthi Ayyanar temple, Thahirmarugoor.	Nanja and punja lands were badly affected. Nineteen acres and 30 cents and temple buildings were affected.	Rs. 400		
24 Sri Adhirathneswarar temple, Thiruvadanai (Ramanathapuram Samasthanam).	The compound wall of Mitta office and rest-house were affected and fallen down.	Rs. 400		
25 Sri Kailasanathaswami temple, Rayamigamangalam.	Damage to terrace Navagraha mantapam.	of Rs. 50		
26 Sri Vellugandamman temple, Uppoor.	The eastern side of the kitchen fallen down.	Rs. 1,000		
27 Sri Hanumarkothandaramaswami temple, Paramakudi town.	Temple houses in door Nos. 4/244, 245, 246, 248 (a) were damaged—Compound wall at Cinema theatre also affected. Houses in door Nos. 4/28, 249, 250, 251 and 251 were also damaged.	Rs. 2,850	Paramakudi	
28 Sri Eswaranudayar temple, Emaneswaram.	The Madhil wall of the Vinayar temple and tiled roofing of the temple were damaged.	Rs. 2,000		
29 Sri Chokkanathaswami temple, Authurvarnapuram.	Nanja and punja lands were affected. Temple buildings were damaged.	Rs. 100		
30 Sri Muthumariamman temple, Thayamangalam.	Many trees were uprooted. Tiles in the roofing of outer mandapam, Vahanam shed, madapalli were damaged.	Rs. 250		
31 Sri Meenakshisundareswarar and Muthumariamman temple, Paramakudi town.	The top of the Dhvajasthambam has fallen down.	Rs. 50		
32 Sri Varadarajaperumal temple, Emaneswaram.	Sixteen pillar mandapam in front of the temple had fallen down.	Rs. 750		
33 Sri Vellukandamman temple, Thanugat.	The western wall of madapalli was damaged.	Rs. 200	Aruppukottai	

[13th August 1956]

Steps taken so far to repair them.	Amount spent.	Further steps to be taken to repair them.	Remarks.
(5)	(6)	(7)	(8)
District—cont.			
Taluk—cont.			
....	..	..	
....	..	..	
....	..	..	
Estimates have been got sanctioned.	..	..	
....			
Taluk.	..	..	
....	..	..	
The authorities of the temple have proposed to undertake the repairs.	..	..	
....	..	..	
....	..	..	
Taluk.			
Steps have been taken by the trustees to repair the damages.	Rs. 200	..	

[13th August 1956]

13th August 1956]

Serial number and name of temple, village and taluk.	Extent and nature of damage to temple.	Approximate cost of damage.	Amount sanctioned.	Steps taken so far to repair them.	Amount spent.	Further steps to be taken to repair them.	Remarks.
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
RAMANATHAPURAM				DISTRICT—cont.			
Ramanathapuram				taluk.			
34 Sri Mangalanathaswami temple, Thiruntharakosamangai.	The front portion of the building fallen down and coolies quarters were affected.	Rs. 4,400	..	....	..	..	
35 Sri Kandeewarar math, Rameswaram.	Cracks made in the terrace of the math. Well also damaged.	Rs. 500	..	....	..	..	
36 Sri Natarajar temple, Kavanur.	Nanja and punja lands were affected. Thirumadhil has fallen down.	Rs. 460	..	....	..	..	
37 Sri Narayana Sundaraperumal temple, Puduk. Puduk.	The walls of the temple had been damaged. About 20 coconut trees were uprooted.	Rs. 525	..	....	..	..	
38 Sri Ramanathaswami Devasthanam, Rameswaram.	Several breaches in tanks belonging to the Devasthanam had occurred.	Rs. 8,025	..	The trustee has addressed the Assistant Commissioner for the sanction of the cost of repairs.	Rs. 600 paid as advance.	..	
Mudukulathur				taluk.			
39 Sri Subramaniaswami temple, Kamuthi.	A building over the temple in door No. 10/123 was badly affected.	Rs. 1,000	..	The trustees have applied to Government for a loan of Rs. 1,000 for effecting repairs.	..	..	
40 Ramnad Samasthanam Sri Subramaniaswami temple, Mudukulathur.	Building rented to Government for Sub-Magistrate's Court was badly damaged and also houses door Nos. 30 and 31 were damaged.	Rs. 3,000	..	Some preliminary minor repairs only undertaken.	Rs. 300	..	
41 Sri Chidambareswarar temple, Sathur town and taluk.	(1) Margosa tree and (1) vela tree.	Rs. 12-8-0	..	Auction conducted and fallen trees were sold for Rs. 12-8-0.	..	..	
Srivilliputhur				taluk.			
Nil.							

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Issued—27-11-1956



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MADRAS LEGISLATIVE COUNCIL DEBATES OFFICIAL REPORT

MONDAY, 27TH AUGUST 1956

VOLUME XIV—No. 5

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PRICE, 4 annas]

MADRAS: PRINTED BY THE SUPERINTENDENT, GOVERNMENT PRESS.

THE MADRAS LEGISLATIVE COUNCIL.

Monday, the 27th August 1956.

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.

Special local public holidays

* 21 Q.—SRI T. PURUSHOTHAM : Will the Hon. the Chief Minister be pleased—

(a) to place on the table of the House a districtwise list of special local public holidays declared by the Government for the local fairs and festivals in the State;

(b) to state the criteria on which such special local holidays are declared; and

(c) whether the Government have under consideration any proposal to declare special local holidays in Madras City for Sri Parthasarathy Swami Garudhotsawam at Triplicane and Aruvathi-moovar festival at Mylapore?

THE HON. SRI M. BHAKTAVATSALAM (on behalf of the Hon. the Chief Minister) : (a) A statement* showing the district-wise list of special local holidays declared by the Government for the local fairs and festivals in this State is placed on the table of the House.

(b) These holidays have been granted in accordance with established custom or on account of local festivals in this State, in consultation with the Collectors of the districts concerned.

(c) No, Sir.

SRI T. PURUSHOTHAM : With reference to the answer given by the Hon. Minister to clause (c) of the question, will the Government kindly consider the grant of at least a half-holiday for these festivals in the Madras City?

THE HON. SRI M. BHAKTAVATSALAM : I do not think, Sir, it is necessary to grant any holiday for these festivals, however important they are.

SRI T. PURUSHOTHAM : In the statement placed on the table of the House it is seen that the Garudhotsawam festival at Kancheepuram is considered as a fit occasion for the grant of a local holiday and should not the same concession be extended to Sri Parthasarathy Swami Temple Garudhotsawam at Triplicane also?

[27th August 1956]

THE HON. SRI M. BHAKTAVATSALAM : The hon. Member will appreciate the difference between the mufassal areas and the City area.

SRI V. CHAKKARAI CHETTY : Will the Hon. Minister be pleased to state whether the criterion depends upon the importance of the temple and the concourse of people who attend these festivals? On what basis do they allocate holidays for these local festivals at temples?

THE HON. SRI M. BHAKTAVATSALAM : Sir, the criterion referred to by the hon. Member is fairly correct.

SRI T. PURUSHOTHAM : In view of the standards laid down by the Government in this matter, may I request the Hon. Minister to make a reference about the festivals referred to in clause (c) of the question to the Collector of Madras and see whether there is any case for grant of a special half-holiday for these festivals?

THE HON. SRI M. BHAKTAVATSALAM : I do not think the Collector will enlighten the Government anything further than what ideas the Government themselves have.

SRI K. BALASUBRAMANYA AYYAR : Have the Government taken into consideration the fact that on account of the large crowds that assemble in connection with these festivals, especially at Triplicane and Mylapore, the people who come to the offices are put to a great deal of inconvenience? It is on that ground that I am asking for a holiday and not because of any religious spirit. Should not the Government take into consideration the fact that there is a large concourse of people from 11 o'clock in the morning till 6 o'clock in the evening on these festival days?

THE HON. SRI M. BHAKTAVATSALAM : Sir, for the Garudhotsavam festival, crowds go early in the morning and then, during office hours, there will not be that difficulty and for the Aruvathimoovar festival, just when the people return from their offices, people go and attend the festival, i.e., in the afternoon only. So, there should be no difficulty.

SRI T. PURUSHOTHAM : Will the Government at least consider the grant of one-hour permission for those who wish to attend the festivals—one hour in the morning for the Triplicane festival and one hour in the afternoon for the Mylapore festival?

THE HON. SRI M. BHAKTAVATSALAM : If the people concerned are really quite pious, they could manage to attend the festivals and also attend the offices. Regarding Garudhotsavam, they can attend early in the morning and then attend the office, and regarding Aruvathimoovar, they can return from their offices and then worship the deity at Mylapore.

27th August 1956]

SRI T. PURUSHOTHAM : Is it not the duty of the Government to encourage the religious instincts of the people and not discourage them by throwing obstacles instead of facilities being afforded to them for worship?

THE HON. SRI M. BHAKTAVATSALAM : It is not a question of either encouraging or discouraging the religious instincts of people. But Government would certainly like to discourage the idea of 'holiday-making'.

SRI A. GAJAPATHY NAYAGAR : மயிலாப்பூரில் நடைபெறும் அறுபத்திமூவர் உற்சவமானது சென்னை மக்களெல்லாம் சேர்ந்து கொண்டாடும் பெரிய உற்சவமாக இருக்கிறதென்பதை அமைச்சரவர்கள் அறிவார்களா? அறுபத்திமூன்று நாயன்மார்களுக்கும் திருவள்ளுவ நாயனாருக்கும் சேர்ந்து அன்று உற்சவம் நடைபெறுவதால் அதை மிகப் பெரிய தமிழ் நாட்டு உற்சவமாகக் கருதி, அந்தத் தினத்தை சர்க்காரின் முழுநாள் விடுமுறையாக்குவார்களா என்று தாழ்மையுடன் கேட்டுக் கொள்கின்றேன்?

THE HON. SRI M. BHAKTAVATSALAM : நான் மயிலாப்பூரில் ரொம்ப நாளாக வசித்துக்கொண்டிருக்கிறேன். அறுபத்திமூவர் உற்சவத் தன்று மாலை 4-30 அல்லது 5-30 மணிக்குமேல்தான் சுவாமி காட்சி அளிக்கின்றது. இம்மாதிரி அறுபத்திமூன்று நாயன்மார்களுக்கும் பழைய காலத்திலிருந்து உற்சவம் நடைபெறுகின்றது. ஒவ்வொரு கோயிலில், ஒவ்வொரு மாதத்தில், ஒவ்வொரு நாளில் நடந்துவருகிறது.

SRI G. KRISHNAMOORTHY : May I know, Sir, whether the Government have added to the list of holidays after the attainment of independence, especially the holidays in connection with religious festivals?

THE HON. SRI M. BHAKTAVATSALAM : I do not think so, Sir.

SRI V. V. RAMASWAMI : வள்ளுவர் நினைவுக்காக ஏதாவது ஒரு நாளைக் குறிப்பிட்டு, அன்று விடுமுறை அளிக்க அரசாங்கத்தாருக்கு ஏதாவது உத்தேசம் உண்டா?

THE HON. SRI M. BHAKTAVATSALAM : அம்மாதிரி உத்தேசம் ஒன்றும் இல்லை. வள்ளுவரை வணங்குவதற்கு விடுமுறை அவசியம் இல்லை என்று சர்க்கார் கருதுகிறார்கள்.

SRI MOHAMED RAZA KHAN : When there is a strong feeling on the part of some Members that some concession should be shown, cannot the Hon. the Leader of the House solve the problem by having the festivals in the day time and the working of the offices in the night? (Laughter.)

THE HON. SRI M. BHAKTAVATSALAM : But, Sir, some of these festivals do take place in the night also.

SRI T. PURUSHOTHAM : Even if general permission could not be granted, would the Government consider the grant of special permission to those who apply for permission to attend office late or leave early in the evening if they wish to visit these temples on festival days?

[27th August 1956]

THE HON. SRI M. BHAKTAVATSALAM: Sir, individuals can apply for casual leave or other permission as they do take such permission whenever they find it necessary.

Proposal to start aluminium and paper factories

* 22 Q.—**SRI V. V. RAMASWAMI:** Will the Hon. the Minister for Agriculture be pleased to state whether there is any proposal under the consideration of the Government to start an aluminium factory in Salem district and a paper factory at Mettupalayam in Coimbatore district?

THE HON. SRI M. BHAKTAVATSALAM: A proposal to start a factory for the manufacture of aluminium from bauxite in the Salem district and another to start a paper factory in the Nilgiris area are under consideration. But no decision has been taken regarding the location of the units.

SRI V. V. RAMASWAMI: அந்தத் தொழிற்சாலைகளை மத்திய அரசாங்கம் துவக்கப்போகிறார்களா, அல்லது நமது ராஜ்ய அரசாங்கமே துவக்கப்போகிறார்களா? அரசாங்கம் முதல் போட்டு அவைகளை நடத்தப் போகின்றார்களா, அல்லது தனியார் உதவியை நாடி, தனியார்களையும் பங்குதாரர்களாகச் சேர்த்துக்கொண்டு நடத்தப்போகின்றார்களா என்ற விவரம் கனம் அமைச்சரவர்கள் கொடுக்க முடியுமா?

THE HON. SRI M. BHAKTAVATSALAM: தொழிற்சாலைகளை மத்திய அரசாங்கம் தனியாக நடத்துவதா, ராஜ்ய அரசாங்கம் தனியாக நடத்துவதா என்பதில் இப்பொழுது பிரச்சனை; பப்ளிக் ஸெக்டரிலே நடத்துவதா, ப்ரைவேட் ஸெக்டரிலே நடத்துவதா என்பதுதான் பிரச்சனை. சில தனி முதலாளிகள் முன்வந்து எடுத்துக்கொண்டால், ப்ரைவேட் ஸெக்டரிலே அனுமதிக்கப்பட்டு, வேண்டிய உதவியும் அளிக்கப்படுகிறது.

சிலவற்றை அரசாங்கமே ஏற்று நடத்துவதாயிருந்தால், ராஜ்ய அரசாங்கமும், மத்திய அரசாங்கமும் சேர்ந்து நடத்துவார்கள். சேலம் ஜில்லாவில் கிடைக்கும் 'பாக்ஸைட்' டைக் கொண்டு அலுமினியத் தொழிற்சாலையைப் பொறுத்தமட்டில், அதை பப்ளிக் ஸெக்டரிலேயே நடத்துவது என்று இப்பொழுது முடிவு.

காகிதத் தொழிற்சாலையைப் பொறுத்தமட்டில், 'செய்தித்தாள்' காகிதத் தொழிற்சாலையாயிருந்தால், அது பெரிய விவகாரம்; அதை பப்ளிக் ஸெக்டரிலே நடத்துவது என்று யோசனை. எழுதுவதற்கான சாதாரண காகிதமாயிருந்தால், அதை ப்ரைவேட் ஸெக்டரிலே விட்டு விடலாம். தனி முதலாளிகள் யாராவது முன்வந்தால் அவர்களுடைய மனு கருதப்படும் என்று தெரிவிக்கப்பட்டிருக்கிறது.

SRI K. BALASUBRAMANYA AYYAR: From their experience of State Trading, do the Government consider that they can efficiently conduct these institutions when they take them up in the public sector?

THE HON. SRI M. BHAKTAVATSALAM: The Government consider taking up some of these heavy industries in the public sector only when there is no other course open and when they do take it up, they have no fear that they will not be able to manage it quite well.

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SRI V. V. RAMASWAMI: தொழிற்சாலையை நடத்த தனியார் யாரிடத்திலிருந்தாவது விண்ணப்பம் வந்திருக்கிறதா என்று அறிய விரும்புகிறேன்.

THE HON. SRI M. BHAKTAVATSALAM: இதுவரையில் அவ்வாறு குறிப்பிட்ட வகையிலே வந்ததாகத் தெரியவில்லை.

SRI MOHAMED RAZA KHAN: What are the special advantages in locating the paper factory somewhere near Mettupalayam?

THE HON. SRI M. BHAKTAVATSALAM: If it is ordinary writing paper industry, the raw materials like bamboos that are available around this area would be valuable raw materials for making writing paper. If it is newsprint, wattle and bluegum are good trees which are available in the nearby forests and out of that, pulp could be made.

SRI V. CHAKKARAI CHETTY: Are not the required technical personnel available in India? There should be no difficulty in getting the requisite technical personnel.

THE HON. SRI M. BHAKTAVATSALAM: Yes. They are available.

Madras Penitentiary

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

(a) the average number of convicts in the Madras Penitentiary per day;

(b) whether flush-out sanitary arrangements have been provided in the premises;

(c) whether the Corporation of Madras or the local residents have made any representation to the Government about the pollution of Cooum river by the penitentiary sullage arrangements; and

(d) if so, the steps taken or proposed to be taken by Government to effect the necessary improvements?

THE HON. SRI M. BHAKTAVATSALAM (on behalf of the Hon. the Minister for Finance and Education): (a) The daily average number of convicts in the Central Jail, Madras, for the year 1955 is 1,259.51.

(b) No.

(c) & (d) A representation has been received from the Corporation of Madras. On inspection, it was noticed that the sullage water of the jail is collected in a cesspool and used for the jail garden and the rare and negligible overflow from this alone goes into the river. It was also noticed that there is a big storm water drain opening into the Cooum, that this big Corporation drain enters the Jail premises underground at a point opposite to Ripon

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Buildings, and that the contamination caused through this drain has been mistakenly attributed to the Jail drains. The Commissioner, Corporation of Madras, has reported that the sewers in Poonamallee High Road surcharged during peak hours and there is a flow of sewage into this storm water drain. He has stated that action is being taken by the Corporation to install a pumping unit and that when this work is completed, there will be no overflow of sewage into the Corporation drain, and no pollution of the Cooum.

11-10 **SRI V. CHAKKARAI CHETTY**: When was the first representation made? I think it must have been more than ten years ago when I was a member of the Corporation Council.

THE HON. SRI M. BHAKTAVATSALAM: Perhaps the hon. Member is correct.

SRI T. PURUSHOTHAM: Will the Government kindly depute the Government Adviser, viz., the Director of Public Health, to go into the whole question and see that the matter is satisfactorily settled between the Corporation and the Jail authorities?

THE HON. SRI M. BHAKTAVATSALAM: The matter is under correspondence with the Corporation of Madras. Certain views have been communicated to the Corporation and its remarks are awaited. Therefore, I do not think it is now necessary to appoint any special officer for the purpose.

SRI V. V. RAMASWAMI: இந்த மத்திய ஜெயிலை ஊருக்கு வெளியே எங்கேயாவது மாற்றுவதற்கு அரசாங்கத்துக்கு உத்தேசம் உண்டா?

THE HON. SRI M. BHAKTAVATSALAM: அப்படியும் ஒரு உத்தேசம் அரசாங்கத்துக்கு இருந்துகொண்டுதான் இருக்கிறது.

SRI MOHAMED RAZA KHAN: Is it not a fact that there was a definite proposal before the Government of Madras to shift the Penitentiary to some other suburban place? If so, what has happened to that idea?

THE HON. SRI M. BHAKTAVATSALAM: I have just answered in Tamil that there has been that idea for some time.

Celebration of Buddha Jayanti

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

(a) the amount allotted by the Government of India to this State for the celebration of Buddha Jayanti;

(b) whether the State Government has sanctioned any grant for the purpose and the agency proposed by the Government for the utilization of the Central and State Government grants; and

(c) how the amount is proposed to be utilized in this State for the purpose?

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THE HON. SRI M. BHAKTAVATSALAM (on behalf of the Hon. the Minister for Finance and Education): (a) No amount was allotted by the Government of India for the purpose.

(b) & (c) A Special Exhibition of Buddhist antiquities was held in the Centenary Exhibition Hall in the Government Museum, Madras. It was inaugurated by the President of India on 27th May 1956 and an expenditure of Rs. 8,150 was incurred in this connexion. The Government also sanctioned the supply, free of cost, of a sweet and pongal to the inmates of the several Indian Boarding Homes, Orphanages, Borstals and Certified Schools, Remand Homes, etc. One sweet and pongal were also supplied to all prisoners in connexion with the celebrations.

SRI T. PURUSHOTHAM: Who were entrusted with the job of making arrangements in connexion with the Buddha Jayanti celebrations in the City and in the mufassal? Was any non-official committee constituted for the purpose?

THE HON. SRI M. BHAKTAVATSALAM: I do not think that there was any organization set up by the Government for attending to the celebrations referred to as such. Regarding the holding of the special exhibition of Buddhist antiquities in the Government Museum, the concerned Museum authorities were deputed to look to it.

SRI T. PURUSHOTHAM: Was any amount allotted from the State funds to the districts for the celebration of Buddha Jayanti?

THE HON. SRI M. BHAKTAVATSALAM: No, Sir, apart from the expenditure that was incurred on the holding of this exhibition, I do not think any other expenditure was incurred. Even in the Madras City, in connexion with the celebrations, except the item relating to the distribution of sweets, etc., to the inmates of the jails and the Borstal school, there was no expenditure incurred.

SRI T. PURUSHOTHAM: Will the Hon. Minister kindly tell us whether any work of permanent utility has been undertaken by the Government in this State in connexion with the celebrations of the Jayanti?

THE HON. SRI M. BHAKTAVATSALAM: Sir, so far as the Government are concerned, I do not think any such work has been taken up.

SRI G. KRISHNAMOORTHY: May I know whether this is to be an annual recurring function?

THE HON. SRI M. BHAKTAVATSALAM: The hon. Member is perhaps not aware that this celebration relates to the 2,500th birth anniversary of Buddha.

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Harijans and others employed in the Commercial Taxes Department.

* 25 Q.—SRI V. V. RAMASWAMI: Will the Hon. the Minister for Revenue be pleased to lay on the table of the House a statement showing the number of Harijans and persons of other Scheduled Castes employed in the Commercial Taxes Department as Deputy Commercial Tax Officers and Assistant Commercial Tax Officers?

THE HON. SRI M. A. MANICKAVELU: There are two Deputy Commercial Tax Officers and two Assistant Commercial Tax Officers belonging to the Harijan Community and one Assistant Commercial Tax Officer belonging to other Scheduled Castes in the Commercial Taxes Department.

SRI V. V. RAMASWAMI: இந்த வகுப்பினர்களிலிருந்து C.T.O. பதவிகளுக்கு தகுந்த ஆட்கள் இல்லையா? இல்லாவிட்டால் சீக்கிரம் ஏதாவது அவர்களுடைய விகிதாசாரப்படி அவர்களுக்கு இவ்வேலைகள் கிடைக்கும் வண்ணம் அரசாங்கம் ஏற்பாடு செய்ய முன்வருவார்களா என்று கேட்கிறேன்.

THE HON. SRI M. A. MANICKAVELU: எவ்வெப்பொழுது தகுதியான உத்தியோகஸ்தர்கள் இதற்குக் கிடைக்கின்றார்களோ, அவ்வப்பொழுது அவர்கள் அந்தந்த ஸ்தானங்களுக்கு அமர்த்தப்படுவார்கள்.

Grant of stage carriage permits

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

(a) the latest orders issued by the Government laying down the principles for the grant of stage carriage permits by the Transport authorities;

(b) what is the viable unit fixed by Government for efficient transport service; and

(c) the number of bus operators with (i) ten permits and more, and (ii) less than ten permits in each district in the State?

THE HON. SRI B. PARAMESWARAN: (a) to (c) A statement* containing the information is placed on the table of the House.

SRI T. PURUSHOTHAM: Will the Hon. Minister kindly enlighten us on whether there is any ban against new entrants being granted permits for stage carriages?

THE HON. SRI B. PARAMESWARAN: There is no such ban, Sir.

SRI T. PURUSHOTHAM: May I refer the Hon. Minister to the statement placed on the table of the House wherein it will be seen that in Tanjore district there are only 15 permit-holders with less than ten permits whereas in other districts, the number is

* Printed as Appendix II on pages 312-315 infra.

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more and will the Government kindly scrutinise this and see that more operators with less than ten permits are encouraged by grant of more permits for stage carriages?

THE HON. SRI B. PARAMESWARAN: There are rules governing the grant of permits. The viable unit which was fixed at ten in November, 1954 has been cancelled by the Government and the original unit restored in April last. It all depends on the nature of the route and the capacity of the individual to operate more routes; that is the criterion and the Government cannot be going on unnecessarily encouraging operators to operate more routes where it will not be economically possible for the operator to work. But with the introduction of the Five-Year Plans, the Government have felt it necessary to open more routes, of course, if the traffic offering demands it.

SRI A. M. ALLAPICHAJ: The natural consequence that follows the policy of the Government is this. Rich people will be encouraged and poor people will not be encouraged. Does it not come to that?

THE HON. SRI B. PARAMESWARAN: I do not know how the hon. Member can draw that inference.

SRI T. PURUSHOTHAM: In view of the viable unit being ten, as stated by the Hon. Minister, will the Government issue special instructions to the Transport authorities to encourage small bus operators in the matter of grant of bus permits with a view to ensuring a socialistic pattern in the transport services?

THE HON. SRI B. PARAMESWARAN: It is because the Government felt that there was need for cancellation of the original Government Order fixing the viable unit at 10, as I said just now, it has been fixed at five. Of course, the marking system is there in order to expedite the grant of permits. Any difficulty that may be experienced by small operators will be reviewed again after three or four months. We have to give a trial to the present arrangement.

Report of the Committee on Sethusamudram Project

* 27 Q.—SRI V. V. RAMASWAMI: Will the Hon. the Minister for Public Works be pleased to state—

(a) whether the State Government have received a copy of the report of the Committee on Sethusamudram Project constituted by the Government of India; and

(b) if so, whether a copy of the report will be placed on the table of the House?

THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI: (a) Yes, Sir.

(b) A copy of the report is available with the Library of the Legislature.

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SRI V. V. RAMASWAMI : “ இந்த சேது சமுத்திரத் திட்டம் இரண்டாவது ஐந்தாண்டுத் திட்டத்தில் சேர்க்கப்பட்டிருக்கிறதா? எப்போது இந்த வேலை ஆரம்பிக்கப்படும்? ”

THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI : இந்தத் திட்ட யோசனை மத்திய அரசாங்கத்தின் பரிசீலனையில் இருந்துவருகிறது. இந்தத் திட்டம் அனேகமாக அங்கீகரிக்கப்பட்டு ஐந்தாண்டுத் திட்டத்தில் சேர்த்துக்கொள்ளப்படும் என்று எதிர்பார்க்கப்படுகிறது.

SRI V. V. RAMASWAMI : இது விஷயமாக ஆலோசனை சொல்ல தற்கு வெளி நாட்டிலிருந்து நிபுணர்களை மத்திய அரசாங்கத்தினர் வரவழைக்கப்போகிறார்கள் என்பது உண்மையா?

THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI : அந்தமாதிரி ஒருவிதமான தகவலும் என்னிடம் இல்லை.

SRI V. V. RAMASWAMI : இந்தத் திட்டமானது தமிழ் நாட்டில் முக்கியமான பிரச்சனையாக இருப்பதால், எப்படியாவது இரண்டாவது ஐந்தாண்டுத் திட்டத்தில் இந்தத் திட்டத்தைச் சேர்க்கவேண்டுமென்றும், திட்ட வேலையை உடனடியாக ஆரம்பிக்கவேண்டுமென்றும் நமது அரசாங்கம் மத்திய அரசாங்கத்திற்கு அடிக்கடி நினைவூட்டி வருமா?

THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI : மத்திய அரசாங்கத்தார் இந்தத் திட்ட யோசனையைப் பரிசீலனை செய்துகொண்டிருக்கிறார்கள். பரிசீலனை முடிந்தவுடன் அவர்கள் நம்மடம் ஆலோசனை கேட்பார்கள். அப்போது நாம் இதைப்பற்றிச் சொல்லலாம்.

The Andhra-Madras Boundary

* 28 Q.—**SRI MOHAMED RAZA KHAN :** Will the Hon. the Chief Minister be pleased to state, with reference to Legislative Council Question No. 482 answered on 31st January 1956, the stage at which the Andhra-Madras Boundary question stands at present?

THE HON. SRI M. BHAKTAVATSALAM (on behalf of the Hon. the Chief Minister): The reply from the Government of India in the matter is still awaited. They have, however, stated that the matter is receiving their attention.

Kannada Pandits in aided High Schools in South Kanara

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

(a) whether it is a fact that some Kannada Pandits of grade I working in aided high schools in the South Kanara district have been reduced to grade II during the academic year 1955-56;

(b) if so, the number of Kannada Pandits so reduced; and

(c) the reasons therefor?

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THE HON. SRI M. BHAKTAVATSALAM (on behalf of the Hon. the Minister for Finance and Education): (a) Yes, Sir.

(b) Six.

(c) The pandits did not have the prescribed hours of work exclusively in the higher forms.

SRI G. KRISHNAMOORTHY : Have the Government considered my request put forth on the sacred floor of this House many a time that language pandits in Independent India should be paid according to their qualifications and not according to the number of periods or the classes handled by them? 11-20 a.m.

THE HON. SRI M. BHAKTAVATSALAM : Sir, Government may not accept entirely the dictum that has often been stressed by the hon. Member but still I may tell the hon. Member that the Government are considering the revision of the instructions with reference to the payment of salaries to these teachers.

SRI G. KRISHNAMOORTHY : Will the Government kindly see that once they are bent upon improving the languages in Independent India, persons who get themselves highly qualified are paid higher salaries according to the scales already prescribed though not still higher salaries and that they are not punished for handling lower classes, which is quite against the psychological principle in education?

THE HON. SRI M. BHAKTAVATSALAM : I have already answered that the Government have been examining how they could revise the present rules relating to this matter.

SRI G. KRISHNAMOORTHY : Cannot the Government assure me that the grievances of the six teachers referred to by the Government will be redressed by allowing them to draw the salaries already drawn by them without reduction in their salaries?

THE HON. SRI M. BHAKTAVATSALAM : I can only tell the hon. Member that Government do propose to revise the rules. As they expect to revise the rules, these teachers referred to by the hon. Member would have the benefit of such revision.

Construction of a road-bridge connecting the Rameswaram island with the main land.

* 30 Q.—**SRI V. V. RAMASWAMI :** Will the Hon. the Minister for Public Works be pleased to state whether there is any proposal before the Government for the construction of a road-bridge connecting the Rameswaram island with the main land?

THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI : Yes, Sir.

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SRI V. V. RAMASWAMI : இந்தத் திட்டத்தின் மதிப்பீடு (எஸ்டிமேட்) எவ்வளவு தொகை என்பதையும் இந்தத் திட்டம் எப்போது ஆரம்பிக்கப்படும் என்பதையும் அறிய விரும்புகிறேன்.

THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI : இந்தத் திட்டத்தின் மதிப்பீடு (எஸ்டிமேட்) ஒரு கோடி ரூபாய். இப்போது ரூ. 25,000 அனுமதிக்கப்பட்டு, பாலம் எந்த இடத்தில் கட்டுவது என்பதை நமது எஞ்சினியர்கள் பரிசீலனை செய்துகொண்டிருக்கிறார்கள்.

SRI V. V. RAMASWAMI : இந்தத் திட்டத்திற்கான செலவு நமது ராஜ்ய அரசாங்கத்தின் பொறுப்பா, அல்லது மத்திய அரசாங்கத்தின் நிதி உதவியுடன் நமது அரசாங்கம் திட்டத்தை நிறைவேற்றி வருகிறதா, அல்லது பூராச் செலவுக்கும் மத்திய அரசாங்கத்திலிருந்து பணம் கொடுக்கப்படுகிறதா?

THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI : இந்தத் திட்டத்திற்கான செலவு பூராவும் மத்திய அரசாங்கத்தின் பொறுப்புதான். (நாஷனல் ஹைவே நெ. 49.)

Misconception about the Tamils

* 31 Q.—**SRI V. V. RAMASWAMI :** Will the Hon. the Chief Minister be pleased to state—

(a) whether a letter, dated the 16th November 1955, from the Honorary Secretary, the Academy of Tamil Culture, Madras, about the exhibition of a bronze statue of a (Tamilian) palm tree climber at the Chicago Natural History Museum and the caption given thereto has been received by him; and

(b) if so, whether the Government propose to take up the matter with the Government of India for the removal of the misconception about the Tamils?

THE HON. SRI M. BHAKTAVATSALAM (on behalf of the Hon. the Chief Minister): (a) No, Sir.

(b) Does not arise.

SRI V. V. RAMASWAMI : கனம் முதல் அமைச்சர் அவர்களுக்கு தமிழ் அகாடமியிலிருந்து கடிதம் வரவில்லை என்று கனம் அமைச்சர் அவர்கள் சொல்கிறார்களா என்று அறிய விரும்புகிறேன்.

THE HON. SRI M. BHAKTAVATSALAM : 'No' என்பதற்கு அதுதான் அர்த்தம்.

Establishment of heavy and medium industries in the State

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

(a) whether any survey has been carried out by the State Government as regards the availability of resources and raw materials for the establishment of heavy and medium industries;

(b) if so, the heavy and medium industries that can be established and the localities found suitable therefor; and

(c) whether the heavy and medium industries referred to in clause (b) have been sent up to the Planning Commission for inclusion in the Second Five-Year Plan?

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THE HON. SRI M. BHAKTAVATSALAM : The answer ^a is laid on the table of the House, Sir.

SRI V. CHAKKARAI CHETTY : On whose recommendation was this bronze statue typical of the Tamilian placed at the Chicago Exhibition?

MR. CHAIRMAN : That question is already over.

SRI T. PURUSHOTHAM : Will the Hon. Minister kindly enlighten us on what steps have been taken to establish the industries referred to in the list placed on the table of the House and state whether private enterprise will be encouraged to start these industries if the State is not able to take them up?

THE HON. SRI M. BHAKTAVATSALAM : Sir, rather it is the other way about. If private enterprise is not coming forward, then only will the State take over these industries. Regarding the steps taken, I would like to have notice, Sir.

SRI T. PURUSHOTHAM : Will the Government issue a Press Note on the subject inviting the attention of the private agencies to the policy just now enunciated by the Hon. Minister so that they might know what fields are open to them and take suitable action to start the industries wherever possible?

THE HON. SRI M. BHAKTAVATSALAM : Now and then, Government have been taking steps in the matter.

Railway line from Madras to Gummidipundi (via) Solavaram

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

(a) whether the scheme for the opening of a new railway line from Madras to Gummidipundi (via) Solavaram has been included in the Second Five-Year Plan; and

(b) if so, when the Project is likely to be taken up for execution?

THE HON. SRI M. BHAKTAVATSALAM : (a) No, Sir.

(b) Does not arise.

SRI T. PURUSHOTHAM : Has such a scheme been investigated at any previous stage before the war and will the Hon. Minister tell us at what stage the matter stood?

THE HON. SRI M. BHAKTAVATSALAM : I do not have any information about this.

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SRI T. PURUSHOTHAM : In view of the answer given by the Hon. Minister, will the Government kindly consider the possibility of opening railways of this kind for developing suburban service with a view to relieve the congestion in the City?

THE HON. SRI M. BHAKTAVATSALAM : Government have already suggested to the Government of India a number of railway schemes relating to the State and it will take some years before the Government of India may be able to take up these lines. Therefore, I do not think it is worthwhile now taking up other proposals, however useful they may be.

SRI T. PURUSHOTHAM : Will the Government consider the need for developing such suburban services?

THE HON. SRI M. BHAKTAVATSALAM : I may tell the hon. Member, Sir, that the Railway Ministry of the Government of India has been looking into this matter now and then.

Annual Sports held by Government Departments

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

(a) the departments of Government in the State which are permitted to hold annual Sports; and

(b) the amount of grant given in each case therefor?

THE HON. SRI M. BHAKTAVATSALAM (on behalf of the Hon. the Minister for Finance and Education): (a) & (b) Annually in the Police Department and Revenue Department Sports are held. A grant not exceeding Rs. 46,000 has been fixed for 'Police Sports' for 1956-57 and an amount not exceeding Rs. 500 per annum for each district for organizing District Revenue Sports has also been sanctioned.

SRI T. PURUSHOTHAM : Will the Government consider the question of extending this concession to all the departments so that the staff of all departments may have such recreational facilities as are now enjoyed by the departments referred to by the Hon. Minister?

THE HON. SRI M. BHAKTAVATSALAM : I think there has already been an idea that in these Revenue Department sports the staffs of other departments in the districts might also participate.

SRI T. PURUSHOTHAM : Would it not be better if such recreational activities are encouraged by all the departments and Government pay them a small contribution to meet the cost of such annual events? May I request the Government to consider this favourably?

THE HON. SRI M. BHAKTAVATSALAM : I do not think it would be worthwhile that every Department in the districts should

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have its own sports entertainments. All of them may pool together and have the entertainment. If they do want more subsidy, they can make representations to Government.

Baby taxis licensed in Madras City

* 35 Q.—**SRI M. ETHIRAJULU :** Will the Hon. the Minister for Religious Endowments and ~~Travellers~~ be pleased to state the number of baby taxis licensed in Madras City up-to-date?

THE HON. SRI B. PARAMESWARAN : 342 as on 20th July 1956.

SRI M. ETHIRAJULU : வாடகைக் கார்கள் எவை ஒன்றும், தனிப்பட்டவர்களுடைய கார்கள் எவை ஒன்றும் தெரிந்துகொள்வதற்காக, ஏதாவது ஒரு குறிப்பிட்ட வர்ணத்தை விறகைக் கார்களுக்குக் கொடுப்பது பற்றி சர்க்கார் யோசிக்குமா என்று கேட்கிறேன்.

THE HON. SRI B. PARAMESWARAN : பற்றி விஷயத்தைப் பரிசீலனை செய்து, அப்படிச் செய்வது கூடாது என்று அரசாங்கத்தார் முடிவுக்கு வந்திருக்கிறார்கள்.

SRI G. KRISHNAMOORTHY : Will the Government adopt such colouration as is adhered to in such big cities as Bombay?

THE HON. SRI B. PARAMESWARAN : It is true some cities have adopted particular colours for taxis. But we here consider that the sale value of the vehicles would be reduced if particular colours are assigned to taxis.

SRI T. PURUSHOTHAM : Is the Hon. Minister aware that 11-30 a.m. the tourists generally object to any distinguishing mark like separate painting, yellow colour, etc., being made for taxis?

