

Issued—7-12-1956



3716

MADRAS LEGISLATIVE COUNCIL
DEBATES

OFFICIAL REPORT

WEDNESDAY, 26TH SEPTEMBER 1956

VOLUME XV—No. 3

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Legislature Department (Council)
Madras

PRICE, 4 annas]

THE MADRAS LEGISLATIVE COUNCIL.

Wednesday, the 26th September 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.

Police officers deputed to England

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

(a) the number of Police officers deputed to England by the State Government since 1951;

(b) the purpose for which they were deputed; and

(c) whether they have submitted any report in this regard?

THE HON. SRI M. BHAKTAVATSALAM (on behalf of the Hon. the Chief Minister): (a) Three.

(b) Two officers were deputed to undergo courses of training for Police officers in detection and investigation of crime and the third officer was deputed to study traffic problems.

(c) The two officers deputed for training in detection and investigation of crime have submitted reports. The third officer deputed to study traffic problems has not yet returned and has, therefore, not submitted any report.

SRI V. V. RAMASWAMI: இங்கிலாந்துக்குச் சென்றுவந்துள்ள போலீஸ் அதிகாரிகள் கொடுத்திருக்கின்ற அறிக்கையில் கண்டுள்ள முக்கியமான சிபார்சுகள் என்னவென்பதையும், அந்தச் சிபார்சுகளின் பேரில் அரசாங்கத்தார் எடுத்துக்கொண்டுள்ள நடவடிக்கைகள் என்னவென்பதையும் கனம் அமைச்சரவர்கள் தெரிவிக்கமுடியுமா?

THE HON. SRI M. BHAKTAVATSALAM: இரண்டு போலீஸ் அதிகாரிகளும், ரைடன்-ஆன்-டன்ஸ்மோரிலுள்ள போலீஸ் காலேஜில் ஸீனியர் கோர்ஸும் ஜூனியர் கோர்ஸும், ஹட்ஸனிலுள்ள மெட்ரோபாலிடன் போலீஸ் டிபெக்டிவ் ட்ரெயினிங் ஸ்கூலில் 'டிபெக்டிவ்'னிலும் 'இன்வெஸ்டிகேஷன்'னிலும், மெட்ரோபாலிடன் போலீஸ் நியூ ஸ்காட்லாந்து யார்டில் Photography and Finger Print Course-ப., ததுக்கொண்டு வந்திருக்கிறார்கள். நாடிங்காம்பிலுள்ள பாரன்ஸிக் ஸயன்ஸ் லாபரடிரியிலும் படித்துவந்திருக்கிறார்கள். ஆனால், அவர்கள் ரிப்போர்ட் அனுப்பியிருக்கின்ற விவரங்கள் என்னிடம் இல்லை.

SRI V. V. RAMASWAMI: போலீஸ் கான்ஸ்டபிள்களும், ஹெட் கான்ஸ்டபிள்களும் குறைந்தபட்சம் எவ்வளவு படித்திருக்கவேண்டும் என்பதைப்பற்றியாவது அவர்கள் சிபார்சு செய்திருக்கிறார்களா என்று அறிய விரும்புகிறேன்.

THE HON. SRI M. BHAKTAVATSALAM: போலீஸ் ஆபீசர்கள் குறைந்தபட்சம் எவ்வளவு படித்திருக்கவேண்டுமென்பதைத் தெரிந்து கொள்வதற்கு இங்கிலாந்துக்குச் செல்லவேண்டிய அவசியம் இல்லை.



[26th September 1956]

Bringing down the salaries of Government officials to a level below that of the Ministers

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

(a) whether there is any proposal by the Government to bring down the salaries of all the Government officials in this State to a level below that of the Ministers; and

(b) if so, when the proposal will be implemented?

THE HON. SRI C. SUBRAMANIAM : (a) No.

(b) Does not arise.

SRI M. ETHIRAJULU : 1931-ம் வருஷத்தில் கராச்சியிலே காங்கிரஸ் ஒரு தீர்மானம் நிறைவேற்றியிருக்கிறது. காங்கிரஸ் ஆட்சிக்கு வந்தால், சர்க்கார் உத்தியோகஸ்தர்களுக்கு உயர்ந்தபட்சம் ரூ. 500-க்கு மேல் சம்பளம் கொடுக்கக்கூடாது என்ற அந்தத் தீர்மானத்தை இப்பொழுது ஆட்சியில் இருக்கும் காங்கிரஸ் சர்க்கார் நிறைவேற்றிவைப்பார்களா?

THE HON. SRI C. SUBRAMANIAM : கராச்சி காங்கிரஸிலே தீர்மானம் நிறைவேற்றியதிலிருந்து இப்பொழுது பல வருஷங்கள் ஆகி விட்டன. இப்பொழுதிருக்கும் நிலைமைக்குத் தகுந்த பிரகாரம் நாம் நம்முடைய அபிப்பிராயங்களை மாற்றிக்கொள்ளவேண்டியது அவசியமாக இருக்கிறது.

SRI MOHAMED RAZA KHAN : While the Government are not prepared to revise the salary of high officials, at least are they prepared to increase the salary of Ministers?

THE HON. SRI C. SUBRAMANIAM : It is just to show that the status does not depend upon the pay. As a matter of fact, let this be a standing proof. Let us receive lower pay than even the high officials and, at the same time, let us have high status.

SRI V. V. RAMASWAMI : அதிகாரிகளின் சம்பளத்தைக் குறைக்காமலிருப்பதற்குக் காரணம் வாழ்க்கைத்தரம் உயர்ந்திருப்பதும், விலைவாசிகள் கூடியிருப்பதும் தான் என்று அறிய விரும்புகிறேன்.

THE HON. SRI C. SUBRAMANIAM : காரணம் அது அல்ல. அரசாங்க சர்விலிலே இருக்கின்றவர்களை எடுத்துக்கொள்ளும்போது நாம் சில ஒப்பந்தங்களைச் செய்துகொண்டிருக்கிறோம். அவைகளை நடைமுறையில் கடைப்பிடிக்கவேண்டியது நம்முடைய கடமையாக இருக்கிறது. நாம் அந்தச் சம்பளத்தைக் குறைப்பது நல்லதல்ல என்பது என்னுடைய அபிப்பிராயம்.

SRI MOHAMED RAZA KHAN : While I appreciate the high sentiment and noble philosophy of the Hon. the Finance Minister, is it not a fact that, compared to other States, our Ministers should draw salaries in keeping with their status and position?

THE HON. SRI C. SUBRAMANIAM : I am really happy that the hon. Member is so solicitous about the pay of Ministers. I thank him for that. We are able to keep up our status with the pay we are receiving now. It is an insinuation to say that we are not keeping up our status.

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SRI V. GURUNANDAN ROW : Have the Government any proposal to increase the salaries of the Government employees who are in the lower scale, to somewhere near the Ministers' scale?

THE HON. SRI C. SUBRAMANIAM : That is always under our consideration, namely, to increase the emoluments, especially, of the low paid staff.

SRI V. V. RAMASWAMI : அரசாங்க சிப்பந்திகளின் சம்பளத்தை உயர்த்தும் விஷயம் அரசாங்கத்தாரின் கவனத்தில் இருப்பதாகத் தெரிவிக்கப்பட்டது. அதுவிஷயத்தில் அரசாங்கத்தார் எப்பொழுது ஒரு முடிவுக்கு வருவார்கள் என்று தெரிவிக்கமுடியுமா?

THE HON. SRI C. SUBRAMANIAM : முதலிலே கேட்ட கேள்விக்கும் உப கேள்விகளுக்கும் கூடியவரையில் சம்பந்தம் இருக்கவேண்டும். நேரிடையாக சம்பந்தமில்லாமல் ஒரு கேள்வி அனுமதிக்கப்பட்டது என்றால், அதைத் தொடர்ந்து மேலும் மேலும் வெவ்வேறு கேள்விக்குப் போய்க் கொண்டிருக்கக்கூடாது என்று கனம் அங்கத்தினரைக் கேட்டுக் கொள்கின்றேன்.

SRI MOHAMED RAZA KHAN : While the Hon. the Finance Minister is most earnest that Ministers should draw much less salary than the highly paid officials, will he at least raise the salaries of Members of the Legislature? (Laughter.)

THE HON. SRI C. SUBRAMANIAM : That is a very pertinent question. It is for hon. Members to come to a decision in this matter.

Admission to the Government Medical Colleges

* 56 Q.—SRI MOHAMED RAZA KHAN : Will the Hon. the Minister for Health be pleased to lay on the table of the House a list of candidates selected this year for admission to the Government Medical Colleges showing the marks obtained by each of the candidates—

(a) in the Intermediate Examination;

(b) in the oral examination; and

(c) the names of candidates who belong to the Backward Class, Scheduled Castes and Scheduled Tribes?

THE HON. SRI A. B. SHETTY : A list of the names of the candidates selected this year for admission to the M.B.B.S. course, showing separately the candidates selected under the Scheduled Castes, the Scheduled Tribes and the Backward Classes, has already been published by the Dean, Madras Medical College, Madras. The Government consider that the time and labour involved in collecting information about the marks obtained by the selected candidates in the Intermediate Examination will not be commensurate with its usefulness.

The marks awarded to the candidates by the Selection Committee at the interview are confidential and cannot be disclosed.

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SRI MOHAMED RAZA KHAN : May I ask which is not correct—the information that the time and labour involved in collecting the information will not be commensurate with its usefulness or the information that the matter is confidential? Which of the two is correct?

THE HON. SRI A. B. SHETTY : The time and labour involved in getting the information about the marks obtained in the Intermediate Examination will not be commensurate with its usefulness. That is what I stated.

SRI MOHAMED RAZA KHAN : May I make a submission? My idea in asking for the marks obtained in the Intermediate Examination is just to make a comparative study with the marks obtained at the oral examination. I wanted to know by such comparative study whether the marks obtained at the oral examination are commensurate with the marks obtained at the written Intermediate Examination. But the Minister has stated that the time and labour involved in getting the marks obtained at the Intermediate Examination will not be commensurate with its usefulness. I hope, in view of what I have stated, the Minister will consider that aspect of the question.

THE HON. SRI A. B. SHETTY : By trying to know the marks obtained at the Intermediate Examination, the hon. Member will not be in a position to judge the fitness of the candidates for admission to the Medical College. Fitness of the candidate is judged not merely by examination marks but by other tests which the Committee interviewing the students institute for finding out the aptitude, personality, character and fitness of the students.

3-10 SRI A. GAJAPATHY NAYAGAR : What are the marks
p.m. allotted for oral examination?

THE HON. SRI A. B. SHETTY : One hundred and fifty.

SRI A. GAJAPATHY NAYAGAR : If 150 marks are given for oral examination, what proportion does it bear to marks obtained in the Intermediate Examination?

THE HON. SRI A. B. SHETTY : Only marks obtained in the Science Group are taken into consideration.

SRI MOHAMED RAZA KHAN : Is it a fact that some of the students who got high percentage of marks in the Intermediate Examination have failed to secure even adequate marks in the oral examination? Is it the Minister's view that those who do very well in the written examination invariably fail in the oral test?

THE HON. SRI A. B. SHETTY : The hon. Member's presumption is not correct, Sir.

SRI V. GURUNANDAN ROW : Will the Hon. Minister state whether the standard on the basis of which aptitude, fitness and

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personality, as the Minister said, have to be judged, is an objective standard or a subjective standard, dependent upon the persons who select them?

THE HON. SRI A. B. SHETTY : Even examination marks are subjective standards.

SRI A. GAJAPATHY NAYAGAR : May I know whether the Backward Class, Scheduled Caste and Scheduled Tribe candidates secure more marks in the oral examination than the other candidates?

THE HON. SRI A. B. SHETTY : The Scheduled Caste candidates are admitted, if they just get the minimum percentage of marks for a pass and no aptitude or personality tests are necessary in their cases. As a matter of fact, we do not get sufficient number of candidates for the 16 per cent of seats reserved for them in any year. Only one Scheduled Caste candidate has been admitted on merit this year. So far as Backward Class candidates are concerned, 143 candidates out of the 301 admitted, belong to the Backward Classes and they have thus got nearly 50 per cent of the seats though the percentage reserved for them is only 25 per cent.

Acquisition of land in the Andhra territory for Aranian Project

* 57 Q.—SRI T. PURUSHOTHAM : Will the Hon. the Minister for Public Works be pleased to state with reference to Legislative Council Starred Question No. 308 answered on 3rd August 1955—

(a) the stage at which the matter relating to the acquisition of lands in the Andhra territory for the Aranian Project stands at present; and

(b) the cost of acquisition of the lands referred to above and whether the amount has been placed with the Andhra State for payment of compensation to the ryots concerned?

THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI : (a) The Government of Andhra have not yet completed the acquisition proceedings but have put forward some counter proposals stipulating certain conditions relating to the acquisition of lands on the Andhra side, irrigation rights, etc. After examining the several points raised by them, and finding them to be unacceptable, this Government suggested a conference at ministerial level, to settle the points of dispute and addressed the Andhra Government accordingly. The Andhra Government have since sent a reply wherein, without agreeing to a conference at ministerial level, they have suggested a conference of officials consisting of the Member, Board of Revenue, the Secretary, Public Works and Transport, the Collector of Chittoor and the Special Chief Engineer (Irrigation) of Andhra State with their counterparts of this Government. This suggestion is under the active consideration of this Government.