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

SRI T. PURUSHOTHAM : Will the Hon. Minister kindly consider the question of increasing the number of baby taxis in the City in view of the great demand for them?

THE HON. SRI B. PARAMESWARAN : The hon. Member knows as well as I do that in April 1955 he raised a similar question and in response to his wish and to the general public demand, we increased the number of baby taxis and we brought it to the level of 342. One hundred and ten permits were granted some six months ago. Only three operators put baby taxis on the road. Evidently, they are not able to buy taxis, or only with the permit they are keeping quiet. But there is a clause which says that one can take four months to put the taxi on the road even after the grant of the permit. Government are trying to examine whether that particular clause should be amended and the time reduced to one month in order that a long margin may not be given to them. It is really unfortunate that even after getting the permit, people take nearly four months to put the taxi on the road. Even on the last day they put the taxi on the road. Government are

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considering the question whether they cannot reduce the period from four months to one month. Government have done their best to grant as many permits as possible. But those people who got the permits are not able to put the taxis on the road.

SRI T. PURUSHOTHAM : Will the Government consider the question of encouraging in the matter of grant of these licences driver-owned taxis?

THE HON. SRI B. PARAMESWARAN : It is difficult to introduce such a section in the Act.

SRI MOHAMED RAZA KHAN : May I know whether Government have examined the whole case and whether they have come to a conclusion as to how many baby taxis will be required in the City to meet the public demand?

THE HON. SRI B. PARAMESWARAN : Yes, Sir, we think 400 baby taxis will be needed.

SRI T. PURUSHOTHAM : Are there baby taxis in mufassal towns? If not, will the Government consider the question of introducing some baby taxis in mufassal centres also?

THE HON. SRI B. PARAMESWARAN : Yes, Sir, in mufassal centres also there are baby taxis.

SRI M. ETHIRAJULU : பேமி டாக்ஸிகளில் பிரயாணம் செய்யும்போது சில சாமான்களை எடுத்துச் செல்கின்றோம். சில சமயங்களில் அவைகளை வண்டியிலேயே விட்டுவிட்டு மறதியாக இறங்கிவிடுகிறோம். டாக்ஸியின் நம்பர் ட்ரைவருக்குப் பக்கத்திலும் குறிப்பிடப்படாததால் டாக்ஸியின் வண்டியின் நம்பரைக் குறித்து வைத்துக்கொள்வதற்கு பிரயாணிகள் விரகிறது. ஆகவே, ட்ரைவரின் அருகே, பிரயாணிகளுக்கு மறந்துபோய் எதிரிலே பேமி டாக்ஸியின் நம்பரைக் குறிக்கச் செய்வதற்கு சர்க்காருக்கு ஏதாவது உத்தேசம் உண்டா?

THE HON. SRI B. PARAMESWARAN : வண்டியில் ஏறுவதற்கு முன்னாலேயே நம்பரைப் பார்த்து குறித்து வைத்துக்கொண்டால் நன்றாக இருக்குமென்று நினைக்கிறேன். (சிரிப்பு.)

Formation of the Kovalam-Mahabalipuram road

* 36 Q.—SRI T. PURUSHOTHAM : Will the Hon. the Minister for Public Works be pleased to state—

(a) when the work on the formation of the Kovalam-Mahabalipuram road was started and when it is scheduled to be completed; and

(b) whether the Government have under consideration any proposal for the formation of Tiruvanniyur-Kovalam road on the eastern side of the Buckingham Canal to connect the road referred to in clause (a) and if so, the stage at which the matter now stands?

[27th August 1956]

THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI : (a) The work was started in August 1955 and is scheduled to be completed by the end of 1957.

(b) There is a proposal to form a pucca road at a cost of Rs. 5 lakhs from Tiruvanniyur up to Muthukadu, a village north of Kovalam on the eastern side of the Buckingham Canal. The road is proposed up to Muthukadu only, due to the presence of a large stretch of back-waters, close to and north of Kovalam. The Government of India have been addressed for grant from the Central Road Fund Reserve for the work and their orders are awaited.

SRI T. PURUSHOTHAM : With reference to the answer given to clause (a), will the Hon. Minister kindly tell us at what stage the works stand at present, the progress made so far and what the great delay is due to, because I know the contract for the work was given five years ago?

THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI : The Chief Engineer reports that the work was started in August 1955 and it is scheduled to be completed by the end of 1957. Meanwhile there has been some delay due to the fact that they have done away with the contractor whose rates were very high. The work is now being done departmentally. This was the reason for the delay. They have finally decided to do it departmentally.

SRI T. PURUSHOTHAM : In view of the fact that Kovalam should be developed as a tourist centre, will the Government take vigorous steps for the early formation of the road referred to in clause (b) and address the Government of India for a special grant for the same?

THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI : We have already addressed the Government of India and our letter is dated 9th April 1956. A reply has not yet been received. It is awaited.

UNSTARRED QUESTION

Orphanages

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

(a) to place on the table of the House a districtwar list of recognized orphanages, showing in each case the name of the management, the strength of the inmates and the amount of State grant paid during the year 1954-55; and

(b) to state the conditions and rules governing the grant of recognition and State help to orphanages?

[27th August 1956]

A.—(a) The information is furnished in the annexed Statement I^a.

(b) Chapter XI of the Grant-in-Aid Code, which contains provisions governing the payment of grants of Indian Orphanages and Boarding Homes for destitute children, is also reproduced in the annexed Statement II^a.

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

II.—ANNOUNCEMENTS BY THE HON. CHAIRMAN.

(1) MESSAGE FROM THE GOVERNOR.

MR. CHAIRMAN : I have no announce to the House that I have received the following message, dated the 14th August 1956, from the Governor of Madras :—

“ I have received with great satisfaction your resolution of thanks for the address with which I opened the present Session of the Legislature.”

(2) MESSAGES FROM THE ASSEMBLY.

MR. CHAIRMAN : I have also to announce to the House that I have received the following messages from the Hon. the Speaker, Madras Legislative Assembly, dated the 14th, 16th and 18th August 1956 :—

“(1) In accordance with rule 114 of the Madras Assembly Rules, I transmit a copy of the Madras General Sales Tax (Third Amendment) Bill, 1956 (L.A. Bill No. 39 of 1955), as passed by the Legislative Assembly on the 14th August 1956 and signed by me, for the recommendations of the Council.

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

(2) In accordance with rule 114 of the Madras Assembly Rules, I transmit a copy of the Madras Land Revenue (Surcharge) Amendment Bill, 1956 (L.A. Bill No. 11 of 1956), as passed by the Legislative Assembly on the 16th August 1956 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.

(3) In accordance with rule 114 of the Madras Assembly Rules, I transmit a copy of the Madras Land Revenue (Additional Surcharge) Amendment Bill, 1956 (L.A. Bill No. 12 of 1956), as passed by the Legislative Assembly on the 16th day of August 1956 and signed by me, for the recommendations of the Council.

^a Printed as Appendix IV on pages 316-330 infra.

[27th August 1956] [Mr. Chairman]

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

(4) In accordance with rule 114 of the Madras Assembly Rules, I transmit a copy of the Presidency Small Cause Courts (Madras Amendment) Bill, 1956 (L.A. Bill No. 13 of 1956), as passed by the Assembly on the 18th August 1956 and signed by me, for the concurrence of the Council.”

(3) DECISION OF THE BUSINESS ADVISORY COMMITTEE.

MR. CHAIRMAN : I have also to report to the House that at the meeting of the Business Advisory Committee held at 10-30 a.m. to-day, it has been decided to allot the whole of to-day for consideration of the four Government Bills and to meet again at 11 a.m. on Tuesday, the 28th August 1956 in case any of the business set down for to-day is left over, or to meet from 3 p.m. to 5-30 p.m. for the transaction of non-official business.

III.—GOVERNMENT BILLS.

(1) THE MADRAS GENERAL SALES TAX (THIRD AMENDMENT) BILL, 1956 (L.A. BILL NO. 39 OF 1955).

* THE HON. SRI M. A. MANICKAVELU : Mr. Chairman, Sir, I beg to move—

“ That the Madras General Sales Tax (Third Amendment) Bill, 1956 * (L.A. Bill No. 39 of 1955), as passed by the Legislative Assembly, be taken into consideration.”

The Bill seeks to rectify certain defects observed in the working of the Madras General Sales Tax Act and also to adopt certain provisions from the sales tax enactments of other States which are likely to be helpful. The Select Committee to which the Bill was referred by the Assembly heard representations from various Chambers of Commerce, Merchants' Associations and individuals and subjected the Bill to a careful scrutiny and made certain changes in it. The Bill, as amended by the Select Committee, was passed by the Assembly with one or two modifications. Briefly, the provisions of the Bill are as follows :—

The definition of the term “ dealer ” is being amended so as to make it more comprehensive. The Tax on Newspapers (Sales and Advertisement) Repeal Act of 1951 has already repealed the portion of the Madras General Sales Tax Act which authorised a tax on the sale of newspapers. Hence ‘ newspapers ’ are being excluded from the definition of ‘ goods ’.

The definition of ‘ sale ’ is being amended, so as to suit the definition of ‘ dealer ’ as proposed to be amended.

11-40
a.m.

^a Printed as Appendix V on pages 331-337 infra.

[Sri M. A. Manickavelu] [27th August 1956]

A new Explanation is being added to the definition of 'sale' in order to prevent the evasion of tax by dealers who pose as the agents of others.

The definition of 'turnover' is being amended so as to suit the definition of 'dealer' as proposed to be amended.

For the existing proviso to section 3 (1) (b) of the main Act authorizing the levy of tax at the higher rate of 4-1/2 pies per rupee on the turnover relating to articles of food and drink sold in a hotel, boarding house or restaurant, if it is not less than Rs. 25,000, a new proviso is being substituted so that the higher rate may apply not only to sales in a hotel, boarding house or restaurant but also to sales at a stall or any other place, and not only to places where food and drink are sold but also to places where food or drink is sold. I may also mention here that this amendment will remove a defect pointed out by the High Court in a recent case that the existing proviso violates the guarantee of equal protection of laws under Article 14 of the Constitution, inasmuch as it makes an arbitrary distinction between dealers in articles of food and drink sold in hotels, boarding houses and restaurants and the dealers in the same articles in other places. In view of this decision, it has become necessary to give retrospective effect to the new proviso, as otherwise Government may have to refund the difference between the tax at the higher rate of 4-1/2 pies per rupee collected so far and the tax at 3 pies per rupee which only will be admissible if the proviso is not validated with retrospective effect. Any hardship likely to be caused by retrospective effect can be removed by exempting, under section 6 of the main Act, those who were not previously liable in respect of the past transactions.

The latter part of clause (iii) and clause (v) of section 5 and section 7 of the main Act have become superfluous, in view of the provisions of the Constitution under which no sales tax can be levied if the sale is for delivery outside the State and delivery is actually so made. The first part of clause (iii) of section 5 has become superfluous, as all sales of handloom cloth have been exempted from tax by a notification under section 6. Hence, clauses (iii) and (v) of section 5 and section 7 of the main Act are being omitted and the omission of section 7 is being given retrospective effect from 1st April 1951, the date on which the President's Sales Tax Continuance Order expired and section 7 consequently became superfluous.

Section 8 of the main Act is being amended in order to prevent an agent from passing off his own transactions as agency transactions. Provision is also being made that the agent of a non-resident dealer shall not be eligible for an agency licence in respect of his transactions made on behalf of that dealer.

27th August 1956] [Sri M. A. Manickavelu]

A new section is being substituted for section 10 of the main Act so as to provide that any amount due is recoverable not only as if it were an arrear of land revenue but also, by a Magistrate on application, as if it were a fine imposed by him. Provision has also been made in the new section that, in case of default, any amount due to the Government shall be a charge on the properties of the defaulter and that any stay granted by an appellate authority shall have the effect of staying the collection proceedings under that section.

A new section 10-A is being inserted in the main Act to enable the Commercial Taxes Department officials to realise arrears of sales tax from any person from whom money is due or may become due to the dealer, thus facilitating easy collection of arrears. Similar provision exists in the Indian Income-tax Act and the Bombay Sales Tax Act.

A new section 10-B is being inserted in the main Act providing for assessing the executor, administrator or legal representative of a deceased dealer.

Sections 11 and 12 of the main Act are being amended so as to provide that, notwithstanding the filing of an appeal or application, tax shall be paid in accordance with the assessment order or other proceeding against which the appeal or application is preferred and also that the appellate or reviewing authority may grant stay or allow the payment of tax in instalments, if sufficient security is furnished.

Section 12-A of the main Act is being amended so as to provide that the Appellate Tribunal may defer the hearing of appeals when revision petitions against its decisions involving the same question of law or appeals against the orders of the High Court thereon are pending before the High Court or, as the case may be, before the Supreme Court. Provision is also being made in that section that the Tribunal can grant stay or allow the payment of tax in instalments, if sufficient security is furnished.

Section 13 of the main Act is being amended so as to compel every dealer who is under an obligation to get himself registered under section 8-A (1) of the main Act, to maintain accounts.

For existing section 15, a new section is being substituted, which divides the offences into two classes, permits Second-Class Magistrates to try persons charged with less serious offence and fixes the maximum fine that can be imposed for less serious offences at Rs. 200.

A new section is being inserted in the main Act specifying the classes of persons, who may represent another person before any authority other than the High Court in connection with proceedings under the Act.

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Section 19 of the main Act is being amended to increase the period within which escaped turnovers can be assessed from three years to five years, to empower Second-Class Magistrates also to enquire into and try an offence consisting of a breach of a rule, and to provide for the laying of the rules framed under the Act on the table of the House in accordance with recommendation of the Committee on Subordinate Legislation.

MR. CHAIRMAN: Motion moved—

“That the Madras General Sales Tax (Third Amendment) Bill, 1956 (L.A. Bill No. 39 of 1955), be passed by the Legislative Assembly, be taken into consideration.”

SRI K. BALASUBRAMANYA AYYAR: Sir, at the outset, I wish to state that the provisions of the Sales Tax Act have created a lot of confusion in our State and even the Constitution has been amended for the purpose of levy of tax on inter-State sales. The Government should take into consideration the various viewpoints pressed before them, especially the point about the levy of a single-point tax as against the multi-point tax, and the decisions of the Courts of law on the various provisions, make a survey and bring in a comprehensive Amending Bill. The General Sales Tax Act was passed in 1939. It was amended in 1949, 1951, 1953, 1954 and 1955 and this Bill is the Third Amendment Bill in 1956. As there have been many amendments, it is better that the Government make a survey of the whole position and decide definitely their policy in the matter of having a single-point tax or a multi-point tax. The Government should also implement their promise to appoint a committee to go into the various complaints about harassment by Sales Tax Officers. I understand that the question of appointment of a committee was raised by my hon. Friend Sri V. V. Ramaswami and that the Hon. the Finance Minister replied that a committee might be appointed. But now I understand that a committee is going to be appointed by the Central Government, and our Government have washed their hands of the whole matter. It is high time that all these things were done before further amendments are made and more powers taken by the Government. That similar sections are found in the Sales Tax Act of the various other States is not at all a valid reason for amending the Act so as to insert those sections. We must look into the working of the Act in our State, the difficulties that it has created and decide definitely the policy that should be adopted. But, somehow, the Government have not brought in any comprehensive Amending Bill, but have brought in now only some piecemeal amendments. However, let me deal with the points that these amendments raise, and some of them are very important.

I would like to say something about a particular matter, though it does not arise directly from this Amending Bill. I understand that sales tax is being levied on the sale of goods by a co-operative society to its members. If the co-operative movement is to spread in our State, I submit that the sale of goods by a co-operative society

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to its own members should be exempt from sales tax. On the other hand, I find that the proposed amendment to clause (h) of section 2 says—

‘(a) after the words “in the execution of a works contract”,^{11-50 a.m.} the words “and in the supply or distribution of goods by a co-operative society, club, firm or any association to its members for cash or for deferred payment or other valuable consideration” shall be inserted.’

I request the Government to see that they encourage the co-operative movement by exempting the co-operative societies, which distribute goods to their own members, from this levy. Distribution of goods by co-operative societies to their own members is not an outside sale. The co-operative society is formed for the very purpose of distributing articles among its own members. This is not an outright sale to outsiders. Therefore, this distribution will not come within the spirit or within the practical definition of ‘sale’, though technically it might. Therefore it is I submit that this amendment should not have been put in the Bill.

There are also one or two other points on which I would like to speak. Sales by selling or buying agents are transactions between the principals and their agents. I do not understand why these sales should be considered as two independent sales and tax levied on them. Already there is the provision dealing with multi-point tax. All the men affected by this provision are very much injured by this levy of multi-point sales tax. Therefore, they are greatly agitated over this whole question. When this is the position, why should there be increase in the incidence of tax by considering these transactions as two independent sales? According to the general law, once there is the buying or selling by the agent, he gets his commission. It is a sale or purchase only to the buyer or the seller, as the case may be. As soon as the goods are delivered to the buying or the selling person, as the case may be, the sale or buying is over. Therefore, I think it is not a correct policy to consider that these transactions are two independent sales notwithstanding anything to the contrary contained in this Act or in the Indian Sales of Goods Act, 1930. This Act specifically says that when once there is buying or selling by an agent and property is delivered for the purpose of being sold to the person, that completes one transaction and that is one contract. Now, we have to split up the transaction into two. The agent is bound to purchase goods at one rate from his principal and sell them at another rate to the consumers. It is all right in this case that no exemption is granted, because the provision says that he shall be ineligible for exemption on his commission. The Government make the agent ineligible for exemption because he purchases goods at one rate and sells them at a different rate. But to consider these two transactions as two different sales and levy tax on these two sales will only hit the consumer much. The difficulty in the levy of this sales tax is that

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so long as we go on levying tax at various points, the taxes go on adding to the price, and finally the price and the tax thereon fall on the head of the consumer. This is the very great difficulty experienced by the people. This is my difficulty also. Otherwise, I would not object to this levy of the tax. Property will be taxed as many times as it passes hands. It is the rule in the levy of this multi-point sales tax. But if we add to the multi-point tax that is already there by considering the transactions as two independent sales, then the price of the goods will swell to a very great extent, and finally the consumer will have to pay that heavy price. Sales tax is an indirect tax. It is all right to say that the agent has not disclosed the whole thing, that he has purchased goods at one rate and sold them at another rate, and that, therefore, he is ineligible for exemption on his commission transactions from this tax. But the Bill at it is will result in imposing a double punishment, one on the agent and the other on the consumer. These are two ways in which the consumer is hit, and that is why I am laying stress on this point. Otherwise, I have no interest in sales of goods or in these transactions. Personally, I have no interest myself.

Clause 8 sets out the remedies the Government propose for the purpose of recovery of the tax. One remedy is to consider the tax as an arrear of land revenue and in that way, take out distraint proceedings and bring about the sale of the property. The second remedy is to make an application to the Magistrate immediately saying that the tax has not yet been paid. The Magistrate will treat the amount of the tax as if it were a fine imposed on conviction according to the provisions of the Criminal Procedure Code. Under the Criminal Procedure Code, various powers are given to the Magistrates such as the sale of movable property and imprisoning the man for a period not exceeding four months. Various provisions in the Criminal Procedure Code would be attracted by saying that the amount of the tax will be treated as if it were a fine on conviction imposed on the party. It makes the magistracy the agent for the collection of this sales tax. Sales tax is a civil liability. This is a fundamental law. I submit in a question of civil liability the magistracy should not be involved. The remedy proposed is that one should make an application to the Magistrate. The Magistrate need not come to a decision whether the default was fraudulent or wilful. On simply making a report to him that the tax has not been paid, he will impose the fine and then the amount will be recovered as though it were a fine imposed by a Magistrate on conviction.

SRI A. M. ALLAPICHAJ: If he does not pay the fine in time, he will be sent to jail.

SRI K. BALASUBRAMANYA AYYAR: Yes. They are taking the ordinary mode of recovery for civil liability to the criminal court.

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Sir, there was a very big meeting of the merchants held the other day in Madras. I also attended that meeting for the purpose of knowing what they would say. I did not go there as a delegate. I went there for the purpose of understanding their grievances, if any. I am a Member of the Legislature and in that capacity, I wanted to know their grievances. The merchants assembled at the meeting were all men paying sales tax. They all felt that there was already harassment by officers. Mention was made that about 15,000 men were already in jail. (Interruption by Sri V. V. Ramaswami.)

(The Hon. Sri M. A. Manikavelu was seen shaking his head to indicate that the number quoted was wrong.)

I see that the Hon. the Revenue Minister is shaking his head. I take it that he does not approve of my figures. It was stated by my hon. Friend Sri V. V. Ramaswami, that the question of harassment by officials should be enquired into by a committee. It was also mentioned in one of the speeches at the meeting that more jails would have to be specially constructed to take in the persons sentenced to imprisonment consequent on non-payment of the tax. A mere application to the Magistrate that a dealer has not paid the tax is enough to imprison a man. There is no necessity to find out whether there is fraudulent default or wilful default. He may be in default for a variety of reasons. But on an application to the Magistrate that the person has not paid the tax, the Magistrate will treat the amount of the tax as though it were a fine imposed on him and immediately begin to collect it. In section 15 of the Act, there is the provision that where there is a conviction by a Magistrate, he can impose a fine for the offence committed and he may also make provision for the recovery of the tax as if it were a fine. That is the fundamental difference between the old Act and the new Amending Bill. I have looked into the Acts of many other States and I have not been able to find a similar provision in any of them. There may be some 12 other States which may be exercising similar powers of their own. noon. I do not claim to have studied all the enactments in this regard. There may be so many Acts and there may be so many brains working in their own way to have their own provisions similar to the ones that we have here. I am not sure of them. So far as I am able to make an investigation into the whole matter, I do not find any other enactment having a similar provision which gives power to the Magistrate to straightway collect sales tax as if it were a fine.

SRI A. M. ALLAPICHAJ: As a lawyer having some experience in criminal cases, I know that even if a Magistrate wants to let a person go, he is not able to do it. That is the difficulty. It creates a lot of hardship.

SRI K. BALASUBRAMANYA AYYAR: It is mentioned in the Statement of Objects and Reasons that it is something very

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easy and convenient to the persons concerned. It is made to appear as if it were a great advantage for a person to be sent to jail without any prosecution whatsoever. In that spirit it is put there. I am not attributing any motive to anybody. That is not my purpose. The Government are no doubt anxious to collect the tax. As has been revealed by a large body of public opinion recently, the small dealers are unable to bear the burden of multi-point sales tax. That is the simple truth and that is the real fact. Instead of investigating into the matter further, I am not saying that the Government should straightway accept the proposition they should not treat the matter lightly. They must make an enquiry. If they are convinced and satisfied that this multi-point sales tax is really unnecessary, that it creates a lot of difficulties for the small dealers especially and that it also gives rise to quite a lot of harassment, the Government should not hesitate to come forward to help the small dealers in the matter and take such steps as will relieve the small dealers of their burden. I understand that there are two crores of merchants in our State. Of them, bigger merchants may be few and the rest are all small merchants. They are also common men and they are also entitled to the same treatment at the hands of the Government as the other common men of the State in whom the Government are interested. Therefore it is I am saying that this is an extraordinary provision. I am surprised why this was not objected to.

Another method of recovery is set out in the proposed section 10-A which states as follows:—

“The assessing authority may at any time or from time to time, by notice in writing (a copy of which shall be forwarded to the dealer at his last address known to the assessing authority) require any person from whom money is due or may become due to the dealer or any person who holds or may subsequently hold money for or on account of the dealer to pay to the assessing authority, either forthwith upon the money becoming due or being held at or within the time specified in the notice (not being before the money becomes due or is held) so much of the money as is sufficient to pay the amount due by the dealer in respect of arrears of tax or fee or the whole of the money when it is equal to or less than that amount.”

In some of the enactments in other States, there is such a provision. The Select Committee has introduced another provision in sub-section (5) of the proposed section 10-A. I am glad it has done it. This sub-section states—

“Where any person to whom a notice under this section is sent objects to it on the ground that the sum demanded or any part thereof is not due by him to the dealer, or that he does not hold any money for or on account of the dealer, then nothing contained in this section shall be deemed to require such person to pay the sum demanded or any part thereof, to the assessing authority.”

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After all, the assessing authority might have been wrongly informed. It might not have taken a particular action purposely. It might have been under the impression that money was due from a person or there might be some other reasons. What have we come to in this State? Is sales tax such a very important matter, coming from the Heavens as it were, that the Government should take Power Number One, Power Number Two and Power Number Three for its administration? They say that it will be treated as arrears of land revenue. They say that it will be treated as an offence, and that the Magistrate will be immediately asked to move in the matter. Power is also taken for the entry of Officers, Inspectors of Police and others into business premises. Woe unto the person who happens to be a dealer in this State! It is stated in the proposed section 15 (2) (b) ‘in contravention of the terms of section 14, prevents or obstructs inspection or entry by any officer authorized under that section. . .’ Such powers are being taken by the Government. Recently, a dealer told me of an incident which I think I can state on the floor of the House. A peon of the Commercial Tax Officer's office came to him one day and sat before him and asked, ‘Have you prepared all the accounts properly for submission to the office?’ That person was employing 20 people like that peon under him. But, as the peon was a peon of the Commercial Tax Department, his position was magnified. So, the person who unfortunately happened to be the dealer had to tell the peon that he had properly prepared his accounts. Thereupon the peon tells him, ‘All right. I want 4 annas’. On payment of the amount by the dealer, the peon went away. That is what we see today. I am mentioning this only to show how the small dealers are subjected to such pin-pricks and annoyance. So many such instances can be quoted. We can very well imagine the real suffering of the poor dealers in this matter. There may be cases of evasion and I do not say that there are none. But, the Government have sufficient powers. It is, after all, a civil liability. I only wish to point out that the three modes of recovery contemplated in this Amending Bill are not at all conducive to healthy trade in our State. I am anxious to reiterate that I am not a dealer in any of these things.

Sir, I am glad that at least the rules will be placed on the table of this House also. When we wanted the rules relating to the Fair Rent Bill to be placed on the table of this House, they said, ‘No.’ Though there was an amendment of my friend Sri T. Purushothain in this regard, it was negatived. So, I am glad that all rules made and all notifications issued under the Madras General Sales Tax (Third Amendment) Act, though the Bill that we are now considering is a Money Bill, will be placed on the table of this House also. It is some recognition of this House. That is one thing.

I have referred to some of the very important points that will come up for consideration before this House. I know very well that all these points cannot be conceded and have necessarily to

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be negated. Because, we have no power. We can merely make a recommendation and even that will be annoying to the other House.

12-10
p.m.

*Sri V. V. RAMASWAMI : கனம் தலைவர் அவர்களே, இப்பொழுது விவாதத்திற்கு எடுத்துக்கொள்ளப்பட்டிருக்கும் விற்பனை வரி மன்றவது திருத்த மசோதாவின்மீது சில வார்த்தைகள் சொல்ல விரும்புகிறேன். முதலிலே இந்த மசோதா கொண்டு வரப்பட்டபோது, அதில் இருந்த ஷரத்துகளெல்லாம் மிகவும் கடுமையாக இருந்தன. ஆகவே, வியாபாரிகள் அனைவரும் சங்கங்கள் மூலமாகவும், ஆங்காங்கு மகாநாடுகள் கூட்டித் தீர்மானங்கள் நிறைவேற்றி அனுப்பியும், கூட்டுக் கமிட்டியின் முன் சாட்சி கொண்டார்கள். ஆனால், இப்பொழுது உருவாகி வந்திருக்கும் மசோதா வைப் பார்க்கும்போது இதன் மூலமாக கடுமையைச் சிறிது குறைத்திருக்கிறார்கள் தவிர மற்றப்படி வியாபாரிகள் கேட்டுக்கொண்ட அநேக கோரிக்கைகள் நிறைவேற்றப்படவில்லை என்றுதான் வருத்தத்துடன் சொல்லவேண்டியிருக்கிறது.

வியாபாரிகளைப் பொறுத்தவரையில், பொதுவாக இந்த விற்பனை வரியைக் கொடுப்பதிலே அவர்களுக்கு எந்த விதமான தயக்கமும் இல்லை; கொடுக்கத் தயாராகவே இருக்கிறார்கள். ஆனால், என்னுடைய நண்பர் ஸ்ரீமான் பாலசுப்ரமணிய அய்யர் சொல்லியபடி, வியாபாரிகள் அநேகவிதமான தொல்லைகளுக்கும், சங்கடங்களுக்கும் ஆளாகிறார்களே, அவைகளை நீக்குவதற்கு வேண்டிய வசதிகளைச் செய்து கொடுக்கவேண்டும் என்றுதான் இதவரை அவர்கள் சொல்லி வந்திருக்கிறார்கள். இவையனைத்தும் தீர் வேண்டுமானால், விற்பனை வரியை ஒருமுனை வரியாக மாற்றியமைக்க வேண்டும். அப்பொழுதுதான் அரசாங்கத்திற்குச் சேரவேண்டிய வரி பதுக்கப்படாமல் ஒழுங்காக, தவறாமல் கட்டிவிடுவார்கள், குறைபாடுகளுக்கு இடமில்லாமல் இருக்கும், வியாபாரிகள், தொழிலாளர்களையும் தங்களுக்கு முடியும் என்று அதிகாரபூர்வமாகவும், பொறுப்புள்ளவர்களாகவும் இருக்கிற வியாபாரிகள் அரசாங்கத்தினிடத்திலே திருப்பித் திருப்பிச் சொல்லியிருக்கிறார்கள். ஆனால், இவைகளைப்பற்றி ஆராய்ந்து பார்த்து ஒரு முடிவுக்கு வருவதாகச் சொல்லியிருந்த அரசாங்கம் எட்டு பண்புகள்மீது அடுத்த ஆண்டிலிருந்து பரிட்சார்த்தமாக ஒருமுனை விற்பனை வரி விதிக்கப் போவதாகச் சொன்னார்கள் தவிர, வியாபாரிகளுக்குத் திருப்பித் தரக்கூடிய திறகு ஏற்கெனவே வந்தகொண்டிருந்த வரும்படி அரசாங்கத் தான் குறைபாடும் இல்லாமல் வருவதற்கு முடியும், இப்பொழுதைவிட முறையிலும் வரும்; அந்த முறையில் மசோதாவைத் திருத்தவேண்டுமென்று கேட்டுக்கொண்டிருந்தும் அரசாங்கம் கொஞ்சமாவது செவி சாய்த்ததாகத் தெரியவில்லை. 'ஒருமுனை வரி விதிப்பதை ஆராய்வதற்காக ஒரு கமிட்டியை நியமிப்போம், அல்லது யோசனையைச் சீர்தூக்கிப் பார்ப்பதற்குக் கொண்டு வரப்படும், அல்லது நீதி மன்றங்கள் சில இப்பொழுது இந்தத் திருத்த மசோதாவைக் கொண்டு வருவதற்காக வியாபாரிகளுடைய நியாயமான கோரிக்கையைக் கொண்டு வருகிறார்களே தவிர எனக்கே இல்லை. ஆகவே வியாபாரிகளெல்லாம் நேற்று மகாநாடு கூடி, வற்புறுத்திக் கேட்டுத் தீர்மானம் வரியை விதிக்கவேண்டுமென்று நிலையில் விற்பனை வரி விதிப்பதைப்பற்றிய அபிப்பிராயம் மாநிலம் முழுவதும் எப்படியிருக்கிறதென்பதை ஆராய்ந்து அரசாங்கத்திற்கு எடுத்துச் கேட்டுக்கொள்கிறேன்.

அநேக சர்க்குக்கு விற்பனை வரியிலிருந்து விலக்கு அளித்திருக்கிறார்கள். எந்தச் சர்க்குக்கு எந்தக்காலத்திலிருந்து விதிவிலக்கு அளிக்கப்

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BILL, 1956 (L.A. BILL NO. 39 OF 1955)

27th August 1956] [Sri V. V. Ramaswami]

பட்டிருக்கிறது என்று முன் கூட்டியே வியாபாரிகளுக்குத் தெரியாமலே இருக்கிறது. உதாரணமாக, பனங் கற்கண்டுக்கு எப்ரல் 1-ந் தேதியிலிருந்து விற்பனை வரியிலிருந்து விலக்கு அளித்திருப்பதாக சென்ற வாரம் சொல்லியிருக்கிறார்கள். எப்ரல் முதல் தேதியிலிருந்து பனங்கற்கண்டு விற்பனை வரி வாங்கியிருக்கும் பணத்தை அரசாங்கத்தார் என்ன செய்யப்போகிறார்கள் என்பது தெரியவில்லை. அரசாங்கத்திற்கு வந்து சேர்ந்துவிட்ட பணத்தைத் தங்களுடைய இறுத்திக்கொள்வதற்கு 'வாலிடேஷன்' மசோதா ஒன்றைக் கொண்டுவந்துவிடுவார்கள் என்பதில் ஐயம் இல்லை. நீதி மன்றங்கள் அரசாங்கத்தின்மீது குறை சொல்ல முடியாத அளவுக்கு, சட்ட விரோதமாக வசூல் செய்துவிட்ட பணத்தைத் திருப்பிக் கொடுக்காதபடி அதை ஊர்ஜிதம் செய்துகொண்டுவிடுவார்கள். சில சட்டங்களைச் செய்யப்போது வியாபாரிகள் அரசாங்கத்திற்கு ஆறு மாதத்திற்கு முன்பிருந்து பணம் கொடுக்கவேண்டியிருந்தால் அதை எப்படியாவது கட்டாயமாக அரசாங்கத்திற்குச் செலுத்தி விட வேண்டுமென்று நிர்ப்பந்தம் செய்கிறார்கள். ஆனால், அரசாங்கம் வியாபாரிகளுக்குப் பணத்தைத் திருப்பிக் கொடுக்கவேண்டியிருக்கும்போது, அதைக் கொடுக்காமலிருக்க 'வாலிடேஷன்' மசோதா கொண்டுவரப் பட்டுவிடுமோ என்று ஐயுறுவதற்கு இடம் இருக்கிறது.

இண்டர்-ஸ்டேட் விற்பனையின்மேல் வரி விதிப்பதற்கு இப்பொழுது மத்திய அரசாங்கம் அதிகாரத்தை எடுத்துக்கொண்டுவிட்டார்கள். இண்டர்-ஸ்டேட் வியாபாரத்தின்மீது வரி விதிப்பது செல்லத்தக்கதல்ல என்ற சப்ரீம் கோர்ட் தீர்ப்பு வெளிவந்தவுடன், நமது ராஜ்யத்திலே இருக்கின்ற வியாபாரிகள் தாங்களே வெளி ராஜ்யங்களிலிருந்து தருவிக்கும் சர்க்குக்கு வரி கொடுக்க மறுத்துவிட்டார்கள். மேலும், இந்தச் சட்டம் வரும் முன்பே இந்த வரியைப் பலர் கொடுத்திருக்கின்றார்கள். ஆனால் அநேகர் கொடுக்காமலும் இருந்திருக்கிறார்கள். ஆகவே, இங்கு சர்க்கு அனுப்பிய வெளி ராஜ்ய வியாபாரிகளிடமிருந்து வரியை வசூலிப்பதற்கு நமது அரசாங்கம் முற்பட்டிருப்பதாகத் தெரிகிறது. அதற்காக 12 ஸ்பெஷல் டி.லி.டி. ஒக்களை நியமித்திருப்பதாகவும் தெரிகிறது. எந்தக் காலத்திற்கு எந்த முறையில் இதை வசூலிக்கப்போகிறார்கள் என்பதை அரசாங்கத்தார் விளக்கமாகத் தெரிவிக்கவேண்டும். அதற்காக யார் யாருக்கு நேரடிக் கொடுக்கப்பட்டிருக்கிறதோ அந்த வியாபாரிகளையெல்லாம் கூட்டி ஒரு முடிவு காண வேண்டுமென்று தெரிவித்துக்கொள்கின்றேன்.

விற்பனை வரியிலிருந்து எந்தெந்த சர்க்குக்கு விலக்கு அளிக்கப் போகிறோம் என்று அரசாங்கத்தார் முன்னாலேயே யோசனை செய்து அறிவித்துவிட்டால் சம்பந்தம். வியாபாரிகள் காலா காலத்தில் யார் யாரிடத்திலே வசூல் பண்ணவேண்டுமோ அவர்களிடமிருந்து வசூல் பண்ணி ஒழுங்காகக் கட்டிவிடுவார்கள். அதைவிட்டு திடீரென்று ஆண்டிக்குள்ளே பலவிதமான உத்தரவுகளைப் போட்டால் வியாபாரத்திற்குப் பாதகம் ஏற்படுவதோடு கூட, தங்கள் கையிலிருந்தும் பணம் போய்விடுகிறது. இதனால் வியாபாரிகள் தங்கள் மூலதனத்தை இழக்கவேண்டியிருக்கிறது. வரி விலக்கு கொடுக்கும்போது என்னுடைய யோசனை என்னவென்றால், ஒரு ஆண்டின் எப்ரல் மாதத்திலிருந்து விலக்கு கொடுக்கவேண்டுமென்று முடிவு செய்தால் அந்த ஆண்டின் முதலிலேயே, அதாவது ஜனவரி மாதத்திலேயே இன்ன இன்ன சர்க்குக்கு வரிவிலக்கு கொடுக்கப்போகிறோம் என்று பட்டியலைத் தயாரித்து முன்னாலேயே சொல்லிவிட்டால் சம்பந்தப்பட்ட எல்லா வியாபாரிகளுக்கும் திருப்தியாக இருக்குமென்பதை அரசாங்கத்தார் மனதில் இறுத்திக்கொள்ளவேண்டும்.

உதாரணமாக பாலுக்கு வரிவிலக்கு அளிக்கும்போது, கூட்டுறவு பால் ஸ்பீன் பூனியன்மூலம் விற்பனை ஆகும் பாலுக்கு மட்டும் வரிவிலக்கு என்றும் பிரைமரி சங்கங்கள் மூலமாக விற்பனை ஆகும் பாலுக்கு வரிவிலக்கு இல்லை என்றும் சொல்கிறார்கள். ஒவ்வொரு ஊரிலும் சிறிய சிறிய பிரைமரி சங்கங்கள் மூலம் பால் வாங்கி விநியை கம் செய்கிறார்கள். கூட்டுறவு அல்லாத முறையில் போட்டியாக, தனி நபர்கள் சங்கங்கள் அமைத்து வரியிலிருந்து

[Sri V. V. Ramaswami] [27th August 1956]

தப்பித்துக்கொள்கிறார்கள். இதனால் உண்மையாகவும், நேர்மையாகவும் கூட்டுறவு முறையிலே வேலை செய்யக்கூடிய சங்கங்களுக்கு இடைஞ்சலும், கஷ்டமும் ஏற்பட்டு அவர்களுடைய தொழில் குறைந்துகொண்டு வருகிறது. இதை என் சொந்த அனுபவத்திலிருந்து சொல்கிறேன். எப்போதாவது யாராவது பலமாகக் கூடி வலுவூள் அவர்களின் செல்வாக்கைக்கொண்டு, மந்திரிகள் சிலரைக் கண்டு ஏதாவது ஒரு சரக்குக்கு விற்பனை வரியிலிருந்து விலக்கு அளிக்கவேண்டுமென்று கேட்டால் திடீரென்று விலக்கு அளிக்கப் பட்டுவிடுகிறது. வியாபாரிகளுடைய நன்மையைப்பார்த்து நல்ல நேர்மையான அரசாங்கம் நடைபெறவேண்டுமென்ற எண்ணத்தைக்கொண்டிருந்தால் முன்கூட்டியே, அதாவது சட்டம் அமுலுக்கு வருவதற்கு முன்று மாதங்களுக்கு முன்னாலேயே, ஒரு பட்டியலைத் தயார்செய்து வெளியிட்டு விட்டால் தொல்லையில்லாமற் போகும். ஆகவே ஒரு விசாரணைக் கமிட்டியை அமைக்கவேண்டும். சம்பந்தப்பட்ட வியாபாரிகள் சிலரைக் கூப்பிட்டு என்ன என்ன செய்யவேண்டும், என்ன என்ன குறைகள் இருக்கின்றன, அவைகளை எப்படி எப்படி நிவர்த்திக்கலாம் என்று கேட்கவேண்டும். அம்மாதிரி ஒரு கமிட்டியை மத்திய அரசாங்கம் நியமிக்கும்படி நமது அரசாங்கம் கேட்டிருப்பதாக நிதி அமைச்சரவர்கள் சொன்னார்கள். ஆனால் அது இன்னும் எந்த நிலைமையில் இருக்கிறதென்று தெரியவில்லை. அதற்குள் இந்தத் திருத்த மசோதா வந்திருக்கிறது. ஒருமுனை வரியைக் கொண்டுவருவதுபற்றியோ, கமிட்டி அமைப்பதுபற்றியோ ஒன்றும் குறிப்பிடாமல் இந்தத் திருத்தங்களை மட்டும் கொண்டுவந்திருப்பது மேலும் கேட்கும் வியாபாரிகளுடைய மனதைப் புண்படுத்துவதாக இருக்கிறது. பொதுஜனப் பிரதிநிதித்துவம் வாய்ந்த அரசாங்கம் நடக்கிறதா என்று கேட்கும் அளவுக்கும், ஜனநாயக அடிப்படையில் அரசாங்கம் நடந்து மக்களுடைய குரலுக்கு கொஞ்சமாவது மதிப்பு கொடுத்ததாக எண்ணுவதற்கு முடியாத நிலையில் வியாபாரிகள் வந்தவிட்டார்கள் என்று சொல்லவேண்டியிருக்கிறது.

ஒவ்வொரு மாவட்டத்திற்கும் ஒரு ஆலோசனைக் கமிட்டியை நியமிப்பதாக ஒத்துக்கொண்டார்கள். ஆனால் 'ஸ்டேட் லெவல்' ஷேல் கமிட்டி நியமித்திப்பதாகவும் அதற்கு அநேக பிரதிநிதிகள் நியமித்திருப்பதாகவும் தெரிகிறது. அதில் சென்னை நகரத்திலே இருக்கிற வியாபார சங்கங்களுக்கு மாத்திரம் பிரதிநிதித்துவம் கொடுத்திருப்பது மிகவும் வருந்தத்தக்கது. சென்னை நகரத்தைத் தவிர மற்ற மாவட்டங்களிலும் அநேக வியாபாரச் சங்கங்கள் இருக்கின்றன. அவைகளும் திறம்பட வேலை செய்கின்றன. அந்தந்த மாவட்டங்களிலுள்ள வியாபாரிகளுக்கு விற்பனை வரி அதிகாரிகளால் ஏற்படும் தொல்லைகளையும் கஷ்டங்களையும் அந்தந்த மாவட்ட வியாபாரிகள் சங்கங்கள்தான் அறியமுடியும். அவைகள்தான் மாவட்டங்களிலுள்ள வியாபாரிகளுடைய கஷ்டங்களை எடுத்துச் சொல்வதற்கும் முடியும். விற்பனைவரி அதிகாரிகளாகிய ஏ.வி.டி.ஓ., டி.வி.டி.ஓ. ஒவ்வொருவரும் ஒவ்வொருவிதமாக சட்டத்தை அர்த்தம் பண்ணிக்கொண்டிருப்பதினால் டிரிப்பிளஸ் வரையிலும்கூட வியாபாரிகள் போகவேண்டிய அநேகவிதமான சங்கடங்கள் மாவட்டங்களில் ஏற்படுகின்றன. அவைகளை நீக்குவதற்கு ஆலோசனைக் கமிட்டியின் முன்னால் சென்னை நகரத்திலிருக்கும் வியாபாரச் சங்கங்கள் எடுத்துச்சொன்னால் மாத்திரம் போதாது; மாவட்டங்களிலுள்ள சங்கங்களும் எடுத்துச்சொல்வதற்கு சந்தர்ப்பம் இருக்கவேண்டும். சென்னை நகரத்திலுள்ள செல்வாக்குபெற்ற சில சங்கங்கள் மாத்திரம் 'ஸ்டேட் லெவல்' கமிட்டிமுன் எடுத்துச் சொல்வதற்கு சந்தர்ப்பம் கொடுத்தால் போதாது. நான் மீண்டும் வற்புறுத்துவது என்னவென்றால், ஒவ்வொரு மாவட்டத்திலும் இருக்கிற வியாபாரச் சங்கங்களிலிருந்தும் ஸ்டேட் லெவல் கமிட்டிக்கு பிரதிநிதித்துவம் கொடுக்கவேண்டுமென்று கேட்டுக்கொள்கின்றேன்.

எந்தச் சட்டத்தைச் செய்தாலும், திருத்தங்களைக் கொண்டுவந்தாலும், அதிகாரிகள் தங்கள் தங்கள் இஷ்டப்படியே அர்த்தம் பண்ணிக்கொள்கிறார்களேயொழிய, சட்டத்திலும், திருத்தத்திலும் இருக்கும் உள்நோக்கத்தைத் தெரிந்துகொள்வதில்லை. ஆகவே எல்லா சட்டங்களும், எல்லாத்

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திருத்தங்களும், விதிகளும், அறிக்கைகளும், உத்தரவுகளும் தமிழிலேயே இருக்கவேண்டுமென்று வியாபாரிகள் கேட்டுக்கொண்டிருக்கிறார்கள். ஆகவே உடனடியாக அரசாங்கம் அப்படிச் செய்யவேண்டுமென்று கேட்டுக் கொள்கின்றேன்.

இப்பொழுது வியாபாரிகள் இந்தத் திருத்த மசோதாவினால் திருப்தியடையமாட்டார்கள். ஒருமுனையில் விற்பனை வரியை விதிக்கும்வரையிலும் அவர்கள் மீண்டும் மீண்டும் உங்கள் கோரிக்கைகளை வலியுறுத்திக்கொண்டே இருப்பார்கள். அந்தக் கோரிக்கைகளை ஈடுநிறுவதற்கான நடவடிக்கையும் எடுத்துக்கொள்வார்கள் என்று தெரிவித்துக்கொண்டு என்னுடைய வார்த்தையை முடித்துக்கொள்கின்றேன்.

SRI V. CHAKKARAI CHETTY: Mr. Chairman, I rise only 12-20 to say that I oppose the consideration of this Bill amending the p.m. General Sales Tax Act lock, stock and barrel. The Bill as originally introduced by the Government was bad, and the changes which the Select Committee has made have not in any way improved the nature of the provisions of the Bill. On the other hand, it has made the Bill even worse. There has been a big agitation all over Tamil Nad against the provisions of the Bill. It is a fact that the mercantile community will be very badly hit if this measure is passed. I am voicing the opinion of the people who met at a conference yesterday to consider all aspects relating to the General Sales Tax Act, and condemned this Bill, root and branch. So far as the mercantile community is concerned, the provisions of this Bill will lead to its being harassed. I do not believe that any amending legislation will ever make any improvement in the original Act, and I am voicing this sentiment most strongly. I do not belong to the mercantile community though at one time I did belong to that community and I am only voicing the feelings of the merchants in this matter. The amendments suggested in this Bill do not make any radical changes but only make the provisions already existing more stringent and atrocious. As this is a Money Bill, we are not in a position to move amendments to it, though the hon. Member Mr. Balasubramanya Ayyar who is a very good lawyer has many amendments to move. But all those things are tabooed here because the Speaker of the Assembly has certified that this is a Money Bill and that it is beyond our jurisdiction to move amendments to it. I wish to express most strongly to the Members of the Government the feelings of the mercantile community in Tamil Nad and I do not believe the feelings of the mercantile community in the Andhra State are in any way different that the provisions of this Bill are thoroughly detrimental to their interests. There is no use of trying to amend the provisions of this Bill. We must end it and not mend it.

SRI T. M. NARAYANASWAMY PILLAI: Mr. Chairman. I add my humble voice to that of the hon. Member Mr. Balasubramanya Ayyar in opposing this Bill. I was also very much impressed by the proceedings of a meeting which was held yesterday. It perhaps focussed public opinion in a manner

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of which the Government should take serious notice. The people who participated in that meeting are neither politicians nor agitators. The person who inaugurated the proceedings of the meeting held yesterday introduced himself as one who paid a tax running to many lakhs of rupees per year and he was well-known for his detached outlook and for the contribution he was making to industry and commerce in the State. With the weight of his authority, he came forward and condemned this measure. One of the points he brought to the notice of the people and the Government was the existence of 'harassment'. I am not myself aware and cannot speak about that, with personal experience. But when persons of the type of the gentleman referred to by me have come forward and pointed out the harassment, I think it is time that the Government take serious notice of it. The Government must take steps to find out whether harassment in the shape which my hon. Friend Mr. Balasubramanya Ayyar referred to exists or not, and whether the provisions of this Bill will lead to further harassment. That is what I want to bring to the notice of the Hon. the Revenue Minister. It must be found out whether the conditions imposed by the Government and the ways in which the tax is proposed to be collected will create circumstances in which harassment would be facilitated. Therefore, if the Bill is drafted in such a manner as to make clear the circumstances under which the tax should be levied and the manner in which it ought to be collected, then it will go a long way towards removing temptations or circumstances for causing harassment. In this connexion, my hon. Friend Mr. Balasubramanya Ayyar referred to the circumstances in which a co-operative society might be compelled to pay this tax. Though co-operative societies were included in the definition of 'dealer' in the main Act, still when goods were distributed and payment was made for that purpose, the societies were exempted from the payment of sales tax. I do not know the reasons why an amendment was thought necessary in respect of this provision. I am now in charge of some hostels. In those hostels students come together and form a co-operative society or a club or an association for the purpose of distributing articles of tiffin and divide the cost of the same among themselves. I have no time to consider whether such an operation is covered by the provisions of this Bill for purposes of liability to the tax. Suppose, Sir, five or ten or twenty persons come together, buy something and eat among themselves. Then, it may be said under the provisions of this Bill that they form a co-operative society or a club or an association for the purposes of selling articles bought in bulk and distributing the same. Apart from the inequitable nature of this provision, it will also lead to harassment. Therefore, it is very necessary that all aspects of the matter should be viewed comprehensively and a decision arrived at. It is necessary that the opinions of the persons engaged in industry and commerce should be sought and then a comprehensive Bill

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should be drafted as suggested by my hon. Friend Mr. Balasubramanya Ayyar. Such a comprehensive Bill should not firstly, lead to harassment of the mercantile community and secondly, should aim at levy of the tax at a single point.

One of the complaints made and with which I was very much impressed was that this measure treated dealers as though they belonged to a criminal class. As a matter of fact, their contribution to society should be taken note of and they should be looked upon as persons who contribute something valuable to the resources of the State. Instead of taking such an attitude, to adopt an attitude towards them as if they were a criminal class is something which is not warranted.

There is another point which I would like to place before the hon. Members. Three methods are contemplated with regard to collection of tax due under this Act, namely, collection of the tax as if it were an arrear of land revenue, collection of the tax by a magistrate as if it were a fine imposed by him and thirdly collection according to the procedure contemplated by criminal law. It is perhaps not so objectionable to collect the tax as if it were an arrear of land revenue, because there are certain procedures laid down which should be followed in case of recovery as if it were an arrear of land revenue. But to treat the tax as a fine and to enable that tax to be collected as if it were a fine imposed by a magistrate is something which cannot be agreed to. I speak on the spur of the moment and I think under the Constitution every person is guaranteed personal liberty and no person shall be deprived of it except in accordance with due processes of law.

Supposing the magistrate says that I should be sent to jail because this Legislature has said that the tax will be treated as fine, will it amount to a proper procedure? With all respect to you, Sir, I say that it will not be one. Therefore, this provision will be in conflict with the fundamental rights guaranteeing personal liberty which is a matter to be seriously looked into. After all, we are all in a democratic set-up and one of the priceless benefits in democracy is the guaranteeing of personal liberty of the individual. That is what every democratic Constitution prizes. It is not so much the material benefit or what we have to gain but it is the guaranteeing of the personal liberty that is most important. And, if, for the sake of collecting a tax, we begin to undermine the spirit of personal liberty, then all that we mean by democracy is a farce.

Then again, Sir, I shall refer to the procedure to which the hon. Member Sri V. V. Ramaswamy referred. That is, whenever an Act is passed and the judiciary says that the Act is invalid, is it right on the part of the authorities to come forward and validate it, i.e., treating the judiciary with scant courtesy? After all, the judiciary is the guardian and protector of our rights.

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And, if that sacred body says an Act is illegal, is it a remedy chosen by the Legislature to bypass it and pass again a law saying that we can collect the tax from the date on which it was declared to have been invalid? That is not the purpose for which validation power is given to the Legislature. Validation power is given for certain purposes, not to validate illegal things. That is exactly what the Constitution says. Therefore, Sir, for these reasons, I am not very happy over the amendment put forward and, whatever it is, I hope the Hon. Minister will see to it that a comprehensive Bill is brought forward guaranteeing fully the personal liberties of the individuals, providing for safeguards no doubt for the collection of tax at a single point and providing for machinery to consult good commercial opinion as and when necessary. With these words, Sir, I resume my seat.

* SRI T. PURUSHOTHAM: Mr. Chairman, Sir, I should like to say that I entirely agree with the views expressed by the hon. Members opposite. I was particularly struck by the sad picture drawn by the hon. Member, Sri Balasubramanya Ayyar, of the plight of the merchants to-day. I should like the Government to take early steps to remedy this state of things. This is a tax that is being levied on the purchasers and the merchants are liable to pay to Government the tax collected by them. True, in this House, we raised the question that there was leakage in the collection of sales tax. In instituting necessary measures for the collection of the tax without leakage, stringent provisions are proposed to be made which would very badly affect the trading classes. We have the income-tax. We do not have such complaints about the officers and staff of that department. Why should such allegations be made against the staff of this department? Where is the fault? Is it in the system of collection or is it due to the personnel entrusted with this work? Apart from these questions, there is the general question as to the uniform levy of sales tax throughout the country and we were told that the Central Government are considering that question as well. When that is the case, I do not see any great reason for proceeding with an Amending Bill of this kind in such great hurry.

Hon. Members opposite suggested that we should have a Committee to go into the question. The Government recently constituted the State Sales Tax Advisory Committee. That Committee could have been put in possession of this Bill and its opinion taken before pushing through the amendment embodied in this Bill. I believe I am in good company in my attitude towards this Bill because our hon. Deputy Chairman has pointed out from personal experience the difficulties the merchants are put to for non-payment of tax. I do not know about the proceedings in the other House but in reply to a question raised by me in this very House, the then Hon. Minister in charge of Commercial Taxes, Sri Pattabirama Rao, stated that there were

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as many as twelve to fifteen thousand people in jail for non-payment of sales tax. That shows their incapacity to pay the amount. These things need investigation and I believe, an All-India legislation . . .

THE HON. SRI M. A. MANICKAVELU: Sir, I would like to correct a wrong impression. It has been said just now that about fifteen thousand persons were sent to jail for non-payment of tax. Well, Sir, I have got the actual figures for 1955-56. It is stated that the number of persons who underwent imprisonment is the grand total of eleven!

* SRI T. PURUSHOTHAM: The matter has to be investigated further. I would like to assure the Hon. Minister that I am not anxious to exaggerate things nor are the hon. Members opposite. If it is only eleven, we should only be too glad. We should be happy.

SRI K. BALASUBRAMANYA AYYAR: If it is only eleven, then all people, excluding the eleven great Rudras, are paying taxes and there is no necessity for this amendment at all.

SRI A. M. ALLAPICHAJ: If these people had been given time to pay the amount, they would have paid it and there would not be even one man who had not paid the tax.

* SRI T. PURUSHOTHAM: Sir, I do not have immediately the reference. But I will pick up the answer given by the ex-Minister, Sri Pattabirama Rao and pass it on to the Hon. Minister. But, I would suggest in this connexion, finding the inefficiency of our own department to manage the collection of this tax effectively without public complaint, that it could as well be entrusted to the Centre, that the tax could be collected by the Centre on a uniform basis and that a proportionate amount could be allotted to the States. I know that it is depriving the power of the State with regard to this. But, when I see the comparative working of the Income-tax Department and the Sales Tax Department, I am compelled to make this suggestion. At any rate, I hope it would be possible to introduce a uniform levy of sales tax throughout the country and hardships complained of by an important section of our community, namely, the merchants, should be deeply gone into by the Government.

The question of levy of single-point tax has been raised and I am glad the principle has been accepted by the Government, 12.40 p.m. I mean the single-point levy. But the articles in respect of which single-point levy has been introduced by the Government do not in any way concern the poor man. If we are to give any relief to the poor man, more and more articles which are used by the poor man should be exempted from this multi-point levy. I hope this point will also be examined by the Hon. Minister.

The hon. Member Mr. V. V. Ramaswami referred to lack of representation of mufassal organizations on the State Sales Tax Advisory Committee. I referred to this question also in

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my speech on the Governor's Address. I hope this omission will be rectified by the Hon. Minister soon and representation for mufassal organizations provided on the Advisory Committee that has been recently reconstituted.

I hope the Hon. Minister will tell us more fully the need for the present measure. We would be thankful to the Government if they would prepare a more consolidated measure which may be brought in after reference to the Advisory Committee and to a representative gathering of merchants and purchasers.

The hon. Member Mr. Balasubramanya Ayyar expressed satisfaction with the rule-making provision in the Bill. I am afraid he has not completely read the relevant provision. Though notifications are to be placed on the table of both the Houses, the Legislative Assembly alone has powers to move amendments seeking to modify or repeal such notifications. I think the Legislative Council also should be given the power same as I have just now referred to. It has been my contention that there should be no discrimination in this or in any other respect between this House and the other House. In the Madras Cultivating Tenants Protection Act, it is clearly stated that all notifications and rules issued under that Act are to be placed before both the Houses of the Legislature and they are given power to move amendments thereto. Of course, this power may not be used at all. We are going to have our own Committee on Subordinate Legislation and if there is anything to be brought before the Council, the Committee will examine and bring it to our notice. I would, therefore, suggest that not only the Legislative Assembly but the Legislative Council also may be given the power to amend or repeal any notification that may be placed on the table of the House. With these words, I would request the Hon. Minister to explain to us the great need for proceeding with this measure in such haste pending the introduction of a comprehensive legislation covering all the points raised by hon. Members.

SRI K. BALASUBRAMANYA AYYAR: Sir, may I read that portion of the Finance Minister's speech which relates to harassment? He said:

"A reference was made to sales tax and the difficulties of the merchants. I am fully aware of those difficulties and a little more than what has been placed before me. I have even placed the matter before the National Development Council, not only with reference to this State, but with regard to the administration and collection of sales tax and income-tax. I agree there should be improvement in them and this harassment should go. And then, evasion should also be stopped, because evasion puts a premium on dishonesty. While the honest man has to pay the tax and carry on his trade, the dishonest man evades and gets away with all the profit he is able to make without paying the tax. Therefore, evasion also will have to be stopped. I made a suggestion to the National Development Council that an All-India Committee should be appointed,

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that an expert from outside our country who has got experience of sales tax or purchase tax should be associated with that Committee, that the Committee should tour throughout India and examine the working and administration of the Act and then they should make suggestions for improvement, so that the harassment would be stopped and evasion would be put an end to. I hope that that suggestion would be acceptable to the Government of India and ere long a committee would be appointed to go into the entire question.

* THE HON. SRI M. A. MANICKAVELU: Mr. Chairman, very powerful speeches were made on the motion before the House. It is always a difficult job to defend a taxation measure and also the methods of collection of tax. It has been so all along. A point was made that instead of this kind of piecemeal legislation, a comprehensive Bill should be brought in dealing with all aspects of the question including single-point levy.

Sir, it is very difficult in a case of this sort to bring in, in one stroke and at one time, a comprehensive Bill and be done with its passage into law. The nature of the Sales Tax Act is such that as we work it, we come across new difficulties and new problems. We have to deal with them as they arise, and we have been doing it. There may be other Acts but even there, I doubt very much whether the Act as passed once will stand as it is for all time. There may be one or two Acts which may remain all right for a long time like the Indian Penal Code which was enacted many years ago and remains in the same form in which it was enacted. But here, many difficulties arise and also on account of the various decisions of the High Court and the Supreme Court, we have to modify the existing law. Therefore, the Government took the earliest opportunity to bring in amendments to the law, and I submit it is not possible to think of a comprehensive measure for all time on this subject.

As regards the controversy about multi-point levy and single-point levy, the Government have accepted the principle that single-point levy is possible and feasible. The difference arises only in this, that the Government still think that it may not be possible to have the single-point levy on all commodities because there are only certain commodities in respect of which we could have single-point levy. In other words, it is only in the case of certain articles that tax could be levied at the place of production or manufacture. In such cases, there is no necessity for multi-point levy. But there are commodities where, if the article escapes tax at one point, it will escape tax at all points, because it is not possible to control and levy the tax at one point. The Government are still examining the question. We have now a list of articles in whose case single-point levy is possible and feasible. We are examining whether we could add a few more articles to this list. I am personally of opinion that a few more could be added to the list. If responsible commercial bodies suggest a few more articles to be added, the Government will certainly look into the suggestion.

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12-50 p.m. As regards the question of agency, at present even in the case of out-and-out sale transactions by an agent, there is evasion of tax. An actual transaction of sale is converted into an agency transaction and tax is not paid on it. In order to make it explicit, this amendment has been introduced. Care has been taken to see that only in cases where the agent passes off the goods at a higher rate, this clause will come into operation. Supposing the agent transfers the goods for the same price to his principal or some other person, then the clause will not be operative. If there is a difference in price, it will clearly show that the agent is making a profit and it becomes an actual deal or transaction. The clause will operate only in such cases. Genuine cases of agency deals will not be affected. They will still continue to be agency transactions. Out-and-out sale of goods alone will be affected by the amended clause.

Sir, much was said about the different modes of collecting the tax, that is, (1) collecting it as an arrear of land revenue, (2) collecting it through the magistrate as a fine and (3) collecting it from a third person who owes money to the dealer who has been assessed. As regards collection of the tax treating it as arrears of land revenue, it is a well-known method. In the collection of arrears of land revenue it is working all right. In other cases there can be no difficulty. The objection is with regard to collecting it as if it were a fine. The existing law on the subject is that the defaulting assessee is not only fined but in the event of his defaulting to pay the fine, the defaulting person can be sent to prison. Now, we have taken away that provision. Under the amended legislation, there will be no imprisonment for the mere default to pay the fine. That is an improvement over the existing state of affairs.

SRI K. BALASUBRAMANYA AYYAR: The expression 'as if it were a fine' will attract the powers of the magistrate just as in the case of arrears of land revenue and the magistrate can imprison and detain and sell his immovable property also, according to the Penal Code and the Criminal Procedure Code.

* THE HON. SRI M. A. MANICKAVELU: We have so provided that this will mean only collecting it as an amount due. It has been thought of only in this background that it is a very quick and easy way of collecting the amount due. Some dealers and assessee disappear from the State and dispose of their properties. There are so many difficulties in collecting the dues. It is only with the object of making the collection easy that this has been introduced. Still, I submit that the provision for sending persons to jail could not be attracted. I will examine it still further.

SRI A. M. ALLAPICHAI: No more sending of people to jail in case they don't pay.

* THE HON. SRI M. A. MANICKAVELU: Except in cases of fraud. The defaulting assessee will not be sent to jail as it was done previously. That is the conclusion to which we have come.

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Then, Sir, the hon. Member who attended yesterday's meeting also spoke vehemently about harassment. In this connection, I wish to refer to an experience that I recently had. I had occasion to visit a hall of mirrors in North India. There were different kinds of mirrors in the hall. One mirror gave me the actual image of myself. When I looked through another mirror, to my horror I found my face was quite long. When I looked through another mirror, my head looked something like a big boulder. Similarly, hon. Members who look at this, look through the wrong mirror which gives them a distorted version of the thing. If they see through the ordinary mirror, there won't be this distortion. The whole difficulty is the perspective; the eyes with which they see are a little clouded. This is on account of various factors which I need not recount here.

SRI K. BALASUBRAMANYA AYYAR: I submit the Hon. Minister need not place himself before a mirror at all.

* THE HON. SRI M. A. MANICKAVELU: Then, Sir, the hon. Member from Virudhunagar said that in the matter of granting exemptions, the Government had no policy. He said Government announced exemptions sometimes as a result of pressure exercised by certain dealers in certain commodities. It is not so. There is a principle behind the grant of these exemptions. Exemptions have been given so far only in respect of perishable articles. Of course, as we go on exempting them, the list becomes bigger. At one time we thought 'these were the perishable articles'. Afterwards, other articles were exempted and they were also included in the list of perishable articles. Then there is another consideration. We cannot give exemption all of a sudden to all perishable articles, at one and the same time, because it involves a huge sum of money. We have to take care of the Budget also. Each case of exemption causes a loss to the Government to the tune of ten to fifteen lakhs of rupees. In respect of perishable articles already exempted, Government have lost about 30 to 40 lakhs of rupees. Therefore, we have to take into consideration that aspect also in announcing exemptions. But the principle is there. Government are willing to exempt all perishable articles and they have done so. (Interruption.) The hon. Member referred to 'Panam Kalkandu'. It has been exempted and the exemption has been given retrospective effect. The merchants had represented that it is only a product like jaggery. Though it does not come within the scope of the term 'jaggery', still the Government were generous and liberal and said. "All right, let it go under the term 'jaggery' ". When we are liberal and give exemptions, then they accuse us and say 'Why not give it at the very beginning?'. Considering the representations made, Government added this also to the list of articles exempted from tax. Now I am being attacked for doing so.

SRI V. V. RAMASWAMI: What about the money that might have been collected?

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* THE HON. SRI M. A. MANICKAVELU : If the dealer has, as a matter of fact, collected sales tax under a misapprehension that it enjoyed no exemption, there is no harm in paying the tax. If the dealer has not collected the tax, the Government are not demanding it. Not only in this case but in others also, only if the dealer has collected, the Government have been collecting the amount. If under some misapprehension the dealer says he has not collected, the Government have not insisted on payment of the tax.

SRI V. V. RAMASWAMI : Retrospective effect has been given to the provision. So, the merchant who has paid the sales tax might claim it from the dealer who has collected it. But the dealer has already paid the tax to the Government.

* THE HON. SRI M. A. MANICKAVELU : That is a matter of detail. If the hon. Member makes a specific representation, I will look into it.

The hon. Member referred to the question of constitution of committees. Now an advisory committee has been constituted at the State level consisting of all mercantile bodies, Chambers of Commerce and other bodies in the State. District Committees have also been formed. But now it is said that certain commercial interests operating from district headquarters have a large field of work and business and they also want to be represented on the Central Committee, that is, the Committee in Madras. The difficulty is how to know that the commercial bodies working in the mufassil have a provincial outlook and business activities so as to qualify them for representation on the Central Committee. We went into the details and as far as possible, we have included in the Central Committee all bodies of a provincial nature. With regard to district commercial bodies, we have put them on the district advisory committees. That is what we could do. But they put forward the plea that there are certain commercial bodies which, though they are situated in the mufassil, have a provincial sphere of work and that as such they should be included in the Central Committee. Of course, that question can also be looked into. There is nothing final in the matter. Wherever a necessity arises, the matter would be gone into.

There is so much talk about harassment and the hon. Member opposite read a passage from the speech of the Hon. the Finance Minister to show that there was harassment. I do not deny that there is harassment. But I do want to say that there is harassment, on the part of merchants, against the Commercial Tax Officers also. There is harassment in the sense that the merchants do not produce their account books. They do not show proper accounts and they give any amount of trouble to the officers. Of course, they are in a minority. So, harassment is there on both sides. With regard to well-established firms, there is absolutely no difficulty. Many of the officers have told me that in a few minutes they finish their whole business in well-established

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commercial firms, because the firms supply the officers with all necessary details. Only in the case of people who want to evade the tax, they adopt all sorts of questionable methods. One reason that is advanced for some merchants taking these steps is that the tax is very heavy. "Unless the merchants take to these nefarious methods, they won't be able to carry on their business". That is what they say. If regular and true accounts are submitted, there would be no difficulty at all. I do not say that all our officers are angels. In some cases, they may go beyond their limits. If such cases are brought to the notice of Government, we would take steps to see that the concerned officers are dealt with properly and that there is no recurrence of such a thing. If hon. Members hear only one voice and voice forth only one aspect of the case, then it will give a wrong impression that all trouble is from one side only. Therefore, I would request especially the hon. Member coming from Virudhunagar, to take steps to see that his brethren and others who do business, do it properly. I also heard that in certain parts of the State there were experts in evasion of tax. They have a very clear method of evading the tax and even the most clever and rude Commercial Tax Officer cannot find it out. There are such experts who evade the tax. Therefore, on both sides there is harassment. If only we hear both sides, we can have a true picture of the whole thing. The Hon. the Finance Minister is now expecting that a committee would be appointed to go into this question to see how best evasion of sales tax could be avoided and also to see to the smooth working of the Sales Tax Act. It would be better if this is done on an All-India level, so that it would be uniformly applicable to all States. We are still awaiting the steps that the Centre is going to take in this matter. I finally submit that having regard to the very difficult nature of the working of this Act and the necessity to come before the Legislature now and then when difficulties arise, we have to have recourse to this Amending Bill. It is not possible to have an all-embracing Bill. I am glad that we have accumulated several things in this one Bill, which could be spread over four or five Amending Bills. The Board had been insisting that this or that thing should be done. But we were telling them that we could not go to the Legislature for amending the Bill frequently. We consolidated several things and as far as we could do, we framed this Amending Bill. At the Select Committee stage, many of the provisions that were found to be severe and to which the merchants took objection were removed. For instance, it was desired to give powers of inspection to police officers to go and search the houses of merchants and take hold of the accounts. That clause has been taken away. There was provision to enhance the tax on bullion. That provision has now been taken away. The change as to turnover from Rs. 25,000 to Rs. 20,000 has now been taken away. There are other provisions which were brought to our notice as affecting the interests of the business community and we have removed them. I am glad that the hon. Member from Virudhunagar conceded it in a halting way though

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not fully. I am glad that he said that at least, viz., that Government had done something, instead of saying that Government had not done anything. I am glad about it. With these words, I hope hon. Members of this elder House will pass this measure.

SRI K. BALASUBRAMANYA AYYAR: What about co-operative societies?

* THE HON. SRI M. A. MANICKAVELU: Formerly, with regard to distribution, any body or club or co-operative society, which had no profit motive and where no profit was there in the transaction, was not liable to sales tax. But in the working of the Act we found that there was a difficulty in finding out whether there was a profit motive. That is why we have removed that distinction and we have said that even for distribution, the co-operative society is also liable to sales tax.

SRI T. PURUSHOTHAM: Will the Hon. Minister kindly give an assurance that the consolidated measure that we all referred to would be taken up by Government and that at no distant date they would bring in a comprehensive Bill, dealing with all aspects of the question?

* THE HON. SRI M. A. MANICKAVELU: That will be a very risky assurance to give on the eve of elections. (Laughter.)

MR. CHAIRMAN: The question is—

“That the Madras General Sales Tax (Third Amendment) Bill, 1956 (L.A. Bill No. 39 of 1955), as passed by the Legislative Assembly, be taken into consideration.”

The motion was put and carried and the Bill was taken into consideration.

MR. CHAIRMAN: We will now take up consideration of the Bill clause by clause. Let us take up clause 2. There is an amendment given notice of by Sri K. Balasubramanya Ayyar.

Clause 2.

MR. CHAIRMAN: The motion is—

“That clause 2 do stand part of the Bill.”

SRI K. BALASUBRAMANYA AYYAR: There are two amendments standing in my name. I move both of them, viz., “omit sub-clause (iii) (b).”

In the proposed Explanation (3) to clause (h) of section 2 of the principal Act—

(a) after the words ‘notwithstanding anything to the contrary contained in this Act’ and before the words ‘two independent sales’ insert the words ‘or in the Indian Sales of Goods Act, 1930.’

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(b) Omit clauses (a) and (b) (i), (ii) and (iii).”

I want sub-clauses (b) (i), (ii) and (iii) under clause 2 to be omitted. In fact, I want that sub-clause (b) (iii) which states—

“in Explanation (2) the words and figures ‘notwithstanding anything to the contrary in the Indian Sale of Goods Act, 1930, shall be omitted’

should be omitted, for it is contrary not only to the Indian Sales of Goods Act, 1930 but also to our General Sales Tax Act. Therefore it is better to add in the proposed Explanation (3) to clause (h) of section 2 of the principal Act after the words ‘notwithstanding anything to the contrary contained in this Act’ and before the words ‘two independent sales’ the words ‘or in the Indian Sale of Goods Act, 1930’. That is what my amendment says. Unless this is done, we shall be doing contrary to what is contained not only in the Indian Sale of Goods Act, 1930 but also in our General Sales Tax Act. Under the Indian Sale of Goods Act, 1930, one who sells and one who purchases form one party. That is the principle underlying the Indian Sale of Goods Act, 1930. I do hope that my amendment, which is a simple one, will be accepted by the House.

SRI V. V. RAMASWAMI: I second the amendments moved 1-10
by the hon. Member Sri K. Balasubramanya Ayyar. p.m.

* THE HON. SRI M. A. MANICKAVELU: We are advised by the Law Department to omit the reference to the Indian Sale of Goods Act, 1930. I am told that there is a lot of trouble with regard to the interpretation of sale as between the buyer and the seller, and it is admitted that no taxing statute should depend upon the contract between the buyer and the seller. We have taken the decision to omit the words and figures on the advice of the Law Department and in consultation with the Advocate-General. It is rather a technical matter which I am not now in a position to explain as clearly as I would like to do. I oppose the amendment.

SRI K. BALASUBRAMANYA AYYAR: As regards my next amendment, I wish to say this. So far as an agent is concerned, I agree with the provision that his transaction need not be exempted from the levy of sales tax. But there arises this further point. If the sale is treated as two independent sales, then under the prevailing multi-point system, tax will be levied on both the sales. The tax on both the sales will be passed on to the consumer and ultimately the consumer will have to pay for it. From that point of view, I ask why the Government should not penalise him only once. I do not know whether this point was considered by the Select Committee.

* THE HON. SRI M. A. MANICKAVELU: In opposing the amendment, I submit that in all cases of bona fide agency transactions, an agent is protected. Only when he passes off his own

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transaction as an agency transaction, this clause will operate. If a transaction amounts to two sales, naturally sales tax has to be paid on both the sales.

MR. CHAIRMAN: The question is—

“ Omit sub-clause (iii) (b) ”.

“ In the proposed Explanation (3) to clause (h) of section 2 of the principal Act—

(a) after the words ‘ notwithstanding anything to the contrary contained in this Act ’ and *before* the words ‘ two independent sales ’ insert the words ‘ or in the Indian Sales of Goods Act, 1930 ’.

(b) Omit clauses (a) and (b) (i), (ii) and (iii). ”

The amendments were put and lost.

Clause 2 was put and carried.

Clauses 3 to 7 were put and carried.

Clause 8.

MR. CHAIRMAN: The motion is—

“ That clause 8 do stand part of the Bill. ”

SRI K. BALASUBRAMANYA AYYAR: Sir, I move—

“ Omit sub-clause (2) (b). ”

This provision relates to the recovery of tax by a Magistrate, on application to him, as if it were a fine imposed by him. This is not such an innocuous provision, as the Hon. the Revenue Minister would try to make it out to be. When you apply to a Magistrate, he recovers the tax strictly in accordance with the courses open to him under the law. The courses open to him under the Indian Penal Code are the imposition of a fine and the distress and sale of the immovable property of the defaulter. He can also sentence him to imprisonment in default of payment of fine. He can exercise either the one or the other of his powers without pronouncing any decision as regards the merits of the case. If on conviction he is also authorised to recover the tax as a fine, I have no objection to it, and that is what is provided for in section 15 of the main Act which reads as follows:—

“ Any person who—

(a) wilfully submits an untrue return or fails to submit a return as required by the provisions of this Act, or the rules made thereunder, or

(b) fails to pay within the time allowed any tax assessed on him or any fee due from him under this Act, or

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(c) prevents or obstructs inspection or entry by any officer authorized under section 14, in contravention of the terms thereof, or

(d) fraudulently evades the payment of any tax assessed on him or any fee due from him under this Act, or

(e) fails to submit an application for registration as required by section 8-A, sub-section (1), or

(f) collects any amount by way of tax under this Act, in contravention of the provisions of section 8-B, sub-section (1), or

(g) fails to pay the amounts specified in section 8-B, sub-section (2), within the prescribed time, or

(h) wilfully acts in contravention of any of the provisions of this Act, shall, on conviction by a Presidency Magistrate or a Magistrate of the first class, be liable to a fine which may extend to one thousand rupees, and in the case of a conviction under clause (b), (d), (f) or (g), the Magistrate shall specify in the order the tax, fee or other amount, which the person convicted has failed or evaded to pay or has wrongfully collected, and the tax, fee or amount so specified shall be recoverable as if it were a fine.”