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(b) According to the calculations of the Government of Andhra, the approximate amount which the Madras Government have to deposit with the Andhra Government works out to roughly between Rs. 25 to 30 lakhs. The amount demanded by the Government of Andhra is on the high side. This point will also be finally settled along with the other points of dispute and the amount actually found necessary will be adjusted to the credit of the Andhra Government.

SRI T. PURUSHOTHAM: May I invite the attention of the Hon. Minister and the Government to the fact that the Project works costing nearly Rs. 80 lakhs, reservoir regulators, etc., have all been completed, yet water could not be impounded and that there is great hardship felt by the ryots? May I appeal to the Hon. Minister to visit the area in person and see for himself how the matter stands and take up the same with the Andhra Government for expeditious completion of the acquisition proceedings?

THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI: Sir, I quite agree with the hon. Member in regard to the latter part of his suggestion to expedite matters. That is what we have been doing. I am not discrediting the facts that have been presented by the hon. Member. But my going and seeing the place will not fetch water. Until the bone of contention is disposed of, we won't be able to do anything. Of course, we are taking all necessary steps in the matter.

SRI T. PURUSHOTHAM: Sir, the question of acquiring the lands having been settled, may I invite the attention of the Government to the fact that there are emergency provisions in the Land Acquisition Act for execution of the works pending completion of these proceedings, and so could not the Madras Government approach the Andhra Government to enforce the emergency provision in the Land Acquisition Act, so that we may enter upon the lands, pending acquisition proceedings and payment of compensation?

THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI: That position may be considered. We have been doing that in fact. That is why we suggested a conference at ministerial level originally. They have not accepted that, but have suggested a conference of officials first whose report could be examined by Ministers. It will be done as expeditiously as possible.

SRI V. V. RAMASWAMI: அக்டோபர் மாதம் 10-ம் தேதி கர்நாடகாக்குப் போகின்ற நமது முதல் அமைச்சர் அவர்கள் இந்த விவகாரத்தைப்பற்றி ஆந்திர அரசாங்கத்தாரோடு பேசி சீக்கிரம் ஒரு முடிவுக்கு வருவதற்கு ஏற்பாடு செய்வார்களா என்று அறிய விரும்புகிறேன்.

THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI: அதிகாரிகள் கூடிப்பேசி முடிவுக்கு வந்த பிறகு நடவடிக்கை எடுக்க வேண்டுமென்று சொல்லி விட்டதால் முதல் அமைச்சர் அவர்கள் இதைப் பற்றி ஆந்திர அரசாங்கத்தாரோடு பேசுவதற்கு சந்தர்ப்பம் இல்லை.

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Fixation of pay of persons re-employed under local bodies

* 58 Q.—SRI T. P. SRINIVASAVARADAN (on behalf of Sri G. Krishnamoorthi): Will the Hon. the Minister for Local Administration be pleased to state—

(a) whether a G.O. was passed on 2nd April 1954 in which instructions have been issued as to the fixation of the pay of persons re-employed under local bodies;

(b) whether this G.O. is based on the rules in force applicable to re-employed Government servants; and

(c) the circumstances that led to the passing of this G.O.?

THE HON. SRI S. S. RAMASWAMI PADAYATCHI: (a) & (b) Yes, Sir.

(c) The orders have been issued in accordance with the general policy of the Government to apply to employees of local bodies the principles applicable to Government servants in matters relating to service conditions.

SRI T. P. SRINIVASAVARADAN: As there is no parity in the conditions of service between teachers in the service of local bodies and those in Government service, may I ask the Hon. Minister whether it is fair that this rule regarding re-employment after retirement alone should be applied to local body employees when other rules relating to Government servants are not made applicable to them?

THE HON. SRI S. S. RAMASWAMI PADAYATCHI: I have no information about that. I want notice, Sir.

SRI T. P. SRINIVASAVARADAN: Sir, teachers employed in Government service get pension while those under local bodies do not get that pension. But in the case of re-employment after retirement, such employees, that is, teachers under local bodies are treated on a different level from teachers in Government service. May I know why it is so?

THE HON. SRI S. S. RAMASWAMI PADAYATCHI: The Minister in charge will answer that, Sir. (The Hon. Sri C. Subramaniam: A separate question may be put.)

MR. CHAIRMAN: Questions are over.

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

II.—GOVERNMENT BILL.

THE MADRAS SILKWORM SEED (PRODUCTION, SUPPLY AND DISTRIBUTION) BILL, 1956 (L.C. BILL NO. 5 OF 1956)—cont.

MR. CHAIRMAN: We will now start discussion on the Madras Silkworm Seed (Production, Supply and Distribution) Bill 1956, (L.C. Bill No. 5 of 1956).

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SRI K. BALASUBRAMANYA AYYAR : Sir, so far as I have seen, this Bill seems to be a very useful one. The silkworm manufacture is, as has been mentioned by the Hon. the Leader of the House, a cottage industry and there are the Charka Establishment and the Filature Establishment. This is similar to what obtained in regard to cotton spinning—there were the charka and the handloom industry and also the powerloom industry. Similarly, we have got here also two establishments.

3-20 p.m. As has been pointed out, the Government are interested in the development of this industry. There is also some financial commitment as stated in the financial memorandum. The Government have to spend money for running markets. The whole industry has got to be, to some extent, controlled and developed. For that purpose, some kind of general control is necessary so far as this industry is concerned. Therefore, the Government have brought in this Bill for the purpose of making provision for issuing licences to buyers, for establishing Market Committees and for controlling prices. The object of the Bill is a very salutary one. Of course, there is the fact that the industry is chiefly in the Kollegal taluk of our State which is going to be transferred to Mysore. But the Hon. Minister has pointed out that in the Hosur taluk and in other places like Coimbatore and Tirunelveli the silk industry may thrive. Therefore, I understand, it is necessary for us to have a Bill of this sort passed which is similar to the one now in force in Mysore. That Mysore Act will apply to the Kollegal taluk when it goes to Mysore. Therefore, it seems to me that this Bill is a very useful one. The Government have got powers to constitute Market Committees. In the constitution of such a Market Committee the elective principle has been given its due recognition. The silkworm rearers will elect two people, the charka establishment will elect one representative and the filature establishment will elect one. Only the Chairman will be appointed by the Government. Most probably he will be the Director of Industries and Commerce.

The only thing that seems to be relevant for our present purpose is this. Large powers are given to the various officers of the Government for framing rules. All those rules may be placed before this body also. I find that it is stated in the Bill that all rules made thereunder shall be placed on the table of the Legislature as soon as possible. As the Hon. the Mover has brought in this Bill here in the beginning, I hope and trust that he will see that all those rules are placed before this Council also. A small amendment will have to be made for that purpose to the effect that those rules will be placed on the table of both Houses of the Legislature.

Then, it is stated in clause 14—

“Any person who contravenes or fails to comply with all or any of the provisions contained in this Act or any rule, order or notification made thereunder or any of the conditions of a licence

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issued or renewed under this Act or the rules made thereunder shall be punishable with fine which may extend to five hundred rupees.”

Contravention of any rule, order or notification may sometimes be merely by mistake. Therefore, it is better to specify that only deliberate contravention of any rules or disobedience of the orders issued by the Government or by the licensing officers or others will be construed as an offence and the person concerned will be punishable with fine which may extend to five hundred rupees. In other cases, the officers may see whether there is room for excuse. This may be made clear. Otherwise, there will be great difficulty. For example, a date may be fixed within which a certain thing should be done. A person may not be able to do it within that date. There may be genuine reasons for it. Such a person should not be treated as guilty of an offence.

There is no other provision which merits serious comment. On the whole, I welcome this Bill.

THE HON. SRI M. BHAKTAVATSALAM : Sir, I am very much obliged to the hon. Member Sri Balasubramanya Ayyar for the warm support he has given to this Bill. As regards placing the rules before the Legislature, we shall not mind at all placing them before this House. About the other suggestion made by him, I shall have the matter looked into while framing the rules. I do hope that this Bill will have the unanimous support of this House.

MR. CHAIRMAN : The question is—

“That the Madras Silkworm Seed (Production, Supply and Distribution) Bill, 1956 (L.C. Bill No. 5 of 1956), be taken into consideration.”

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

Clauses 2 to 19 were put and carried.

Clause 1 and the Preamble were put and carried.

THE HON. SRI M. BHAKTAVATSALAM : Mr. Chairman, Sir, I move—

“That the Madras Silkworm Seed (Production, Supply and Distribution) Bill, 1956 (L.C. Bill No. 5 of 1956), be passed.”

The hon. Member Sri Purushotham seems to have given notice of an amendment for placing the rules on the table of this House also. He need not worry about it. We shall certainly place the rules on the table of both Houses of the Legislature.

MR. CHAIRMAN : The question is—

“That the Madras Silkworm Seed (Production, Supply and Distribution) Bill, 1956 (L.C. Bill No. 5 of 1956), be passed.”

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

[26th September 1956]

III.—NON-OFFICIAL BUSINESS.

Resolutions.

- (1) APPOINTMENT OF A COMMITTEE TO EXAMINE AND MAKE A REPORT ON THE QUESTION OF ADULT EDUCATION IN THIS STATE.

* SRI A. GAJAPATHY NAYAGAR: Mr. Chairman, Sir, I move—

“That this Council recommends to the Government that a Committee be appointed to examine and make a report on the question of adult education in the State.”

My first submission is this. I find in the Second Five-Year Plan that social education finds a place as part of education. There we find certain figures given. The Census of 1951 shows that only 16.6 per cent of the population were literate. Then, apart from the low percentage of literacy, there is a serious disparity in literacy between men—24 per cent—and women—7.9 per cent. As regards urban population, 34 per cent were literate and as regards rural population, only 12 per cent were literate. We, therefore, find that adult education is in a very deplorable state. I beg leave to introduce this resolution because the Second Five-Year Plan does not refer to this fact. The Plan speaks only of social education. I want a clarification from the Hon. Minister whether social education includes adult education also. Because, I find here a sentence—‘As the essential reforms proposed in this Plan are carried out, it should become possible to develop facilities for continuation classes and social education classes in increasing proportion in elementary or secondary schools.’ Previously attempts were made both by the District Boards and other bodies to impart adult education. But, for more than one reason, they failed. If the Government want to have adult suffrage, an intelligent population to understand the points placed before them and give their intelligent support to the Government, I say that adult education goes hand in hand with adult suffrage. I only want to impress this point, viz., that the method of carrying it out should be the correct one. Previously, if they had failed in their attempt, it was due to the fact that the method adopted by them was wrong. There are so many agencies who are very anxious to impart adult education. You may prescribe the syllabus and examinations and leave the other things to these agencies. If the adult gets more than 50 per cent of the marks, the Government may see its way to award Rs. 30 or Rs. 40 to the person concerned and the person engaged in imparting education to those persons may be given Rs. 25 or Rs. 35 or whatever the amount may be. In that way, every person who is interested in adult education will take more and more interest and impart education to the adults. The adults will also be greatly benefited and more and more will come forward to take advantage of the scheme. I find that there will be no difficulty in their learning. After all, everything will be taught in the regional language and there is not going to be any stagnation or any waste. Unless

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we take this matter more seriously and try to impart adult education in the manner suggested by me, I am afraid that our country cannot move forward progressively. Therefore, I submit that the Hon. Minister concerned may come forward to appoint a Committee or a Commission to go into the whole question and suggest ways and means by which adult education may be imparted and how the methods could be revised so that we may have an intelligent electorate and an intelligent population. By this way, I am sure the Backward Classes, that is, the under-developed classes will have an opportunity to receive education. We are spending so much on University education, secondary education and elementary education. But, the adults of the age of 18 years and above are utterly neglected. If we spend one rupee on an adult of say, 18 years, we will get four times its worth. He can learn in three months what it will take one year for other persons below that age. (Interruption.) I did not say, one is exclusive of the other. You can have elementary education, you can have secondary education and all those things. Simply because adult education has been omitted from the Second Five-Year Plan, I have to make mention of it. I do not know whether social education includes adult education also. Whatever it is, let us take it up. It is our household affair. After all, let us prepare them so that they may vote intelligently. It would not cost much. We can get very good and quick results, unlike in the old system. All these things have to be thrashed out. Not one, but there are several other things which could be thrashed out by the proposed Committee. It is high time that we moved in the matter. It is nine years since we attained Independence. With these few words, I commend my Resolution for the acceptance of the House.