In cases where a person fraudulently evades payment, the Magistrate is given the power to convict him and also to impose a fine up to a maximum of one thousand rupees and to collect this tax as if it were a fine. That I understand. But this is merely an application to the Magistrate stating that a person has not paid the tax due from him. When a Magistrate imposes a fine, he has got all the powers which a Magistrate has got in the other cases. Therefore, he may award him a sentence of imprisonment or he may distress and sell his immovable property. If it is specified that an application will lie on the following grounds, then the Magistrate will be in a position to decide. But this is merely an application to the Magistrate.

SRI V. V. RAMASWAMI: I second the amendment.

SRI A. GAJAPATHY NAYAGAR: There is no provision that the defaulter shall be imprisoned also. Here the conviction is restricted to fine. I doubt whether the Magistrate has got the power to impose a sentence of imprisonment in default of payment of fine.

SRI K. BALASUBRAMANYA AYYAR: Suppose he does not pay the fine?

SRI A. GAJAPATHY NAYAGAR: Even then, so far as is known in Common Law, when there is provision for fine and no provision for imprisonment, no Magistrate can award a sentence of imprisonment.

* THE HON. SRI M. A. MANICKAVELU: Yes, Sir. The hon. Member is right in his interpretation. I agree that the amount to 1-20 p.m.

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1-20 p.m. be collected is only a fine. Under the revised provision, a defaulter will not be liable to imprisonment. To that extent, the revised provision will remove the hardship now experienced.

SRI K. BALASUBRAMANYA AYYAR : Suppose he does not pay when you collect it as a fine. What is the remedy?

* THE HON. SRI M. A. MANICKAVELU : Whatever it is, there will be no imprisonment.

MR. CHAIRMAN : Is the hon. Member pressing his amendment?

SRI K. BALASUBRAMANYA AYYAR : Yes, Sir.

MR. CHAIRMAN : The question is—

“ Omit sub-clause (2) (b). ”

The amendment was put and lost.

Clause 8 was put and carried.

Clauses 9 to 13 were put and carried.

Clause 14.

MR. CHAIRMAN : The motion is—

“ That clause 14 do stand part of the Bill. ”

SRI K. BALASUBRAMANYA AYYAR : Sir, I have given notice of an amendment to this clause. In my amendment I have suggested that the Magistrate must give a direction about the recovery of the amount. In the proposed clause that portion about the recovery of the amount has been omitted. Under section 15 of the Act, the Magistrate shall specify the fee which the person convicted has failed to pay. This portion has been omitted in the proposed clause. My earlier amendments having not been accepted, the amendment to this clause, which I have given notice of, has really become unnecessary. Therefore, I am not moving my amendment to this clause.

Clause 14 was put and carried.

Clauses 15 to 17 were 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 (Third Amendment) Bill, 1956 (L.A. Bill No. 39 of 1955), as passed by the Legislative Assembly, be passed. ”

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I take this opportunity to quote certain figures regarding the number of prosecutions and the number of convictions.

Year.	Number of prosecutions.	Number of convictions.
1953-54 ..	3,154	2,593
1954-55 ..	9,299	6,360
1955-56 ..	8,334	6,008

They seem to have totalled up all the convictions and given the figure. Conviction does not mean imprisonment. It includes fine also. They have calculated the number of all the convictions. Actually eleven people underwent imprisonment.

SRI A. M. ALLAPICHAJ : Whatever it is, that gives us a good picture of the convictions.

* THE HON. SRI M. A. MANICKAVELU : This Act may be a rigorous one. It must be tempered as far as possible by the rules which the Government will make as occasion arises.

MR. CHAIRMAN : Motion moved—

“ That the Madras General Sales Tax (Third Amendment) Bill, 1956 (L.A. Bill No. 39 of 1955), as passed by the Legislative Assembly, be passed. ”

SRI K. BALASUBRAMANYA AYYAR : May I again request the Government, Sir, to appoint a committee for the purpose of enquiring into the working of the Act? There is a feeling among the merchants—it may be right or wrong—that there is a lot of harassment by the officials and that the whole law is confusing and uncertain. This was stated by a very responsible gentleman in his speech the other day. The whole law together with its rules is very confusing and uncertain. It is high time that the Government appointed a committee to investigate the whole question, not for the purpose of finding out whether there is harassment or not, but to investigate the whole matter and then place the whole law on a clear footing so that all our merchants—2 crores and more—might not be harassed or made to feel that they are harassed. They are happy to pay this tax. It is not as if these people refuse to pay tax. It is not with that mentality, at any rate, I am speaking. It is not for the purpose of refusing to pay the tax that they speak so much. They are prepared to pay the tax. But they want the tax to be collected in the best manner possible without serious hardship to the assessee and without the tax being felt to be a heavy burden on the assessee. These are all well-known principles of taxation which are accepted in all countries. Therefore, let us also proceed on this basis. Why should we wait for the constitution of an All-India Committee? So far as intra-State matters are concerned, by the amendment to the Constitution, we have been given full powers for levying sales tax in our State. It is our duty to our own people to remove their misapprehensions and see that such big meetings, as the one held recently, are not

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held. These dealers would not have come all the way from Madurai and Kumbakonam to attend this meeting. Such a meeting would not be possible, unless the merchants had a real grievance. I would request the Government to take serious note of this aspect. If there is any misapprehension among the dealers, the Government can issue a communique saying that there is no harassment by officials and that they have gone into the whole matter and satisfied themselves that there has been no harassment. This would put an end to unnecessary agitation. So far as we are concerned, we also will not open our mouths. We are not against any tax. Nor are we against paying any tax. We are here only to help the Government. But we have to bring to the notice of the Government the feeling that is there among a large section of the traders that they are being harassed and that the incidence of this tax is very heavy. The merchants are very anxious to have a single-point tax. Instead of the Government saying that certain commodities will be taxed at one point only, they can levy single-point tax on all articles. The merchants even went to the extent of saying that they would guarantee a certain sum by way of this tax and all that they wanted was that the tax should not be collected in the manner in which it was at present collected. This only shows their mentality. They are for paying this tax but not in the manner in which it is at present collected.

* THE HON. SRI M. A. MANICKAVELU : Sir, I agree with the hon. Member that even for lawyers it is extremely difficult to construe the provisions of the Act. Even the Supreme Court has been giving varying decisions. It is such a difficult and intricate law.

As regards the Committee, I would say that we have constituted an Advisory Committee which will meet shortly. Then we shall take into confidence all the interests concerned. Our intention is to make the working of the Act as smooth as possible. It is not as if the Government want to harass anybody. In the working of the Act, there may probably be difficulties. But it will be our constant endeavour to see that harassment, if any, is removed. But the merchants must tell us how to work the Act smoothly. I am willing to adopt their suggestions that are practical and feasible. Let them suggest the methods. The whole thing will have to be thought out well. These matters will come up before the Advisory Committee and we will try to do the best that is possible and see that the merchants are a happy lot and not that sort of lot that they gave themselves out to be the other day.

MR. CHAIRMAN : The question is—

“That the Madras General Sales Tax (Third Amendment) Bill, 1956 (L.A. Bill No. 39 of 1955), as passed by the Legislative Assembly, be passed.”

The motion was put and carried and the Bill was passed.

27th August 1956]

MR. CHAIRMAN : The House will now rise for lunch and meet again at 3 p.m.

The House then rose.

(After lunch—3 p.m.)

(2) THE MADRAS LAND REVENUE (SURCHARGE) AMENDMENT
BILL, 1956 (L.A. BILL NO. 11 OF 1956.)

* THE HON. SRI M. A. MANICKAVELU : Mr. Chairman, I beg to move—

“That the Madras Land Revenue (Surcharge) Amendment Bill, 1956 (L.A. Bill No. 11 of 1956), as passed by the Legislative Assembly, be taken into consideration.”

Under section 3 of the Madras Land Revenue (Surcharge) Act, 1954, every person paying a land revenue assessment of over Rs. 500 in a fasli will have to pay the Government in respect of any land held by him for that fasli surcharge at the rate mentioned in that section. As groundrent is public revenue due on land, it comes under the definition of land revenue in section 2 of the Act and, therefore, surcharge under the Act is leviable on groundrents also.

It has been represented that as the rate of the groundrent is high in some cases especially in Madras, the levy of surcharge on it will make the burden heavier. The Government, therefore, consider that groundrent exceeding Rs. 10 per ground, i.e., Rs. 181-8-0 per acre, should not be taken into account for the purpose of computing the surcharge. The Bill is to come into force from 1st July 1954, i.e., from the date on which the main Act came into force. I may tell for the information of the hon. Members that it is expected to give relief to the extent of about Rs. 50,000 per annum to assesses in Madras City.

MR. CHAIRMAN : Motion moved—

“That the Madras Land Revenue (Surcharge) Amendment Bill, 1956 (L.A. Bill No. 11 of 1956), as passed by the Legislative Assembly, be taken into consideration.”

SRI K. BALASUBRAMANYA AYYAR : Mr. Chairman, I would welcome this Bill. We are thankful to the Government for small mercies. When the original Land Revenue (Surcharge) Bill was passed, I was one of those who felt that it was an additional burden on the landowner. After the introduction of the Fair Rent Bill, I think it is absolutely a heavy burden. Now, we have surcharge and additional surcharge and so on. I have always been feeling that the Government would do well to abolish this surcharge altogether, especially when they have made a drastic cut in the share of the landholder. When they say that the landholder will get only 40 per cent of the gross produce from the land, it is

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only fair that this surcharge should be taken away altogether. So far as this Bill is concerned, I welcome it. I am glad that ground-rent at least is not taken into consideration up to a certain limit. With these words, I welcome this Bill.

* THE HON. SRI M. A. MANICKAVELU : Sir, I am glad they appreciate even small mercies. As regards the other point raised by the hon. Member—that is, with reference to the Fair Rent Bill—I should say that that Bill is still on the anvil and has not yet become law. In what manner it will become law we do not know at this stage. I do not want to hazard any statement on the points raised by the hon. Member.

MR. CHAIRMAN : The question is—

“ That the Madras Land Revenue (Surcharge) Amendment Bill, 1956 (L.A. Bill No. 11 of 1956), as passed by the Legislative Assembly, be taken into consideration.”

The motion was put and carried and the Bill was taken into consideration.

Clause 2 was put and carried.

Clause 1 and the Preamble were separately put and carried.

* THE HON. SRI M. A. MANICKAVELU : Mr. Chairman, I move—

“ That the Madras Land Revenue (Surcharge) Amendment Bill, 1956 (L.A. Bill No. 11 of 1956), as passed by the Legislative Assembly, be passed.”

MR. CHAIRMAN : The question is—

“ That the Madras Land Revenue (Surcharge) Amendment Bill, 1956 (L.A. Bill No. 11 of 1956), as passed by the Legislative Assembly, be passed.”

The motion was put and carried and the Bill was passed.

(3) THE MADRAS LAND REVENUE (ADDITIONAL SURCHARGE)
AMENDMENT BILL, 1956 (L.A. BILL NO. 12 OF 1956).

* THE HON. SRI M. A. MANICKAVELU : Mr. Chairman, I beg to move—

“ That the Madras Land Revenue (Additional Surcharge) Amendment Bill, 1956 (L.A. Bill No. 12 of 1956), as passed by the Legislative Assembly, be taken into consideration.”

Under section 3 of the Madras Land Revenue (Additional Surcharge) Act, 1955, every person liable to pay land revenue to

Printed as Appendix VII on page 338-339 infra.

27th August 1956] [Sri M. A. Manickavelu]

the Government in respect of any land will have to pay for every fasli surcharge at the rate of two annas on every rupee of such land revenue. As groundrent is public revenue due on land, it comes under the definition of land revenue in section 2 of the Act and, therefore, surcharge under the Act is leviable on groundrents also.

It has been represented that the rate of groundrent is high in some cases, especially within Madras City. In order to give relief in such cases, the Government consider that groundrent exceeding Rs. 10 per ground, or Rs. 181-8-0 per acre should not be taken into account for the purpose of computing the surcharge. This is to come into force from 1st July 1955, i.e., from the date on which the main Act came into force. It will mainly affect only Madras City where this high rate of groundrent prevails.

MR. CHAIRMAN : The question is—

“ That the Madras Land Revenue (Additional Surcharge) Amendment Bill, 1956 (L.A. Bill No. 12 of 1956), as passed by the Legislative Assembly, be taken into consideration.”

The motion was put and carried and the Bill was taken into consideration.

Clause 2 was put and carried.

Clause 1 and the Preamble were separately put and carried.

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

“ That the Madras Land Revenue (Additional Surcharge) Amendment Bill, 1956 (L.A. Bill No. 12 of 1956), as passed by the Legislative Assembly, be passed.”

MR. CHAIRMAN : The question is—

“ That the Madras Land Revenue (Additional Surcharge) Amendment Bill, 1956 (L.A. Bill No. 12 of 1956), as passed by the Legislative Assembly, be passed.”

The motion was put and carried and the Bill was passed.

(4) THE PRESIDENCY SMALL CAUSE COURTS (MADRAS AMENDMENT)
BILL, 1956 (L.A. BILL NO. 13 OF 1956).

* THE HON. SRI M. BHAKTAVATSALAM : Mr. Chairman, I move—

“ That the Presidency Small Cause Courts (Madras Amendment) Bill, 1956 (L.A. Bill No. 13 of 1956), as passed by the Legislative Assembly, be taken into consideration.”

Printed as Appendix VIII on pages 339-340 infra.

[Sri M. Bhaktavatsalam] [27th August 1956]

Sir, under section 41 of this Act, there is provision for action to be taken against a person who was permitted to occupy certain premises temporarily. If he would not vacate the premises at the expiry of the term, under section 41 those who are in charge of the premises might take action for the eviction of the occupier. But, under section 47, there is provision for stay of such proceedings. It has been found that there were many cases where this provision was abused by the occupier of the premises. Therefore, it has been suggested that section 47 should be suitably amended so as to avoid abuse of the provision contained therein.

3-10
P.m.

The High Court was consulted about the need for the legislation and the High Court was of the view that the legislation should be undertaken. Even after the Bill was drafted, the High Court was consulted and they suggested some changes in the original provisions of the draft Bill, and they have been incorporated in the Amending Bill that is now before this House. I may also explain the exact need for a measure of this kind by quoting an illustration that has been given by the Bombay Bar Association which had first raised this matter.

'X' and 'Y' are trustees of a public charitable Sanatorium. The trustees give leave and licence to poor persons to occupy portions of the Sanatorium on a very nominal fee for a stated period; the licensees enter into an agreement in writing with the trustees, to vacate the premises licensed to them, on the expiration of the stated period. At the expiration of the stated period, the licensee refuses to vacate the premises, although required to do so. As a result, the applications of other deserving poor persons for a licence to occupy the said premises are held up. The trustees thereupon take proceedings against the licensee under Chapter VII of the Presidency Small Cause Courts Act. Owing to the exigencies of Court work and for similar other reasons, the proceedings take about a year to be disposed of. During all this time, the licensee continues to occupy and enjoy the same premises and pays a nominal fee therefor. When at last the matter comes on for hearing, a decree is passed for possession but, invariably, the unsuccessful defendant is given about three months' time within which to vacate the premises. Not seldom, the defendant applies to the superior court in revision and puts the plaintiffs to unnecessary costs. The revisional application fails. The defendant does nothing until the very last day on which he is ordered to vacate the premises. On the very last day, the defendant applies to the Small Cause Court under section 47 and obtains (*ex parte*) an interim injunction restraining the plaintiffs from executing the order for possession and requiring the plaintiffs to show cause why the injunction should not be given. The defendant purposely delays serving the said notice (to show cause) on the plaintiffs. When ultimately the notice comes on for hearing, the Judge finds himself compelled under section 47 to restrain the plaintiffs from executing the order for possession pending the disposal of the suit to be filed by the defendant for compensation

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for alleged trespass. Thereafter the defendant files the suit in the High Court or the City Civil Court, as the case may be. He delays serving the writ of summons on the defendants in that suit, as long as possible. It takes at least a year, sometimes more, before the suit comes on for hearing. After hearing the suit, it is dismissed with costs. Thus about two years (sometimes more) elapse before the trustees can obtain possession from the occupant.

The Bar Association considers that the amount of hardship caused to deserving poor persons owing to the tactics mentioned in the illustration above, generally adopted by occupants of Sanatorium premises, is great and in effect these tactics defeat the object of the donor which was to serve as many poor persons as possible by giving them a chance to use the premises as a sanatorium. The Bar Association has further stated that it has been held that there is nothing in section 47 to warrant the interpretation that the application for stay should be made at an early stage in the proceedings, that this gives an excellent opportunity to dishonest defendants to delay making the application up to the very last day and that the section is being abused by such persons. It further considers that there can be no reasonable objection to defendants being required to make the application at the earliest possible stage in the proceedings instead of at the termination of the proceedings in the Small Cause Court. The Association has, therefore, suggested that it may be provided that if the defendant at all desires to file a suit, he should apply to the Small Cause Court for stay of proceedings within eight days of the service of the summons on him at the instance of the plaintiff and if an application is not made within that time the defendant's right to file a suit should be deemed to be waived. But, Sir, it is only after consulting the High Court again that the period that is fixed has been changed from eight days to thirty days from the date of service of summons for filing an application for stay. The amendment seeks to substitute the words "without delay" for the words "within three months from the date of the application for stay". It also seeks to substitute the words "to establish his right to continue in possession" or some other suitable words, for the words "for compensation for trespass" as the purpose of providing for stay in the section is to enable the defendant to establish his right to remain in possession by virtue of a title or otherwise. With these words, I commend this Bill for the acceptance of the House.

MR. CHAIRMAN : Motion moved—

"That the Presidency Small Cause Courts (Madras Amendment) Bill, 1956 (L.A. Bill No. 13 of 1956), as passed by the Legislative Assembly, be taken into consideration."

* SRI V. GURUNANDAN ROW : Mr. Chairman, Sir, I would like to know under what circumstances this stay is applied for because in the case of buildings, the Buildings (Lease and Rent Control) Act applies and in the case of lands, the City Tenants

[Sri V. Curunandan Row] [27th August 1956]

Protection Act of 1955 applies. So, actually in practice, no eviction from land also can take place. Therefore, I do not know why this specific provision for stay should be limited to three months and why the Courts extended this time and allowed, what is termed as, abuse of the powers for staying the proceedings of eviction. The Courts should exercise the powers given to them, reasonably. Now, is it the case of the Government that the Courts are abusing their powers and giving an unnecessarily long stay or is it that they want to provide that the landlords can evict their tenants within a particular time unless the tenants file suits in the City Civil Court or in the High Court? I would like to have a clarification on the above points.

* THE HON. SRI M. BHAKTAVATSALAM: I have already pointed out that this relates to section 41 of the Presidency Small Cause Courts Act. I would just read the provisions of that section which runs as follows:—

“When any person has had possession of any immovable property situate within the local limits of the Small Cause Court's jurisdiction and of which the annual value at a rack-rent does not exceed two thousand rupees, as the tenant, or by permission, of another person, or of some person through whom such other person claims,

and such tenancy or permission has determined or been withdrawn,

and such tenant or occupier or any person holding under or by assignment from him (hereinafter called the occupant) refuses to deliver up such property in compliance with a request made to him in this behalf by such other person,

such other person (hereinafter called the applicant) may apply to the Small Cause Court for a summons against the occupant, calling upon him to show cause, on a day therein appointed, why he should not be compelled to deliver up the property.”

As against this provision, there is a remedy for the defendant in section 47. No one suggested and I did not suggest that there was any kind of abuse on the part of the Courts. After all, the amendments proposed in the Bill have been suggested by the High Court and the Courts are unable to avoid this abuse by the parties. Therefore, there is need for this legislation.

MR. CHAIRMAN: The question is—

“That the Presidency Small Cause Courts (Madras Amendment) Bill, 1956 (L.A. Bill No. 13 of 1956), as passed by the Legislative Assembly, be taken into consideration.”

The motion was put and carried and the Bill was taken into consideration.

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Clause 2 was put and carried.

Clause 1 and the Preamble were separately put and carried.

* THE HON. SRI M. BHAKTAVATSALAM: Sir, I move—

“That the Presidency Small Cause Courts (Madras Amendment) Bill, 1956 (L.A. Bill No. 13 of 1956), as passed by the Legislative Assembly, be passed.”

MR. CHAIRMAN: Motion moved—

“That the Presidency Small Cause Courts (Madras Amendment) Bill, 1956 (L.A. Bill No. 13 of 1956), as passed by the Legislative Assembly, be passed.”

SRI K. BALASUBRAMANYA AYYAR: Mr. Chairman, I find, in all these legislations, mention of the word ‘Presidency’. ‘Presidency’ is an outmoded word. Our State is no longer a Presidency. It is one of the several States in India. This State was called a Presidency at a time when it was under the control of the East India Company. I raised this point previously and at the Select Committee meetings also. The answer given by the Law Secretary was that this word was found in the General Clauses Act and that, therefore, nothing could be done for its exclusion. But it is high time, Sir, that that word was changed. We still call the Magistrates in the City as Presidency Magistrates. I raised this point at the Select Committee meetings also. It is not a question of wrangling about words. The word ‘Presidency’ is an anachronism. No longer can we call our State a Presidency. The word ‘Presidency’ has an entirely different meaning. I think the legal officials will take into consideration these facts and change the wording suitably in all enactments wherever the word ‘Presidency’ occurs. 3-20 p.m.

I wish to refer to one other matter. In clause 2 which amends section 47 of the Presidency Small Cause Courts Act it has been stated “... where the summons had not been personally served on him, within a month of his knowledge of the making of the application ...” and it is not clear how one is to have knowledge of the making of the application. The words used are vague and it is not known how knowledge of the application is to be determined. Suppose a person on whom summons has to be served is absent. Then probably the summons will be pasted on the walls outside his residence which is called ‘substitute service’. I think these things will be made clear in the Rules which the Government will make. Since the amendments to this Act were suggested by the High Court, I was not bold enough to suggest amendments to the same.

* THE HON. SRI M. BHAKTAVATSALAM: Mr. Chairman, I agree with the hon. Member that the term ‘Presidency’ is not at all proper. It is quite inappropriate, as was pointed out. One

[Sri M. Bhaktavatsalam]

[27th August 1956]

anachronism leads to another and we shall have to take up all the enactments wherever this term occurs and introduce necessary correction.

About the other point raised by the same hon. Member, I wish to say that the High Court has examined the matter thoroughly and made the suggestions. The point raised by the hon. Member will be examined further and if necessary, rules will be framed.

MR. CHAIRMAN : The question is—

“ That the Presidency Small Cause Courts (Madras Amendment) Bill, 1956 (L.A. Bill No. 13 of 1956), as passed by the Legislative Assembly, be passed. ”

The motion was put and carried and the Bill was passed.

MR. CHAIRMAN : I want to remind hon. Members again that there is a Tea Party at 5-30 p.m. in the corridor just outside the House. Just before then there will be a group photograph. His Excellency the Governor will be attending the function. I request all of you to be present on the occasion.

The House will now adjourn and meet again at 3 p.m. to-morrow.

The House then adjourned.

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

* 1. Bills passed by the Legislative Assembly and received therefrom in the Council—

(i) The Madras General Sales Tax (Third Amendment) Bill, 1956 (L.A. Bill No. 39 of 1955).

(ii) The Madras Land Revenue (Surcharge) Amendment Bill, 1956 (L.A. Bill No. 11 of 1956).

(iii) The Madras Land Revenue (Additional Surcharge) Amendment Bill, 1956 (L.A. Bill No. 12 of 1956).

(iv) The Presidency Small Cause Courts (Madras Amendment) Bill, 1956 (L.A. Bill No. 13 of 1956).

^b Notifications issued with the Government Orders mentioned below regarding amendments to the Madras Motor Vehicles Rules. [Laid on the table of the House under section 133 (3) of the Motor Vehicles Act, 1939.]

2. G.O. Ms. No. 303, Home, dated 28th January 1946—Exemption of licence fee for demobilized motor transport drivers.

3. G.O. Ms. No. 392, Home, dated 5th February 1946—Cancellation of registration fee for Fire Service vehicles.

* Circulated to Members by post on 20th August 1956.
^b Laid on the table of the House on 13th August 1956.

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4. G.O. Ms. No. 400, Home, dated 5th February 1946—Increase of the maximum overhaul.

5. G.O. Ms. No. 91, Home, dated 10th January 1946—Rules 408-U and 408-V regarding Bench and Road tests for approval of models of producer gas plants.

6. G.O. Ms. No. 3994, Home, dated 31st October 1947—Rules 160-A and 290 empowering the Mica Inspectors and Assistant Mica Inspectors to check contents of goods vehicles which transport mica and for which royalty has not been paid.

7. G.O. Ms. No. 4672, Home, dated 18th December 1947—Rule 160-D—Special condition of permit for goods vehicles by limiting number of trips per day.

8. G.O. Ms. No. 3625, Home, dated 23rd September 1947—Rule 266—Passenger not to sit on left of driver in transport vehicles with left-hand steering control.

9. G.O. Ms. No. 4626, Home, dated 16th December 1947—Rule 328—Increase in the overall width.

10. G.O. Ms. No. 370, Home, dated 29th January 1948—Delegation of powers to District Magistrates, etc., regarding extension of validity of temporary permits in emergencies.

11. G.O. Ms. No. 1471, Home, dated 21st April 1948—Rule 278—Exhibition of destination boards in stage carriage.

12. G.O. Ms. No. 779, Home, dated 24th February 1949—Reciprocity between the Madras Government and the Orissa State regarding certificate of fitness.

13. G.O. Ms. No. 2344, Home, dated 8th June 1949—Delegation of powers to the Secretary, Central Road Traffic Board.

14. G.O. Ms. No. 2633, Home, dated 27th June 1949—Withdrawal of exemption of certain ex-servicemen from driving test and payment of fees for driving test and for the issue and renewal of driving licences.

15. G.O. Ms. No. 3377, Home, dated 23rd August 1949—Fee for registration of transfer of ownership.

16. G.O. Ms. No. 3127, Home, dated 2nd August 1949—Time for entry of registration mark on permits.

17. G.O. Ms. No. 700, Home, dated 19th February 1949—Prohibition of paintings or marking in certain manner on public service vehicles.

18. G.O. Ms. No. 2944, Home, dated 18th July 1949—Rules 49 and 68—Exempting the Deputy High Commissioner for the United Kingdom in Madras and his official employees from payment of fee for issue and renewal of licence.

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19. G.O. Ms. No. 3648, Home, dated 9th September 1949—Rule 129—Quorum for Road Traffic Board meetings.

20. G.O. Ms. No. 2048, Home, dated 23rd May 1949—Rule 194—Suspension of cancellation of permits.

21. G.O. Ms. No. 3319, Home, dated 16th August 1949—Rules 290 and 291—Inspection of goods and public service vehicles.

22. G.O. Ms. No. 2538, Home, dated 22nd June 1949—Statistics relating to transport services.

23. G.O. Ms. No. 2100, Home, dated 8th May 1950—Application to the merged territories of Pudukkottai, Banganapalle and Sandur—Rules—Issued.

24. G.O. Ms. No. 5162, Home, dated 4th December 1950—Exemptions from payment of fees for driving licences and conductors' certificates.

25. G.O. Ms. No. 4462, Home, dated 13th October 1950—Interpretation of application of General Clauses Act, 1897.

26. G.O. Ms. No. 4221, Home, dated 27th September 1950—Rules 167, 168 and 456—Revision of permit fees, refund of fees.

27. G.O. Ms. No. 161, Home, dated 12th January 1950—Delegations to the Secretary regarding powers of Transport Authority to grant or refuse temporary permits.

28. G.O. Ms. No. 1964, Home, dated 29th April 1950—Divisional Engineer concerned to attend as adviser, the Road Traffic Board's meeting in districts having more than one Divisional Engineer (Highways).

29. G.O. Ms. No. 4147, Home, dated 21st September 1950—Rule 168 (b)—Extension of time for production of vehicles for permits for stage carriage.

30. G.O. Ms. No. 4146, Home, dated 21st September 1950—Rule 294-A—Exemption from taking out a permit for the vehicles used for publicity work by the Madras Provincial Council of the British Empire Leprosy Relief Association.

31. G.O. Ms. No. 4957, Home, dated 21st November 1950—Rules 18, 147, 148 and 148-B—Time-limit to be counted from the date of despatch of the orders in appeals and revision petitions.

32. G.O. Ms. No. 1654, Home, dated 15th April 1950—Rule 64-A—Levy of fees, etc., under revision petitions.

33. G.O. Ms. No. 4461, Home, dated 13th October 1950—Rule 66—Exemption from payment of registration fees for the station wagon belonging to the Government Tuberculosis Institute, Madras.

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34. G.O. Ms. No. 3340, Home, dated 25th July 1950—Rules 69 and 80—Issue of duplicate registration certificates to replace certificates completely written up and soiled.

35. G.O. Ms. No. 3521, Home, dated 7th August 1950—Rule 93—Exhibition of trade certificate.

36. G.O. Ms. No. 2960, Home, dated 28th June 1950—Rules 119 and 148—Levy of fees for supply of copies of documents relating to appeals.

37. G.O. Ms. No. 2048, Home, dated 4th May 1950—Rule 123—Term of office of non-official members of the Regional Transport Authorities.

38. G.O. Ms. No. 588, Home, dated 13th February 1950—Rule 126—Conduct of meetings of the Regional Transport Authority.

39. G.O. Ms. No. 2781, Home, dated 16th June 1950—Rule 129—Quorum for Road Traffic Board meetings.

40. G.O. Ms. No. 3590, Home, dated 11th August 1950—Delegation to the Secretary, Regional Transport Authority, of the power to suspend an endorsement.

41. G.O. Ms. No. 5114, Home, dated 30th November 1950—Rule 134-E—Delegation of powers to the Chairman, Regional Transport Authority.

42. G.O. Ms. No. 5057, Home, dated 27th November 1950—Rule 136—Form of submission of appeals against the orders of the Secretary, Regional Transport Authority.

43. G.O. Ms. No. 589, Home, dated 13th February 1950—Rules 136, 147 and 148—Time-limit to be counted from the date of receipt of the order in appeals.

44. G.O. Ms. No. 956, Home, dated 6th March 1950—Rule 200—Enhancement of fee for transfer of permit.

45. G.O. Ms. No. 2252, Home, dated 15th May 1950—Time-limit for appeals and returns for representation in prescribed manner.

46. G.O. Ms. No. 2809, Home, dated 19th June 1950—Delegation to the Chairman of the power of the State Transport Authority regarding time-limit for submission of application for renewal of permits.

47. G.O. Ms. No. 5232, Home, dated 9th December 1950—Rule 148-A—Appeals to the Central Road Traffic Board and Government.

48. G.O. Ms. No. 5058, Home, dated 27th November 1950—Rule 148-B—Form of submission of revision petitions under section 64-A.

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49. G.O. Ms. No. 3871, Home, dated 1st September 1950—Rules 149, 150 and 182—Amendments to.
50. G.O. Ms. No. 2251, Home, dated 15th May 1950—Rule 160—Insertion of a condition in the permit regarding possession of a valid fitness certificate.
51. G.O. Ms. No. 2837, Home, dated 20th June 1950—Prohibition of the presence of unauthorized goods in stationery vehicles.
52. G.O. Ms. No. 3047, Home, dated 4th July 1950—Rule 271—Report to be sent to Transport Authority regarding failure to perform service by stage carriages.
53. G.O. Ms. No. 4646, Home, dated 1st November 1950—Rule 278—Display of destination boards of stage carriages.
54. G.O. Ms. No. 3849, Home, dated 31st August 1950—Rule 279—Display of destination board at the front to be illuminated.
55. G.O. Ms. No. 4324, Home, dated 4th October 1950—Rules 290 and 291—Empowering the officers of the Central Excise Department to check vehicles suspected to carry contraband articles.
56. G.O. Ms. No. 1896, Home, dated 27th April 1950—Rule 294—Use of stage carriages on more than one route not to be permitted.
57. G.O. Ms. No. 616, Home, dated 14th February 1950—Rules 377 and 329—Maximum overall length.
58. G.O. Ms. No. 3046, Home, dated 4th July 1950—Rule 393-B—Prohibition of painting and marking in any manner of public services vehicles.
59. G.O. Ms. No. 2474, Home, dated 27th May 1950—Rule 412—Powers of Transport Authority to restrict speeds, weights, etc.
60. G.O. Ms. No. 590, Home, dated 13th February 1950—Rules 456 and 458—Refund of fees paid by mistake.
61. G.O. Ms. No. 4313, Home, dated 10th November 1951—Rule 163—Time for production of vehicles.
62. G.O. Ms. No. 2590, Home, dated 30th June 1951—Rules 276 and 277—Fixation of the period of retention of trip sheets and trip registers.
63. G.O. Ms. No. 1118, Home, dated 20th March 1951—Sanction of refund of fees in revision petitions to Government and appeals to the Central Road Traffic Board and Government.
64. G.O. Ms. No. 3354, Home, dated 22nd August 1951—Rule 160—Exhibition of dates of expiry of permits and fitness certificates on transport vehicles.
65. G.O. Ms. No. 3480, Home, dated 1st September 1951—Exemption from payment of registration fee in the case of rulers of merged States.

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66. G.O. Ms. No. 2048, Home, dated 23rd May 1951—Rule 193—Cancellation of permits or surrender.
67. G.O. Ms. No. 4314, Home, dated 10th November 1951—Rule 393—Carrying of puncture outfit in public service vehicles.
68. G.O. Ms. No. 4825, Home, dated 17th December 1951—Exemption of driving licence for rulers of merged States.
69. G.O. Ms. No. 4423, Home, dated 19th November 1951—Minimum educational qualification for conductors of stage carriages.
70. G.O. Ms. No. 4322, Home, dated 10th November 1951—Rule 413—Consultation with municipalities for extension of traffic signs, etc.
71. G.O. Ms. No. 4458, Home, dated 21st November 1951—Record Form G.V.R. of goods vehicles.
72. G.O. Ms. No. 4847, Home, dated 17th December 1951—Conferment on Regional Transport Officers of the power of Motor Vehicles Inspectors.
73. G.O. Ms. No. 4262, Home, dated 7th November 1951—Refund of fees.
74. G.O. Ms. No. 4312, Home, dated 10th November 1951—Rules 184 and 195—Revocation of sanction of renewal of permits for failure to produce certificate of registration and permits.
75. G.O. Ms. No. 1119, Home, dated 20th March 1951—Form P.R.A. for application for renewal of permits.
76. G.O. Ms. No. 528, Home, dated 8th February 1951—Rule 68—Exemption from payment of fees for the mobile motion picture truck belonging to the American Consulate-General at Madras.
77. G.O. Ms. No. 1120, Home, dated 20th March 1951—Rules 169 and 209—Levy of fees for endorsement of permits and variation of permits of transport vehicles.
78. G.O. Ms. No. 2565, Home, dated 11th August 1953—Rule 68—Exemption from payment of registration fees for trailers belonging to the American Consulate-General at Madras.
79. G.O. Ms. No. 3909, Home, dated 29th December 1953—Rules 6-A and 241—Training of drivers and conductors in First Aid.
- * 80. Orders of Government on the recommendations of the District Revenue Administration Enquiry Committee issued after the 1st August 1955.
81. Notification issued with G.O. Ms. No. 1938, Home, dated 5th July 1956, regarding amendments to Form T.G.R.
82. Notification issued with G.O. Ms. No. 1949, Home, dated 6th July 1956, regarding amendment to Rules 275 and 276 relating to maintenance of trip sheets.

83. Notification issued with G.O. Ms. No. 2037, Home, dated 16th July 1956, regarding the issue of driving licence to applicant with previous driving experience.

84. Notification issued with G.O. Ms. No. 1742, Agriculture, dated 13th July 1956, regarding amendment to Rule 74 to the Madras Commercial Crops Markets Rules, 1948.

[Placed on the table under section 18 (4) (c) of the Madras Commercial Crops Markets Act.]

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APPENDIX I.

[Vide answer to starred question No. 21 asked by Sri T. Puroshotham at the meeting of the Legislative Council held on 27th August 1956, page 249 supra.]

Number and district.	In substitution for the general holiday on the penultimate Saturday of the month in which the festival falls.	Occasional or special holidays.	Remarks.
(1)	(2)	(3)	(4)
1 North Arcot ..	* Karthigai Deepam at Tiruvannamalai .. 1	..	* The Collector is empowered to declare the penultimate Saturday in the month of November as a working day if the festival takes place in December and the penultimate Saturday in that month happens to fall within the Christmas Holidays.
2 South Arcot ..	Thiruvavari Day of Desikar festival at Tiruvendipuram .. 1 Arudra Darisanam 1	..	..
3 Chingleput ..	Garuda Utsavam at Kancheepuram 1 Sri Bashyakaraswami Sathumurai at Sriperumbudur 1	..	..
4 Coimbatore ..	Arudra Darisavam 1 Panguni Uttirapam 1	..	..
5 South Kanara ..	Gouriviratham 1 Uttanduvadasi 1	..	..
6 Madras ..	..	..	..
7 Madurai ..	Alagar festival 1	..	..
8 Malabar ..	Onam .. 3† Vishu .. 1‡	..	† The day on which Onam falls is declared as a general holiday for all the State Government offices in the Malabar district without the necessity of having to work on a penultimate Saturday in lieu thereof and the day previous to and the day next to Onam are local holidays in that district, in lieu of two penultimate Saturdays, which will be specified by the Government. ‡ The Government grant a general holiday for Vishu for the State Government offices in the Malabar district without the necessity of working on a penultimate Saturday.