SRI V. CHAKKARAI CHETTY: Mr. Chairman, I welcome the idea of the hon. Mover. But I am afraid that the views propounded by the various gentlemen interested in adult education are so wide of the mark that I cannot appreciate their zeal for adult education. What they mean by adult education is that the old gentlemen should be taught to learn the three R's. I am afraid that in our country, there is a great deal of reluctance on the part of several of the old people to sit down and learn from the beginning A, B or C or from அ. ('Ana'). My idea of adult education is that the adults should be taught to understand the contemporary events both in our country and elsewhere so that they may have some general knowledge of the various things. I myself should try to learn as an adult various things such as those I am trying to learn and what I could not have possibly learnt when I was in College. For example, the recent discoveries in Science have gone so far that I am unable to follow even the ordinary discussions in the papers. Take, for example, the atomic energy and nuclear analysis and how those things are often referred to in the newspapers. I have very dim ideas about these subjects. I suppose in England the object that I have in view is carried out by University Extension Lectures

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by experts in different sciences and the various subjects of interest to the general public. I myself should like to learn a great deal about modern tendencies in mathematics. I am interested in mathematics as a student of science. I am unable to grasp all those things especially from text-books although there are plenty of books on these subjects. I would like someone interested in these subjects to make them interesting to the general public who are likely to take advantage of them and be benefited. That is my idea of adult education and not that older people should be brought together in a place and made to learn the elements of reading and writing. I am afraid it will be a difficult task to get people and make them sit down and learn something after the various daily avocations and business transactions which they have had to attend to during the day. It is very difficult to get them that way like little children. We cannot expect them to attend the schools with their books, note-books and things like that like small children. I find today the children carry a lot of note-books to the schools. I rarely carried in my school days so many note-books unless it was compulsory. I never carried a note-book, but only carried a slate. But, now the slates are banned, I hear, as being insanitary. So, the children carry various note-books, and special enterprising publishers bring out special editions and note-books suitable for boys and girls. With these remarks, I have great pleasure in recommending this resolution. While seconding the same, I should like my friend to define in detail what he means by adult education so that the Government may have some idea of the same and so that the Committee may go into this question with a little more interest than merely trying to solve the problem of literacy at the level of adults. With these words, I once again second the resolution and support it most wholeheartedly as I feel that the time has now arrived for taking some such measure in order to make our people competent to deal with the great problems that are facing our country and our State. All these things require intelligent appreciation. I hope the Committee proposed will go into all these matters and suggest suitable measures for making the adults take interest in the developments taking place in the country so that it may be good for the country as a whole.

Mr. CHAIRMAN : Resolution moved—

“ That this Council recommends to the Government that a Committee be appointed to examine and make a report on the question of adult education in the State.”

SRI K. BALASUBRAMANYA AYYAR : Mr. Chairman, I support this Resolution. Of course, the Mover of the Resolution has presumed that adult education is necessary and that the Government also think like that. Therefore, he wants that the Government should appoint a Committee to examine and report on the question of adult education in this State. Adult education consists of two parts. One is making literacy much more prevalent than

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what is necessary. We feel it is necessary now because in our elections, we have adult suffrage and the people should be literate. We have now symbols like bulls, house, elephant, etc., one representing the Congress and the others representing other parties and a lot of confusion arises in the process of voting. There are many difficulties experienced by the voters during the election. There is what is called ‘ thumb-impression.’ Why should we have this? People must be literate. But literacy is not education. That has been accepted. Recently, our educationists have stated that mere literacy is not education. We find also one difficulty with people who have become literates. They lapse into illiteracy after some years. They forget things. That is also our experience. Our Government have been interested in this problem and sometime ago, I believe, they had an Honorary Director of Adult Education also. (The Hon. Sri C. Subramaniam : He is still there but he is a paid officer now.) So, they are interested in seeing that adult education is provided.

The other aspect of adult education is providing education not merely through the eye—that is, making one learn the alphabets, etc.—but through the ear as well. From time immemorial, much of our education has been provided through the ear. Many of our old people, in the real sense of the term, are more educated in spiritual and cultural matters than many of our young men. They have heard and listened to expositions made in villages of our ancient scriptures. They are able to get as much education through the ear—if not more—as they can through the eye. Therefore, that kind of adult education is necessary and I may tell the House, in this connection, that the Madras Library Association has framed various schemes which are calculated to achieve this purpose. We have model carts containing books which can travel from village to village. Books in the mother-tongue of the villagers are taken out and read out to them. The books cover various things like matters of cultural interest, etc. They are also well-illustrated. The Second Five-Year Plan is under execution and we have also appointed a Special Officer for the purpose of educating the people about the Plan. The Government must certainly take more interest in seeing that knowledge about the Plan is diffused as widely as possible so that our electorate may be an intelligent electorate. Our electorate has got commonsense, fundamental, rich commonsense. It is so especially in our State. Therefore, there is no difficulty about that. But they should acquire more knowledge and literacy. Both these aspects of the matter should be enquired into. The Government may feel that a committee is or is not necessary. I do not know their attitude. Whatever their attitude is, this thing must be fully investigated by the Government and vigorous steps taken for the purpose of ensuring that adult education is given not only through the eye but through the ear as well. There are many things that are going to take place in our country during the next five years. And the people must have knowledge about these things. Therefore it is, I make bold to support this Resolution.

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* SRI A. M. ALLAPICHAJ : Mr. Chairman, Sir, I do not know whether the Government will accept the suggestion for appointment of a committee or not. That is a different matter. The principle underlying the Resolution, the Government will accept. Everyone will agree that our people must be educated. There is no doubt about it. We may remember that the Greeks were supposed to be the most cultured people in the ancient world. As a matter of fact, all of them were not literate. In spite of their illiteracy, they were known as the most cultured people in those days. So much so, there is no aspect of human life which has not been influenced by them. Every aspect of human life even today is influenced by what they said and did in the past. As the hon. Member Mr. K. Balasubramanya Ayyar very correctly said, adult education has two aspects to it. One is, sending a teacher to a night school or whatever it is and making him teach A, B, C, etc.

SRI K. BALASUBRAMANYA AYYAR : Not A, B, C, but ௮, ௯, ௧௦.

* SRI A. M. ALLAPICHAJ : Yes, I agree. They may, in course of time, learn to read and write. That is admitted. Much more than that is the question of culture. One of our great emperors—Akbar—was not a literate but was yet a very highly cultured man because he used to hear learned men talk. Learned men used to grace his court with their presence and they used to provide discourses and discussions there. So much so, Akbar became perhaps one of the greatest intellectuals of all ages. What I beg to submit is this. Our country is a very great country and we ought to be proud of it. There are so many religions in this country and all religions say we must behave well and we must be good to all and things like that. Naturally, there is no conflict between religions. In spite of this, because our people are not literate, sometimes it happens that some people play upon their ignorance and teach them bad things. Our people believe they are good and create sometimes confusion. Our country is not a small country. It is big and has forty crores of people. Out of 200 crores of people that inhabit this globe, we are 40 crores. In the voters' list, there are 18 crores of our countrymen. It is, therefore, highly imperative that our people should be taught correct things and I am positively of opinion that our religions teach only good things. What happens is, our people are so ignorant, on account of foreign rule and for various other reasons, that they are exploited by interested parties.

3-50 p.m. Democracy is our aim. Democracy has become an established thing in our country. If that has to go forward, our people have got to be educated. That means it casts an imperative duty not only on the Government, but on every person concerned to see that our people are educated. As a matter of fact, let me tell my hon. Friend Mr. Gajapathy Nayagar that such things are not done by Government. Such things have to be taken up by private agencies and what private agencies can do in this direction, I am positively sure, Government cannot do. Government's resources are

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limited. There is the mighty Congress Organisation. But I am sure that it is not possible for a Government, with its limited resources, to maintain the Congress Organisation. If they do so, their resources would be eaten away in a short time by the organisation. Therefore, in all these things, it is the private agencies that have to come forward. A man with high school learning may teach some people. I may tell the hon. Member Sri Gajapathy Nayagar that he should not be disappointed if the Government do not accept his view. Let him carry on with his idea and let everyone help him and make his scheme a success. If democracy is to flourish in our country, our people must be educated. I am not saying anything new. We know in the last elections, how many appealed to our passions and prejudices. What happened then? Our people are not very highly educated. Some people did act upon those appeals, because they were not cultured enough to know that what all those people said were bad things. When such is the case, is it not the duty of every Indian to see to it that our people are educated? (The Hon. Sri C. Subramaniam : Educated in the proper manner.) Yes, Sir. They should be educated in the proper manner. They should be educated to such an extent that they might not be carried away when some people appeal to our prejudices.

THE HON. SRI C. SUBRAMANIAM : Even educated men have got prejudices.

* SRI A. M. ALLAPICHAJ : I do not contradict the statement of my friend. We have a limited objective in regard to education. Our object is to get jobs and the moment one gets a job, one is prepared to run down 100 million men. It is for leaders like Sri A. Gajapathy Nayagar, Sri K. Balasubramanya Ayyar and a scholar like our Leader of the Opposition to start private agencies which can do much better work than what the Government agencies can do. If possible, they could get help from Government. But the start should be made by private agencies. Orphanages should be organised by private agencies. This is a very grand idea because this idea can make or unmake the nation. Without education what can we do? We cannot do anything. With these words, I wholeheartedly support the Resolution.

DR. A. LAKSHMANASWAMI MUDALIYAR : Mr. Chairman, I am handicapped by the fact that I was not here to hear what must have been an interesting speech from the hon. Member Sri A. Gajapathy Nayagar. I am glad that I have now an opportunity to express my views on this important subject of adult education in the forum of a legislature. We have been talking about adult education, but I am afraid we do not know what is the content of adult education and what is the objective of adult education. I have had the opportunity of attending some seminars on adult education and the more often I have attended those seminars the more confused I have become. What exactly do we mean by adult

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education? In other countries, when they speak of adult education, they mean "further education". They do not refer to literacy as part of the adult education movement. "Further education" should be guaranteed to all our people, whatever may be the knowledge they possess, for in this work-a-day world there is a great need for "further education" for educated persons in the different fields of advancement like science, philosophy, politics, economics, etc. When we talk of adult education, I would say that those who are professors in the colleges require more than anybody else this type of education. It is for this purpose that the Government of India recently sent out a Commission to study what was generally known as "General Education". Viewed in that aspect, there is a great leeway to be made up. But people when they refer to "adult education", begin to speak of literacy and the necessity to make people literate.

I have two fundamental views to be placed before this House: Why is illiteracy prevailing? It is prevailing because we are not able to educate the children. Therefore, would you like these children to grow as adults and then give them adult education or would you stop talking of educating the adult and concentrate on educating the child? It is far more important to see that no young child is left illiterate at the age of 9, than to think of educating the adults even for political reasons, viz., electioneering.

The next point I would like to stress particularly after hearing my friend, the Deputy Chairman, is, "let us not believe that our villagers are uneducated or illiterate." If only we have the time and patience to listen to them in the villages, (I am not talking of the villagers who talk in the All-India Radio, but the villagers in rural surroundings), we might come to know that they know far more than what you and I know of the things that are going on, and about the political and other economic problems facing the country. Education has come to the rural folk from the past generations, from the grandmother to the grandchild. That type of education is far more complete than what the rural population in other countries possesses. Tradition, old habits and ancient literature—all these have been transmitted to us by our elder generation. Otherwise, how would we know of the Ramayana or the Mahabharatha or any other ancient scripture? Not by reading all of them but from the tales told by our grandmothers while asking us to eat something more or while cautioning us to behave better. That is the type of education that we have inherited from our grandfathers and grandmothers. If you want literacy to be your aim, there is no use of educating the adults, for even though you might spend crores of rupees on that account, the results may not be commensurate with the money you had spent. If you want to educate the adults although they may be literate, there are many ways of doing it. I hope this matter will merit the immediate consideration of Government. I am not for having this literate class. I would say that adult education must not be confounded with the principle of making people literate.

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The next point to consider is if these adults are to be educated, they must be tackled in their surroundings by people who know something of what is going on. The position unfortunately to-day is that we are educating our own children through persons who are still what may be called "adult illiterates". They have not had complete adult education. We are guiding the children to go to primary schools manned by men who are not sufficiently qualified to function as teachers.

If this Resolution recommending to the Government consideration of all aspects of adult education, those aspects, which I have ventured to place before the House, is accepted, perhaps we can evolve a more agreed scheme as to how best to spend the resources of the State for the furtherance of this object. 4 p.m.

What is the percentage of adult illiterates to-day? Taking our own State, I will not be far wrong, if I say that it is something between 50 and 60 per cent in spite of the advances we have made. (Interruption.) I am talking of the total population, including women. (Interruption.) It was long ago, I think. Of course, census figures have their own value. But there are also certain other points in it which have to be borne in mind. I cannot say that they are very accurate; but I am not far wrong, if I put those who are definitely illiterate at 60 per cent. There are those who have been trained up to a limit, but who lapse into illiteracy, and that is one of the problems which we have to investigate. There are adults who, as facilities are not available to keep up their literacy, lapse into illiteracy. In that direction, the library movement has been successful to some extent. There is no doubt that non-official agency has to play a large part in this. But, at the same time, there is a limit to the role of non-official agencies. They cannot play a very important role; as somebody put it some years ago, unless there is the steel-frame, that is, a certain amount of Governmental organization, even non-officials will not be in a position to do much. I entirely agree with that. There can be evening classes conducted in all our schools. There too, in the case of those who wish to have an opportunity of becoming literate, we must try to improve their capacity to become literate, and this, I believe, is more useful when it comes to those who have lapsed into illiteracy than teaching those who want to start with initial alphabets at the age of 35 or 40. After all, psychologists say that up to a certain age there is receptivity in the life of every individual. If you want me to learn a foreign language now, it is ten times more difficult than it would have been several years ago. This idea of adult literacy must not be altogether a sentimental idea. If it is to be practical, ways and means must be found to see how this adult literacy can be produced, far more than how adult education can be guaranteed. In that respect, I would welcome the appointment of a committee to examine this question.