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Number and district.		<i>In substitution for the general holiday on the penultimate Saturday of the month in which the festival falls.</i>	<i>Occasional or special holidays.</i>	Remarks.
(1)		(2)	(3)	(4)
9 The Nilgiris ..	Karkataguvavu	1	Nil.	
10 Ramanathapuram.	Alager festival	1	..	..
11 Salem	Narasimha Jayanti	1	..	..
12 Tanjore	Kadainukham festival at Mayuram	1	Mahamaham festival at Kumbakonam which occurs once in 12 years .. 2	..
	First day of Khanduri festival of the Andavar temple of Nagur Dargah ..	1		
13 Tirunelveli except Anjengo and Tangasseri.	Adi Tapasu day at Sankarankoil	1	..	..
14 Tiruchirappalli ..	Chitrai Car festival at Srirangam	1	..	..
	* Car festival day of Sri Muthumariamman temple at Northamalai	1		

NOTE.—If any of the festivals mentioned in column (2) falls on a Sunday or any other holiday, the penultimate Saturday of the month need not be a working day.

APPENDIX II.

[Vide answer to starred question No. 26 asked by Sri T. Purushotham at the meeting of the Legislative Council held on 27th August 1956, page 256 supra.]

(a) & (b) *A. Grant of stage carriage permits.*—The Transport Authorities shall, in deciding whether to grant or refuse a stage carriage permit, have regard to the following matters in addition to those mentioned in section 47 (1) of the Motor Vehicles Act, 1939.

Applicants may be screened and disqualified on one or more of the following principles:—

(1) Financial instability as evidenced by insolvency or undischarged decrees. It is important that those who run public services are not subject to financial pressure which distracts or diverts them from the prescribed rules. Borrowing for purchase of the vehicles will not by itself be a disqualification.

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(2) An adverse record in respect of efficiency and integrity. Ordinarily the history sheet of the previous one year alone may be considered in this respect.

(3) Trafficking in permits as evidenced by transfer, without adequate reasons, of permits previously held. It is obviously necessary to discourage trade in permits.

(4) Applying for the permit on behalf of others in order to evade the rules, particularly in respect of the viable units.

In order to ensure efficiency of service and equality of opportunity the following principles should be applied to the remaining applicants for permits. To secure precision and to enable quick consideration a system of marking according to the principles involved may be followed. In cases where this system works unfairly, the Regional Transport Authority may ignore the marks obtained for reasons to be stated:—

(1) *Building strength to viable units.*—After considering the statistics available and the reasons advanced, Government have decided that efficiency of service and economy in cost can be secured by fixing viable units of five buses. It is accordingly necessary that, other things being equal, preference should be given to existing owners of four buses and less to build up to a fleet of five buses. These owners will have preference over other applicants in the ascending order. In the marking system therefore applicants of four buses and less will be given one mark for each vehicle already licensed to them. Thus the owner of one bus will get one mark and the owner of two buses will get two marks and so on to a total of four. This will enable the existing permit holders build up their buses to viable units in preference to others who have more buses or none.

(2) *Possession of repair and maintenance facilities.*—It is considered that efficiency in running depends on the constant attention which the permit holders, with their own workshop can give. The minimum equipment of workshop to be considered to satisfy this preference is stated in the appendix. A total of two marks may be given for this qualification.

(3) *Location of residence or place of business of the applicant on the route or at the terminal.*—This qualification not only is in favour of local enterprise but also secures that the owner will pay prompt and frequent attention to the service entrusted to him. One mark may be assigned to this qualification.

(4) *Technical or business experience of transport of the applicant.*—This also secures the efficiency of the service. One mark may be assigned to this qualification.

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(5) *Special circumstances like being co-operative enterprise, being supported by the public, being near existing services owned by the applicant or other reasons, to be stated in writing : 2 marks.—*

This will normally enable the Regional Transport Authority to make allowances for imponderable factors. A total of ten marks is therefore available to applicants on the above principles, viz. :

For number of buses up to a total of four at the rate of one mark per bus.	4 marks.
For (2), (3), (4) and (5) above	6 marks.
Total	10 marks.

It will expedite consideration of the claims of the applicants, if the marks are tabulated on a broadsheet before the applicants or their lawyers are heard. The work will then be largely reduced to mere verification of the marks tabulated and assessment of special circumstances. Such broadsheets as finalised can be made part of the order, which will also reduce the work in appeals.

APPENDIX.

Minimum equipment for a unit of 5 buses.

Serial number and equipment. (1)	Unit price. (2) RS.	Quantity required. (3)
1 Tool kit	850	1
2 Iron horse—Front axle	45	2
3 Iron horses—Rear axle	55	2
4 Iron horses—Chassis	55	2
5 Roll a car jao 4 tons	750	1
6 Ordinary grease gun	50	1
7 Electric grinder w/wire wheel	400	1
8 Electrical tool kit	125	1
9 Wall plug lights	30	1

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(c) Number of operators with 10 permits and more and less than 10 permits as on 1st June 1956—

Name of district. (1)	Number of operators.	
	With ten permits and more. (2)	With less than ten permits. (3)
Chingleput	5	76
North Arcot	10	41
South Arcot	4	52
Salem	8	56
Tanjore	5	15
Tiruchirappalli	5	76
Madurai	6	27
Ramanathapuram	8	25
Tirunelveli	9	18
Coimbatore	9	20
Nilgiris	3	6
South Kanara	6	28
Malabar	16	28
	94	468

APPENDIX III.

[Vide answer to starred question No. 32 asked by Sri T. Purushotham at the meeting of the Legislative Council held on 27th August 1956, page 261 supra.]

(a) No detailed and systematic survey of the raw material resources for the establishment of industries has been made so far in this State. But it is proposed to set up an organization to undertake the necessary investigations and draw up project reports for the establishment of industries.

(b) It is generally considered that the following heavy and medium industries could be set up in the State :—

Heavy Industries.

Iron and steel	..	Salem district.
Aluminium	..	Do.
Lignite mining	..	Neyveli region of South Arcot district.
Fertilizers	..	Do.

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Medium Industries.

Cement	South Arcot, Tirunelveli, Tiruchirappalli and Coimbatore districts.
Cotton spinning	Coimbatore, Madurai, Ramanathapuram and Tirunelveli districts.
Sugar	North Arcot, South Arcot, Tirunelveli, Madurai, Ramanathapuram, Tanjore, Coimbatore, Chingleput and Tiruchirappalli districts.
Paper and rayon pulp ..	Nilgiris area, Papanasam and Malabar districts.

(c) The preliminary draft proposals of the State Government for the Second Five Year Plan contain the particulars of the industrial schemes suggested to the Planning Commission. Copies of the pamphlet have been furnished to the members.

APPENDIX IV.

[Vide answer to unstarred question No. 1 asked by Sri T. Purushotham at the meeting of the Legislative Council held on 27th August 1956, on page 266 supra.]

STATEMENT I—*Statements showing the recognized orphanages and boarding homes district-wise, their strength, etc.*

Serial number.	Name of orphanage.	Grant paid during 1955-56.	Number of inmates.	Nature of management.
(1)	(2)	(3)	(4)	(5)
MADRAS DISTRICT.				
		RS.		
1	St. Francis Xavier's Boarding Home, Alwarpet.	15,972	185	Mission.
2	P. T. Chengalvaraya Naicker Orphanage, Vepery.	4,670	75	Sri Chengalvaraya Naicker's Charities.
3	Anjuman-e-Himayath-e-Islam, Muslim Girls' Orphanage, Royapetta.	2,193	30	The Anjuman-e-Himayath-e-Islam Registered Society.
4	Chennapuri Annadhana Samajam, Park Town, Madras.	10,197	130	Chennapuri Annadhana Samajam.
5	St. Anthony's Girls' Orphanage, Vepery.	7,359	119	Mission.
6	Seva Sadhan Boarding Home, Chetput.	2,807	58	Madras Seva Sadan.
7	Madras Hindu Sevak Sangh Girls' Orphanage, Georgetown, Madras.	..	35	The Madras Hindu Sevak Sangh.

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Serial number.	Name of orphanage.	Grant paid during 1955-56.	Number of inmates.	Nature of management.
(1)	(2)	(3)	(4)	(5)
MADRAS DISTRICT—cont.				
		RS.		
8	Avvai Home, Adyar.	11,902	182	Non-Mission.
9	Holy Family Orphanage, San Thome, Mylapore.	15,961	223	Mission.
10	St. Lazarus Boarding Home, Mylapore.	7,212	99	Do.
11	St. Ann's Orphanage, Rayapuram ..	9,231	100	Do.
12	Anjuman-e-Himayath-e-Islam-Muslim Boys' Orphanage, T' Nagar.	19,945	221	The Anjuman-e-Himayath-e-Islam Registered Society.
13	Brahmo Rishi Venkatratnam Orphanage, Purasawakam.	1,383	35	Non-Mission.
14	Y.M.C.A. Boys' Town Orphanage, Fort St. George.	5,172	82	Mission.
15	Rao Sahib Ratnasabapathi Pillai's Orphanage, Triplicane.	1,180	30	Non-Mission.
CHINGLEPUT DISTRICT.				
16	C.S.M. Boarding Home, Melrasapuram.	5,436	87	C.S.I. Mission.
17	Methodist Mission Orphanage, Madhurantakam.	4,940	68	Do.
18	C.S.I. Boarding Home, Chingleput ..	3,105	81	Do.
19	Sri Appai Sundarar Orphanage, Kovur.	400	21	Non-Mission.
20	Little Flower Orphanage, Terasapuram, Pandur.	4,986	62	R.C. Mission.
21	T.E.L.C. Orphanage, Pandur	2,304	61	T.E.L.C. Mission.
22	M.M. Boys' Orphanage, Ekkadu ..	5,252	89	C.S.I. Mission.
23	M.M. Girls' Orphanage, Ekkadu ..	4,047	67	Do.
24	Robinson Orphanage, Pallavaram ..	..	86	P.A. Mission.
25	Hindu Religious Orphanage, Walajabad.	25,595	544	Non-Mission.
26	Valluvar Gurukulam, Tambaram ..	2,194	116	Do.
27	Madras Hindu Sevak Sangh Orphanage, Meenambedu, Ambattur.	5,538	80	Madras Hindu Sevak Sangh.
28	Ramakrishna Mission Students' Home, Athur.	11,765	168	Ramakrishna Mission.
29	Little Flower Orphanage, Rosha Nagaram.	6,550	58	R.C. Mission.
30	St. Ann's Orphanage for Girls, Kilacheri.	5,330	54	Do.
31	St. Elizabeth Orphanage, Madavaram.	7,701	75	Do.
32	St. Euzene's Orphanage, Arambakkam.	5,604	79	Do.
33	Madrasa-I-Hussiny and Yatheemkahanas, Hussainabad, Ramapuram, St. Thomas Mount.	4,874	53	Hussainy Trust.
34	St. Joseph's Orphanage for Girls, Cheyyar.	4,218	56	R.C. Mission.
35	Christ King Orphanage, Tambaram ..	1,670	34	Do.
36	Sivananda Orphanage, Kattupakkam.	2,947	75	Sivananda Saraswathi Sevashram.

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Serial number.	Name of orphanage.	Grant paid during 1955-56.	Number of inmates.	Nature of management.
(1)	(2)	(3)	(4)	(5)
SOUTH ARCOT DISTRICT.				
		Rs.		
37	T.E.L.C. Orphanage, Chidambaram ..	4,404	110	Mission.
38	St. Ann's Boarding Home, Tindivanam.	6,641	46	Do.
39	A.A.M. Boarding Home, Tindivanam	4,568	46	Do.
40	St. Joseph's Orphanage for Girls, Tindivanam.	3,888	60	Do.
41	St. Joseph's Orphanage for Boys, Tindivanam.	4,957	92	Do.
42	Paravatha Rajakulam Orphanage, Kattumannarkoil.	..	165	Non-Mission.
43	Victory Memorial Boarding Home, Vriddhachalam.	568	26	Mission.
44	St. Joseph's Orphanage, Olagankathan.	2,837	32	Do.
45	Reddipatti Adigalai Manavar Viduthi, Arul Nagar, Srivilliputtur P.O.	1,563	18	Non-Mission.
46	D.M. Girls' Boarding Home, Tirukoilur.	9,031	214	Mission.
47	D.M. Girls' Boarding Home, Melpattam-bakkam.	9,082	216	Do.
48	St. Antony's Orphanage, Pudupalayam.	3,537	80	Do.
49	Little Flower Orphanage, Chinna Salem.	5,701	101	Do.
50	Seva Mandir Orphanage, Porto Novo.	11,201	166	Do.
51	Nethaji Boarding Home, Cuddalore ..	1,351	27	Non-Mission.
52	Poor Students' Hostel, Srimushanam.	1,708	45	Mission.
TANJORE (EAST) DISTRICT.				
53	T.E.L.C. Boys' Orphanage, Tranquebar.	5,198	75	Mission.
54	St. Theresa's Orphanage, Tranquebar.	31,815	308	Do.
55	Meiporal Kalvi Kazhagam, Tiruvarur.	6,433	247	Non-Mission.
56	C.S.M. Girls' Orphanage, Mayuram ..	4,380	57	Mission.
57	St. Paul's R.C. Orphanage, Mayuram.	4,755	102	Do.
58	T.E.L.C. Orphanage, Porayar ..	6,333	95	Do.
59	St. Antony's Girls' Orphanage, Naga-pattinam.	7,232	31	Do.
60	St. Vincent De Paul's Orphanage, Man-nargudi.	6,958	129	Do.
61	S.P.G. Boys' Orphanage, Nangur ..	1,695	20	Do.
62	Valluvar Illam Orphanage, Akkur ..	664	21	Non-Mission.
63	Don Bosco's Orphanage, Velankanni ..	6,707	80	Mission.
64	Kasturba Gandhi Kanya Gurukulam, Maharajapuram, Vedaranniam.	2,247	26	Non-Mission.
TANJORE (WEST) DISTRICT.				
65	Karanthai Tamil Sangam Orphanage, Tanjore.	3,234	28	Non-Mission.
66	St. Francis Xavier's Orphanage, Tanjore.	11,533	200	Mission.
67	Sacred Heart Girls' Orphanage, Tanjore.	9,898	133	Do.

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Serial number.	Name of orphanage.	Grant paid during 1955-56.	Number of inmates.	Nature of management.
(1)	(2)	(3)	(4)	(5)
TANJORE (WEST) DISTRICT—cont.				
		Rs.		
68	St. Anthony's Girls' Orphanage, Manam-buchavadi, Tanjore.	8,862	152	Mission.
69	Holy Angel's Orphanage, Kumbakonam.	5,094	163	Do.
70	Little Flowers Orphanage for Boys, Kumbakonam.	8,276	39	Do.
71	St. Joseph's Girls' Orphanage, Kumba-konam.	2,895	39	Do.
72	St. Michael's Orphanage, Michaelpatti.	5,277	94	Do.
73	St. Gabriel's Orphanage, Pasupathi-koil, Ayyampet.	7,753	122	Do.
74	St. Joseph's Orphanage, Ammapet ..	2,462	54	Do.
75	Sinna Rani Orphanage, Poondi ..	5,755	99	Non-Mission.
76	Vivekananda Orphanage, Vellam-perambur.	2,167	39	Do.
77	Ramakrishna Girls' Vidyalaya, Gana-pathinagar.	3,433	76	Mission.
MADURAI DISTRICT.				
78	St. Mary's Orphanage, Madurai ..	11,028	92	Mission.
79	St. Joseph's Indian Girls' Orphanage, Madurai.	5,773	103	Do.
80	Birds' Nest Orphanage, Madurai ..	1,021	26	Do.
81	T.E.L.C. Boarding Home, Nagalnagar, Dindigul.	1,140	65	Do.
82	Don Bosco's Orphanage, Dindigul ..	6,916	98	Mission.
83	St. Theresa's Orphanage, Panjampatti	3,861	52	Do.
84	St. Philomena's Orphanage, Mettu-patti, Dindigul.	4,862	49	Do.
85	Little Flower Orphanage, Palani ..	7,735	103	Do.
86	L.P.N.I. Orphanage, Rachanyapuram.	7,569	189	Do.
87	St. Theresa's Orphanage, Pambai-puram, Kodaikanal.	9,944	123	Do.
88	St. Agnes Orphanage, Rayappanpatti.	5,284	70	Do.
89	C.S.I. Boarding Home, Dindigul ..	7,608	107	Do.
90	D.M. & R. Boarding Home, Batla-gunda.	2,407	48	Do.
91	Gurukulam Orphanage, Keeranur ..	1,503	28	Non-Mission.
92	Bala Mandir Orphanage, Madurai ..	..	55	Do.
RAMANATHAPURAM DISTRICT.				
93	C.S.I. Boarding Home, Manamadurai.	6,757	200	Mission.
94	All Saints' Orphanage, Pottalpatti ..	1,807	34	Do.
95	C.S.I. Boarding Home, Aruppukottai..	7,180	288	Do.
96	St. Joseph's Orphanage, Ramanagar, Devakottai.	6,834	90	Do.

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Serial number.	Name of orphanage.	Grant paid during 1955-56.	Number of inmates.	Nature of management.
(1)	(2)	(3)	(4)	(5)

RAMANATHAPURAM DISTRICT—cont.

		RS.		
97	S.M. Higher Elementary School Orphanage, Mount Zion.	1,167	26	Non-Mission.
98	St. Andrew's Girls' Orphanage, Ramanathapuram.	1,776	46	Mission.
99	C.M.S. Orphanage, Sachiapuram ..	7,978	188	Do.
100	St. Francis Xavier's Orphanage, Srivilliputtur.	18,167	363	Do.
101	R.C.M. Orphanage, Andavoorani ..	3,622	82	Do.
102	C.S.I. Orphanage, Kamuthi ..	13,375	295	Do.
103	St. Theresa's Orphanage, Sattur ..	17,819	204	Do.
104	C.S.M. Orphanage for Boys, Paramakudi.	4,276	84	Do.
105	Magalir Illam Girls' Orphanage, Amaravathipuram.	2,786	36	Non-Mission.
106	St. Mary's Higher Elementary School Orphanage, Suranam.	4,796	88	Mission.
107	St. Philomena's Orphanage, Thangachimadam, Pudur.	3,483	70	Do.
108	St. Michael's Orphanage, Salai-gramam.	1,912	42	Do.
109	St. Ignatius Boys' Orphanage, Tuticorin.	4,679	75	Do.
110	St. Joseph's Girls' Orphanage, Tuticorin.	8,800	102	Do.
111	Holy Cross Indian Girls' Orphanage, Adaikalapuram.	11,906	146	Do.
112	St. Joseph's Boys' Orphanage, Adaikalapuram.	12,863	193	Do.
113	St. Joseph's Girls' Orphanage, Adaikalapuram.	9,311	135	Do.
114	St. John's Orphanage, Nazareth ..	5,795	105	Do.
115	St. Mark's Orphanage, Christianagaram.	2,078	21	Do.
116	Valliammal Boarding Home, Kula-sekarapatnam.	2,171	35	Non-Mission.
117	Thayammal Dawson Orphanage, Ittamoli.	..	80	Mission.
118	Holy Family Orphanage, Vadakangulam.	4,429	90	Do.
119	Seven Dolours' Orphanage, Pragaspuram.	2,931	99	Do.

TIRUNELVELI (WEST) DISTRICT.

120	Oolasthanam Orphanage, Palayampatti.	2,492	39	Mission.
121	Sacred Heart Orphanage, Irudayakulam.	9,193	96	Do.
122	St. Joseph's Girls' Orphanage, Irudayakulam.	6,289	89	Do.

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Serial number.	Name of orphanage.	Grant paid during 1955-56.	Number of inmates.	Nature of management.
(1)	(2)	(3)	(4)	(5)

TIRUNELVELI (WEST) DISTRICT—cont.

		RS.		
123	St. Joseph's Girls' Orphanage, Kalyanipuram.	6,423	100	Mission.
124	Seven Dolours' Orphanage for Girls, Palayamkottai.	7,929	81	Do.
125	Thiruvalluvar Orphanage, Viravannallur.	1,523	26	Non-Mission.
126	C. S. M. Indian Girls' Orphanage, Nallur, Alangulam.	2,395	48	Mission.
127	Rukmani Higher Elementary School Orphanage, Mangalapuram, Kadayannallur.	..	41	Non-Mission.
128	Sri Athiri Higher Elementary School Orphanage, Kalyanipuram.	3,443	33	Do.

NORTH ARCOT DISTRICT.

129	A.A.M. Boys' Boarding Home, Arni.	5,332	184	Mission.
130	St. Joseph's Orphanage for Girls, Arni.	24,115	204	Do.
131	A.A.M. Boys' Boarding Home, Katpadi.	4,317	77	Do.
132	Danish Mission Orphanage, Meltikan, Tiruvannamalai.	10,288	218	Do.
133	Little Flower Orphanage, Pallikonda.	10,167	98	Do.
134	St. Andrew's Orphanage for Boys, Ar. V. V. ..	2,534	43	Do.
135	Don Bosco's Orphanage, Vellore ..	20,210	305	Do.
136	St. Mary's Orphanage for Girls, Vellore.	12,777	129	Do.
137	U.M.A.I. Orphanage, Tiruppattur ..	3,486	15	Non-Mission.
138	Dominic Savio Orphanage, Tiruppattur.	4,708	143	Mission.
139	St. Mary's Immaculate Orphanage, Tiruppattur.	8,890	105	Do.
140	Sri Thiruvalluvar Hindu Orphanage, Arcot.	1,287	12	Non-Mission.
141	A.M.I. Muslim Orphanage, Molvisbaram.	10,626	148	Do.
142	A.P.M. Orphanage for Girls, Sholingur.	2,282	31	Mission.
143	Little Flower Orphanage for Girls, Ranipet.	23,929	411	Do.
144	A.A.M. Girls' Boarding Home, Ranipet.	6,802	106	Do.
145	St. Aloysious Orphanage for Girls, Vettavalam.	4,696	78	Do.
146	St. Antony's Girls' Orphanage, Chetput.	17,923	232	Do.
147	Sacred Heart Orphanage, Wandiwash.	16,714	165	Do.

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Serial number.	Name of orphanage.	Grant paid during 1955-56.	Number of inmates.	Nature of management.
(1)	(2)	(3)	(4)	(5)

NORTH ARCOT DISTRICT—cont.

	RS.			
148 C.A.M. Orphanage, Arkonam ..	2,476	37	Mission.	
149 Gandhi Mission Orphanage, Walajapet.	3,187	35	Non-Mission.	
150 St. Lourdes Orphanage, Kodanagar, Tiruvettipuram, Cheyyar.	6,815	115	Mission.	

TIRUCHIRAPPALLI DISTRICT.

	RS.			
151 Majlis-ul-Ulama Orphanage, Race Course, Tiruchirappalli.	4,410	119	Non-Mission.	
152 T.E.L.C. Boys' Orphanage, Zion Church, Tiruchirappalli.	3,464	60	Mission.	
153 St. Joseph's Industrial School Orphanage, Tiruchirappalli.	19,237	287	Do.	
154 Urumu Seshachalam Chettiar Hindu Orphanage, Tiruchirappalli.	8,041	171	Non-Mission.	
155 St. Joseph's Orphanage, Kulumur ..	5,150	97	Mission.	
156 Holy Cross College, Orphanage, Teppakulam P.O., Tiruchirappalli.	11,659	192	Do	
157 Holy Cross Indian Orphanage, Cantonment, Tiruchirappalli.	11,930	127	Do.	
158 T.E.L.C. Girls' Orphanage, Kempo Town, Tiruchirappalli.	9,312	155	Do.	
159 St. Ann's Orphanage, Cantonment, Tiruchirappalli.	16,846	221	Do.	
160 Ramalinga Anadalayam, Kumara Vayalur.	2,228	30	Non-Mission.	
161 C.S.I. Orphanage (Boys), Karur ..	8,467	154	Mission.	
162 C.S.I. Girls' Orphanage, Karur ..	9,792	170	Do.	
163 Lutheran Mission Orphanage, Perambalur.	7,334	127	Do.	
164 Madrasa Sirathul Musthakeon Boys' Orphanage, Perambalur.	7,767	91	Non-Mission.	
165 S.P.G. Adi-Dravida Orphanage, Pugalur, Jeyankondan.	3,144	154	Mission.	
166 M.D.M. Orphanage, Manapparai ..	3,470	24	Do.	
167 T.E.L.G. Orphanage, Sengaraiyur ..	2,410	47	Do.	
168 D.V.C.A. Orphanage, Eachampatti ..	1,520	20	Non-Mission.	

SALEM DISTRICT.

	RS.			
169 St. Theresa's Orphanage, Maravanori, Salem.	9,347	190	Mission.	
170 St. Joseph's Orphanage, Suramangalam.	1,240	18	Do.	
171 S.B.M. Orphanage, Namakkal ..	3,642	55	Do.	
172 C.S.I. Boys' Boarding Home, Hasthampatti.	1,819	35	Do.	
173 C.S.I. Girls' Orphanage, Hasthampatti, Salem.	1,819	53	Do.	
174 St. Patrick's Orphanage, Shevapet ..	3,984	17	Do.	

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Serial number.	Name of orphanage.	Grant paid during 1955-56.	Number of inmates.	Nature of management.
(1)	(2)	(3)	(4)	(5)

SALEM DISTRICT—cont.

	RS.			
175 St. Gabriel's Boarding Home, Kovilur, Meenambapalli Agraharam.	3,494	40	Mission.	
176 St. Thomas' Boarding Home, Kovilur	3,366	43	Do.	
177 St. Nicholas' Orphanage, Settipatti ..	2,264	59	Do.	
178 St. Mary's Boarding Home, Arisipalayam.	7,203	83	Do.	

COIMBATORE DISTRICT.

	RS.			
179 Sevashram Orphanage, Coimbatore ..	2,238	25	Sevashram Trust.	
180 St. Michael's Indian Orphanage, Coimbatore.	10,902	140	R.C. Mission.	
181 C.S.I. Boys' Orphanage, Coimbatore ..	3,101	52	C.S.I. Mission.	
182 Immaculate Conception Convent Orphanage for Girls, Coimbatore.	9,270	53	I.C.C. Mission, Coimbatore.	
183 C.S.I. Girls' Boarding Home, Coimbatore.	3,703	48	C.S.I. Mission, Coimbatore.	
184 T.E.L.C. Orphanage, Pollachi ..	5,744	96	T.E.L.C. Mission.	
185 Seva Nilayam Orphanage, Coimbatore.	2,134	50	Seva Nilayam, Coimbatore.	
186 T.E.L.C. Orphanage, Palladam ..	5,015	82	T.E.L.C. Mission.	
187 C.S.I. Boys' Orphanage, Dharapuram.	7,695	261	C.S.I. Mission.	
188 C.S.I. Girls' Orphanage, Dharapuram.	10,440	203	Do.	
189 C.S.I. Boys' Orphanage, Erode ..	4,301	100	Do.	
190 C.S.I. Girls' Boarding Home, Erode ..	2,650	82	Do.	
191 St. Mary's Indian Orphanage, Karumgarapuri, Karumathampatti.	17,238	217	R.C. Mission.	
192 T.E.L.C. Girls' Orphanage, Peelamedu, Karumgarapuri.	8,859	193	T.E.L.C. Mission.	
193 Kanya Gurukulam Orphanage, Peelamedu.	7,396	80	P.S.G. & Sons Charities.	
194 St. Joseph's Orphanage for Boys, Dharapuram.	..	83	R.C. Mission.	

THE NILGIRIS DISTRICT.

	RS.			
195 St. Theresa's Indian Boys' Orphanage, Ootacamund.	4,320	35	Mission.	
196 Nazareth Convent Orphanage, Ootacamund.	13,078	154	Do.	
197 St. Michael's Orphanage, Ketti ..	5,283	59	Do.	
198 St. Mary's Convent Orphanage, Kota-giri.	7,552	81	Do.	
199 St. Francis Xavier's Orphanage for Girls, Kodiveri.	2,630	38	Do.	
200 St. John De Britto's Orphanage for Boys, Satyamangalam.	3,841	52	Do.	
201 Our Lady's Orphanage, Kollegal ..	1,131	20	Do.	
202 Sundaram Illam, Orphanage, Rajan Nagar.	461	25	Kasturba Niketan, Rajan Nagar.	

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Serial number.	Name of orphanage.	Grant paid during 1955-56.	Number of inmates.	Nature of management.
1)	(2)	(3)	(4)	(5)

NORTH MALABAR DISTRICT.

		Rs.		
203	B.E.M. Orphanage, Chombala ..	3,617	53	Mission.
204	Urusline Convent of Mary Immaculate Orphanage, Payyannur.	9,458	163	Do.
205	St. Xavier's Orphanage, Kolayad ..	3,425	51	Do.
206	Little Flower Orphanage for Girls, Mattool.	12,962	201	Do.
207	Darus Salem Yatheen Khana, Telli-cherry.	4,211	66	Non-Mission.

CENTRAL MALABAR DISTRICT.

208	J.D.T. Islam Orphanage, Chevayur, Marikkannu.	18,657	294	Non-Mission.
209	St. Philomena's Orphanage, Marikkannu.	6,376	75	Mission.
210	Poor Home Society's Orphanage, Marikkannu.	2,177	46	Non-Mission.
211	Little Flower Orphanage, Manantoddy, Wynad.	1,446	13	Mission.
212	Holy Infant Mary's Orphanage, Vayittiri.	7,110	75	Do.
213	Little Flower Orphanage, Cheruvannur.	10,116	135	Do.
214	St. Joseph's Convent Orphanage, Kozhikode.	5,605	77	Do.
215	St. Vincent's Orphanage, Kozhikode ..	11,337	152	Do.
216	St. Joseph's Orphanage, Meppadi ..	1,822	29	Do.
217	Nayanar Balika Sadan, Earanhipalam.	428	48	Non-Mission.
218	B.E.M. Orphanage, Parappari ..	3,603	61	Mission.
219	Muslim Dharma Paripalana Sangam Orphanage, Tirur.	5,926	62	Non-Mission.
220	Tirurangadi Yatheem Khana, Tirurangadi.	22,966	325	Do.

SOUTH MALABAR DISTRICT.

221	Little Flower Orphanage, Pallaipport ..	5,291	110	Mission.
222	Christ King Orphanage, Pavaratty ..	10,546	133	Do.
223	St. Mary's Orphanage, Cochin ..	4,017	74	Do.
224	St. Joseph's Girls' Orphanage, Brahama-kulam.	10,751	125	Do.
225	St. Rita's Orphanage, Palghat ..	6,593	120	Do.
226	St. Vincent De Paul's Orphanage, Edathuruthy.	3,983	134	Do.
227	Little Flower Orphanage, Paluvaya ..	2,178	41	Do.
228	Edathanattukara Yatheemkhana, South Malabar.	3,112	125	Non-Mission.

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Serial number.	Name of orphanage.	Grant paid during 1955-56.	Number of inmates.	Nature of management.
(1)	(2)	(3)	(4)	(5)

SOUTH KANARA DISTRICT.

		Rs.		
229	Ramakrishna Mission Balakashram Orphanage, Mangalore.	2,437	36	Ramakrishna Mission.
230	Ishwarananda Mahila Sevashram Orphanage, Mangalore.	3,629	58	Ishwarananda Mahila Sevashram Society.
231	St. Vincent Orphanage, Kadaba ..	1,154	24	Mission.
232	St. Philomena's Orphanage, Upinangady.	5,556	63	Do.
233	B.E.M. Orphanage, Udipi ..	2,522	46	Do.
234	St. Rita's Orphanage, Kankanady ..	4,653	26	Do.
235	B.E.M. Orphanage, Moolky ..	4,069	56	Do.
236	St. Joseph's Orphanage, Joppe, Kankanady.	10,018	89	Do.
237	St. Joseph's Girls' Orphanage, Kalliyur, Vorkady.	3,573	46	Do.
238	St. Joseph's Girls' Orphanage, Coondapur.	4,124	51	Do.
239	St. Paul's Orphanage, Trikarapur ..	2,120	44	Do.
240	St. Mary's Female Orphanage, Karinji, Moodabidri.	1,898	24	Do.
241	Infant Jesus Orphanage for Girls, Kavoor.	1,221	20	Do.
242	Sacred Heart Orphanage, Brahmavar ..	2,866	33	Do.
243	Mary Vale Orphanage, Kinnigoly ..	2,188	34	Do.
244	Stella Mary's Orphanage, Ullal ..	4,965	83	Do.
245	St. Philomena's Orphanage, Kemman-nur.	2,585	36	Do.
246	St. Joseph's Female Orphanage, Moolur.	5,995	75	Do.
247	De Mercede Girls' Orphanage, Panir ..	4,258	38	Do.
248	Infant Mary's Orphanage, Kulashekar.	4,089	51	Do.
249	Swami Shraddhananda Sevashram, Mangalore.	5,959	105	Arya Samaj.

STATEMENT II—Chapter XI—Boarding grants to Indian Orphanages and boarding homes for destitute children.

62. *Objects and conditions of aid.*—In addition to ordinary grants of all descriptions, a special grant may be made to Indian orphanages and boarding homes for Indian destitute pupils in aid of boarding charges:

Provided that such grants shall not exceed three-fourths of the net boarding charges of the institution subject to a maximum limit, calculated at Rs. 8 a month for each certified free destitute pupil in the case of institutions in places other than hill stations and at Rs. 12 a month for such pupils in the case of institutions functioning in hill stations:

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Provided also that such grant shall not be admitted on behalf of a pupil whose age on the 1st July of the year under consideration—

(a) exceeded eighteen but was below six years in the case of a boy; and

(b) exceeded eighteen but was below five years in the case of a girl.

Explanation.—Pupils from whom a nominal fee not exceeding Rs. 9 in a year is collected shall be considered free for purposes of the above rule and also of Note (1) under rule 64.

63. In support of a claim for grant for the first time in respect of every pupil, a certificate testifying to his or her destitution in the form prescribed in Appendix X (i), if the pupil is an orphan, and in Appendix X (ii), if the pupil is a non-orphan should be produced from the Tahsildar, or the Deputy Tahsildar in independent charge, according as the pupil belongs to a ryotwari or a zamindari taluk. In the case of pupils belonging to the Madras City a certificate should be given by the Collector of Madras or the Chief Presidency Magistrate. These certificates must be filed in the orphanage or boarding home for reference.

64. Only institutions which are primarily orphanages and which make suitable arrangements for the education of the inmates in recognized schools, shall be admitted to aid.

NOTE.—(1) An orphanage or boarding house for Indian destitute pupils shall not be eligible for aid under this chapter unless at least 50 per cent of its inmates on the 1st July of the year under consideration are orphan or non-orphan free certified destitutes within the prescribed age-limits and reading in recognized schools.

(2) The term "orphan" used in these rules means a child which has lost either or both of its parents.

(3) The possession of a trifling income by the parent of a child does not necessarily exclude the child from the category of "destitute".

"Trifling income" means a gross income of Rs. 300 (rupees three hundred) and below per annum under all sources.

Children whose parents are in respect of an annual gross income exceeding Rs. 300 (rupees three hundred) will not be eligible for any boarding grant";

(4) "Boarding charges" for the purpose of the grant shall comprise only the following:—

(i) Cost of foodstuffs.

(ii) Pay of cook and other servants, if any, employed for the purpose of cooking and serving meals.

(iii) Contingencies, i.e., sundry expenses connected with the provision of meals.

(5) The net boarding charges shall be arrived at by deducting from the boarding charges (a) the wages, if any, earned by the inmates paying no fees or referred to in the explanation under rule 62.

(6) No inmates shall be eligible for a grant under this chapter, unless he is a native of the Madras Presidency.

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65. *Applications for aid.*—Application for grants, under this chapter shall be made in the prescribed form (Appendix V) and shall be submitted to the Director of Public Instruction through District Educational Officer, so as to reach him not later than the 1st August of each year.

66. *Boarding grant—Procedure.*—As soon as an application for grant-in-aid under this chapter is received, the local District Educational Officer shall investigate the case. The application should not be considered unless the investigating officer is satisfied that the education provided by the orphanage or boarding home for destitute children is suitable and that the accounts of the orphanage or the boarding home show that it is not conducted for private profit. A medical officer should invariably be consulted by the District Educational Officer on matters relating to the sanitary condition of the buildings and their surroundings. The District Educational Officer shall then submit the application along with his recommendation to the Director of Public Instruction who will sanction the grant at the rate fixed in rule 62.

67. *Payment of grants.*—The grant shall be drawn on a bill prepared in the prescribed form (Appendix G) countersigned by the District Educational Officer.

APPENDIX X (i).

Destitution Certificate for an Orphan Pupil.

I hereby certify that _____ is a native of the State of Madras and belongs to the village/town of _____ situated in my jurisdiction and is the son/daughter of _____ mother, and the father/mother, father and of _____ and the father/mother having deceased, the condition of this orphan and surviving parents/orphan is so destitute as to entitle the orphan to the benefits of Chapter XI of the Grant-in-Aid Code.

The occupation of the parent(s) is _____, the annual gross income from all sources of the parent(s) Rs. _____.

(Signature)

Tahsildar,
Taluk.

Date

District

NOTE.—(1) If authorities other than those mentioned in rule 63 issue the certificate, the designation may be suitably altered.

(2) This certificate should be granted to each pupil individually.

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APPENDIX X (ii).

(Rule 63.)

Destitution Certificate for a Non-orphan Pupil.

I hereby certify that
 a native of the State of Madras and belongs to the village/town
 of situated in my jurisdiction and
 is the daughter/son of father and
 of mother, and the condition of the
 boy/girl and his/her parents is so destitute as to entitle the pupil
 to the benefits of Chapter XI of the Grant-in-aid Code.

The occupation of the parent(s) is ;
 the annual gross income from all sources of the parent(s) is
 Rs. per annum.

Date
 District

(Signature)

Tahsildar.

NOTE.—(1) If authorities other than those mentioned in rule 63 issue the
 certificate, the designation may be suitably altered.

(2) This certificate should be granted to each pupil individually.

APPENDIX V.

(Chapter XI, Rule 65.)

Application for Boarding Grants.

- 1 Name of Orphanage or school to which it is attached.
- 2 (a) Number of free orphan destitutes for the previous year.
- (b) Number of free non-orphan destitutes.
- (c) Number of non-destitutes—
 - (i) Paying inmates for the previous year.
 - (ii) Others.
- (d) Total number of inmates (a) plus (b) plus (c) for the previous year.
- (e) Total number of orphan and non-orphan destitutes for the current year.
- 3 (a) Number out of 2 (a) who are within the prescribed age-limits and reading in recognized schools.
- (b) Number out of 2 (b) who are within the prescribed age-limits and reading in recognized schools.
- (c) Total number of free destitutes within age-limits and reading in recognized schools
 3 (a) plus 3 (b).

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- 4 The educational work done for the inmates by the institution (i.e., general and vocational).
- 5 Other work done by it, if any.
- 6 Accommodation provided for dormitories, etc.
- 7 Sanitary condition of the buildings and their surroundings as reported by the medical officer.
 A certificate may be produced in the form prescribed in Appendix 30, Madras Educational Rules, from any registered medical practitioner or an officer of the Public Health Department.
- 8 Income for 19 —19 from
 - (a) Orphan and non-orphan destitutes paying fees.
 - (b) Other paying inmates.
 Total of (a) and (b).
- 9 Other sources of income for the year 19— 19 .
- 10 Whether separate provision is made for boarding, lodging and supervision and whether accounts are maintained separately for the orphanage or boarding home, in cases where it is connected with an ordinary hostel or residential school.
- 11 * Net cost of boarding charges for the previous year.
- 12 Average boarding cost per mensem for an orphan or non-orphan destitute.

Station

District

Date

Correspondent or Manager.

* This should be supported by a statement of receipts and expenditure in the form that may be prescribed by the Director from time to time with separate monthly details for each item of expenditure shown therein.

NOTE.—Inmates from whom a fee exceeding Rs. 9 per annum collected shall not be considered as free.

APPENDIX G.

(Rules 38 and 67.)

Bill for Teaching/Boarding Grants on behalf of Colleges/Schools/Orphanages.

1. If there are more schools than one under the same management, the grants of all the institutions except those on behalf of elementary schools should be drawn in the same bill, but the names and class of the institutions and the amounts for each should be entered in two separate sheets of paper, one to be attached to the original and the other to the copy of the bill.

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APPENDIX

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2. The sanction under which the grants are claimed should invariably be given in the place provided in the bill.

3. Bills for a year should be drawn and cashed before the 15th March of that year.

District.

District

Grant-in-aid bill of

for the year ending 31st March 19

Voucher No.

of the month of

19

Payable from Provincial funds.

Teaching/Boarding Grants.

H. A. P.

Teaching Grants sanctioned in Proceedings of the Director of Public Instruction—

No.	Date								
Colleges—									
Men	..	..	..	..	..	..	..	..	..
Women	..	..	..	..	..	..	..	..	..
Secondary Schools—									
Boys	..	..	..	..	..	..	..	..	..
Girls	..	..	..	..	..	..	..	..	..
Special—Training Schools—									
Masters	..	..	..	..	..	..	..	..	..
Mistresses	..	..	..	..	..	..	..	..	..
Special—Technical Schools—									
Boys	..	..	..	..	..	..	..	..	..
Girls	..	..	..	..	..	..	..	..	..
Special—Others—									
Boys	..	..	..	..	..	..	..	..	..
Girls	..	..	..	..	..	..	..	..	..
Boarding—									
Boys	..	..	..	..	..	..	..	..	..
Girls	..	..	..	..	..	..	..	..	..

Total ..

(In words) Rupees ..

Station
Date

Countersigned.

Correspondent.

District Educational Officer.

Superintendent of Sanskrit Schools.

Date

Pay Rupees

Treasury Assistant.

Date

Contents received.

Treasury Officer.

Correspondent.

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APPENDIX V.

[Vide item III (1) on page 267 supra.]

L.A. BILL No. 39 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 Seventh Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Madras General Sales Tax (Third Amendment) Act, 1956.

(2) Sections 3 and 5 shall be deemed to have come into force on the 1st August 1949 and the 1st April 1951, respectively.

2. *Amendment of section 2, Madras Act IX of 1939.*—In section 2 of the Madras General Sales Tax Act, 1939 (Madras Act IX of 1939) (hereinafter referred to as the principal Act)—

(i) for clause (b), the following clause shall be substituted, namely:—

“(b) ‘dealer’ means any person who carries on the business of buying, selling, supplying or distributing goods, directly or otherwise, whether for cash or for deferred payment or for other valuable consideration.

Explanation.—A Hindu joint family, or any association, co-operative society, or club or any firm, which, or a commission agent, broker, *del credere* agent, auctioneer or any other mercantile agent, by whatever name called, who, carries on such business, is a dealer within the meaning of this clause;”.

(ii) in clause (c), after the words “movable property other than”, the word “newspapers”, shall be inserted;

(iii) in clause (h)—

(a) after the words “in the execution of a works contract”, the words “and in the supply or distribution of goods by a co-operative society, club, firm or any association to its members for cash or for deferred payment or other valuable consideration” shall be inserted;

(b) in Explanation (2), the words and figures ‘notwithstanding anything to the contrary in the Indian Sale of Goods Act, 1930’, shall be omitted;

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(c) after Explanation (2), the following Explanation shall be added, namely :—

“ *Explanation (3).*—Notwithstanding anything to the contrary contained in this Act, two independent sales or purchases shall, for the purposes of this Act, be deemed to have taken place—

(a) when the goods are transferred from a principal to his selling agent and from the selling agent to the purchaser, or

(b) when the goods are transferred from the seller to a buying agent and from the buying agent to his principal, if the agent is found—

(i) to have sold the goods at one rate and to have passed on the sale-proceeds to his principal at another rate, or

(ii) to have purchased the goods at one rate and to have passed them on to his principal at another rate, or

(iii) not to have accounted to his principal for the entire collections or deductions made by him in the sales or purchases effected by him on behalf of his principal, or

(iv) to have acted for a fictitious or non-existent principal.”

(iv) in clause (i), for the words “for which goods are either bought by or sold by a dealer”, the words “for which goods are bought or sold, or supplied or distributed, by a dealer, either directly or through another, on his own account or on account of others” shall be substituted.

3. *Amendment of section 3, Madras Act IX of 1939.*—In section 3, sub-section (1), of the principal Act, for the proviso, the following proviso shall be substituted, namely :—

“Provided that if and to the extent to which such turnover relates to articles of food or drink or both sold in a hotel, boarding house, restaurant, stall or any other place, the tax shall be calculated at the rate of four and a half paise for every rupee, if the turnover relating to those articles is not less than twenty-five thousand rupees.”

4. *Amendment of section 5, Madras Act IX of 1939.*—In section 5 of the principal Act, clauses (iii) and (v) shall be omitted.

5. *Omission of section 7, Madras Act IX of 1939.*—Section 7 of the principal Act shall be omitted.

6. *Amendment of section 8, Madras Act IX of 1939.*—In section 8 of the principal Act, after the second proviso, the following provisos shall be inserted, namely :—

“Provided further that an agent licensed under this section, who is found to have purchased goods at one rate and passed them on to his principals at another rate, or to have sold goods

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at one rate and passed on the sale-proceeds to his principals at another rate, or to have not accounted to his principals for the entire collections or deductions made by him in the sales or purchases effected by him on behalf of his principals, or to have acted for fictitious or non-existent principles, shall be ineligible for exemption of his commission transactions from tax under section 3 :

Provided also that the agent of a person or a firm carrying on business outside the State shall not be eligible for a licence under this section in respect of his transactions made on behalf of such person or firm.”

7. *Amendment of section 8-B, Madras Act IX of 1939.*—In section 8-B, sub-section (2), of the principal Act, the words “; and, in default of such payment, the amounts may be recovered as if they were arrears of land revenue” shall be omitted.

8. *Substitution of new section for section 10 in Madras Act IX of 1939.*—For section 10 of the principal Act, the following section shall be substituted, namely :—

“10. *Payment and recovery of tax.*—(1) The tax assessed under this Act shall be paid in such manner and in such instalments, if any, and within such time, as may be specified in the notice of assessment, not being less than fifteen days from the date of service of the notice. If default is made in paying according to the notice of assessment, the whole of the amount outstanding on the date of default shall become immediately due and shall be a charge on the properties of the person or persons liable to pay the tax under this Act.

(2) Any tax assessed on, or any other amount due under this Act from a dealer and any fee due from him under this Act, may without prejudice to any other mode of collection, be recovered—

(a) as if it were an arrear of land revenue, or

(b) on application to any Magistrate, by such Magistrate as if it were a fine imposed by him :

Provided that no proceeding for such recovery shall be taken or continued as long as he has, in regard to the payment of such tax, other amount or fee, as the case may be, complied with an order by any of the authorities to whom the dealer has appealed, or applied for revision, under sections 11, 12, 12-A, 12-B or 12-C.”

9. *Insertion of new sections 10-A and 10-B in Madras Act IX of 1939.*—After section 10 of the principal Act, the following sections shall be inserted, namely :—

“10-A. *Further mode of recovery.*—(1) The assessing authority may at any time or from time to time, by notice in writing (a copy of which shall be forwarded to the dealer at his last address known to the assessing authority) require any person

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from whom money is due or may become due to the dealer or any person who holds or may subsequently hold money for or on account of the dealer to pay to the assessing authority, either forthwith upon the money becoming due or being held at or within the time specified in the notice (not being before the money becomes due or is held) so much of the money as is sufficient to pay the amount due by the dealer in respect of arrears of tax or fee or the whole of the money when it is equal to or less than that amount.

(2) The assessing authority may at any time or from time to time amend or revoke any such notice or extend the time for making any payment in pursuance of the notice.

(3) Any person making any payment in compliance with a notice under this section shall be deemed to have made the payment under the authority of the dealer and the receipt of the assessing authority shall constitute a good and sufficient discharge of the liability of such person to the extent of the amount referred to in the receipt.

(4) Any person discharging any liability to the dealer after receipt of the notice referred to in this section shall be personally liable to the assessing authority to the extent of the liability discharged or to the extent of the liability of the dealer for the amount due under this Act, whichever is less.

(5) Where any person to whom a notice under this section is sent objects to it on the ground that the sum demanded or any part thereof is not due by him to the dealer, or that he does not hold any money for or on account of the dealer, then nothing contained in this section shall be deemed to require such person to pay the sum demanded or any part thereof, to the assessing authority.

(6) Any amount which a person is required to pay to the assessing authority or for which he is personally liable to the assessing authority under this section shall, if it remains unpaid, be a charge on the properties of the said person and may be recovered as if it were an arrear of land revenue.

Explanation.—For the purposes of this section, the amount due to a dealer or money held for or on account of a dealer by any person shall be computed after taking into account such claims, if any, as may have fallen due for payment by such dealer to such person and as may be lawfully subsisting.

10-B. Assessment of legal representatives.—Where a dealer dies, his executor, administrator or other legal representative shall be deemed to be the dealer for the purposes of this Act and the provisions of this Act shall apply to him in respect of the business of the said deceased dealer, provided that, in respect of any tax or fee assessed as payable by any such dealer or any tax or fee which would have been payable by him under this Act if he had not died, the executor, administrator or other legal representative shall be liable only to the extent of the assets of the deceased in his hands."

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10. Amendment of section 11, Madras Act IX of 1939.—In section 11 of the principal Act, after sub-section (4), the following sub-section shall be added, namely :—

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

Provided that the appellate authority may, in its discretion, give such directions as it thinks fit in regard to the payment of the tax before the disposal of the appeal, if the appellant furnishes sufficient security to its satisfaction in such form and in such manner as may be prescribed."

11. Amendment of section 12, Madras Act IX of 1939.—In section 12 of the principal Act, sub-section (6) shall be re-numbered as sub-section (7), and before the sub-section as so re-numbered, the following sub-section shall be inserted, namely :—

" (6) Notwithstanding that an application has been preferred under sub-section (1) (ii), (2) (ii) or (3) (ii), the tax, fee or other amount shall be paid in accordance with the order or proceeding against which the application has been preferred :

Provided that the authority concerned may, in its discretion, give such directions as it thinks fit, in regard to the payment of such tax, fee or other amount if the applicant furnishes sufficient security to its satisfaction in such form and in such manner as may be prescribed."

12. Amendment of section 12-A, Madras Act IX of 1939.—In section 12-A of the principal Act—

(a) to sub-section (1), the following proviso shall be added, namely :—

" Provided that, if the appeal involves a question of law on which the Appellate Tribunal has previously given its decision in another appeal and either a revision petition in the High Court against such decision or an appeal in the Supreme Court against the order of the High Court thereon is pending, the Appellate Tribunal may defer the hearing of the appeal before it till such revision petition in the High Court or the appeal in the Supreme Court is disposed of."

(b) in sub-section (5), for the first proviso, the following proviso shall be substituted, namely :—

" Provided that the Appellate Tribunal may, in its discretion, give such directions as it thinks fit, in regard to the payment of the tax, if the appellant furnishes sufficient security to its satisfaction in such form and in such manner as may be prescribed "

13. Amendment of section 13, Madras Act IX of 1939.—In section 13 of the principal Act, after the words " Every registered dealer ", the words, figures, letter and brackets " every dealer who is under an obligation to get himself registered under section 8-A, sub-section (1), " shall be inserted.

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14. *Substitution of new section for section 15, Madras Act IX of 1939.*—For section 15 of the principal Act, the following section shall be substituted, namely:—

“15. *Offences and penalties.*—(1) Any person who—
 (a) being an assessee under this Act, fails to submit a return as required by the provisions of this Act, or the rules made thereunder, or
 (b) fails to submit an application for registration as required by section 8-A, sub-section (1), or
 (c) collects any amount by way of tax under this Act in contravention of the provisions of section 8-B, sub-section (1), shall, on conviction by a Magistrate, not below the rank of Second-class Magistrate, be liable to a fine which may extend to two hundred rupees.

(2) Any person who—
 (a) wilfully submits an untrue return, or, not being already an assessee under this Act, fails to submit a return as required by the provisions of this Act or the rules made thereunder, or
 (b) in contravention of the terms of section 14, prevents or obstructs inspection or entry by any officer authorized under that section, or
 (c) fraudulently evades the payment of any tax assessed on him or any fee or other amount due from him under this Act, or
 (d) wilfully acts in contravention of any of the provisions of this Act, shall, on conviction by a Presidency Magistrate or a Magistrate of the first class, be liable to a fine which may extend to one thousand rupees.

15. *Insertion of new section 18-B in Madras Act IX of 1939.*—After section 18-A of the principal Act, the following section shall be inserted, namely:—

“18-B. *Appearance before any authority in proceedings.*—Any person who is entitled to appear before any authority other than the High Court in connexion with any proceedings under this Act, may be represented before such authority—

(a) by his relative or a person regularly employed by him, if such relative or person is duly authorized by him in writing in this behalf; or

(b) by a legal practitioner; or

(c) subject to such conditions, as may be prescribed, by an accountant or Sales Tax Practitioner possessing the prescribed qualifications and duly authorized by him in writing in this behalf.”

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16. *Amendment of section 19, Madras Act IX of 1939.*—In section 19 of the principal Act—

(a) in sub-section (2), clause (f), for the words “not exceeding three years” the words “not exceeding five years” shall be substituted;

(b) for sub-section (3), the following sub-section shall be substituted, namely:—

“(3) In making a rule under sub-section (1) or sub-section (2), the State Government may provide that a person guilty of a breach thereof shall be punishable with fine which may extend to one thousand rupees and, where the breach is a continuing one, with further fine which may extend to fifty rupees for every day after the first during which the breach continues.

No Court inferior to that of a Presidency Magistrate or a Magistrate of the second class shall inquire into or try any offence consisting of a breach of a rule.”;

(c) after sub-section (5), the following sub-section shall be added, namely:—

“(6) All rules made and all notifications issued under this Act shall, as soon as possible after they are made, be placed on the table of both the Houses of the Legislature and shall be subject to such modifications by way of amendments or repeal as the Legislative Assembly may make within fourteen days on which the House actually sits either in the same session or in more than one session.”

17. *Validation.*—(1) Notwithstanding anything contained in any judgment, decree or order of any Court, any tax levied or collected or purported to have been levied or collected under the proviso to clause (b) of sub-section (1) of section 3 of the principal Act before it was amended by this Act shall be deemed to have been levied or collected, as the case may be, under the principal Act as amended by this Act as if this Act was in force at all relevant times.

(2) No suit or other proceeding shall be maintained or continued in any court for the refund of any tax so paid; and no court shall enforce any decree or order directing the refund of any tax so paid.

I certify that this is a Money Bill.

N. GOPALA MENON,

Speaker, Madras Legislative Assembly.

APPENDIX VI.

[27th August 1956]

[Vide item III (2) on page 297 supra.]

L.A. BILL No. 11 OF 1956.

(As passed by the Assembly.)

A Bill further to amend the Madras Land Revenue (Surcharge) Act, 1954.

WHEREAS it is expedient further to amend the Madras Land Revenue (Surcharge) Act, 1954 (Madras Act XIX of 1954), for the purpose hereinafter appearing;
BE it enacted in the Seventh Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Madras Land Revenue (Surcharge) Amendment Act, 1956.
(2) It shall be deemed to have come into force on the 1st day of July 1954.

2. *Amendment of section 3, Madras Act XIX of 1954.*—In section 3 of the Madras Land Revenue (Surcharge) Act, 1954 (Madras Act XIX of 1954), for Explanation I, the following Explanation shall be substituted, namely:—
“*Explanation I.*—Land revenue remitted, or ground rent paid in excess of ten rupees per ground of land measuring two thousand and four hundred square feet, shall not be deemed to be land revenue payable for the purpose of this section.”

I certify that this is a Money Bill.

N. GOPALA MENON,
Speaker, Madras Legislative Assembly.

APPENDIX VII.

[Vide item III (3) on page 298 supra.]

L.A. BILL No. 12 OF 1956.

(As passed by the Assembly.)

A Bill to amend the Madras Land Revenue (Additional Surcharge) Act, 1955.

WHEREAS it is expedient to amend the Madras Land Revenue (Additional Surcharge) Act, 1955 (Madras Act XXX of 1955), for the purpose hereinafter appearing;
BE it enacted in the Seventh Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Madras Land Revenue (Additional Surcharge) Amendment Act, 1956.

(2) It shall be deemed to have come into force on the 1st day of July 1955.

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2. *Amendment of section 3, Madras Act XXX of 1955.*—In section 3 of the Madras Land Revenue (Additional Surcharge) Act, 1955 (Madras Act XXX of 1955), for the Explanation, the following Explanation shall be substituted, namely:—

“*Explanation.*—Land Revenue remitted, or ground-rent in excess of ten rupees per ground of land measuring two thousand and four hundred square feet, shall not be deemed to be land revenue payable for the purpose of this section.”

I certify that this is a Money Bill.

N. GOPALA MENON,
Speaker, Madras Legislative Assembly.

APPENDIX VIII.

[Vide item III (4) on page 299 supra.]

L.A. BILL No. 13 OF 1956.

(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 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 purpose hereinafter appearing;
BE it enacted in the Seventh Year of the Republic of India as follows:—

1. *Short title and extent.*—(1) This Act may be called the Presidency Small Cause Courts (Madras Amendment) Act, 1956.

(2) It extends to the whole of the State of Madras.

2. *Substitution of new section for section 47 in Central Act XV of 1882.*—For section 47 of the Presidency Small Cause Courts Act, 1882 (Central Act XV of 1882), the following section shall be substituted, namely:—

“47. *Stay of proceedings on occupant giving security to bring suit against applicant.*—(1) Where on an application being made under section 41 the occupant, within a month from the service on him of the summons under section 42 or where the summons had not been personally served on him, within a month of his knowledge of the making of the application under section 41, enters into a bond as hereinafter provided to the satisfaction of the Small Cause Court, the Small Cause Court shall stay further proceedings on the application from the stage reached when the bond was accepted by the Small Cause Court.

(2) The occupant shall, by the bond aforesaid, bind himself, with two sureties, for such sum as the Small Cause Court thinks reasonable, having regard to the value of the property and the

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probable costs of the suit to institute, within a month from the date of the acceptance of the bond by the Small Cause Court, a suit in the High Court or in the City Civil Court, as the case may be, to establish his title to continue in possession of the property and in the event of such suit being dismissed, to pay the applicant the cost that may be decreed to him in such suit.

(3) Where such suit is not instituted within a month of the date of the acceptance of the security by the Small Cause Court or where such suit having been instituted within the said period is dismissed, the Small Cause Court shall proceed with the application from the stage reached when security under sub-section (1) was accepted.

(4) A decree passed in such suit against the applicant shall supersede the order, if any, made under section 43.

(5) Nothing contained in section 22 shall apply to suits under this section."

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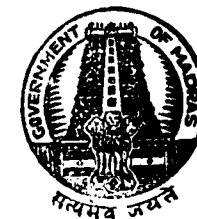
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Issued—30-11-1956



3720

MADRAS LEGISLATIVE COUNCIL DEBATES

OFFICIAL REPORT

TUESDAY, 28TH AUGUST 1956

VOLUME XIV—No. 6

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Legislature Department (Council)
Madras

PRICE, 4 annas]

THE MADRAS LEGISLATIVE COUNCIL.

Tuesday, the 28th August 1956.

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.

Recovery for the loss of articles in the hospitals

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

(a) what the orders of the Government are with regard to deduction from pay of Government hospital employees at present on account of loss of articles in the hospitals;

(b) whether the recovery is ordered *pro rata* from all the employees in each ward; and

(c) whether the employees are given an opportunity to explain before effecting such recoveries?

THE HON. SRI A. B. SHETTY : (a) & (b) The stock of linen in the various wards and sections of the hospitals is checked periodically. A list of all missing linen with their description and the names of persons responsible for the loss are recorded in the linen checking register. Based on the particulars recorded, recoveries are effected from the concerned hospital employees including the Nursing staff at half of the original cost of the missing linen on a *pro rata* basis in proportion to the pay drawn by each person responsible for the loss. Recoveries are made in easy instalments at a rate not exceeding Rs. 3 per instalment and the total number of instalments will not exceed twelve in each case. If the amount exceeds Rs. 36 in any case, either the amount recoverable every month or the number of instalments will be increased at the discretion of the Medical Officer in charge of the hospital concerned.

(c) Yes.

SRI T. PURUSHOTHAM : Has any representation been received by the Government from the employees with regard to the hardships caused by the enforcement of this rule and have the Government considered the same and if so, what orders have been passed?

THE HON. SRI A. B. SHETTY : Yes, Sir. Certain concessions have been made in the rules as originally framed. Half the original cost of the missing linen is recovered and recoveries are made in easy instalments at a rate not exceeding Rs. 3 per instalment.

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SRI T. PURUSHOTHAM: With reference to the answer to clause (b) of the question, is it not a punitive levy to order recovery and penalise all the employees in the ward for the loss of articles, without enquiry and without fixing the responsibility on a particular person for the loss in question?

THE HON. SRI A. B. SHETTY: It is not possible to hold an enquiry and fix the responsibility for the loss on anyone. All the people who work in that ward are made responsible for the loss.

SRI V. CHAKKARAI CHETTY: Suppose a burglary takes place and thieves break through and carry away certain articles; will the employees be held responsible for such burglaries committed by outsiders?

THE HON. SRI A. B. SHETTY: If thieves come in, they will be dealt with by the Police.

SRI T. PURUSHOTHAM: Will the Hon. Minister kindly institute an enquiry as to how far the working of this rule has affected the employees and will the Government take a sympathetic view of the whole question and take suitable action on the representation made by the employees?

THE HON. SRI A. B. SHETTY: This matter has been considered, Sir. The people in charge of the linen in each ward or section have to make good the loss. Otherwise, there will be much more loss of linen.

SRI M. ETHIRAJULU: As prevention is better than cure, may I request the Hon. Minister to appoint guards to watch the visitors and Government staff and prevent such pilferages instead of conducting *post-mortem* examination in all such matters?

THE HON. SRI A. B. SHETTY: All matters have been taken into consideration, Sir.

SRI A. M. ALLAPICHAJ: What I wish to suggest is this, Sir. If all the persons are punished in this way for some theft, it will lead to the encouragement of real offenders because the real offenders will feel that they can escape punishment with the payment of two or three rupees.

SRI V. V. RAMASWAMY: May I know whether the suggestion made by the hon. Deputy Chairman is a question?

MR. CHAIRMAN: Let the Hon. Minister be given time to answer.

THE HON. SRI A. B. SHETTY: If the hon. Member has any suggestion to make, he may please communicate it to me. I shall have it considered.

SRI V. GURUNANDAN ROW: May I know how often the linen is checked and whether the pilferages are increasing or decreasing due to this method of recovery?

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THE HON. SRI A. B. SHETTY: Linen is checked once a week as a routine and then a more detailed and thorough check is made once a quarter. As a result of this action, there is less loss of linen now.

*Lands and buildings and water works plant at the
Arkonam aerodrome*

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

(a) whether the Defence Department of the Government of India have offered to hand over the lands and buildings and water works plant at the Arkonam aerodrome to the State Government, and if so, on what terms and conditions;

(b) the purposes for which the said buildings and lands are proposed to be put by the State Government and the stage at which the matter now stands; and

(c) whether the Arkonam Panchayat Board has offered to take up the water works referred to in clause (a) and if so, when and what action is proposed to be taken in the matter?

THE HON. SRI A. B. SHETTY: (a) The Government of India Defence Department have offered to hand over the water-supply installation on loan to the Arkonam Panchayat free of charge on the following conditions:—

(i) The installation will revert to the Defence Services as and when required by them on two weeks' notice without claiming any compensation whatsoever;

(ii) the panchayat will maintain the installation in good working order;

(b) & (c) The matter is under correspondence with the Executive Officer, Arkonam Panchayat.

SRI T. PURUSHOTHAM: Has not the Panchayat Board of Arkonam made definite proposal to the Government agreeing to the same and asking that the water works may be transferred to the panchayat board for the benefit of the large Railway colony to whom this water-supply arrangement will be useful?

THE HON. SRI A. B. SHETTY: Yes, Sir. The letter of the Government of India has been referred to the Executive Officer, Arkonam Panchayat, and his reply is awaited.

SRI T. PURUSHOTHAM: Quite apart from the water-works plant, there are extensive lands and buildings which could be utilized by the panchayat board or the Government. Have the Government considered the proposal of shifting the hospital at Arkonam to the extensive buildings available at this place?

THE HON. SRI A. B. SHETTY: A separate question may be asked.

[28th August 1956]

Levy of special fees in aided schools

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

(a) whether it is a fact that different rates of special fees are levied in different aided high schools in this State; and

(b) if so, whether the Government have any proposal to enforce the levy of uniform rates of special fees in all the aided high schools on par with rates of special fees levied in the Government high schools in this State?

THE HON. SRI M. BHAKTAVATSALAM (on behalf of the Hon. the Minister for Finance and Education): (a) Yes, Sir.

(b) No, Sir.

SRI G. KRISHNAMOORTHY: May I know whether the rates of special fees levied by the Government schools are considerably lower than the rates levied in aided high schools?

THE HON. SRI M. BHAKTAVATSALAM: That is so in some cases.

SRI G. KRISHNAMOORTHY: May I know, Sir, what the reason is for the levy of such extra fees by aided high schools?

THE HON. SRI M. BHAKTAVATSALAM: Sir, Government have prescribed certain items for which special fees may be levied. They have also fixed the maximum for each of these items and the schools levy fees within this maximum and that is permitted.

SRI G. KRISHNAMOORTHY: Do the Government ensure through their inspecting officers that these special fees are utilized for the benefit of these pupils within that particular year itself and that they are not allowed to accumulate for the next year?

THE HON. SRI M. BHAKTAVATSALAM: The Government have been examining what rules should be framed to ensure proper administration of the special fees by the schools.

SRI G. KRISHNAMOORTHY: In view of the fact that even poor children who have been granted concessions by the Government have to pay these special fees, will the Government consider the question whether these special fees in aided high schools can not be brought on a par with those levied in Government high schools for the benefit of the parents?

THE HON. SRI M. BHAKTAVATSALAM: Sir, I have already answered that Government have prescribed a maximum and if the schools levy fees within this maximum, Government are examining framing of rules to ensure proper administration of these special fees that are levied. The Government do not propose to reduce this maximum to any extent.

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SRI V. V. RAMASWAMI: எந்த எந்த இனத்திற்கு 'ஸ்பெஷல் பீஸ்' வாங்கப்படுகிறதோ அந்த இனத்திற்கு அந்தப் பணம் செலவழிக்கப்படுகிறதா என்று கண்காணிக்கப்படுகிறதா என்று அறிய விரும்புகிறேன்.

THE HON. SRI M. BHAKTAVATSALAM: அந்த அந்த இனத்திற்குத்தான் செலவு செய்யப்படவேண்டும். அது சம்பந்தமாகத்தான் சில விதிகள் வகுப்பதுபற்றி இப்போது பரிசீலனை நடந்துவருகிறது.

Hospital in Omalur

* 40 Q.—SRI A. GAJAPATHY NAYAGAR: Will the Hon. the Minister for Health be pleased to state— 3.10 p.m.

(a) whether there is any Taluk Headquarters hospital in Omalur, Salem district;

(b) if not, whether the Government have any proposal to establish one in Omalur; and

(c) if the answer to clause (b) is in the negative, the reasons therefor?

THE HON. SRI A. B. SHETTY: (a) There is a Local Fund Dispensary at Omalur.

(b) & (c) There is no proposal now to convert the dispensary into a hospital.

SRI A. GAJAPATHY NAYAGAR: Was there a Taluk Headquarters hospital before in Omalur?

THE HON. SRI A. B. SHETTY: At present, a Civil Assistant Surgeon is in charge of the dispensary. Though this is called a dispensary, there are eight beds for treating emergency cases.

SRI A. GAJAPATHY NAYAGAR: Are the Government aware that there is a high school in Omalur and that there is also a growing population there? Therefore, will they consider the necessity of having a Taluk Headquarters hospital in Omalur?

THE HON. SRI A. B. SHETTY: There is a proposal to take over all institutions at Taluk Headquarters and it is proposed also to provincialize nine such Taluk Headquarters institutions this year. Then, only 18 will remain and they will be taken over in the next few years.

SRI A. GAJAPATHY NAYAGAR: Will Omalur come within these nine?

THE HON. SRI A. B. SHETTY: Not this year.

Admission into Government Medical Colleges

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

(i) to place on the table of the House a district-wise statement showing the number of applicants for admission into the Government Medical Colleges this year and the number selected; and

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(ii) to state—

(a) the number of women candidates who have applied for admission and the number selected this year;

(b) the total number of candidates who have applied and the number admitted from (i) Scheduled Castes and (ii) Backward Classes;

(c) the number of candidates who were allowed to change their native district after submission of application, the reasons therefor and the steps taken to ensure the issue of correct nativity certificates by the Revenue authorities;

(d) whether the Government have under consideration any proposal for opening more medical colleges in the State; and

(e) the stage at which the proposal to institute a shortened course of medical studies now stands?

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

(ii) (a) Three hundred and eleven women candidates applied. Seventy-three candidates have been selected.

(b) Thirty-one candidates belonging to the Scheduled Castes applied and all of them have been selected. Out of the 474 applicants belonging to Backward Classes, 143 candidates have been selected including the reservists.

(c) No candidate has been allowed to change his or her nativity certificate. With a view to ensure the issue of correct nativity certificates, the Government have ordered that these certificates should initially be signed by the village munsif in charge of the village or town which is claimed as the place of permanent residence of the parent or guardian of the candidate concerned and thereafter countersigned by an officer of the Revenue department not below the rank of a Deputy Tahsildar.

(d) Dr. Alagappa Chettiar College Endowment Trust has offered to start a Medical College at Karaikudi or any other suitable place and has sought the assistance of Government. No decision has been taken as yet.

(e) There is no proposal to start any shortened course in Medicine under the consideration of the Government at present.

SRI T. PURUSHOTHAM : Is there any proposal to start a Medical College at Coimbatore as was recently reported to have been stated by the Hon. Minister elsewhere?

THE HON. SRI A. B. SHETTY : Yes, Sir. One gentleman over there has offered to donate a big amount for this purpose.

SRI MOHAMED RAZA KHAN : May I know whether seats are allotted to the various districts purely on the basis of population or on some other basis?

^a Printed as Appendix on page 333 infra.

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THE HON. SRI A. B. SHETTY : On a population basis.

SRI K. BALASUBRAMANYA AYYAR : May I know how many Brahmans applied and how many got seats?

THE HON. SRI A. B. SHETTY : They do not state in the application whether the candidate is a Brahman or a non-Brahman. Only Scheduled Caste and Backward Class candidates mention in the application that they belong to that particular class.

SRI K. BALASUBRAMANYA AYYAR : Do they take it into consideration when they interview the candidates?

SRI V. CHAKKARAI CHETTY : May I ask whether any special consideration is being given to Brahmans as being a backward community?

SRI K. BALASUBRAMANYA AYYAR : Never given in this State, Sir. (Laughter.)

THE HON. SRI A. B. SHETTY : I have no information about how many Brahmans were admitted. A sufficient number must have been admitted.

SRI A. M. ALLAPICHAJ : The fact remains that a large number of boys and girls do not get admission into Medical Colleges for want of a sufficient number of colleges. What steps are the Government taking to see that in future at least our boys and girls will get admission?

THE HON. SRI A. B. SHETTY : As far as I know, in all countries, the number of candidates for admission into Medical Colleges is far in excess of the number of seats available. It is not only in this country it is so but in many other countries also. The Leader of the Opposition will be able to tell us more things about this. As regards the question what Government are going to do, they proposed originally to open two more Medical Colleges in the Madras State during the Second Five-Year Plan period but the Government of India said, "We shall take it up as an All-India question and we shall help the opening of Medical Colleges in such States as require them badly."

SRI MOHAMED RAZA KHAN : Is the Hon. Minister aware that people from different parts of the State have settled in Madras City and that naturally there is a heavy number of applications from the City of Madras? Therefore, should not the City of Madras get much more than what is warranted on the basis of population?

THE HON. SRI A. B. SHETTY : Madras City is given a much larger number of seats than it is entitled to on a population basis. (Sri Mohamed Raza Khan : Only 25.) In no year, we get sufficient number of candidates from the Scheduled Castes who are entitled to 16 per cent of the total number of seats. It is only this year, we have had a larger number of candidates from the Scheduled Castes. All seats remaining unfilled go to Madras City.

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SRI M. P. GOVINDA MENON: May I ask the Hon. the Minister for Health whether even by mistake there will be a proposal to start a Medical College in Malabar district before the 1st of November?

THE HON. SRI A. B. SHETTY: I think Malabar will have a good chance of having a Medical College but not before the 1st of November because no college can be started in November. It is only next year.

SRI T. PURUSHOTHAM: May I make a present of the paper placed on the table of the House to the hon. Member, Mr. Govinda Menon? Even on the eve of separation of Malabar from Madras, 33 candidates from Malabar have been selected the largest number for all districts.

SRI MOHAMED RAZA KHAN: Is the Hon. Minister aware of, and is he satisfied with, the nature of questions which are being put to the candidates by the members of the Selection Committee at the interview?

THE HON. SRI A. B. SHETTY: The members of the Committee try to test the knowledge, general ability, etc., of the candidates and find out the work done by them in the shape of extra-curricular activities. Personality, intelligence and aptitude are tested at the interview.

SRI A. M. ALLAPICHAJ: Are all the members doctors?

THE HON. SRI A. B. SHETTY: They are doctors. Doctors are the most competent persons for making this selection.

SRI V. V. RAMASWAMI: May I know whether any agreement has been arrived at for reservation of seats for candidates from the future Kerala State in colleges situated in Madras State and whether the Medical College in Travancore-Cochin will in future admit candidates from Tamil Nad into it?

THE HON. SRI A. B. SHETTY: This is a matter which should be considered by the Partition Committee and the Government Members concerned.

3-20 P.M. DR. A. LAKSHMANASWAMI MUDALIYAR: Are the Government aware that even for the existing colleges they are not able to provide enough qualified teachers and in view of the contemplated Medical Colleges, may I ask what steps the Government are taking to see that trained medical personnel is made available for the teaching courses in the Medical Colleges?

THE HON. SRI A. B. SHETTY: The hon. the Leader of the Opposition is well aware what answers could be given to these questions. It is well-known that there is a great dearth of teaching personnel, particularly in non-clinical departments. Two solutions have been suggested in this connection. One is to have an All-India cadre of Medical Teachers for the non-clinical

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departments. The other is to improve the emoluments of the teachers in the non-clinical departments. These have to be considered, Sir.

SRI T. PURUSHOTHAM: With reference to the statement of the Hon. Minister that a Medical College is proposed to be opened at Coimbatore, is it a fact that the Arts College there is proposed to be shifted away to make room for the proposed Medical College?

THE HON. SRI A. B. SHETTY: No decision has been arrived at. It is only in the proposal stage.

SRI V. V. RAMASWAMI: Is it a fact that Government have agreed to hand over the Government Headquarters Hospital at Coimbatore to the private trust that has come forward to establish a Medical College there?

THE HON. SRI A. B. SHETTY: Yes, Sir, that will have to be done.

SRI MOHAMED RAZA KHAN: Is the Hon. Minister aware that there is a proposal before the Government to hand over the Arts College, Mangalore, to the Udipi Medical College and that there have been protests against this by the citizens?

THE HON. SRI A. B. SHETTY: Yes, Sir.

Minor ports in the State

* 42 Q.—SRI V. V. RAMASWAMI: Will the Hon. the Minister for Public Works be pleased to state—

(a) the number of minor ports under the control of the State Government as at present;

(b) whether there is any proposal under consideration to improve them; and

(c) if so, whether any financial aid is given by the Union Government to the State Government for this purpose?

THE HON. SRI M. BHAKTAVATSALAM (on behalf of the Hon. the Minister for Public Works): (a) 32.

(b) The answer is in the affirmative.

(c) The question of Central assistance for financing these schemes is under the consideration of the Government of India.

SRI V. V. RAMASWAMI: கடலூர் குறைமுகத்தில் ஏதாவது புதிதாக dry dock கட்டப்பட்டிருக்கிறதா? அதற்கு அவசியம் என்ன, செலவுத் தொகை என்னவென்பதை அமைச்சரவர்கள் தெரிவிப்பார்களா?