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* **SRI O. P. RAMASWAMI REDDIAR :** கனம் தலைவர் அவர்களே,

ஸ்ரீ கஜபதி நாயகர் அவர்களும், வைஸ்-சான்ஸலர் அவர்களும் ஸ்ரீ பாலசுப்ரமணிய அய்யர் அவர்களும் சபைமுன் இருக்கும் தீர்மானத்தின்படி பேசும்போது, நாட்டில் படித்தவர்களின் எண்ணிக்கை குறைவாக இருப்பதினால், மற்றவர்களும் படிக்கவேண்டுமென்றும், சாதாரண புத்தகப் படிப்பு மாதிரிப் போதாது என்றும், பலதிறைகளிலே ஞானம் பெறவேண்டுமென்றும், நமது நாட்டிலுள்ள பெரியோர்கள் நல்ல ஞானத்தை அடைவதற்கு எந்தெந்த முறைகளைக் கையாண்டு சேவை செய்தார்களோ, அந்த முறையிலே நாமும் சேவை செய்யவேண்டுமென்றும் தெரிவித்தார்கள். அவர்களுடைய கருத்தை நானும் ஆமோதிக்கின்றேன்.

நமது நாட்டிலே ஒரு பக்கம் ராஜ்ய ஞானம் அதிகமாகிக்கொண்டு வருகிறது. ஒவ்வொருவருக்கும் தங்களுடைய உரிமையை அடைய வேண்டுமென்ற எண்ணம் இருக்கிறது. கடமையைச் செய்தால்தான் உரிமை வரும். கடமையைச் செய்யவேண்டுமென்றால், மக்களுக்குப் படிப்பு வசதியும் வேண்டும். படிப்பு வசதி இல்லாதபோது, படித்தவர்கள் மற்றவர்களுக்கு எந்தத் துறையிலே ஞானத்தைப் புகட்டவேண்டுமோ அந்தத் துறையிலே புகட்டுவதற்கும் ஏற்பாடு செய்யவேண்டும். அது சர்வகலாசாலை மாதிரிச் செய்யவேண்டிய வேலை அல்ல; எல்லோருடைய வேலையுங்கூட.

அதுமாதிரியல்ல. நமது நாட்டிலே பெரியோர்கள் பொக்கிஷங்களாக அநேக புத்தகங்களை வைத்துச் சென்றிருக்கிறார்கள். ஆங்காங்கே புத்தகப் பண்டாரங்கள் இருக்கின்றன. அவைகளெல்லாம் செல் அரித்துப் போய்க் கொண்டிருக்கின்றன. செல் அரித்துக்கெட்டு விடாமல், எல்லோருக்கும் பயன்படும்படியான முறையிலே, அவைகளைக் காப்பாற்றி வந்தால்தான் பெரியோர்கள் பெற்று வந்த ஞானத்தை வாழையடி வாழையாக மற்றவர்களுக்குக் கொடுப்பதற்கு வசதி செய்தவர்களாவோம். ஆகையால், அது விஷயமாகவும் அரசாங்கம் கவனம் செலுத்தும் என்று நான் எதிர் பார்க்கிறேன்.

பழைய புத்தகங்களும் எட்டிச் சுவடிகளும் நல்ல முறையிலே காப்பாற்றப்படவேண்டுமென்பதற்காக லைப்ரரி செஸ் சட்டம் நிறைவேற்றப்பட்டது. அந்த இனத்தில் பணம் வசூலிக்கப்பட்டு சேர்ந்து கொண்டிருக்கிறது. பணம் சேர்ந்துவருகிறதேயொழிய, லைப்ரரிகள் அதிகமாகிக்கொண்டிருக்கின்றனவா என்று பார்த்தால், லைப்ரரிகள் எவ்வளவு அதிகமாக இருக்கவேண்டுமோ அவ்வளவு அதிகமாக இல்லை. ஏதோ அங்கும் இங்கும் சில இடங்களில், அதுவும் நகரப்புறங்களிலேதான் லைப்ரரிகள் இருக்கின்றன. (Interruption by the Hon. Sri C. Subramaniam). எந்த முறையிலே பணம் சிலவு செய்திருக்கவேண்டுமோ அந்த முறையிலே சிலவு செய்திருப்பதாக நான் எண்ணவில்லை. பணம் சிலவு செய்திருக்கலாம். நான் பார்த்தவரை, ஏதோ அங்கும் இங்கும் நகரப் புறங்களிலே சில இடங்களிலே லைப்ரரிகள் ஏற்பாடு செய்து, அதன் மூலமாகப் பணம் சிலவழிந்திருக்கலாம். ஆனால், எல்லா இடங்களிலும் அந்த நிலை உண்டாகவேண்டுமென்பதற்காகத்தான் லைப்ரரி செஸ் சட்டம் அப்பொழுது நிறைவேற்றப்பட்டது.

லைப்ரரியிலே இருக்கும் பழைய சுவடிகள் கறையான் அரித்து, கவனிப்பார் அற்று கெட்டுப்போய்க்கொண்டிருக்கின்றன. அதற்காக ஒரு கமிட்டி ஏற்படுத்தி, அதற்கென பணமும் ஒதுக்கப்பட்டது. அதன் பிறகு அதைப்பற்றி நாளாவட்டத்தில் கவனம் குறைந்துகொண்டுதான்வருகிறது. அவைகளை அச்சடித்து, எல்லா லைப்ரரிகளுக்கும் ஒவ்வொரு பிரதி கொடுத்து வைத்தால், ஒரு இடத்தில் இல்லாவிட்டாலும் இன்னொரு இடத்திலாவது இருந்து, மற்றவர்களுக்குப் பயன்படும்படியான முறையில் நிலைத்து நிற்கும். ஆகவே, முதியோர் கல்வித் துறையிலே பல வழிகளைக் கையாளலாம்.

26th September 1956] [Sri O. P. Ramaswami Reddiar]

அறிவாளிகள் ஜனங்களுக்குப் பிரசங்கங்கள் மூலமாக சேவைசெய்ய வேண்டும். சர்வகலாசாலை மூலமாக மட்டும் நாட்டிலுள்ள எல்லோருக்கும் கல்வி அறிவு புகட்டிவிடமுடியாது. சினிமா பிலிம்களின் மூலமாகவும் மக்களுக்கு அறிவு புகட்டலாம். சினிமாக்களின் மூலமாக இப்பொழுது எந்தவிதமான அறிவு புகட்டப்படுகிறது என்று சொல்லவே வேண்டாம். அங்கே என்ன நடக்கிறது என்பது எல்லோருக்கும் தெரிந்த விஷயம். Visual Education என்ற முறையிலே சினிமா பிலிம்களின் மூலமாக நல்ல முறையிலே ஜனங்களுக்குப் பிரயோஜனப்படக்கூடிய முறையிலே, அறிவு புகட்டுவதற்கும் வழி இருக்கிறது.

SRI N. ANNAMALAI PILLAI : நண்பரவர்கள் சினிமாவுக்குப் போயிருக்கிறார்களா ?

* **SRI O. P. RAMASWAMI REDDIAR :** நான் சினிமாவுக்குப் போவதில்லையானாலும், கேள்விப்பட்டதிலிருந்தே சொல்கிறேன். தெருக்களிலே போகும்போதே சுவரொட்டிகளின் மூலமாகவே சினிமாக்களின் லட்சணம் நன்றாகத் தெரிகிறதே; அவைகளைப் பார்த்துத்தான் சொல்கிறேன். ஆகவே, சினிமாக்களின் போக்கை மாற்றி, அதன் மூலமாகவும் ஜனங்களுக்குப் பயன்படும்படியான முறையிலே முதியோர்களுக்குக் கல்வி புகட்ட முடியும். குழந்தைகளுக்கு நல்ல கல்வி புகட்டும் படியான முறையிலும், நல்ல ஒழுக்கம் வளரும்படியான முறையிலும், தொழில் அறிவு பெறும்படியான முறையிலும், பாரமார்த்திகத் துறையில் அறிவு பெறுவதற்கும் சினிமா பிலிம்களை உபயோகப்படுத்த முயற்சி செய்யவேண்டும் என்பதற்காகத்தான் நான் இதைச் சொல்கிறேன். இம்மாதிரி பல துறைகளிலே சேவைசெய்தால் நன்றாக இருக்கும். கல்வி அமைச்சர் நல்ல இளைஞர்; வேலையிலே உற்சாகம் இருக்கிறது. இன்னும் அதிகமாக, தகுந்த சிரத்தை எடுத்துக்கொண்டு சேவைசெய்ய ஆரம்பித்தால் நன்றாகச் செய்யமுடியும். ஸ்ரீ கஜபதி நாயகர் கொண்டுவந்த தீர்மானத்தை நானும் ஆதரிக்கிறேன்.

* **SRI N. ANNAMALAI PILLAI :** கனம் தலைவர் அவர்களே, முதியோர் கல்வி என்ற விஷயத்தைப்பற்றி சில வார்த்தைகள் சொல்ல விரும்புகிறேன். முதியோர் கல்வியைப் பரப்பவேண்டுமென்று சுமார் பத்து வருஷ காலமாக சர்க்கார் வேலை செய்துவருகிறார்கள் என்று நினைக்கிறேன். பத்து வருஷ காலமாகச் செய்து வந்த வேலையில் பலன் எவ்வளவு கிடைத்திருக்கிறது என்பதைப் பார்க்கும்போது, இது நிறைவேறுவதற்கு இன்னும் 100 வருஷம் ஆகும்போல் இருக்கிறது. முதியோர்களுக்கெல்லாம் கல்வி அளிக்கப்பட்டு, அவர்களெல்லோரும் கல்வியாளர்கள் என்ற நிலைமையை நாட்டில் உண்டெண்ணுவதற்கு அதிக நான் செல்லும்போல் இருக்கிறது. நாம் எதிர்பார்க்கிறபடி சீக்கிரத்திலே இது நடைபெறுமா என்றால் முடியாது என்று நான் நினைக்கிறேன். இது விஷயத்தில் எனக்குத் தோன்றுகிறது ஒரு யோசனை. சில வருஷங்களுக்கு முன் அனுஷ்டிக்கப்பட்ட, ஸ்டைப்பெண்டு முறைப்படி படிக்கவரும் ஒவ்வொருவருக்கும் மாதம் ஐந்து ரூபாய் வீதம் ஸ்டைப்பெண்டு கொடுத்தால், படிப்பதற்கு முதியவர்தான்வார்களிடையே ஒரு உற்சாகம் ஏற்படும். நம் நாட்டில் ஜனங்கள் படிப்பு இல்லாமல் இருக்க விரும்புவது இல்லை. வயது முதிர்ந்தவர்களுக்குக் கல்வி புகட்டவேண்டுமென்று நினைத்து நாம் வேலை செய்கின்றோம். ஆனால், அவர்களுக்கு ஓய்வு என்பதே இருப்பதில்லை. சென்னைப் பட்டணத்திலோ, திருவண்ணாமலையிலோ, வேலூரிலோ இருப்பவர்களுக்கு ஒருவேளை ஓய்வு இருக்கலாம். ஆனால், கிராமாதிரி களில் வசிக்கும் ஜனங்களுக்கு ஓய்வு என்பதே கிடையாது. இரவு 7, 8 மணிக்கு வீட்டுக்குத் திரும்புவார்கள். வந்தவுடன் மாடு கன்றுகளுக்குத் தண்ணீர் முதலியவைகளைக் காட்டிவிட்டு, அதன்பிறகு சாப்பிட்டு படுக்கப்போவதற்கு இரவு 10, 11 மணி ஆகிவிடுகிறது. மறுநாள் விடியற்காலே மூன்று மணி சுமாருக்கே படுக்கையைவிட்டு எழுந்திருந்து வயல் காடுகளுக்குப் போகவேண்டியிருக்கிறது. இப்படி ஓய்வு என்பதே இல்லாமல் உழைப்பவர்களுக்கு தினம் ஏதோ இரண்டனு கிடைக்கும்

[Sri N. Annamalai Pillai] [26th September 1956]

என்ற முறை இருந்தால், மாலை நேரங்களில் ஓய்வு ஏற்படுத்திக்கொண்டு படிக்க முற்படுவார்கள். ஆகவே, படிக்கிறவர்களுக்கு ஸ்டைப்பெண்டு கொடுக்கும் முறையை ஏற்படுத்தினால் வயதுவந்தோர்களிடையே கல்வி அறிவு பரவும் என்று தெரிவித்துக்கொள்கின்றேன்.

4-10 படிக்கிறவர்களுக்கு ஸ்டைப்பெண்டு கொடுப்பதைப்போலவே, கல்வி P.m. கற்றுத்தருகிற உபாத்தியாயர்களுக்கும் பரீட்சையிலே தேறுகிற மாணவர்களின் எண்ணிக்கையின் பேரில் ஒரு அளவு ஊதியம் கொடுப்பதற்கும் ஏற்பாடு செய்தால், நன்றாக இருக்கும். உபாத்தியாயர்களுக்கு தேர்வு பெறுகிற மாணவர்களின் எண்ணிக்கைக்குத் தகுந்தாற்போல் ஏதாவது பணம் கொடுப்பதோடு, படிக்கிறவர்களுக்கும் மாதம் ஐந்து ரூபாய் வீதம் ஸ்டைப்பெண்டு கொடுக்கும் முறையை பரீட்சார்த்தமாக மூன்று வருஷம் கையாண்டுபார்த்தால், அந்த மூன்று வருஷங்களின் முடிவில் ஒரு தாலாகாவிலுள்ள 100 பேர்கள், அல்லது 500 பேர்கள், ஆயிரம் பேர்கள் வரையில் சேர்த்து வைத்து அவர்களைப் பரீட்சித்துப் பார்த்தால், நான் சொல்லும் யோசனையினால் ஏற்படும் பலன் தெரியும். அதனால் பலன் இருக்கிறதென்று தெரிந்தால், இதை மாகாணம் பூராவும் அமுல் நடத்திப் பார்க்கலாம். இதற்கெல்லாம் பணம் வேண்டுமே, பணம் இல்லையே, அதற்கு என்ன செய்வது என்று அரசாங்கத்தார் சமாதானம் சொல்லலாம். பணம் இல்லை என்பது ஒரு சமாதானமாக இருக்கமுடியாது. முறை சரியானதாக இருந்தால், பணம் தானாகவே வந்துவிடும். பணம் எப்படியாவது தேடிவிடலாம். ஜனங்கள் பணம் கொடுப்பதற்குத் தயாராக இருக்கிறார்கள். ஆனால், அவர்கள் கொடுக்கிற பணத்தினால் தங்களுக்குப் பலன் கிடைக்கிறதா இல்லையா என்றுதான் யோசிக்கிறார்கள். பலன் கிடைக்கிறது என்று தெரிந்தால் ஜனங்கள் கட்டாயம் பணம் கொடுப்பதற்குத் தயாராக இருக்கிறார்கள். ஆகவே, நான் சொல்லியபடி ஸ்டைப்பெண்டு முறையை ஏற்படுத்தி மாணவர்களுக்கு மாதமொன்றுக்கு ஐந்து ரூபாய் பணம் கொடுப்பதோடு கூட, உபாத்தியாயர்களுக்கு தேர்வு பெறுகிற மாணவர்களின் எண்ணிக்கைக்குத் தகுந்தாற்போல் சம்பளம் கொடுக்கிற முறையை அரசாங்கத்தார் கையாண்டு பார்த்தால், பெரிய அளவுக்கு நன்மை ஏற்படும் என்று நான் சொல்லுகின்றேன். இதுவரை அரசாங்கத்தார் கையாண்டு வந்த முறையினால் பலன் ஏற்படாத காரணத்தால், அந்த முறையை மாற்றி, நான் சொன்ன பிரகாரம் செய்தால் முதியோர்களுக்குக் கல்வி புகட்டும் வேலை சீக்கிரமே முடியும். எல்லோரும் கல்வியாளர்களாக மாறி, “எல்லோரும் இன்புற்றிருப்பதுவே யன்றி வேறென்று அறியேன் பராபரமே” என்ற முதமொழிக்கிணங்க எல்லோரும் இன்புற்றிருப்பதற்கு வாய்ப்பு ஏற்படும். செய்வதற்கு மனம் இருந்தால் இதைத்தான் செய்யவேண்டும். மாதம் ரூ 5 கிடைக்கிற தென்றால், கிராமத்திலுள்ள ஏழை மக்கள் வேலைகளை விட்டுவிட்டு ஓரிடத்தில் இரண்டு மணி நேரம் உட்கார்ந்து படிப்பதற்கு வருவார்கள். ஆகவே கிராமத்திலுள்ள படிக்காத விவசாயிகளுக்கும் மற்றவர்களுக்கும் படிப்புச் சொல்லிக்கொடுப்பதற்கு வசதி செய்யவேண்டும் என்று நாம் உண்மையாக விரும்பினால், அந்த விருப்பத்தை நிறைவேற்றுவதற்கு இதைத்தவிர வேறு நல்ல யோசனை இருக்கும் என்று எனக்குத் தோன்றவில்லை. சர்வகலாசாலை உப-அத்யக்ஷகர்கள் இந்த சபையில் இருக்கிறார்கள். டாக்டர் லக்ஷ்மணஸ்வாமி முதலியாரும் மற்ற நிபுணர்களும் இங்கே இருக்கிறார்கள். அவர்கள் எல்லோரும் இந்த யோசனையை நன்கு பரிசீலிக்கவேண்டும். ஆகவே நன்கு பரிசீலிப்பதற்காக இந்தத் தீர்மானத்தை ஒத்திவைத்து, நன்கு ஆலோசனை செய்து, பிறகு ஒரு முடிவுக்கு வரவேண்டும்; கனம் கல்வி மந்திரி அவர்கள் நன்கு ஆலோசனை செய்து அதன் பிறகு பதில் சொன்னால் நன்றாக இருக்கும். அப்படியில்லாமல், “இந்தத் தீர்மானத்தை ஏற்றுக்கொள்ள முடியாது” என்று இப்போதே பதில் சொல்லிவிட்டால், “சட்டசபையில் அங்கத்தினர்கள் ஏதோ முடிக்கொண்டிருக்கிறார்கள் தவிர ஒன்றும் நிறைவேற்றுவதில்லை” என்றுதான் பிறர் நினைத்துக்கொள்வார்கள். (சிரிப்பு.) ஆகையால் இந்தத் தீர்மானத்தின்படி ஒரு முடிவுக்கு வருவதை ஒத்தி வைக்கவேண்டும் என்று கேட்டுக்கொள்கின்றேன்.

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THE HON. SRI C. SUBRAMANIAM: Mr. Chairman, Sir, I am particularly grateful to the hon. Members for the very useful contribution they have made to the debate on this very important issue. I am sorry that the hon. the Leader of the Opposition was not present when the hon. Member Sri Gajapathy Nayagar moved his Resolution and gave his own ideas of adult education and stated for what purpose he wanted it. According to the Mover of the Resolution, this is with reference to making the people literate and nothing more than that, and the appointment of a committee is only for the purpose of going into this aspect of making our adults literate. But I am glad that the hon. the Leader of the Opposition intervened in the debate and threw much light—as he always does whenever he intervenes in debates—on the question of adult education. As he very relevantly pointed out, adult education is something different from literacy, and when a person becomes literate, it does not mean that he has become educated. For example, if a child of 9 years becomes literate, it does not mean that he has become educated in any sense. When we say ‘adult education’, it should not be taken to mean adult literacy movement. Therefore, if the hon. Member wants to put his ideas properly in the Resolution, it should be adult literacy movement, instead of the adult education movement, and there should have been no reference to adult education in his Resolution. So, when he founded his ideas on the movement for adult literacy, I thought his Resolution was not properly drafted or worded for that purpose. Whatever it is, I take the idea which he was putting forward. Now, the question before the House is, as put forward by the Mover, whether we should take up this question of adult literacy and spend our resources on attempting to make our adults literate. This movement was started a few years ago, about a decade ago, and it was going on. The Government also sponsored this adult literacy movement. But, after going into the results achieved, I came to the conclusion that it was a mere waste of resources and mere waste of energy because the results achieved were not commensurate with the amount of money we spent on it and the the amount of energy of human beings wasted on it. Therefore, as it was pointed out by the Vice-Chancellor, should our attempt be to create adult illiterates and then make them literates or should we stop the very process of creating adult illiterates? In other words, should we concentrate and use all our resources for the purpose of seeing that at an early age, in one's boyhood or girlhood, one acquires literacy? Now, if we consider the present state of affairs, with reference to primary education, we find that we are imparting education only to 50 per cent of our children. So, every year 50 per cent of the children go uneducated and we are producing adult illiterates on that scale. Therefore, do we want to stop that manufacture, if I may say so, of these adult illiterates and stop it at the very source itself? I came to the conclusion that it was

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better to utilize all our resources and canalise all our energies for the purpose of seeing that we do not produce adult illiterates. Therefore, the whole position was reviewed by the Education Department and I had a conference also to discuss this matter. After taking proper advice and after assessing the results achieved so far with reference to the adult literacy movement, I came to the conclusion that there was no use of attempting the impossible thing of making our adults literate. Therefore, I thought that we should be able to catch the persons in the younger age group who just escapes going to school and see whether it would be possible to make them literate. After all, a person, I mean a child, either goes to the school at the age of 5, 6 or 7 or does not go to the school at all. Therefore, I thought that when a child reached the age of 8, we could come to the conclusion that it would no longer attend any school. We should look into the causes why a child did not attend school. It is not because schools were not available. As a matter of fact, we have opened many schools. It is only due to the economic condition, the economic distress which compels every child to work for the benefit of the family and for its own benefit. Because of the economic conditions prevailing in the country, it was not possible for these children to attend any school even though we had provided a number of schools for them. So, if we have to educate these children who do not have the benefit of entering any school, we should organize this literacy movement for the purpose of catching these people at a comparatively early age and making them literate so that they may not become adult illiterates. That is why in the reorganized adult literacy movement—it cannot be called the adult literacy movement as we do not go beyond the age of 18—it may be called the grown-up children literacy movement—we have selected the age-group between 8 years and 18 years. We propose to give them schooling in the three R's, reading, writing and arithmetic, for one or two hours every evening after they have attended to their work. There too, supervision is needed in running these schools. If we spread these schools in every area and if we do not have proper supervision, they would not be working well. So, we decided that these night schools for grown-up children of the ages between 8 and 18, be opened in the Community Project areas and National Extension Service areas where we have Social Education Officers and so many other officers so that there might be effective supervision. Thus, in the reorganized scheme of literacy movement we have taken only children in the age group 8 to 18 and we are establishing schools in the Community Project and National Extension Service areas for them. As the Community Projects and National Extension Service Schemes are expected to spread throughout the State within the Second Plan period, the night schools will also spread within that period. I am hoping that it would be possible to organize these night schools in such a way that we may be able to catch at least 50 per cent of the

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children who escape schooling at the present time, in the age group 8 to 18. If we are able to achieve this target, we can really be proud of the same. That is what we are aiming at. There are, of course, certain disadvantages in our adults being illiterates and mention was made about their inability to mark the ballot papers in the elections which took place once in 5 years or so. But, I may say, in this connection, that in the matter of judging candidates, they, the illiterate villagers, have done much better than the literate and educated persons. They do it in a more disinterested way and in a better way than the so-called educated classes. I am sorry to say this and I say with all sense of responsibility that they have done well. After all, I cannot say that our adult population in going to the polls have done anything of which we need be ashamed in any way. They have done well in the elections. They have selected the proper candidates, and I would go even further and say that even if it was the ruling party, they taught it a lesson in the elections when they wanted to do so. Therefore, we need not be under the impression that for the mere reason that they are not literates they are likely to be misled and will not vote for the proper candidates in the elections apart from their inability to mark the ballot papers correctly. That is why other devices are being evolved for the purpose of voting. Therefore, this problem should not be viewed from the angle of voting in the elections which may take place once in three or five years. Let us now concentrate on the process of making the grown-up children literate. That is one of the aspects. The other aspect was referred to by the Vice-Chancellor and that is literacy mortality. That refers to literate persons lapsing into illiteracy because of lack of opportunities to read books and things like that. In that connection, the library movement was serving a very useful purpose. My esteemed Friend Sri O. P. Ramaswamy Reddiar is not uptodate in his information with regard to the spreading of the library movement during the last two years. We have made sufficiently good progress. I am not prepared to say that this is enough and there is no scope for further development of the library movement. But, I have to state that within these two years, we have made very considerable progress. As a matter of fact, I think every taluk has a library now. From the taluk, we are now trying to reach the various villages also. Therefore, that movement is spreading; even though it may be spreading a little bit slowly, it is spreading surely. I am glad to say the Cess Fund which was created in very good anticipation when the Act was passed is being utilized to the best advantage possible. So, there is no question of any stagnation of this fund. This movement will have to be made use of and several other movements will also have to be made use of to see that our literates do not lapse into illiteracy which will create another problem for us besides the general problem of adult education. It refers not only to the illiterates but also to the literate people and to the educated

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people also. That is a continuing process. Because, a man, if he is really a man and if he is to learn so many things lest he should become stagnated and senile, has to receive education till the end of his life. Therefore, this education is a life-long process. It does not stop with the schools or colleges or with the research institutions or even after entering life. As far as this is concerned, it is a bigger problem. So, a Commission was appointed with reference to general education which will have to be imparted to all our people. From that point of view, we have to utilize all the means available at our command for this purpose. Today, the cinema is a very potent force, whether we like it or not. Cinemas exist everywhere, not only in towns but in villages also. There are these tent cinemas even in the remotest villages. If we take statistics today and try to find out whether there is any man or woman who does not go to a cinema at least once a month or so, we will be surprised to find that their number will perhaps be a few hundreds. The statistics will surely reveal the fact that almost everybody goes to the cinema. I am not concerned for the moment with the regular cinema shows which are going on in the theatres. After all, they have also to develop. I am on the aspect of utilizing them for the purpose of educating our children instead of the reverse process of spoiling their minds. It would be a very good idea but that cannot be achieved overnight. We want to utilize the cinemas for giving general education to our people. With that end in view, we have arranged for the exhibition of a certified documentary for 20 minutes or so at the beginning before the regular picture is exhibited. There was a good deal of opposition from the cinema theatre-owners and other persons with vested interests in the cinema business to such exhibition of documentary films. But, we wanted to utilize these cinemas which have become widespread now for the purpose of imparting general education and general knowledge to all our people. That is why we have now made it compulsory that these documentaries should be shown in every show before the story films are shown. I think it is a move in the right direction and we would be able to produce more and more good documentaries. After all, there is also scope for further improvement and development in the production of our documentaries so that these cinemas could be effectively utilized for educating our people.