THE HON. SRI M. BHAKTAVATSALAM: நோட்டீஸ் வேண்டும்.

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SRI M. ETHIRAJULU : தென்னாற்காடு ஜில்லாவில் பரகட்பேட்டை துறைமுகத்தை விஸ்தரிப்பதற்கு திட்டம் ஏதாவது இதில் சேர்க்கப்பட்டிருக்கிறதா என்று அறிய விரும்புகிறேன்.

THE HON. SRI M. BHAKTAVATSALAM : என்னிடம் அதுபற்றி இப்பொழுது தகவல் இல்லை.

SRI T. PURUSHOTHAM : As there is no port in Chingleput district and there is a pucca Highway being formed from Ponneri to Pulicat, may I know from the Government whether they have considered the development of Pulicat as a minor port and whether the Government would make necessary representations to the Central Government and take suitable action on it?

THE HON. SRI M. BHAKTAVATSALAM : Sir, it is not necessary that every district should have a minor port. Before taking up the question of new minor ports, we have to improve the existing minor ports.

Report of the Committee on Co-operation

* 43 Q.—**SRI V. V. RAMASWAMI :** Will the Hon. the Minister for Health be pleased to state—

(a) whether the Committee on Co-operation headed by Sri T. M. Narayanaswami Pillai has submitted its report to the Government; and

(b) if so, to place a copy of the above report on the table of the House?

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

(b) The Controller of Stationery and Printing has already been instructed to supply a copy of the Report each to all the Members of the Legislature.

SRI V. V. RAMASWAMI : May I know at least some of the important recommendations made by that Committee?

THE HON. SRI A. B. SHETTY : The hon. Member may please have a little patience.

SRI V. V. RAMASWAMI : May I know whether it is one of the recommendations to separate the Audit department and establish it as a separate department?

THE HON. SRI A. B. SHETTY : I do not see the necessity for the question just now. The hon. Member may please read the report. The report will be considered by a special staff which has been appointed for the purpose in the Registrar's office. Government will then examine what action has to be taken on the recommendations made in the report. The recommendations may be determined when the report is received by the hon. Members.

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SRI M. P. GOVINDA MENON : Perhaps in view of the coming event on the 1st November, the Hon. Minister has lost interest in the report and the department.

THE HON. SRI A. B. SHETTY : That is probably the attitude of the hon. Member himself.

MR. CHAIRMAN : Questions are over.

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

II.—POINT OF INFORMATION RE DISPOSAL OF LEGISLATIVE MEASURES OUTLINED IN THE GOVERNOR'S ADDRESS.

* **SRI T. PURUSHOTHAM :** Mr. Chairman, Sir, on a point of information. The States Reorganization Bill has been passed by Parliament and it is to take effect from the 1st November of this year. The date 1st November has figured largely during question time to-day. Therefore, we should like to hear from the Hon. the Leader of the House whether all the items of legislation referred to in the Governor's Address will be taken up and disposed of before the 1st November. I am particularly compelled to ask for this information as the Hon. the Minister for Revenue is reported to have told the Press about his recent visit to Delhi. In this connection, we should like to know whether there will be any change in the State programme for the introduction of land reform in its further stages.

* **THE HON. SRI M. BHAKTAVATSALAM :** Sir, I do expect that the Fair Rent Bill and the Tenants Protection (Amendment) Bill would be taken up in September and that we might be able to pass them into law. Apart from that, I cannot give any assurance that all the legislative measures referred to by the Governor in his Address would be taken up and disposed of before the 1st November.

III.—NON-OFFICIAL BUSINESS.

A. Bill.

THE MADRAS PROHIBITION OF DEFACING OF WALLS AND DISPLAY OF POSTERS BILL, 1956 (L.C. BILL NO. 4 OF 1956).

SRI K. BALASUBRAMANYA AYYAR : Mr. Chairman, Sir, I move—

“That the Madras Prohibition of Defacing of Walls and Display of Posters Bill, 1956 (L.C. Bill No. 4 of 1956), be taken into consideration.”

Sir, I am very thankful to the Hon. the Leader of the House for allotting a day for transaction of non-official business so that this Bill and the other Bills might be moved. This Bill is both

* Published in Part IV-A of the Port St. George Gazette, dated 2nd May 1956.

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constructive and preventive to some extent. (An hon. Member : Destructive.) Not at all destructive. That is why I have been careful to say that it is also preventive to some extent. The constructive portion of this Bill is that we want to regulate the display of advertisements in public places. Therefore, we suggest that the Corporation of Madras, every Municipality and local board should provide what is called 'hoarders'. This word may be a little new to some people. 'Hoarders' means not 'hoarders' of grains and other things. It has nothing to do with them. It only means big boards which are specifically used for the purpose of displaying advertisements. Therefore, the Bill in its constructive portion requires that the Corporation of Madras and every Municipality and local board should provide at a very convenient place these 'hoarders' so that advertisements may be hung there, and also matter written there for the purpose of publicising. It only regulates the use of this medium for display of advertisements. It does not at all interfere with the right of the public, the right of everyone to publicise any matter he likes. It is nowhere stated or expressed in the Bill that this right will be interfered with. Therefore, no fundamental right is infringed here. On the other hand, as referred to in Article 19 of the Constitution, we only want to regulate the process by which publicising is made at present in our State. The Statement of Objects and Reasons appended to the Bill says :

'In recent years, the tendency to paste posters on walls facing streets and roads, whether belonging to private owners or public bodies, has increased and a great deal of disfigurement has occurred to the annoyance of the public and private owners of property. It is necessary and desirable to prevent such acts.'

Posters are displayed on all walls facing a street or street corner, whether it is a main road or a small street and there is a tendency 337 for people to crowd near these places. Especially when big cinema pictures are displayed, naturally they are attractive and people crowd there and it is sometimes very difficult to regulate traffic. As these things occur in very crowded places and are likely to occur in places which are becoming more and more crowded, it is desirable to have some sort of regulation in the matter of display of advertisements. This Bill is not brought in here with a view to injuring anybody or preventing anybody from exercising his ordinary right of publicising any matter he likes. It is only for the purpose of publicising it properly and regularly that this Bill is being introduced. It is only to prevent the disfigurement of walls, both public and private, that this measure is brought forward. I know that some private owners have put on their walls a notice board, saying "Bill-stickers will be prosecuted". But this warning is not cared for by anyone. The walls are being freely used for display of all sorts of advertisements. It is only for the purpose of regulating this indiscriminate use of private walls and walls in

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public places, that I have thought it fit to introduce this Bill which, after all, seeks only to regulate the display of advertisements in a proper manner. When the Bill is taken into consideration, according to the rules of procedure, we do not go into its details. If the Bill requires any changes, this House has got the liberty to make the necessary changes or to refer the Bill to a Select Committee. Government Members may be there on the Select Committee and they may suggest the necessary changes which they consider proper. We are not now on any specific provision of the Bill. If any amendments are necessary to any clause of the Bill, they may be made if the Bill is referred to a Select Committee. But, we are not on that question now. We now have to discuss only the principle of the Bill. On the general principles of the Bill only, I am now addressing the House. (Sri N. Annamalai Pillai was seen in conversation with some hon. Member.) I would request the hon. Member, Sri N. Annamalai Pillai, to attach some importance to what I say. That is my request to him. My thoughts were disturbed. That was why, Mr. Chairman, I requested Mr. Annamalai Pillai to listen to what I was saying even though I should not do so and it was only your duty.

The principle of the Bill is quite clear. The Bill has been brought in for the purpose of regulating the display of posters by laying down how and where the posters ought to be displayed. We are not saying that posters should not be displayed. We are not saying anything of that kind. We only say that there need not be indiscriminate display of posters in public places. In crowded places sometimes certain types of posters are displayed which cause great inconvenience to the public. Sometimes some of these posters are also found to be such as to offend public morality—I say sometimes and not oftentimes. Therefore, if there is a certain regulation and if certain rules are evolved as to the proper display of posters, I do believe that it would be for the good of society. The hon. the Leader of the Opposition, my leader, who has visited many foreign countries shares this view and he has said that in all Western countries indiscriminate display of posters is not allowed. I have not visited many foreign countries. He has visited them and as such, he could speak with authority on the subject. I do hope that during his speech he would speak about the regulations in force in Western countries, which he has visited, regarding the display of posters. I want to say only this, viz., that the principle of the Bill is quite alright and that it could be accepted by the House. There would not be any restriction imposed on anybody by this Bill because it is stated in clause 6 that the Corporation of Madras or the Municipality or the local board shall arrange to set up in suitable localities hoarders for pasting of posters or for display of advertisements and shall levy a fee for the same. There is no other restriction. Of course, for those who infringe the rules, a sort of punishment is prescribed. That is a general thing. Even in the Constitution we talk of public order and safety. If there is a breach

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of public decency and public order, necessary punishments have to be imposed by the State on the offenders for the sake of public safety. That is no new thing at all. That is why it is laid down in the Bill that those who infringe the rules prescribed would be liable to a fine of Rs. 100 on some simple imprisonment. If in some crowded localities and prohibited places, posters are being displayed for the purpose of advertisement, we say that the offenders would be liable to a fine of Rs. 100 or some simple imprisonment. That is only as a deterrent. For the purpose of regulating the display of posters or advertisements, we say that the Corporation or the Municipality or other local board shall put up at convenient places hoarders which advertisers could make use of for pasting posters. It is also said that the Corporation or the Municipality or the local board could levy a fee for the same. This is all that has been stated in the Bill. Therefore it is I say that the principle of the Bill is such that no one could oppose it.

Mayor after Mayor—and each year the Mayor is changing—is harping on the “City Beautiful”. They say that the City should be kept clean and this and that. For instance, take the Marina. It is a beautiful spot. Many American tourists who came to Madras have appreciated the beauty of the Marina. We even say that more buildings should not be put up on the Marina, because that would spoil its beauty. When such is the case, think what a glaring spectacle it would be if the walls of all buildings in the Marina are pasted with all sorts of posters. It would only spoil the beauty of the Marina. Therefore it is that I say that there should be some sort of regulation in the matter of display of posters or advertisements. Simply because a lot of people comes to the beach, an advertiser should not take it into his head to exhibit any indecent poster at that place, which would offend public morality. Only to prohibit the indiscriminate use of posters and defacing of walls, this Bill is now brought forward, with very good intentions. It does not injure the rights of anybody. It is a very innocuous Bill designed for the convenience of the public. Government ought to have brought forward a Bill of this sort long ago. But they had other important items of business to attend to. I do not blame them. I maintain that the principle of the Bill is quite allright. As I pointed out earlier, even the hon. the Leader of the Opposition who has visited many foreign countries testifies that in all Western countries, indiscriminate display of posters is prohibited. If anyone is anxious that the Bill should be amended in any manner, that could be done when the Bill is referred to a Select Committee or when we discuss the Bill, clause by clause, after having accepted the principle of the Bill. We are now on the principle of the Bill. I maintain that it is a constructive Bill. It is only for the purpose of regulating the display of posters and avoiding their indiscriminate use. It is only for preventing the indiscriminate display of posters in crowded places like Mount Road, Periamet and other places, which causes great inconvenience to the public. I am not

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now discussing any clause of the Bill or any of its provisions. I am only explaining the principle of the Bill, and not going into its details. If this Bill is referred to a Select Committee, that Committee can go into the clauses of the Bill. I am only pleading before this House that the object of this Bill is good, and that the principle underlying this Bill is salutary. This Bill does not prevent anybody from exercising his freedom to publicise anything he likes, unless it offends public decency or contains any matter prejudicial to public interest. I would request Hon. Ministers to devote great attention to this non-official Bill. They devote great attention to official Bills. I would request them to look into the principle of the Bill with great attention and give it that amount of consideration which it deserves.

* DR. A. LAKSHMANASWAMI MUDALIAR: Sir, I must 3-40
thank the hon. Member, Mr. Balasubramanya Ayyar, for intro- p.m.
ducing this Bill, the subject-matter of which has been for a long time under my earnest consideration. In several of my Budget speeches I have referred to this question. On the last occasion, which was about three years ago, when I referred to this question and suggested that something must be done to prevent this indiscriminate pasting of posters anywhere and everywhere, the then Chief Minister, the Hon. Sri C. Rajagopalachari, was very sympathetic and gave me to understand that the Government were likely to take steps in the matter. Sir, we have been waiting and waiting. I am one of those who believe that the machinery of legislation moves more quickly and more easily if the Government bring forward a Bill as against a non-official Member bringing forward a Bill. A Bill sponsored by a non-official Member is subjected to so many criticisms at the Secretariat, criticisms about which we do not know, and the Bill may easily be torpedoed on one ground or another. But whatever may be the defects in a Government Bill—we, Members of the Council, have pointed out very many defects—the Bill goes through without any difficulty at all. I may refer to one Bill of which I have very clear recollection and that was the Tuticorin Port Trust (Application to Mangalore) Bill, 1953, in which was included a provision for satisfying the sentiment of having one-third of the number of seats on the Board filled up by Indians after our country attained independence when there were no Europeans to fill up the remaining two-third seats. I shall not refer to it any more. If there are any defects in the Bill under discussion, they can be rectified in the usual manner in which defects in the other Bills are rectified.

In his exposition of the reasons for introducing this Bill, I felt that the hon. Member, Mr. Balasubramanya Ayyar, was unduly apologetic. I think he has done a service in introducing this Bill. When I was a youngster—you, Mr. Chairman, also may have seen it as you are younger than I—I used to see written on certain walls ‘Bill-stickers will be prosecuted.’ At least those walls were

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protected from the pasting of posters. But to-day posters are pasted on all walls. May I tell the Hon. the Leader of the House that particular preference is given to the compound walls of Government buildings? Will he go and see the number of posters that are pasted on the compound wall of the Government House Estate in Mount Road? I have seen it and found that there are a number of posters and many of them, I think, are pasted without permission. The compound wall of the Chief Presidency Magistrate's Court, Egmore, the compound wall of the Posts and Telegraphs office, Mount Road, in fact, almost all the Government buildings seem to be most vulnerable to posters, because in these days of adult suffrage and independence, people think that Government buildings are their own property. (The Hon. Sri B. Parame-swaran: And they go to the wall!) If we continue to allow this indiscriminate display of posters, the result will be that we too will have to go to the wall. Mr. Balasubramanya Ayyar referred to the fact that I had been stating from what I knew about other countries—the Hon. the Leader of the House, who has returned after a visit to some Western countries, will confirm my statement—that in all the important civilized countries, there was a regulation by which no poster of any kind could be pasted anywhere except in places which were licensed for the purpose. There, posters are pasted on hoarders that are put up in different localities. There is no reason why even in our country, due publicity cannot be given by pasting the posters on hoarders. There used to be a very big square and in it space used to be allotted to each person who wanted to advertise and that person has to pay a fee. I was speaking to one of the Councillors of the Corporation of Madras, and he said that the Corporation was levying a fee on the posters that were displayed. I may tell the Councillors of the Corporation that the Corporation can get a much larger amount by way of fee income within one year over and above the cost of putting up the hoarders, if only hoarders are put up in sufficiently large numbers. After Mr. Balasubramanya Ayyar introduced this Bill and newspaper comments were made on it, there are more posters to-day pasted on the walls and inside the cinema-houses than there ever used to be before. There used to be posters inside the cinema houses, but now the whole of the frontage is used for displaying placards that may please some cinema fans but not people who know what good taste is. It seems to me that it is a vulgar form of exhibition which certainly must reduce the aesthetic sense of the people here. I am sure these posters do not redound to the credit of our aesthetic sense and should not, therefore, be tolerated. I may also state that there is a strict rule in other countries that advertisements should be within the premises of cinema-houses and should not be within roadside at all. No doubt there may be scenes of a very delectable nature, but even they must be put up only within the premises of the cinema-houses. If we do not take steps to curb this ugly form of advertisement, it seems to me that a time will come when

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we shall have nothing but posters on all the walls, private or public. The only other place where I have seen such ugly display of posters everywhere is what is known as China Town in Singapore. It is unfortunate. I think on the other side of the Suez Canal you can never see such indiscriminate display of posters. Why are we objecting to these posters? It is not because we want to prevent anybody from advertising his wares. But there is a method of doing it and there is a place for doing it. Nobody objects to advertisements in places over which a certain amount of control is exercised. What we generally see is, one poster is pasted, the very next day, for pasting another poster there, that poster is torn into pieces and thrown in the streets. The streets are strewn with a litter of bits of paper much to the annoyance of pedestrians and those who go by vehicles. Sir, I do not know what the intention of the Government is in this respect. I believe—I cannot say I overheard—because it was more or less a talk which need not be overheard—that the intention of the Government is to bring forward a Bill of their own. Well, Sir, all that I can say is that if this Bill does not offend any particular thing or is of such a nature that it can be modified by a Select Committee, I think this Bill will save a great deal of time, and the Government should see that this Bill is pushed through not because it is brought forward by a non-official Member of this House but because this is a Bill to the general principles of which there can be no possible objection. If there is any method of getting something achieved within a reasonable time—I do not know what the concept of reasonable time would be, because as I said I started this move in 1947, I had great hopes in 1952-53, but 1956 is coming to an end and some of us may or may not continue in this Council—this Bill or a Bill of this nature should be passed so that we may see that what is called the 'City beautiful' is really the 'City beautiful.' I can also say that this will serve as an example for all the other cities in our own State and in other States. I must confess that this disease, as I must call it, is not so prevalent in some of the cities that I have seen even within India, and I think it should not be difficult for the Government by an executive order to stop some of these posters being exhibited under the traffic regulations or any other regulation which the Government can think of or the Secretariat can think of for them. The Government can stop some of these posters being exhibited. I hope, Sir, that this House will fully support the general policy underlying this Bill and give its concurrence to the Bill being passed.

3-50
p.m.

MR. CHAIRMAN: Motion moved—

"That the Madras Prohibition of Defacing of Walls and Display of Posters Bill, 1956 (L.C. Bill No. 4 of 1956) be taken into consideration."

* SRI T. PURUSHOTHAM: Sir, I rise to support this Bill, because I am in full agreement with the principle underlying the Bill. I entirely endorse all that has been said by the hon. Members Sri K. Balasubramanya Ayyar and Dr. A. Lakshmanaswami

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Mudaliyar. But I should like to say that all the provisions contained in this Bill are already there in the City Municipal Act and the District Municipalities Act. There is provision in those Acts for regulating the display of advertisements and also for framing bye-laws for levying advertisement fees. The Acts I have referred to give the Government the necessary powers to regulate through the municipalities the display advertisements and the levy of an advertisement fee. The only important thing in the 'present Bill' is that the municipalities should have the power to reject any posters on the ground that they offend public decency. This is an important point that needs special consideration by Government. In this connection, it should also be considered whether cinema companies and commercial bodies could be asked not to put up these advertisements, because they may claim constitutional rights to publicise their pictures or wares. All these aspects will have to be examined, and the question why the provisions in the existing Acts may not be amended to meet the purposes for which this Bill has been brought forward should be considered. I am sure the Government will consider all aspects and accept the principles underlying this Bill, especially the main item regarding the banning of obscene advertisements and advertisements offending public decency, as stated in the Bill. I am sure the Government may take necessary action to issue executive orders in the matter or amend the Municipal Act in such a way as to give powers to the municipalities to ban obscene advertisements without the need for a fresh enactment. Subject to these observations, I welcome the Bill and am sure the Government will accept the principle underlying the Bill and give effect to it as early as possible in the best way possible.

* SRIMATHI MARY C. CLUBWALA JADHAV : Mr. Chairman, Sir, I rise to support this Bill and emphasise the points already made by hon. Members regarding these posters that are being displayed everywhere and anywhere in the City. Not only are these advertisements displayed on the highways but they are displayed also in residential areas on the walls facing the street. Even the places of worship are not spared. I hope that the Government would see that the law is enforced strictly in this matter and that large fines are imposed on those who indulge in this malpractice. Madras is a beautiful city, but its beauty is marred by these dirty posters pasted one over the other leaving some bits of them torn. I agree that the posters that are displayed in cinema-houses should be displayed only within the precincts of the cinema-house and not on the walls facing the highway. I support all that the hon. the Leader of the Opposition, Dr. Lakshmanaswami Mudaliyar, has said. I would urge the Government to appoint a committee to go into the further details regarding these posters and the places where they should be advertised. As in other countries, certain areas which attract public interest, should be set apart for displaying these advertisements.

With these words, Sir, I support this Bill.

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* SRI G. KRISHNAMOORTHY : Mr. Chairman, Sir, I support this Bill wholeheartedly. This Bill is long overdue. If I support this Bill on a strong conviction, it is not so much with a view to seeing that walls are not defaced, but it is more with a view to seeing that personalities are not defaced. If there is any purpose in educating our children, that is only to make them grow into full personalities, and these posters, big posters, attractive posters, and posters which cannot escape the attention of children when they pass by them as they go to school and return from it, simply nullify the very work the teacher does in the names of education and in the interest of the Nation. We find that the present generation is much different from what we were in our respect for elders, in our respect for others' rights, and so on. (Hear, hear.) If anything can be attributed as the reason for all these ills, that reason is the scheme of visual education passing in the name of the cinema that is being thrust upon the children every day. If the Government claim that they are spending Rs. 11 crores or Rs. 12 crores to-day on education, I can say that these cinemas educate the children better perhaps at less cost and educate in a wrong way. Adults are educated. Adult education is being carried on. Adolescents are educated. Young children are educated. Children in nursery schools are also educated by these posters. Psychology tells us that it is the visual appeal that lasts long and that goes to build a strong memory. If really as educationists and as those interested in the promotion of education, we realize that this visual appeal must be of the proper type to see that A-1 men of integrity, honesty and character are produced to safeguard the freedom that we won, we must see that every poster that nullifies the educational process that is carried on at a great cost of Rs. 11 crores or Rs. 12 crores is banned. These cinemas, though we have the censorship and other things, have the right to display posters. As referred to by the hon. the Leader of the Opposition just now, these posters have assumed large proportions and practically the frontage of the cinema-house is fully covered by these posters. Those posters, as I have already submitted, are exhibited in all places and on all walls facing the road. Even in lanes on the walls facing the lane these posters are displayed. A certain minority—it may be a very small microscopic minority—of people have just come to realize that they should not go to these cinemas and that their children ought not to be taken there. But even these children cannot help seeing these posters because the people who are responsible for displaying these posters are keen enough to find out which walls are more attractive for these children. So, as suggested in this Bill, if 4 p.m. these posters are restricted to hoarders, there might be less harm. But, I would like to go a step further and request the Government to see that these hoarders are allowed only in some insignificant places and not near temples, not near schools, not near markets, not near highways, but in secluded places where people who have faith in, and temptation for, these cinemas can specially go and make use of the hoarders. If really a foreigner comes to our

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country even today and sees these posters containing obscene pictures, semi-naked pictures of ladies whom we have been worshipping all these days, they would come to the conclusion that India is not advanced to such an extent as has been represented by the representatives of India in other countries. If we really want to impress upon other nations that we still hold on to the customs of yore, that we still have the greatest veneration for our women, that India is the first country to give adult franchise to women, that India is the country, where the womenfolk are worshipped as Goddess Lakshmi, we must see that these posters are exhibited indecently in the main thoroughfares and public places are prohibited by the passing of a measure like this. I would humbly request the hon. Members to support this Bill wholeheartedly and see that the education that we give to our children is not wasted or nullified by the exhibition of these posters which are mainly responsible for making the children visit cinema-houses even stealthily against the will of the parents by taking away a few annas from the houses without the knowledge of the parents and thus spoiling them. With these few words, I wholeheartedly support the Bill.

SRI V. CHAKKARAI CHETTY: Sir, with great deference to my learned Friend—I use the word ‘learned’ advisedly—who is a learned lawyer himself and who is the son of a great lawyer and with great reluctance. I wish to say a few words on this occasion. When two distinguished men like Mr. K. Balasubramanya Ayyar and Dr. Lakshmanaswami Mudaliyar have supported this measure, I want some further elucidation. I am rather a dunce in my understanding of this. I am unable to understand the legal ground. Supposing some one comes and pastes a poster on the outer wall of my house, what right have the Corporation or the Government to object to it? I may have the right to object to it as being the owner of the house and the wall belonging to me. But, the Corporation and the Government have no right whatsoever to come to my protection. They cannot come to my protection on public grounds or on grounds of morality. I am not here to challenge the right of the people to protect public morality. I am not standing here as the moral censor. In all the countries of the world such an attempt has deplorably failed. We cannot control morals in any country by legislation. Suppose my friend, Mr. Balasubramanya Ayyar, objects to the pasting of a particular picture; who is to decide whether the picture is bad or good? You must appoint a committee. (Sri K. Balasubramanya Ayyar: There is nothing like that put in the Bill.) All these will create a lot of difficulties. Even if it is a case of libel or slander, it cannot be decided by a private party; the matter has to go before a court of law which will go into all details and decide the question. Like that, it has to be decided carefully whether a picture offends public taste and whether it is detrimental to the morality of school-going children. All these considerations will land us in serious

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speculation and it seems to be very difficult for a Corporation or a Government official, however, high his position may be, to decide this question. Unless and until further light is thrown upon some of the difficult points of law as well as aesthetic and social morality, I am unable to see what we can do with a Bill like this. Although I am a believer in trying to see that our people are brought up on right moral lines, I do not know how a Bill like this can ensure public morality. It will only land us in difficulties, both social and legal. Therefore, I wish to ask my hon. Friend, Sri K. Balasubramanya Ayyar, to explain still further whether we have any legal right to prohibit such exhibitions. Even supposing we have got that right, I want him to explain whether the question of offending public morality is not a very large question into which we cannot go. Because, that will involve so many considerations. People have been trying to do this in all parts of the world and they have miserably failed. People have been trying to impose their views in so many matters like social, religious and other matters. But they have all failed. It is only public sense that should discourage these things. Prohibition by legislation cannot make people morally good. We cannot make people morally good by legislation or moral codes or legal codes. Unless my friend explains to me how we can get over these difficulties, as a layman, I am unable to see eye to eye with him in regard to this matter.

SRI T. G. KRISHNAMOORTHY: Mr. Chairman, a very learned man has sponsored this Bill and a very efficient and eminent man has supported it. Under these circumstances, if I express an opinion contrary to the purpose of the Bill, it may be considered almost sacrilegious. But, anyway, when the discussion is going on, I cannot refrain from getting up and telling this House what I feel about this Bill. I am not at present concerning myself with the merits of this Bill. The object of this Bill seems to be that the posters or the indiscriminate display of posters offends good taste and should be prohibited. I am afraid ‘good taste’ has not yet been defined in an unambiguous manner. It may be asked ‘Whose taste these posters will offend?’ The great Poet Kalidasa has clearly described his views on ‘Natyam’, i.e., Dance, in four lines. I will give only the last two lines or so. This is what he has stated—

नाट्यम् भिन्न रुचेर्जनस्य ।
बहुदपि एकम् समाराधनम् ॥

Natyam bhinna rucherjanasya
Bahudapi ekam samaradhanam.

There are varieties in this Universe. On our earth, there are varieties. There are varieties of tastes. There are ‘Satwa’, ‘Rajas’ and ‘Tamas’. This Natyam or Dance serves the taste

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of all people. Men of good taste enjoy it; men of bad taste enjoy it and men of medium taste also enjoy it. What is life, after all? There is richness of variety and that is life. Why do people like to enjoy life? You have to get along in this Universe with the beautiful and the ugly, the vulgar and the sublime, the idiot, the moron and the intellectual. One cannot rise up one fine morning and say there are idiots and morons and a particular thing offends the taste of a particular section. They lend richness to our life on this earth. Further, the question takes us to another aspect. People want to advertise. People want to tell the world what they have got to tell. The right of advertisement is there. If we are going to take up the role of dictating from above what should constitute good taste and what should constitute proper advertisement and all that, I am afraid our earth may become Heaven. Some one asked an old lady whether she wished to go to Heaven. She immediately replied, 'No. I would not like to go there. There will be plenty of food there and there will be no trouble. Day in and day out we have to be singing the praise of God. We will have nothing to do there.' So, the old lady said that she would not like to go to Heaven.

4-10
p.m.

SRI MOHAMED RAZA KHAN : May I know where the hon. Member likes to go?

SRI T. G. KRISHNAMOORTHY : If we introduce rigid standards or such puritanical laws and control everything by methods of rigidity, I am afraid the world will be an austere, dull, drab and poor place to live in and most of us will be driven to commit suicide rather than live in this world. So, we want variety in this world.

Further, we have already got a law, according to which we should not smoke in cinema houses. What is smoking? We do not know what smoking exactly means. It gives a sort of pleasure. I happened to read a series of articles in the 'Readers Digest.' Now, I wish to quote a sentence from that last article. 'Smoking of course is very pleasant but a stupid habit'. It is stupid but all the same it is a pleasant habit. Why do we want to prevent it? So, what I mean to say is, do not introduce such puritanical laws and convert our country into a nation of criminals. If we go on passing such a set of laws, what will happen is everybody will be an offender under some law or another. So much so, instead of having self-respecting citizens, we will be having a nation of criminals. Now, I am not able to enjoy a cinema show because smoking which I enjoy, is prohibited inside the cinema-houses. If I smoke there, some policemen may haul me up before a court. It is not for education alone that we go to cinemas. It is wrong impression. It is for relaxation that we go there. The high school students and college students after attending classes feel exhausted in the evening and they want a bit of relaxation but we are denying it to them. Of course, for ages through there have been reformers in our country and I need not tell my eminent friends that no

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of the reformers have not succeeded as they wished they should. They taught something to the world and there it ended. So, without questioning the merits of the Bill, I request the hon. Member, Mr. Balasubramanya Ayyar, to withdraw it and not allow another such legislation to go on the Statute Book.

Sir, it has been stated that the posters disfigure the wall. I think that a wall with colourful cinema posters looks much better than a wall with plastering falling off. I see no many dirty walls with plaster falling off in the cities. What is the obscenity in these posters? I do not see any obscene posters at all. Of course, in the Western countries—I have not gone west of the Arabian Sea, not even the Suez—I understand the people there do not care about the posters because they walk in the streets as depicted in the posters. What I mean is that the objects of this Bill may be good. The hon. Member Mr. Balasubramanya Ayyar wants that everybody should follow some rigid and vedantic standards as he has set for himself, but the thing is it will have a bad effect as the non-smoking law has produced now. Everybody violates that law. That law is honoured more in its breach than in its observance. So, let us not add some more such laws to the Statute Book. With these words, I request the hon. Member, Mr. Balasubramanya Ayyar, to withdraw this Bill. If he would not do so, I may tell him that I will oppose it.

* SRI V. GURUNANDAN ROW : Mr. Chairman, Sir, I rise to oppose this Bill in spite of the great eloquence of the hon. Member, Mr. Krishnamurthi, on my left that the various types of posters which he has vividly described have corrupted the mind of the young. Yet, one must have a certain sense of proportion and not conduct a crusade against the posters displayed by the cinema people. We should not, in that crusade, trample upon the various rights including the political rights enjoyed by the people. Why I am saying this is that the people have forgotten that this question of advertisement also applies, as the Bill stands to-day, to any election advertisement. General elections are coming and advertisements of election meetings can be displayed in various ways, like writing on the roads and depicting in posters. Posters are one of the important means by which election propaganda is carried on.

SRI A. M. ALLAPICHAJ : The hon. Members of this august House need not worry about it.

* SRI V. GURUNANDAN ROW : I am saying that the Bill as it stands covers such posters also. There is also another aspect of the matter. The other day we saw a number of posters saying that the President of India would be given a Civic Reception and all the people were invited to attend the function. Though this kind of posters is justified, still they will also come within the scope of this Bill. Whether it is a question of the President of India being

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given a civic reception or any political party holding a meeting, we must have equal rights. So, the posters can be displaced on the wall of a building provided the owner of that building does not object. I do not know why anybody should be prevented from displaying posters. It is not as if I am less anxious than my hon. Friend and the hon. the Leader of the Opposition about the moral or the aesthetic aspect of the matter involved in it. It is not so. There can be a law prohibiting the display of an obscene poster or the writing of anything obscene on the wall or street, which may morally corrupt the mind of the young. I can understand such a law but even then implementing that law will be a very difficult. I cannot understand how a Bill can provide that no poster, whether it is bad or good, can be displayed anywhere except in some places where we have to pay money. I can very well visualize a state of affairs where big moneyed people will display posters in all those places with the result that there will be no space left for the other parties, mostly poor people to display their posters there. So, they will be under a disadvantage. I think the provisions of the Indian Penal Code are sufficient to deal with the people who display posters which are obscene or which are against public morality and decency. The very fact that the Government are not taking any steps under the Penal Code only shows that it is very difficult to prove in a court of law that some of the posters which my hon. Friend, Mr. Krishnamurthi, mentioned, are obscene. That is dependent upon the ideas of each individual Magistrate as to what is obscene and what is not obscene, and what is immoral and what is not immoral. I am entirely opposed to the Bill because it interferes with political rights also.

* SRIMATHI S. MANJUBASHINI: Mr. Chairman, I rise to support this Bill brought forward by the hon. Member, Mr. Balasubramanya Ayyar. I will not deal with all the aspects that have been dealt with by the previous speakers. But there is certainly one point on which I wish to lay stress. There is a Censor Board constituted by the Government of India which goes into the merits of the pictures and points out those portions of the pictures which are not fit for public exhibition and which should be cut out. But there is no provision in any law to prevent exhibition through posters outside the theatres the portions which have been cut out by the Censor Board. The Censor Board is not able to prevent any such exhibition in front of the theatres. Often, portions which have been cut out by the Censor Board as unfit for public exhibition have been exhibited outside the cinema theatres, and very often people who go to the pictures tempted by the posters pasted outside the theatre are very much disappointed because they do not find those portions exhibited inside. This has been a source of complaint against the Film Censor Board and the Board has not been able to do anything to remedy such a state of affairs. This Bill, in fact, supports and strengthens the hands of the Board constituted by the Government of India and as such I welcome this measure.

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SRI MOHAMED RAZA KHAN: Mr. Chairman, the speech of the hon. Lady Member who just now spoke was very, very refreshing compared to the speeches of the previous speakers and I particularly refer to the speeches of the hon. Members, Mr. T. G. Krishnamoorthi and Mr. V. G. Row. I think they have really missed the central point of the Bill. If they object to certain provisions made in the various clauses of the Bill, surely the Mover of the Bill will accept the necessary corrections to be made. If necessary, we can even refer the Bill to a Select Committee, where improvements to the Bill can be made. Unfortunately, the mind of the hon. Member sitting on the other side is too much obsessed with ideas of a peculiar variety and the mind of the hon. Member here on this side works always on a political plane . . . (Interruption from the hon. Member Sri V. G. Row.) Anyway he has opposed it from a political point of view.

SRI V. GURUNANDAN ROW: It is not political, Sir.

SRI MOHAMED RAZA KHAN: Coming to the remarks made by the hon. Member on the other side, Mr. T. G. Krishnamoorthi, I may point out that nobody is saying that no posters should be displayed in the City of Madras. I do not know whether the hon. Member has got any idea of the City of Madras. Probably he is coming from Mylapore to Fort St. George straight. If you go along the streets, you will find notice boards put up outside the compound walls of houses saying 'Bill-stickers will be prosecuted.' In spite of these boards, posters after posters are being pasted from time to time and the owners of houses are not in a position to prevent it because it is not possible for them to go to a court and set the law in motion every time they see a poster pasted. That is the real difficulty. If I have got a house in Mount Road or somewhere in Broadway I do take strong objection to posters being pasted on the walls of my house. I do not know with what right the hon. Member, Mr. Krishnamoorthi, advocates the pasting of posters on the walls or the pasting of election advertisements to which the hon. Member, Mr. Row, referred. I am sure the hon. Member, Mr. V. G. Row, is going in for elections.

SRI V. GURUNANDAN ROW: I am not.

SRI MOHAMED RAZA KHAN: You are always going in for indirect elections! What the Bill seeks to do is just to control the present practice of pasting posters indiscriminately in all public places. The Corporation of Madras in the City and municipalities and local bodies concerned in the mufassal will arrange to set up in suitable localities hoarders for pasting of any posters or display of advertisements. I ask, Sir, what is the objection to following such a procedure. There cannot be any objection to this procedure. If objection is taken to any particular clause of the Bill or if any improvements are said to be required in the wording of the

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various clauses, I can understand. The hon. Member, Mr. V. Gurunandan Row, made out a case that if the Bill was so good and a proper one, the Government themselves could have brought forward a similar legislation. I remember that even as early as 1952 or 1953 the Government had a proposal to bring forward a Bill of this nature. I understand—I am speaking subject to correction—that the Home Department or some other department which dealt with the subject went into the case and had a proposal to bring forward a Bill in regard to this matter. The then Chief Minister, Mr. C. Rajagopalachari, gave an assurance on the floor of the House also in regard to this matter. The hon. Member, Mr. V. Gurunandan Row, referred to the coming elections. After all, whatever advantage or disadvantage is derived is common to all. No Government or no party will see that its own posters are only permitted to be pasted and that other parties are prevented from pasting their own posters. Incidentally, the prevention of indiscriminate pasting of posters will help the hon. Member, Mr. Row, because he need not spend much on putting up posters. Even with regard to election advertisements . . .

SRI V. GURUNANDAN ROW: May I point out that I did not speak anything about my own standing for election or speak for any political party? I spoke generally about elections and pasting of election advertisements.

SRI MOHAMED RAZA KHAN: The hon. Member, Mr. V. Gurunandan Row, must not take these things in a serious way. He must take them in the spirit in which they are stated. Again, coming to the pasting of election advertisements, etc., I must say that the City of Madras is far better compared to mufassal areas and I hope Messrs. M. P. Govinda Menon, Ummer Koya and K. Gopalan will bear with me when I say that once I travelled in Malabar district and I found all the walls right from Olavakkot station full of writings and pictures of elephants and other election symbols. When a rule is made, it is applicable to all parties and it cannot be a matter binding on only one party. With regard to elections no Government will see that election propaganda is curbed in any way. At the same time, I must point out that there is a way of doing things, of pasting posters, etc. Sometimes, even objectionable things are written on the walls and there should be some control or check over these writings. The latest tendency is that things are written even on roadsides. If it is felt that there are some legal difficulties in the way of preventing these things, we can rectify them. There should be a limit to the pasting of objectionable posters or posters which offend good taste. The hon. Member, Mr. Krishnamoorthi, sitting on the side of the Treasury Benches referred to "taste" and asked, "What right have you got to curb my taste?" Fortunately, the taste of the majority will not be like your taste. If a majority of people see posters which are really objectionable and if they want that they should not be allowed to be exhibited, what right have you got to curb their right?