In the past these Katha Kalakshepams were playing a very useful part in imparting knowledge to the people. As a matter of fact, the persons concerned did not confine themselves to the narration of the story proper, but there were so many side issues which were further elaborated by the person who was doing the performance. In the very process of the narration of the story, so much useful information was imparted to our people. Unfortunately, it is now a dying art. It should be revived in my view. We are trying to do that. If only that happens, I am sure it would

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be a good means of imparting general education and general knowledge to the masses and particularly to persons living in the rural areas. So also, our religious Upanyasams, discourses and lectures given by the various learned men on the Kamba Ramayana, the Mahabharatham and all those things will serve a very useful purpose. All of them were not merely confining themselves to the story proper. They were able to cater to the people a fund of knowledge and a fund of information which would really make the rural folk educated and cultured which the hon. the Deputy Chairman wanted everyone of us to be.

SRI M. P. GOVINDA MENON : Now it is more 'Kimayana' than Ramayana that is going on.

THE HON. SRI C. SUBRAMANIAM : It also serves some 4-30 purpose. It impresses upon us what should not be done. It is p.m. Saint Vivekananda that said that sinners are also teachers in disguise. Let us not be thinking of Kimayana. Let us be thinking of the real process of education—what should be the methods and means of education. Now, we are organizing exhibitions. They are the best means of imparting knowledge and education to our people. We are adopting all these methods and we should launch an all-out drive to see that we give general education to the people. In our Community Project and National Extension Service areas, we have got Social Education Officers also. My hon. Friend, Mr. Gajapathy Nayagar was wondering who these officers were and what their functions were. This social education is for both adults and children. Social education is not confined to adults alone because children have got to be educated in social behaviour and taught to discharge their duties and responsibilities as useful citizens in the future. It is not as if the Government were not aware of the enormity of the problem, and the various difficulties and issues arising out of it. It is not as if we are going to get any fresh information or useful information by the appointment of a committee. The question is whether we are taking sufficient steps for reaching our goal quickly. We are taking proper and effective steps which will produce good results. Therefore, I would request the hon. Mover to withdraw his Resolution, having been assured that adult education is one of the accepted policies of the Government. We want to make not only our grown-up children literate but also the general masses of our people literate. We are making earnest attempts to see that this scheme is properly implemented. May I request the hon. Mover not to press for the appointment of a committee, especially, as even according to him, the question is confined to the narrow limit of adult literacy movement? Adult education is something more than what the hon. Mover wants the Government to attend to. We are trying to tackle it and I hope the Mover will be good enough to withdraw his Resolution, especially after

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he has heard men like Dr. A. Lakshmanaswami Mudaliyar and Mr. O. P. Ramaswami Reddiar expounding the idea of adult education.

* Sri A. GAJAPATHY NAYAGAR: Mr. Chairman, I feel greatly thankful to the Hon. the Minister for Education and my learned friends for having expressed their ideas about adult education. I was first impelled to move this Resolution for the reason that a large percentage of our population is illiterate in the sense that most of our people cannot read and write. Adult suffrage has come now, and such a state of affairs cannot be tolerated. Further, when we are going to have Tamil as the State language, there is every need to ensure that our people become literate. I also wanted to impress this fact upon the Government. That is, our educational authorities must adopt new methods and means by which adult education may be promoted. In fact, I feel thankful to the hon. Member Mr. Annamalai Pillai for his suggestion regarding grant of stipends. If we are able to impress the need for adult education both on the persons to be educated and on the persons to educate them in a manner that would get them some pecuniary benefit therefrom, then surely we will succeed in making adult education popular. As the hon. Member Mr. Ramaswami Reddiar said, we can easily learn in three months what a child takes one year to learn. There are many agencies in existence to-day. But in the olden days, people had no books to read. To-day, there are hundreds of books available. Besides, we have periodicals also. Every man is hungering to read newspapers. If one man reads, ten men gather around him and listen. In the context of things taking place, I moved this motion because, adult suffrage is very much at a discount. Our adults should become literate in view of the elections and Tamil becoming State language shortly.

I wish to impress upon the Government one thing. They have failed to provide education in the three R's to children between 5 and 8 years but are now trying to give education to persons between 8 and 18 years of age. In spite of their best efforts, they have not been able to give compulsory elementary education to all persons. What I would tell them is: 'You are now trying to give education to persons between 8 and 18 years of age; do it so that my purpose of providing adult education after 18 years of age may be fulfilled.' In that view, let me express my grateful thanks once again to the Hon. the Minister for Education and request the Government to implement their scheme of adult education so that our land may prosper in all ways.

MR. CHAIRMAN: Does the hon. Member withdraw his resolution?

SRI A. GAJAPATHY NAYAGAR: Yes, Sir.

The Resolution was, by leave, withdrawn.

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- (2) ADOPTING THE METHOD ADOPTED BY THE MADRAS GOVERNMENT IN THE RECENT MUNICIPAL AND DISTRICT BOARD ELECTIONS IN THE CASE OF THE COMING GENERAL ELECTIONS IN THE STATE OF MADRAS.

SRI MOHAMED RAZA KHAN: Sir, I move—

"That this Council recommends to the Government to urge upon the Government of India to adopt in the coming General Elections in the State of Madras the same method as was adopted by the Madras Government in the recent Municipal and District Board Elections."

I am happy that I have an opportunity to move my Resolution now firstly because the Hon. the Finance Minister who is in charge of elections is here and secondly because I feared that I would be able to move this only after the next General Elections. I hope the Hon. the Minister for Finance will be able to throw some light on the subject-matter of my Resolution. I believe the Election Commission itself has asked our Government and various other State Governments whether they would recommend any change in the voting system. Recently I saw a Press report to the effect that the Election Commission wants to experiment in certain places the system I have suggested in my Resolution, viz., the system of marking on ballot papers. I think it was to the credit of the State of Madras that they introduced this system in the recent municipal elections and in the District Board elections held earlier. The existing system is not quite advisable for the reason that the majority of our people are illiterate. I do not want to argue that point further because just now the Finance Minister said that our people, in spite of their illiteracy, were able to scrutinize things and find out what was best. I have moved this Resolution because of our experience during the last election. In the last election, the Finance Minister knows, in many constituencies there were 15 or 16 candidates contesting and as many boxes as there were candidates had to be kept in the polling station. It is very difficult to keep so many boxes with all the necessary precautions taken as regards sealing, etc. I know that in the last general elections, elections in some places could not start at the scheduled time but had to start sometime later because the Presiding Officer concerned took more than two hours to seal all the boxes. If the system I propose is introduced, we will have only one ballot box and the procedure will thus be simplified. There is also another aspect of the problem to be considered. Every candidate has a symbol. It is only a question of marking a dash or tick across the symbol of the candidate in whose favour the vote is cast. There is one advantage in this. During elections whenever disputes arise later on, motives are attributed by saying that the vote of one voter has been transferred from one's box to the box of another. If we have this system, there will be only one ballot box and all the votes, marked against the concerned candidate, will be put in the one ballot box. By adopting this device, there will be no room for attributing such a motive as transfer of votes from one

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box to the other. Even though I myself know that such a transfer of votes could not take place even according to the present system, the public are apt to express their opinions.

The Government adopted the system of marking in the recent municipal elections. The names of all the candidates contesting the elections are entered and each is allotted a symbol. Even though a person may be illiterate, he may recognize the symbol and all that he has to do is only to put a mark, a cross or dash, against the symbol of the person in whose favour he wants to cast his vote. That is all what he is expected to do. Then all the ballot papers are put in one ballot box. There is no possibility of any confusion arising or any box being tampered with. I hope the Hon. the Finance Minister would be able to tell us that in the last elections, in some places the voters were not allowed to cast their votes but were asked to sell their votes to the agents. In my place such a thing happened. But if the system of marking is introduced, such a thing as mentioned now cannot take place. Such a corrupt practice cannot take place if we adopt the system of marking. Then the agents may not be able to purchase the votes from the voters and transfer them to the box of the candidate for whom they are agents because there will be one and only one ballot box and the Presiding Officer will be there near the only box to ensure the correct exercise of franchise by each and every voter.

There could be only one objection to this method of marking. It may be said that our people are not literate enough to mark properly with the result that a large number of votes may become invalid. In the recent municipal and district board elections wherein this marking system was introduced, I think the number of invalid votes was hardly 10 or 15 per cent. (The Hon. Sri C. Subramaniam: It was only 10 per cent.) That strengthens my argument. Moreover, the advantage or disadvantage in this system is common to all candidates. What is disadvantageous to one is disadvantageous to the other also.

The man who stands for election has some work to do in his constituency to gather support for his candidature. It would not be difficult for him to educate the people living in his constituency in the method of voting. He could say to them, "Well, here is my symbol. Put a mark, either a dash or dot as stipulated by the election authorities against my symbol and put it in the ballot box. That is all what you have got to do." He could educate the people on these lines and that would in a way be a sort of literacy campaign adumbrated so ably by the hon. Member Mr. Gajapathy Nayagar. From the experience of the last general elections and in view of the advantage in adopting the present method, the Chief Election Commissioner has given expression to the feasibility of this method being tried. He has not said so with authority but only advisedly because he did not

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want to force his view on the Government. He asked for the opinions of State Governments. The Government of Madras have made one or two experiments in that direction of marking. Because of its success, I do hope the Government of Madras would come to a definite decision on adopting this method of voting in the ensuing general elections. That is the proper thing to do. As I have said previously, this method will put an end to corrupt practices of transferring votes from one box to another, the practice of the agents taking the ballot papers from the voters and putting them in their candidate's box and things like that. What the voter should do now is to come to the polling booth, take the ballot paper, make a mark against the name of the candidate in whose favour he votes and then put the ballot paper in the ballot box in the presence of the Presiding Officer. That is all what he should do under this arrangement. Because of its advantages which I have mentioned above, I commend my Resolution for the acceptance of the House. If I have the time, I will reply to the arguments advanced by other Members who may oppose this Resolution. I am now waiting for the reply of the Hon. the Finance Minister.

* SRI T. PURUSHOTHAM: Mr. Chairman, I second the Resolution so ably moved by the hon. Member Sri Mohamed Raza Khan and I do so to show how we on this side of the House would always be ready to support any good proposition that might be put forward by the Opposition. That also indicates the spirit of responsive co-operation that is prevailing in all sections of this House.

Hon. Members are aware that we had our first nation-wide general elections in 1951-52, when all men and women above the age of 21 had the right to vote. Our statistics show that about 102 million people had voted in the last general elections. The holding of such a nation-wide general election based on adult franchise was hailed as a unique event. We have adult franchise but not adult literacy in our country. Each candidate was allotted a box with a symbol. The symbol was put on the top of the box and the voters were asked to put the ballot paper in the box of the candidate in whose favour they wanted to exercise their franchise. Hon. Members would agree that this is a primitive system. I do not think there is any country, any democratic country, where those contesting the elections are given symbols and the voters are to vote for symbols. When the municipal and district board elections were held after the general elections, a new form of ballot paper was introduced with the names of those contesting the elections printed in it. The symbol of each candidate was also printed side by side with his name. The voter had to put a mark across the candidate's name in whose favour he cast his vote. There was only one ballot box in which all the ballot papers were put. This system worked better than the previous system wherein we had a multiplicity of boxes and each

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candidate seeking election was allotted a separate box. Just now the Finance Minister has told us that this system proved a success. So, I have great pleasure in seconding the proposition of the hon. Member Sri Mohamed Raza Khan. I do hope the success with which we conducted this experiment in the case of elections to the local bodies would be followed in the ensuing general elections also. If not in the rural areas, at least in the urban areas, this experiment could be successfully carried out. I do hope that there would not be any difficulty in doing so. With these words, I second the Resolution moved by the hon. Member Sri Mohamed Raza Khan.

MR. CHAIRMAN : Resolution moved—

“ That this Council recommends to the Government to urge upon the Government of India to adopt in the coming General Elections in the State of Madras the same method as was adopted by the Madras Government in the recent Municipal and District Board Elections.”

SRI M. P. GOVINDA MENON : Sir, I very vehemently oppose this Resolution because I feel that greater harm would be done by this method at the time of general elections than what was done during the last elections. I speak from personal experience. We had some sort of elections in 1936-37 for the first time. At that time, we adopted the system of voting in coloured boxes. Each Party had one coloured box. The Congress Party had the yellow box. At that time, I was a Congressman and so, I know it. The party represented by the hon. Member Sri Mohamed Raza Khan had the green box. By adopting that system, a sort of adult education campaign was carried on and the villagers knew how to record their votes. There was a widespread campaign and people were trained to vote in the colour box system. That was followed in the district board elections also. But afterwards when we had adult franchise, we thought of improving the system and changed the coloured box system to symbol box system. If I remember aright, long ago it was in Mysore that that system was in vogue. Mysore as a Province adopted this symbol system even earlier and very common figures were adopted, just as ‘ Mattu potti ’, the bulls for the Congress, huts for my own Party and so on. Just now we were discussing about literacy of people and adult education. A large number of people are not literates. And yet, as the Hon. Minister said, it was a grand success, I mean the last General elections, and our people knew well how to exercise their votes. But all on a sudden a change comes again, prescribing marking on paper. The greatest difficulty of illiterate persons is that though they may write, it is difficult for them to hold the pen and make the mark. If we know anything of child psychology, the greatest difficulty when boys and girls are sent to schools, is for them to hold the pencils erect and draw a straight line. Now, according to the . . .

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SRI A. M. ALLAPICHAJ : Why not we teach them?

SRI M. P. GOVINDA MENON : After all the adult education process is over we can start doing that. Now, according to the new system, they are asked to make a ‘ cross ’ mark. Even if they make the mark, it is possible that it may cross over the other man's name. My experience of district board elections according to this system is . . . (The Hon. Sri C. Subramaniam : It was a very sad experience for you. Please do not speak about it.) The Hon. Mr. Subramaniam forgets that in 1951-52 it was a sad experience for him and I may tell him a sadder experience awaits him in 1956-57. (Interruption.) I am not interested in the success of this Party or that Party. I am interested in seeing that peoples' representatives are chosen according to the wishes of the people. If people are against me, I do not want a seat. (The Hon. Sri C. Subramaniam : You cannot get a seat.) The Hon. Minister must see that. People must be allowed to exercise their votes freely. This change is thought of because you feel that if people are allowed free voting, you will not get a chance. Under the symbol system every person knows how to vote. But under the new system, in a large number of constituencies, invalid votes were more than the votes secured by successful candidates.

THE HON. SRI C. SUBRAMANIAM : Nowhere did it exceed 5 or 6 per cent.

SRI M. P. GOVINDA MENON : A large number of invalid votes were there when I was present there. I am not in a position to give figures, as the Hon. Minister. (Sri Mohamed Raza Khan : That might have been so because you were defeated in the last district board elections!) Mr. Chairman, I thought we were discussing the Resolution and I never thought that hon. Members would go down to low levels about the chance of this man or that man getting elected. I know my responsibility as a Member and as I am a Member here, I am speaking on this.

THE HON. SRI C. SUBRAMANIAM : That is why the hon. Member is attributing motives to the Congress as trying to introduce this system so that they may get a chance. The hon. Member did go to a lower level and when he did it, I also did it.

SRI M. P. GOVINDA MENON : When the Hon. Minister goes down to that level, I am also tempted to do so. He tempted me and I am charging him with having tempted me to go to low levels.

We may try this method in the towns where literacy is high and it can be tried in Municipal and Corporation elections. But if we go to the villages and introduce this system there, we will be committing a great crime. Apart from the question of success of this or that man, all of us are interested, the Hon. Mr. Subramaniam also is interested, in seeing that democracy is a success

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in this country. If democracy should be a success, the poor illiterate adult voter must be able to exercise his vote without trouble and he must be able to do that within his own limitations and he should be given a chance.

Apart from the heat created by the Hon. Mr. Subramaniam, the best method is the symbol method and Government should not recommend at least universal adoption of this new system, especially in the villages. So, I oppose this Resolution.

THE HON. SRI C. SUBRAMANIAM: Sir, I am afraid we are a little too late in considering this Resolution because decisions have already been taken with reference to the method of voting, by the Election Commissioner. Therefore, it is only of academic interest and from that point of view, I am sure the hon. Member will not press the Resolution. But that does not take away the merits of the system as such.

Sir, after the last General Elections, when the district board elections were in the offing, it was Rajaji that thought that we should take a step forward as even the hon. Member Mr. Govinda Menon said that we took a step forward from the coloured box system to the symbol box system. We could not allow stagnation and we took a step further. He thought the time had come to make an experiment regarding the marking of ballot papers in view of the various disadvantages and malpractices which were likely to arise in the symbol box system and which were all marshalled before the House very ably by the hon. Member Mr. Raza Khan. The hon. Member Sri Govinda Menon does not know how money-bags were able to influence the elections when the symbol box system was adopted; they were able to purchase votes and deposit them in the boxes. If he represents a different Party, perhaps he would not have protested against this system so vehemently. This new system will end malpractices. Therefore, the symbol system has to be changed. The latter system has got many disadvantages; it gives an unfair advantage to the rich man who is prepared to adopt these malpractices and use money freely for influencing the voters. It has happened. Therefore, if we want that our people should vote freely, not being influenced by other considerations, then the time has come for us to devise some method by which these will be avoided. And the marking system is one of the methods. If the hon. Member has got any other method to suggest, I am prepared to consider it. He stopped with vehement opposition to any change which may be made. Whenever we want to make a change, that is always the feeling. Therefore, I would tell the hon. Members, particularly Mr. Govinda Menon, whether we make a change now or not, these are the disadvantages involved in the symbol box system. Unless we overcome them some day, we will find that democracy is not functioning properly, that free elections are not happening, and all that. Unless we devise some other method which will prevent

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corrupt practices, we will have to regret that we did not make a change at the proper time. I am really happy that we did take a step forward when we made this experiment.

As a matter of fact, the Election Commissioner was well impressed by this method and he thought that it would be a proper method to be adopted in the elections. Whether it should be immediately adopted in the rural areas is a matter which we have to consider. As far as we are concerned, we made this experiment, and our people know this method to some extent. But the other States did not make this experiment. If only all the other States make this experiment in their Local Body, Municipal and Panchayat elections and the people in the rural areas become accustomed to this method, then it will be time to consider its adoption in the General Elections—May be in 1961-62 or whenever it might be. If there should be an earlier election, we may adopt it at an earlier date.

SRI T. PURUSHOTHAM: Will it be adopted at least in the 5 p.m. next elections?

THE HON. SRI C. SUBRAMANIAM: As the hon. Member Sri Govinda Menon opposed it and as the leaders belonging to his Party and other Opposition leaders opposed even the introduction, the limited introduction, of it in the urban areas, the Election Commission thought that some more time should be given to the people to get familiarised with this idea.

SRI M. P. GOVINDA MENON: In the Congress also a large number of people opposed it.

THE HON. SRI C. SUBRAMANIAM: The Election Commission came to the conclusion that it would not be wise to adopt this for the next general elections. But this is a method which is a step forward. That cannot be denied. Either in this election or in the next election, it may have to be adopted and the hon. Member Sri Govinda Menon need not be under the impression that our people are so bad that they cannot even hold a pencil. On the other hand, they have proved that they can hold a pencil and mark correctly in many ballot papers. It might be an unfortunate experience as far as the hon. Member is concerned. The generality should not be judged by what happens in a particular constituency or to a particular Member. We do realise that this system could be experimented upon and could be adopted, if possible, on a future date. I would request the hon. Member to withdraw the Resolution.

SRI MOHAMED RAZA KHAN: In view of the statement made by the Hon. the Minister for Finance and also in view of the fact that no purpose will be served as the decision has already been taken, I beg leave to withdraw the Resolution. No purpose will be served in replying to the hon. Member Sri Govinda

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Menon also. He levelled a charge of my descending to a low level. I will never go down to his low level. I beg leave to withdraw my Resolution.

The Resolution was, by leave, withdrawn.

Mr. CHAIRMAN: 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. Notification issued with G.O. No. 3730, Industries, Labour and Co-operation, dated the 20th August 1956, regarding issue of revised rules under Madras State Aid to Industries Act, 1922 (Madras Act V of 1923), amended by the Madras State Aid to Industries (Amendment) Act, 1956.

2. Notification issued with G.O. Ms. No. 1745, Agriculture, dated the 13th July 1956, regarding amendments to General Timber Transit Rules and Special Timber Transit Rules applicable to districts of Salem, Chingleput, South Arcot, Malabar and the Nilgiris and portions of Palghat Forest Division lying in Coimbatore district.

LIST OF AGENTS FOR THE SALE OF MADRAS GOVERNMENT PUBLICATIONS.

Issued—7-12-1956



3716

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MADRAS LEGISLATIVE COUNCIL DEBATES

OFFICIAL REPORT

THURSDAY, 27TH SEPTEMBER 1956

VOLUME XV—No. 4

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Legislature Department (Council)
Madras

PRICE, 4 annas]

MADRAS: PRINTED BY THE SUPERINTENDENT, GOVERNMENT PRESS.

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THE MADRAS LEGISLATIVE COUNCIL.

Thursday, 27th September 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.

Neyveli Lignite Project

* 59 Q.—SRI V. V. RAMASWAMI: Will the Hon. the Minister for Agriculture be pleased to state the present phase of the investigation in the Neyveli Lignite Project?

THE HON. SRI M. BHAKTAVATSALAM: A note furnishing the information is placed on the table of the House.

SRI V. V. RAMASWAMI: தண்ணீர் இறைக்கிற பம்புகள் கோளாறு இல்லாமல் இப்பொழுது சரியாக வேலை செய்து வருகின்றனவா? எப்பொழுது நிலக்கரி எடுக்கத் தோதாக இருக்குமென்று அறிய விரும்புகிறேன்.

THE HON. SRI M. BHAKTAVATSALAM: மேஜையின்மேல் வைக்கப் பட்டிருக்கின்ற காகிதத்திலிருந்தே முழு விவரங்களும் தெரியவரும். பரிசீலனை வெற்றிகரமாக நடந்து, பிராஜெக்டை எடுத்துக்கொள்ளலா மென்று தீர்மானித்து, மெஷினரிகளுக்கு ஆர்டர் கொடுக்கப்பட்டிருப்பதால், இப்பொழுது நடத்தப்பட்ட பரிசோதனை முடிந்துவிட்டதென்றே வைத்துக் கொள்ளலாம்.

SRI A. GAJAPATHY NAYAGAR: Will the Government be pleased to submit a periodical report, say, once in three months or six months, about the progress of the work at Neyveli?

THE HON. SRI M. BHAKTAVATSALAM: I have just now said that the investigation is practically over. Perhaps, when construction work is taken up, Government may consider what reports they should submit to the House.

SRI MOHAMED RAZA KHAN: May I know whether the administration is entirely by the Government of India or whether the Madras Government are also having a hand in it?

THE HON. SRI M. BHAKTAVATSALAM: So far as the administration is concerned, that is by the Government of India.

SRI K. BALASUBRAMANYA AYYAR: When the water is pumped out, it can be used for irrigation purposes in the adjoining lands. Is it done?

THE HON. SRI M. BHAKTAVATSALAM: Even now, whatever water is pumped out is feeding some tanks and it will be used for irrigation purposes.

[27th September 1956]

SRI T. PURUSHOTHAM : May I know whether the Government have instituted a survey of the possible industries that could be developed in the Neyveli area and, if so, whether private agencies have been apprised of the same so that they could investigate the possibility of starting some industries in the area?

THE HON. SRI M. BHAKTAVATSALAM : The Government of India in consultation with this Government, have been examining what industries could be organised under the Neyveli Project. Some of those industries will go to the public sector. The State is not in a position to say when it could invite private enterprise to take up other subsidiary industries.

SRI V. V. RAMASWAMI : அங்கே இருக்கின்ற கனி மண்ணைக் கொண்டு மண் பாண்டங்கள் செய்வதற்கு ஏதாவது கம்பெனி முன்வந்திருக்கிறதா? அப்படியானால், அவர்களுடைய கோரிக்கை ஏதாவது அரசாங்கத்தாரால் பரிசீலனை செய்யப்பட்டிருக்கிறதா? வேலை எப்பொழுது துவக்கப்படும்?

THE HON. SRI M. BHAKTAVATSALAM : இவ்வரை அம்மாதிரியாரும் முன்வரவில்லை என்று நினைக்கிறேன். எல்லா விஷயங்களும் நெய்வேலி ப்ராஜெக்டைச் சார்ந்ததாக இருக்கின்றன.