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SRI M. P. GOVINDA MENON: The hon. Member was saying, "your taste". Only when we address the Chair, we use the term "you". The whole thing referred to by the hon. Member may go into the proceedings as the Chairman's point of view.

MR. CHAIRMAN: Here "your" has been used in a general way.

SRI MOHAMED RAZA KHAN: My friend, Mr. Govinda Menon, has been in the Assembly and in the Council for a sufficiently long period to know that in this particular context, "you" refers to the hon. Member, Mr. Krishnamoorthi, and not to the Chairman. That is by the way, Sir.

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If there is some control on these cinema posters, there is nothing wrong. Therefore, I appeal to the Members who have opposed this Bill to put forward their definite objections to any particular clause or clauses. We can consider them and amend those clauses, if necessary, in the light of discussion. I think most of the hon. Members agree that this Bill is necessary and that their only objection should be to a particular clause or clauses and things of that sort. I do not know what the view of Government is in regard to this Bill, but I feel that it is very important. I would even suggest—of course, I do not know my friend's idea—that it can be referred to a Select Committee. We can just know the views of the people and we will come to know of their difficulties. We will take all aspects into consideration. I am sure it is an undeniable fact that a measure of this kind is necessary and I am sorry we have introduced it rather late. However, now that it is introduced, I am sure, the House will support this measure.

* SRI A. GAJAPATHY NAYAGAR: Mr. Chairman, as I understand this Bill, it is to regulate the display of picture posters and other forms of advertisement on such hoarders as the local bodies may arrange. 'Poster' is meant here as a printed or written piece of advertisement exhibited with a view to publicising any matter referred to therein and the pasting of such poster is sought to be limited to certain places because the Corporation of Madras is to arrange to set up in suitable localities hoarders for pasting of any posters or display of any advertisement. In this connexion, a certain doubt arises in my mind whether the Corporation of Madras can have a monopoly of these hoarders. Suppose I have got a house and I want to let out a wall for advertisement. Can the Corporation of Madras prevent me from letting out the wall? Or, can the Corporation say that advertisement should not be made? Suppose I refuse; what will the Corporation do? Can they take any action against me under any Act? I do not mean to suggest difficulties in the way. But, what I say is that the power to be granted to the Corporation of Madras to arrange for putting up hoarders will give rise to difficulties. This Bill does not stop there. It states further that the Corporation, municipality or local board

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shall have power to reject any posters on grounds of public decency or on the ground that they contain any words or other matter prejudicial to the public interest. Sir, I submit these are dangerous words. Nobody has fully understood what these words mean. They can be twisted according to one's whims and fancies. Therefore, I am rather afraid whether the Corporation or the municipality can be entrusted with this job. I can understand the City Fathers of the Corporation doing something else. But, can our Fathers be converted into fathers of morality also? We are placing dangerous powers in the hands of the municipality. Therefore, I am pointing out these things so that the remedy that we propose may not be worse than the disease.

* SRI S. NARSAPAYA : Mr. Chairman, I may be permitted to make a few observations regarding this Bill. While I do not propose to go into the heights of philosophy to which my friend, Mr. Krishnamoorthi, rose, nor into the humorous domain which my friend, Mr. Raza Khan, went in, I will just make a few observations.

First of all, the very object of the Bill seems to be rather vague. If the object of the Bill is to prevent any obscene exhibition either by way of posters or writing, I do not think there will be two opinions in the matter. Everybody wants that such a measure should be passed. But the Bill as it is brought forward, is very wide, too vague and indefinite. For example, I invite your attention to clause 3 of the Bill. There, it says, "Any person who is found guilty of having pasted or written on the wall any advertisement for the public or any other matter in a prohibited place shall be liable to fine which may extend to Rs. 100 or in default, to simple imprisonment which may extend to a week". Now, there is no clause in the entire Bill, as far as I could see, where there is a substantial definition of an act which is to be considered an offence. Normally, before we can award punishment for an offence, there must be a clear definition of the offence, stating that such and such act is an offence. Secondly, it is stated that any person who pastes something in a prohibited place, shall be liable to a fine. Sir, in spite of my reading of the entire Bill "prohibited place" is not defined anywhere, so that we do not know pasting in which place is an "offence". My friend can very well restrict himself to an obscene matter. If obscene matter is sought to be exhibited, it certainly must be prevented and the offender must be punished. But a general order regarding affixing and pasting of any poster or advertisement in any manner, is too tall an order for acceptance in this House by way of legislation. Because, to-day advertisement is both an art and a necessity and my friends on the other side will know that a number of young artists are making their living to-day by commercial advertisements and that a large amount of money is spent by all advanced firms even in western countries for advertisement. So, advertisement is absolutely essential from the point of view of trade. Advertisement incidentally also

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encourages art. To prevent advertisement of any and every sort in the entire town or village is certainly not in the interests of either the people or the country.

Then, clause 4 of the Bill is a very startling proposition. While my friend wants to make exhibition or affixing of a poster an offence because it defaces either the wall or the street, under clause 4, printing of such posters is made an offence. The printer is sought to be punished. The printer may not know for what purpose a particular poster is being printed. He may be absolutely innocent. Once again I want to point out to my friend that the gravamen of the charge is the exhibition of that thing by affixing it on a wall. If this is so, to make the printer liable—the printer who is not responsible for that affixing, the printer who does not know where it is to be affixed, the printer who has nothing to do with the exhibition—to make him guilty of an offence just because somebody else goes and pastes it, is certainly not proper at all. Even by any extreme stretch of vicarious liability in criminal law, I am sure the printer can never be made liable for what an advertiser does in respect of a poster.

Then again, so far as the Corporation is concerned, under clause 6, even the Corporation of Madras is not given the power of directing in what place there must be an advertisement and in what place there must not be. So far as the Corporation is concerned, as my friends on the other side pointed out, it may be that the Corporation allows its compound or a certain wall to be used for the purpose of advertisement. But, we want to put up an advertisement for the purpose of drawing the attention of the public to a certain rare commodity or manufactured article, that must always be in a place to which the public usually go. By enacting a measure of this kind, the very basis of commercial advertisement will be set at naught. And, my friend, Mr. Raza Khan, very humorously said, "If I want that my wall should not be used for advertisement, I merely write on the wall 'Stick no bills' but I have no power to prevent it". But, at the same time, we must also consider the point of Sri Gurunandan Row about a person who wants a poster to be pasted on his wall. Even that can be prevented by this provision. My friend, Mr. Raza Khan, forgets that Mr. Gurunandan Row is unable to affix . . .

DR. A. LAKSHMANASWAMI MUDALIYAR : I am sorry to intervene. I remind the hon. Member that there is a provision already in the City Municipal Act that no wall facing the street can be defaced either by the owner or by anybody else and there is a penalty of Rs. 20 for such defacing.

* SRI S. NARSAPAYA : I am thankful to the learned Leader of the Opposition. The question then arises as to what is defacing. Putting up a commercial advertisement of artistic taste cannot be objectionable. Can it be termed 'defacing'? If, as a matter of fact, the provision in the Act passed by the Government vesting

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the Corporation with such powers, is wide enough to cover every sort of poster on the walls facing the road, I see no necessity at all for a measure of this kind. The question is whether this Bill should cover even absolutely unobjectionable posters which are just a piece of art. To-day, commercial advertisement has reached a higher standard and conforms to certain artistic tastes. If a work of art is affixed to the wall by way of advertisement, could it be said that it has defaced the wall? With due respect to the Mover of the Bill, I must say this Bill is not well drafted. It is sure to give room for a lot of complication. It starts by saying that it is intended to prohibit the defacing of walls of houses, etc. Is there a thing like defacing a wall? There is nothing on the wall to deface. I can understand, if there is something that has been written on the wall, something caricatured and pictured on it being defaced. It is sure to give room to a lot of dual interpretation. So, while I fully support the principle that all obscene pictures and advertisements must be prohibited and for that purpose a law is absolutely essential, am I to support the Bill when it says that only a bare, white-washed stone-wall should be there, simply because some people want to enjoy looking at a bare wall and nothing else, not even a piece of art? I cannot support such a measure. I am informed that the Government have in view a measure to prevent anything that is objectionable and I would request the Mover of the Bill to await it and meanwhile withdraw the present Bill. If he thinks the Government Bill requires any amendments, when it comes up, let him move amendments which suit his taste and I think there is time enough to consider them.

SRI M. P. GOVINDA MENON: Mr. Chairman, I entirely agree with my friend, Mr. Narsapaya. The object of the Mover of this Bill and its supporters is laudable. There must be some legislation to prevent the exhibition of obscene pictures and other such things. But I am afraid this Bill is not properly drafted. With very great respect to the hon. Member, Mr. Balasubramanya Ayyar, I must say this. Generally, we in the Opposition, attack the Government if any Bill is ill-drafted. (Interruption by Sri K. Balasubramanya Ayyar.) The hon. Member, Mr. Balasubramanya Ayyar, is a lawyer. Let me tell him that sometimes we lawyers use adjectives without attaching any importance to them. When in a court a junior lawyer addressed his senior opposite as 'my learned friend', the senior retorted: 'I am neither learned nor your friend'. And the junior replied, 'The adjective and noun are complementary'. The Bill is not very well drafted. Even if it goes before a Select Committee, it will change it from top to bottom. As the hon. Member, Mr. Narsapaya, said, there is no definition of the offence in the Bill. There are so many omissions in the Bill that I feel it should be redrafted and overhauled. I am afraid what will remain of the Bill if it goes to a Select Committee is only the words, 'Whereas it is expedient'. Though the object is laudable, the Bill as it is drafted will create trouble. The hon.

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Member, Mr. Row, referred to election trouble. I have some other trouble in mind. We really want to keep Western ideas in some respects. I agree. Our cities and towns must be beautiful. Our roads must be clean. We must learn a lot of things from persons who live on the other side of the Suez Canal. But their machinery of enforcement has risen to a high standard of efficiency. Their machinery for enforcing penal laws has been sufficiently reformed. They have some decency and respect for public opinion. Here we pass a large number of laws which contain penal sections and which are enforced by people who, I am afraid, are not sufficiently trained to respect the general sentiments of the public. When we try to add to those laws, we must be careful. So, I agree with the hon. Member, Mr. Narsapaya, that the Bill may be withdrawn. The Government have heard the views of hon. Members on both sides of the House. The Government recognize the necessity for some sort of legislation to prohibit the exhibition of obscene pictures, etc., and I am sure they will bring forward one such measure. The Hon. the Leader of the House, as usual, is silently watching how the wind blows and how things will develop and I am sure he will give an assurance that a suitable legislation will be brought forward in due time. With such an assurance, my friend—learned and respectable friend, Mr. Balasubramanya Ayyar—may withdraw his Bill.

* THE HON. SRI M. BHAKTAVATSALAM: Mr. Chairman, I must, at the outset, congratulate the hon. Member who moved the Bill on the keen interest he has evinced in this House in bringing forward this piece of legislation. He has taken considerable pains to draft the Bill because the Government have not come forward so far with any legislative proposal in this regard. Sir, this is indeed a much-needed and salutary legislation. I am unable to agree with the hon. Members who could not appreciate the need for some kind of restriction in this matter. The hon. Lady Member, who speaks very rarely in this House, made out a very valid point. She said, 'What is cut out by the censor as unfit for exhibition inside the picture house is sought to be exhibited with impunity outside the picture house for the general public view.' The hon. Member, Mr. T. G. Krishnamoorthi, can claim only an individual's right to see and enjoy all sorts of pictures and other things; but that should not be imposed on the public, that should not be allowed to be exhibited in the streets so as to offend the feelings of people who may feel highly hurt on seeing some of these objectionable posters and other pictures. Therefore, some restriction is necessary. But, Sir, the measures that we undertake, while they should not be too sweeping, should be comprehensive enough. As pointed out by the hon. the Leader of the Opposition, the former Chief Minister took this matter up as early as in 1953 and he had occasion to discuss this matter with the Government of India. It was though in certain quarters then, as pointed out by some hon. Members now, that the present enactments relating to traffic regulations and the functioning of the City Corporation might be sufficient to impose necessary

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5 p.m. restrictions in the matter of exhibition of such posters. Government have examined this further and they have now come to the conclusion that a separate enactment is necessary in order effectively to prohibit the exhibition of all objectionable posters at all places. A Bill has been drafted by the Government and they have consulted the Government of India. The Government of India have made certain suggestions with respect to certain provisions of the draft Bill. They are under examination by the Government. However, I may tell the House that the draft Bill is now almost ready.

Sir, I should not grudge, but rather I should welcome private Members' Bills like this being passed into law. The hon. Member opposite has taken the initiative in bringing forward a very necessary and salutary legislation. I would personally like this Bill being passed into law after necessary scrutiny. But, as has been pointed out by certain hon. Members, I feel the Bill will have to be completely recast; the short title, the preamble, the first five clauses and certain other clauses also will have to be completely recast. For instance, the disfigurement referred to in clause 5 relates only to walls. I would like this to be more comprehensive. Disfigurement we see on the roads. One hon. Member who spoke on this Bill referred to the disfigurement of the Marina. I am afraid, if only the word 'wall' is there, it might not cover the disfigurement of the Marina. In the same way, the hon. Member Sri Gurunandan Row expressed his fear that these provisions might cover election posters also. Rather my fear is it might not sufficiently cover objectionable posters even relating to elections. Again, I am afraid the definition of 'poster' in the Bill might not cover all kinds of writings which are done on the walls or other places. With reference to certain public meetings, even relating to election meetings, we might easily conceive objectionable writings which might not come under the definition of 'poster' given in the Bill. In this respect, I would like the provision to be comprehensive enough. With regard to the constructive liability of the printer or publisher, we have to examine whether the provision is correctly drafted. With regard to complete prohibition of advertisement in any private place irrespective of whether such advertisement amounts to public nuisance or leads to obstruction of free passage of any thoroughfare or not, we have to examine whether such restriction will be in order. Again, imposition of prohibition on advertisements against proprietors of cinemas and theatres alone, I am afraid, might not be quite satisfactory. There should not be any room for complaint that there is discrimination in the matter. There are others who exhibit equally objectionable posters. Therefore, the provisions of the Bill will have to be completely recast. I would, therefore, suggest to the hon. Member that he might not press this motion but withdraw the Bill for the present. But I would like to point out to the House that the hon. Member who moved the motion and other hon. Members who spoke in support of the motion have now made out a case in regard to the urgency of the matter. This discussion has served a very good

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purpose and the Government cannot delay enacting the necessary legislation in this matter any further. I can tell the hon. Member that the Government have already decided to get through the necessary legislation in the matter. I can also tell the hon. Member that hereafter there will be no avoidable delay in the Government introducing its own Bill in the Legislature. Perhaps, that Bill will be referred to a Select Committee. In the proposed draft Bill we have taken into account the points I have already referred to. We have also taken into account certain views expressed by the Government of India in this matter. When the Bill goes through a Select Committee, hon. Members would have an opportunity to see in what other ways the various provisions may be amended. Therefore, I would request the hon. Member to withdraw the motion for the present.

SRI MOHAMED USMAN: May I know from the Hon. Minister whether the proposed Bill would be introduced in September?

* THE HON. SRI M. BHAKTAVATSALAM: I am afraid I cannot give any assurance about it because we have hardly one or two months more. Of course, I can give the assurance that there will not be the usual, I do not mind saying it, undue delay in bringing forward this legislation. Even if this Bill were referred to a Select Committee, I do not know whether it will be possible to pass this into law before September or October because we will be sitting only for a few days both in September and October.

SRI K. BALASUBRAMANYA AYYAR: Mr. Chairman, Sir, after I heard the speech of the Hon. the Leader of the House, I am tempted not to press this Bill but await their considered Bill. But I would like to say a few words about certain things which were said by some hon. Members. Some hon. Members thought that this was intended for the purpose of or rather should be intended for the purpose of preventing exhibition of obscene matter and that there was nothing else to be done. The Hon. the Leader of the House has said that he does not agree with that view. Even the pasting of advertisements, the pasting of posters in various places has also to be regulated. It is not intended for the purpose of prohibiting exhibition of obscene matters only. Therefore it is, that the word 'obscene' is not found in the Bill. We want to prohibit advertisements which offend public decency. That is all. We leave this to the good sense of the public. The whole criticism misses the point when it is said, 'I have no objection to the Bill so far as obscene literature is concerned, but I do not agree with all other matters.' It is not so. The Government have not viewed it from that angle at all.

So far as other legal matters are concerned, I do not think in a socialistic pattern of society we can object to private rights being regulated. So many private rights are regulated every day.

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What about drink? I have a right to drink. The State says I should not drink. I refuse to accept it. That is a pastime, a very good pastime. One forgets all his miseries for the time being at least. (Interruption.) Therefore, it is too late for the hon. Members here to be eloquent about private rights and all that. I wonder how the hon. Member, Sri Govinda Menon, a Socialist himself, forgets all these when a private Member brings in a Bill like this.

SRI M. P. GOVINDA MENON: I am not against the principle of the Bill but only against its drafting.

SRI K. BALASUBRAMANYA AYYAR: We all object to drafting even though it is done by eminent authorities. In spite of what the hon. Member says, I still consider myself an eminent draftsman of this Bill. Drafting is a very difficult thing. All aspects of the question have got to be carefully considered before drafting. If there are certain defects in drafting, they could be rectified.

THE HON. SRI M. BHAKTAVATSALAM: The hon. Member will appreciate that it is easier to point out the defects than to draft a perfect Bill.

SRI K. BALASUBRAMANYA AYYAR: I am rather anxious that the principle of the Bill should be appreciated. That is my point. This Bill is for regulation of posters. Indiscriminate display of posters should be prohibited. I will certainly take objection to a poster being pasted on my forehead. Simply because I have a large forehead, that does not mean that I should carry a poster on my forehead. (Sri S. Narsapaya: If you stand for election, you can certainly carry a poster on your forehead, if you wish.) I would very humbly request the hon. Member, Sri Narsapaya, not to stand for election, carrying a poster on his forehead. (Laughter.) There are certain things which have got to be avoided and which have got to be regulated. Therefore it is, I was very careful not to offend any rights. Of course, the hon. the Leader of the Opposition said that I need not have been so very unduly apologetic. But I took ample care not to offend anybody. There are certain things which should be avoided for the sake of public decency. Simply because I have got saliva in my mouth, I can't be going on spitting here and there. Of course, the hon. Member belonging to the Communist Party was saying that he would not object to his wall being defaced. But certainly if the front compound wall is in disrepair, the Corporation would impose a fine on the owner. There are so many sections in the City Municipal Act which impose fines for offences. We are not now in the good old days when it was said that the King of England shall not enter even if the House was on fire. We are now in a socialistic pattern of society when all our actions are regulated so

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fully by the State. Now, some Members belonging to the Congress Party objected to this Bill. Did they object when we passed a Bill which said that if you did not pay Rs. 25 before the 8th September, you would be sent to jail? They supported the passing of that measure because of party discipline. But they say now that the Heavens would fall if we pass this simple measure. The hon. Member, Sri S. Narsapaya, was referring to certain inaccuracies, for example, that the printer would not be aware where the poster would be pasted.

THE HON. SRI M. BHAKTAVATSALAM: The point is this. When the poster is printed, the printer does not know where the poster is going to be pasted.

SRI K. BALASUBRAMANYA AYYAR: That may be made clear.

SRI S. NARSAPAYA: That was my point.

SRI K. BALASUBRAMANYA AYYAR: The hon. Member's statement was not correct. I would have to agree when the Hon. Minister points to a real difficulty. We can omit the words "negligence or collusion" and put in the word "collusion". I am not wedded to each and every word in the Bill. If there are differences of opinion with regard to drafting, the matter could be discussed and necessary changes made. I was only anxious that the principle of the Bill should be appreciated by all hon. Members. Since the Hon. the Leader of the House made a magnanimous speech, since he stated that the Government had considered the point and sent a draft Bill to the Government of India, that the Government of India had made suggestions, and that the suggestions made by them were being considered, and since the Hon. Minister also appreciated the general principle of the Bill, I shall withdraw this Bill. It is unfortunate that some hon. Members did not appreciate the principle of the Bill. In view of the Hon. Minister's speech, I do not want to press this Bill. I do not feel any shame in withdrawing the same. I have withdrawn so many amendments. Therefore, I can very well withdraw this Bill with pleasure.

The Bill was then, by leave, withdrawn.

B. Resolution.

UTILIZATION OF THE SURPLUS ACCUMULATED IN THE ADMINISTRATION OF HINDU RELIGIOUS ENDOWMENTS BY THE HINDU RELIGIOUS ENDOWMENTS BOARD TILL THE DATE OF PASSING OF THE ACT OF 1951 TOWARDS THE REPAIRS AND MAINTENANCE OF HINDU TEMPLES.

SRI K. BALASUBRAMANYA AYYAR: Sir, I move the following Resolution:—

"This Council recommends to the Government that whatever remains of the surplus which was accumulated in the administration of Hindu Religious Endowments by the Hindu Religious

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Endowments Board till the date of the passing of the Madras Hindu Religious and Charitable Endowments Act, 1951, be utilized towards the repairs and maintenance of Hindu temples and that provision be made in the Budget in future for expenditure to be met from that surplus for the above purposes as and when required."

Certain matters have got to be cleared before I embark on a detailed explanation of this resolution. This relates to certain surplus funds which were accumulated at the time when the Board was in the management of Hindu Religious Endowments. It has nothing to do with any surplus funds accumulated after the passing of the Hindu Religious and Charitable Endowments Act, 1951. I say this because I am aware of the fact that the High Court of Madras is of the opinion that surplus funds accumulated after the passing of the Hindu Religious and Charitable Endowments Act, 1951, should not be used for the purpose of renovation of temples. I am not disputing that decision at all. I am referring to the surplus accumulated during the period of ten years when the Hindu Religious Endowments Board was managing Hindu religious institutions. The Hon. Minister stated in reply to a question that that surplus amounted to Rs. 40 lakhs. Out of that amount, Rs. 26 lakhs have been invested in Government securities. Certain amounts have been invested in debentures of land mortgage banks and in fixed deposits. I take the statement of the Hon. the Minister for Religious Endowments as true even though I do not know what money is still left there after investment in Government securities and the like. I shall read from the answer of the Hon. Minister to a question from page 58 of Volume 8, No. 2 of the Official Report of the Madras Legislative Council Debates. He said that the total assets taken over from the Hindu Religious Endowments Board as on 30th September 1953 was Rs. 39.69 lakhs out of which a sum of Rs. 6.31 lakhs was kept as cash in private banks, Rs. 8.50 lakhs as fixed deposits in private banks, Rs. 9.57 lakhs in Government securities and Rs. 15.31 lakhs as debentures of Central Land Mortgage Bank. Out of this total a sum of Rs. 12.71 lakhs had been carried over to the general balance to be set off against excess expenditure for the present. It was also said that a few lakhs of rupees had to be given to the Andhra State. I do not know how much money was given to the Andhra State. This answer was given on 14th May 1954. Whatever surplus is carried over is known only to the Government. I am not talking about that now. There is some recommendation to the Government is that that surplus be utilized towards the repairs and maintenance of Hindu temples and that provision be made in the Budget in future for expenditure to be met from that surplus for the above purposes as and when required. The Supreme Court has now decided that the fee that is collected

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by Government as contribution is a fee for the services rendered to the temple, in other words that it is a *quid pro quo*, and that the amount realized must be utilized only for the purpose of the temples. There is also Article 27 of the Constitution. That only justifies that the amount got from contribution cannot be expended for purposes other than those for which the contribution was levied. The Supreme Court has laid down the fundamental principle that the surplus amount from the contributions that have been levied should be spent only for the benefit of the temples. The decision given by the Madras High Court that the surplus should not be utilized generally for any other temple and so on does not affect this question. In the Amendment Act of 1955, there was a provision that any surplus accruing out of the contributions might be expended for the purpose of other temples and so on. The High Court said that that should not be allowed because each contribution is a *quid pro quo* or a payment for the services rendered to that particular temple. The accumulation from the contributions collected by the Hindu Religious Endowments Board has been merged with the general funds. The Supreme Court said that the merger with the general funds would make it a tax and that a State Legislature had no power to levy a tax. Therefore, all these complications are not there. Hon. Members should not think that these complications may be advanced against the passing of this resolution. That is why I am stating all this. Out of the Rs. 39.69 lakhs, whatever has been spent for the purpose of the temples, we shall accept that that amount has been properly spent. The fundamental doctrine that emerges for our consideration here is that the balance should be utilized only for the purpose of the temples and not for any other purpose.

SRI A. M. ALLAPICHAJ: Suppose even after repair and meeting other expenses, there is a surplus?

SRI K. BALASUBRAMANYA AYYAR: My resolution speaks of 'repairs and maintenance'.

The amount may be utilized even for very good purposes like Community Projects. I am one who is interested in Community Projects. Still I say that it should not be utilized for any purpose other than the repair and maintenance of the temples.

In South India, especially in our Tamil State, the village temple was an essential and fundamental part of the village economy. I can say that fearlessly, because I am fortified by the history of our Tamil country. It is in the temples that all our arts flourished, it is there that all our religious literature was promoted, it is there that *Periyapuram*, one of the greatest books in Tamil religious literature, was written. Similarly, all the great Vaishnavite literature was written in the Srirangam temple. So, our temples form a vital part of our ancient culture and they are

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our valuable heritage. So much so the Grand Old Mother of our Tamil country (Avvai) has said that one should not live in a place where there is no temple. She has said :

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கோவிலில்லா ஊரில் குடியிருக்க வேண்டாம்.

There was no temple in Thyagarayanagar, and the people there built a temple. There are so many temples which are languishing for want of funds. The outer walls and even the walls of the *Garbhagraham* or the sanctum sanctorum of many temples are in need of repair. My resolution recommends that the surplus amount be utilized for the repair and maintenance of temples. There is a general feeling in some quarters that worship in temple is quite unnecessary. That is not correct. A temple exists not merely for *tantric* worship; it exists for giving inspiration and piety to the people. If all the temples work properly, I am sure crime will be considerably reduced. To that extent, you can use temples as a medium for promoting public welfare. Many of those who talk about temples do not go to temples. I am perfectly sure that a Muslim or a Christian is more zealous about the mosque or church than a Hindu is about the temple. Many people feel that there are only stones in the temples. If you think of the idol in the temple as a stone, it will only be a stone; if you think of it as God, then God will speak to you as he has spoken to many of our great Tamil saints. They were all worshippers of idols and they were great men who preached universal love. During the time they lived, Tamil State was one of the flourishing States. When Swami Vivekananda was delivering a lecture in the Pachaiappa's College, a young man asked him : 'Why do you worship idols? I do not believe in idol worship.' The Swamiji replied : 'You moustached baby! You can never understand the significance of temples even as I did not until I was taught by one who worshipped idols all through his life.' Idols exist for our sake. Because we feel that there is God in the stone, we call it an idol. When one feels that there is no God in it and that it is merely a stone, nobody objects to his calling it a stone. It may be that worship is not a useful thing in our country, because there is indifference among our people. I find very great indifference among our people to our temples. I can understand and appreciate their point of view. They think that temples are places where funds are allowed to accumulate unnecessarily. The other day the Hon. Sri C. Subramaniam said that we could use temple funds for spreading education. What is that education worth having?

Katradanalaya payanenkol valarivan
Natrai thozha or enin.

கற்றதனாலய பயனென்கொல் வாலநிவன்
நற்றான் தொழாஅர் எனின்.

(Rural)

[28th August 1956] [Sri K. Balasubramanya Ayyar]

It is in this State that this stanza was recited by Saint Tiruvalluvar. He asks, 'What is the use of all your learning if you have not got piety and if you do not worship God, as part of that education?' That is education. It is to subserve this idea that temples are put up. What is the use of mere secular education and godless education which only teaches children to abuse God and which teaches children to say that religion is a dope of the intellect? 'Religion has been responsible for all the miseries of the world; religion has been responsible for all the persecutions of the world; religion has been responsible for our divisions and our wars', so say the Communists. Lenin said once, 'I do not believe that the world was created in 4400 B.C., but I believe that the world was created in 1917 when the Revolution took place in Russia'. He considered temples were unnecessary institutions. But we Tamilians can never feel that way. (Interruption by Sri Mohamed Raza Khan.) I am speaking for Tamil Nad. Because, our State will become a pure Tamil State. Why should you think of the two or three months that must elapse before our State becomes a pure Tamil State? I take it that the Kerala people have already gone, because these are problems that we have to tackle ourselves in our State. Whatever may be the amount in this fund—it may be one lakh or two lakhs—should be spent on the repair and renovation of temples. There is a big temple at Vellore which is noted for its architecture. Sri T. Purushotham also knows this. But there is no idol there. Somebody took away that idol. (Sri Mohamed Raza Khan : That is one of the wonders of Vellore.)

SRI T. PURUSHOTHAM : The Hon. Minister has agreed to visit this temple on Friday and has invited me to accompany him.

SRI K. BALASUBRAMANYA AYYAR : Instead of declaring the temple as one coming under the Preservation of Ancient Monuments Act, let us install an idol there. I do not think we need so much elaboration in the matter. All our Hindu devotees of the Lord have declared that this fund which was accumulated out of the contributions made from temples should not be merged with the general fund, but that it should be utilised for the purpose of maintaining temples, etc. They can earmark the fund for whatever purpose they want. I am only asking for a recommendation to set apart this fund for the purpose of maintenance and repair of the temples.

* SRI T. PURUSHOTHAM : Sir, I have great pleasure in seconding the resolution moved by the hon. Member, Sri K. Balasubramanya Ayyar. Temples are a rich heritage of our past, with unique pieces of ancient art and architecture not to speak of the great sanctity attached to them. Most of these temples need urgent repairs. Fortunately, the Government have allotted a sum of Rs. 2 lakhs for the purpose of renovating some of the

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temples. From out of this allotment, I am glad to say that something has been done during the last two years to repair some of the old temples which needed urgent repairs. The amount is quite insufficient, and, as has been pointed out by the hon. Member, there must be some definite fund allotted for this purpose. I would propose that on a State basis a Renovation Fund for temples should be started, and all the available surplus funds should be pooled together and allotments should be made from out of this fund for repair and renovation of temples of different persuasions. I need hardly point out that in the Constitution there is a specific provision that our ancient art and architecture should be preserved. This is a great responsibility not only of the Centre but also of the States. The Madras Hindu Religious Endowments Act also provides that temple architecture and art should be preserved and rules also have been framed for that purpose. I have therefore great pleasure in seconding this resolution, and I trust the Hon. Minister in charge of the portfolio will favourably consider the proposal contained in this resolution.

MR. CHAIRMAN : Resolution moved—

“ This Council recommends to the Government that whatever remains of the surplus which was accumulated in the administration of Hindu Religious Endowments by the Hindu Religious Endowments Board till the date of the passing of the Madras Hindu Religious and Charitable Endowments Act, 1951, be utilized towards the repairs and maintenance of Hindu temples and that provision be made in the Budget in future for expenditure to be met from that surplus for the above purposes as and when required.”

THE HON. SRI B. PARAMESWARAN : Sir, I agree that the total surplus as on 1st October 1953 was Rs. 40 lakhs. On 30th September 1951, it was only Rs. 31 lakhs, that is, before the passing of the 1951 Act. In between the passing of that Act and the Amendment Act of 1954, the Government have spent a lot of money on the administration of the department. If we take that amount from the surplus, the balance of the amount will be—I am not able to say what the amount exactly is—half in cash and half in securities. Apart from the amount that is available as surplus, the Government thought that they should utilise some amount on repairs and renovation of the needy and poor temples. Since section 76 (5) of the Act has been declared to be *ultra vires* of the Constitution, the surplus fund is supposed to have merged with the general funds, and therefore the recent High Court judgment will apply to the fund also. Therefore, we cannot spend any amount from the so-called surplus. There is no use of keeping a fund as surplus without spending it. It may happen after two or three years that we expend the amount on needy and poor temples. As a matter of fact, we allotted last year Rs. 2 lakhs for expenditure on poor and

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needy temples. This year also we have allotted Rs. 2 lakhs for the purpose. Altogether Rs. 4 lakhs have been allotted. We propose to allot also annually a certain amount for the purpose of renovation and repair of these temples. There is no need for drawing any amount, because that will be against the recent High Court judgment. Section 81 says that we should spend money only on the administrative department and on nothing else. In order to meet the demands of the needy and poor religious institutions, we have thought it best to make an outright grant of Rs. 4 lakhs for the time being. The Commissioner has been asked to draw up a list of needy and poor temples which require renovation and repairs. Whatever might be the amount that is necessary for the repairs and renovation, the Government would not hesitate to sanction that amount. So, I suggest that this Resolution may be withdrawn. Government are equally anxious to see that the temples which are fairly in need of repairs and renovation are attended to. We are prepared to sanction the required amount for this purpose. We also share the anxiety of the hon. Member in taking up this piece of good work. I wish to repeat that we will not hesitate to sanction the required amount for repairs and renovation. Therefore, I request the hon. Member to withdraw his Resolution in view of the fact that the Government are already moving in the matter.

SRI K. BALASUBRAMANYA AYYAR : Sir, I wish to state that the High Court decision has really no application to this particular surplus that has been accumulating since the Board was in management. The High Court judgment only stated that the Supreme Court had held that the contribution could only be levied by the State Legislature if it was a fee and not a tax; it will be a fee only if you take into consideration the contribution as a *quid pro quo* for the service that you render to a particular temple. I request the Hon. Minister to investigate the matter. He may consult the Advocate-General or some other authority in the matter. Therefore, the surplus cannot be spent on any other temple. Those were the grounds on which they stated that the particular section was *ultra vires*. So far as this matter is concerned, the Board has had an accumulated fund and the Government have taken over the management. When the Government have become the administrator, it becomes a different matter. The surplus amount should not be transferred to the general fund. They cannot transfer the amount belonging to one religious denomination and spend it for the general public. That will be wrong. I would like the Hon. Minister to examine that aspect of the matter carefully. If there is any point, let him investigate the matter. The amount can only be utilised for a specific purpose. If he agrees to go into the matter further, I have no objection to withdraw my Resolution, Sir.

UTILIZATION OF THE SURPLUS ACCUMULATED IN THE ADMINISTRATION OF HINDU RELIGIOUS ENDOWMENTS BY THE HINDU RELIGIOUS ENDOWMENTS BOARD TILL THE DATE OF PASSING OF THE ACT OF 1951 TOWARDS THE REPAIRS AND MAINTENANCE OF HINDU TEMPLES

[28th August 1956]

SRI T. PURUSHOTHAM : Sir, I am sure the hon. Member, Sri Balasubramanya Ayyar, will withdraw his Resolution in view of the assurance given by the Hon. Minister.

THE HON. SRI B. PARAMESWARAN : Sir, I may tell the hon. Member that we have consulted the Advocate-General in the matter and he is of opinion that it applies to this also.

SRI K. BALASUBRAMANYA AYYAR : Sir, I beg leave to withdraw the Resolution that I have moved.

The Resolution was, by leave, withdrawn.

MR. CHAIRMAN : The House will now adjourn *sine die*.
The House then adjourned.

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

1. Notification issued with G.O. Ms. No. 1931, Home, dated the 4th July 1956, regarding the remission of Court-fees payable on applications for iron and steel materials from cottage industries fabricators who are authorized and recognized as approved cottage industrialists by the Additional Director of Industries and Commerce.

2. Notification issued with G.O. Ms. No. 2518, Public (Services), dated the 24th July 1956, regarding exclusion from the Commission's purview the posts of Assistant Director of Publicity for work connected with the Integrated Publicity Scheme and Officer-in-charge of Information Centre at Madras. [Laid on the table under Article 320 (3) of the Constitution of India.]

3. Notification issued with G.O. Ms. No. 2407, Public (Services), dated the 12th July 1956, regarding exclusion from the Commission's purview the temporary post of Legal Adviser to the Deputy Inspector-General of Police, Railways and Criminal Investigation Department, Madras, in the Madras General Service. [Laid on the table under Article 320 (5) of the Constitution of India.]

4. Notification issued with G.O. Ms. No. 1741, Agriculture, dated the 13th July 1956, regarding amendment to certain rules to the Madras Commercial Crops Markets Rules, 1948. [Laid on the table under section 18 (4) (c) of the Madras Commercial Crops Markets Act, 1933 (Madras Act XX of 1933).]

* Laid on the table of the House on 27th August 1956.

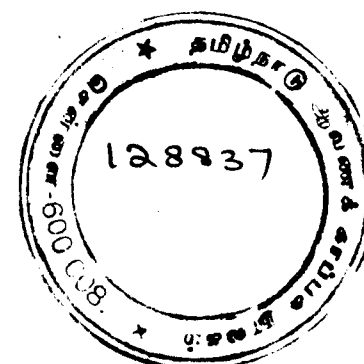
APPENDIX.

[Vide answer to starred question No. 41 asked by Sri T. Purushotham at the meeting of the Legislative Council held on 28th August 1956, pages 346 supra.]

Dis trict-wise statement showing the number of applicants for admission into the Government Medical Colleges and the number elected in the year 1956.

District. (1)	Number applied. (2)	Number selected. (3)
Madras	173	25
Chingleput	80	13
South Arcot	83	20
Tanjore	105	21
Madurai	119	20
Ramanathapuram	85	14
Tirunelveli	101	17
North Arcot	99	20
Tiruchirappalli	69	20
Salem	85	24
Coimbatore	101	23
The Nilgiris	13	4
South Kanara	73	13
Malabar	172	33
	<u>1,358</u>	<u>267</u>

The statement above does not take into account the applications from candidates belonging to the Scheduled Castes and the Scheduled Tribes as they are not selected on district-wise basis.



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