SRI V. CHAKKARAI CHETTY : May I ask the Hon. Minister what qualifications are usually demanded of candidates who want to be appointed as administrative officers? Are they appointed directly by the Government of India or are they appointed by the various municipalities or local boards? The Corporation appoints its own men, but subject to confirmation by the Government.

THE HON. SRI M. BHAKTAVATSALAM : This relates to Neyveli Project which has been taken over by the Government of India. If the hon. Member refers to officers who may be appointed under this project—whether it is administrative officers or technical officers—it would depend upon the qualifications for the post concerned.

SRI T. PURUSHOTHAM : Will the Hon. Minister indicate to us what are the industries that would be reserved for Government to take up and what industries would be available for the private sector to develop?

THE HON. SRI M. BHAKTAVATSALAM : The main industries that are contemplated under the project would be a thermal power station and a factory for making chemical manures and there are certain other subsidiary industries that would also be taken up in the public sector. When these are finalized, that would be the time for considering what industries could be undertaken by the private sector.

SRI M. V. SUDARSANAM NAIDU : நெய்வேலித் திட்டத்தை கம்பெனி விஷயமாக மாற்றப்போவதாகக் கேள்விப்படுகிறேன். அது நிஜமா என்று அறிய விரும்புகிறேன்.

THE HON. SRI M. BHAKTAVATSALAM : மத்திய அரசாங்கம் இந்தப் ப்ராஜெக்டை நடத்தும். நடத்துகிற முறைபற்றிதான் இப்பொழுது

27th September 1956]

கவனம் செலுத்தப்பட்டு வருகிறது. அதை மத்திய அரசாங்கமே தங்கள் டிபார்ட்மெண்ட் மூலம் நடத்துவதற்குப் பதிலாக இந்தியன் கம்பெனிகள் சட்டத்தின்படி ஒரு கம்பெனி நியமித்து, அந்தக் கம்பெனியின் மூலம் நடத்துவது என்பது யோசனை. அதபற்றி தான் கனம் அங்கத்தினர் கேள்விப்பட்டிருக்கக்கூடும். அவ்வாறுதான் சிந்திரி உர உற்பத்திச்சாலையும் ஏற்பட்டிருக்கிறது.

SRI M. V. SUDARSANAM NAIDU : நெய்வேலித் திட்டமானது கம்பெனியின் நிர்வாகத்திற்கு மாறினால் அதில் வேலை செய்யும் கூலி ஆட்களுக்கும் உத்தியோகஸ்தர்களுக்கும் கிடைக்கும் சம்பள விகிதங்களில் ஏதாவது மாற்றம் ஏற்படுமா?

THE HON. SRI M. BHAKTAVATSALAM : கம்பெனி உருவம் எடுத்தக்கொள்வதால் மாற்றம் ஏற்படவேண்டிய அவசியம் இல்லை.

SRI T. PURUSHOTHAM : Is there any proposal to constitute a township for local administration of the area?

THE HON. SRI M. BHAKTAVATSALAM : All these things will arise when considering the question of taking up the project.

SRI V. V. RAMASWAMI : நெய்வேலித் திட்டத்தை நடத்துவதற்கு கார்ப்பரேஷனை ஏற்படுத்தினால் நமது மாகாண அரசாங்கத்திற்குக் கிடைக்கக்கூடிய லாபத்தின் சதவிகிதம் குறையாமல் இருக்குமா?

THE HON. SRI M. BHAKTAVATSALAM : மாகாண அரசாங்கத்திற்குக் கிடைக்கக்கூடியது குறைக்கப்படாமல் இருப்பதோடு கம்பெனியிலே கூட மாகாண அரசாங்கத்தின் பிரதிநிதிகள் இருப்பார்கள்.

Cyclone relief advance

* 60 Q.—**SRI K. BALASUBRAMANYA AYYAR** (on behalf of Sri G. Krishnamoorthi) : Will the Hon. the Minister for Finance and Education be pleased to state—

(a) whether the non-teaching staff of aided secondary schools are eligible for cyclone relief advance, in cases where such advance has been sanctioned to the teaching staff of those schools; and

(b) if not, the reasons therefor?

THE HON. SRI C. SUBRAMANIAM : (a) & (b) The Government are not convinced of the need for the payment of an advance, at this stage, to non-teaching staff employed in aided secondary schools in cyclone-affected areas.

Non-Gazetted Officers' Association, Madras

* 61 Q.—**SRI V. V. RAMASWAMI :** Will the Hon. the Minister for Finance and Education be pleased to state—

(a) whether any representations have been made recently by the Non-Gazetted Officers' Association, Madras; and

(b) if so, what they are and the action taken thereon?

THE HON. SRI C. SUBRAMANIAM : A representation has been received from the Non-Gazetted Officers' Association for enhancement of the dearness allowance. The Government have appointed a Committee to examine the question of revising the existing rates of dearness allowance within the available resources.

[27th September 1956]

SRI V. V. RAMASWAMI : புதிய ராஜ்ய அமைப்பு நவம்பர் முதல்கேதி அமுலுக்கு வரப்போவதால் அதற்குள்ளாக இது விஷயத்தில் அரசாங்கத்தார் ஒரு முடிவுக்கு வருவார்களா என்று அறிய விரும்புகிறேன்.

THE HON. SRI C. SUBRAMANIAM : கமிட்டி எல்லாவற்றையும் பரிசீலனை செய்து அதனுடைய முடிவைத் தெரிவிப்பதைப் பொறுத்திருக்கிறது.

SRI V. V. RAMASWAMI : நவம்பர் முதல் தேதிக்குள் ஒருவேளை சொல்லமுடியாவிட்டால், பிப்ரவரி மாதத்திற்குள்ளாகவாவது சொல்வார்களா என்று அறிய விரும்புகிறேன்.

THE HON. SRI C. SUBRAMANIAM : எவ்வளவு கூடியசீக்கிரம் சொல்ல முடியுமோ அவ்வளவு கூடியசீக்கிரம் சொல்வதற்கு முயற்சி செய்கிறோம்.

SRI MOHAMED RAZA KHAN : Is it a departmental committee?

THE HON. SRI C. SUBRAMANIAM : It is an official committee.

SRI MOHAMED RAZA KHAN : Whatever may be the decision of the official committee, I understand that the Hon. the Finance Minister is very very anxious to help them as much as possible.

THE HON. SRI C. SUBRAMANIAM : It is not only now; I have always been anxious to help particularly the low-paid officials and low-paid employees. The only difficulty is, as the hon. Member is aware, the emptiness of our purse.

SRI V. GURUNANDAN ROW : Has any time-limit been fixed for the official committee to submit its Report?

THE HON. SRI C. SUBRAMANIAM : No time-limit has been fixed. Since the officers are engaged in the work, I am sure they will submit the report as expeditiously as possible.

SRI V. V. RAMASWAMI : அரசாங்கத்தினிடம் நிதி வர்து குறைவாக இருக்கிறபடியினால் ஒன்றும் செய்ய முடியவில்லை என்ற வாதத்தை நமது அமைச்சரவர்கள் தெரிவித்தார்கள். அப்படியிருக்கும்பட்சத்தில் மத்திய அரசாங்கத்திடம் மான்யம் கோரிப் பெறுவதற்கு முயற்சி செய்வார்களா?

THE HON. SRI C. SUBRAMANIAM : அதைப்பற்றியும் கமிட்டி யோசனை செய்யலாம். மத்திய அரசாங்கத்திடமிருந்து மான்யம் பெறுவதற்கு முயற்சி செய்ய வேண்டியதுதான். அந்த முயற்சி எவ்வளவு தூரம் பலனளிக்கும் என்பது இன்னும் ஊர்ஜிதமாகச் சொல்லக்கூடிய நிலைமையில் இல்லை.

SRI V. GURUNANDAN ROW : Will the Government consider the desirability of granting some interim increase in dearness allowance, pending the official committee's report?

THE HON. SRI C. SUBRAMANIAM : I do not think that any interim relief can be given particularly when the committee has been appointed. I do not think that it will take years or even months

[27th September 1956]

to submit the report. It will be submitted very soon. Therefore, I do not think that there is any necessity for granting any interim relief.

DR. V. K. JOHN : When do the Government expect to receive the report?

THE HON. SRI C. SUBRAMANIAM : As soon as the work is finished. (Laughter.)

Lung cancer

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

3-10 p.m.

(a) the causes of lung cancer;

(b) the incidence of the disease in our State;

(c) whether any investigation has been carried out by the Government to ascertain the effects of cigarette-smoking on different age-groups;

(d) the preventive steps taken so far or proposed to be taken to check the spread of the disease, viz., cancer of the lung; and

(e) the extent to which the problem of juvenile smoking has been tackled in our State?

THE HON. SRI A. B. SHETTY : (a) The cause of lung cancer is not definitely established. In recent years, statistical evidence shows some relation between heavy smoking for prolonged years and the incidence of cancer of the lungs. Other factors like tarring of the roads, contamination of the air by smoke and other industrial gases, also contribute to the cause of cancer of the lungs.

(b) The incidence of cancer of the lungs is not so much in India as in the Western countries. The surgical records of the Government General Hospital, Madras, show that 24 cases have been diagnosed as cancer of the lungs during the last five years.

(c) to (e) None so far.

SRI T. PURUSHOTHAM : Will the Hon. Minister tell us whether with the increase in smoking in recent years there has not been a rise in the lung cancer cases and some of them fatal too and whether the Government would take steps to bring home to the public the evil effects of tobacco and more particularly cigarette-smoking on the health of the people?

THE HON. SRI A. B. SHETTY : As I said, there has been great increase in cases of lung cancer in the last ten years in Britain and this increase was found particularly among heavy smokers and among people who inhale the smoke and among men more than among women. All these point to the fact that there is some relationship between lung cancer and heavy smoking. But, in India, cases of lung cancer are very few. As I have already mentioned, uterine cancer cases and mouth cancer cases are very much more common here.

[27th September 1956]

SRI V. CHAKKARAI CHETTY : May I know whether there is anything like a real agreement among the scientists who are competent to deal with cases of lung cancer? Because, I see in newspapers there are varieties of opinion expressed which are obviously in conflict with each other. So, no concrete steps can be taken by the Government unless the scientists are agreed on lung cancer cases. Conditions prevailing in Britain may not apply to people here in India and especially in Tamil Nad where chewing is more common than smoking.

THE HON. SRI A. B. SHETTY : Recently, two eminent medical scientists belonging to the research unit of the British Medical Research Council have published their views in the matter. They agree that there is definite relationship between lung cancer and heavy smoking.

SRI A. M. ALLAPICHAI : Is it not possible for the Government to see that smoking is restricted to some extent by law?

THE HON. SRI A. B. SHETTY : The question of banning juvenile smoking was considered by this Government more than once. Juvenile smoking has been banned by legislation in some States. But, it is very difficult to enforce it properly. There are many administrative difficulties. So, this State has not taken up the question of banning of juvenile smoking.

SRI T. PURUSHOTHAM : In view of the fact that medical evidence has made it clear that cigarette-smoking is very bad and more injurious than cigar smoking, will the Government institute an enquiry or order a research to be made into this dread disease and see if something could not be done by taking up the matter with the tobacco industry concerns, so that we can evolve a remedial process and also enforce an expert check on these products sent out of the factories before they are actually put on the market?

THE HON. SRI A. B. SHETTY : Sir, I have already stated that lung cancer has not become a serious problem in this country or in South India. Our problem is chewing betel with tobacco and lime which causes mouth cancer. Cancer of the cervix in women seems to be due to injuries caused during child birth which are left unattended to and which sometimes get infected.

SRI T. PURUSHOTHAM : As prevention is better than cure, may I appeal to the Government to take such immediate steps as may be considered necessary to see that we check the spread of this disease and also educate the public about the evil effects of heavy smoking?

THE HON. SRI A. B. SHETTY : Yes, Sir. Cancer weeks have been held and literature has been distributed to the public warning them about the dangers of cancer from such habits as I have mentioned.

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SRI MOHAMED RAZA KHAN : Is the Hon. Minister aware that the sum—total of questions put by the hon. Member Sri T. Purushotham—would create an apprehension among the heavy smokers, the result being that the number of smokers will become less and that will adversely affect the Minister for Finance and the Minister for Revenue as they levy a very heavy tax on cigarettes and beedis in this State?

THE HON. SRI A. B. SHETTY : Sir, it is very desirable that such a fear should be created in the minds of heavy and chain smokers and others.

SRI T. PURUSHOTHAM : Is it not a fact that the survey of this problem in western countries establishes beyond doubt that even apart from lung cancer, heart diseases are due to heavy smoking? If so, is it not necessary that we should take some steps for educating the public and also for conducting research into this matter?

THE HON. SRI A. B. SHETTY : Heavy smoking and chain smoking are all bad. Particularly, some people have the habit of inhaling smoke and it has become a great fashion nowadays. Such habits should be discouraged as far as possible.

DR. V. K. JOHN : Have the Government considered the question of introducing legislation for levying a heavy licence fee on smoking so that the revenue of the Government may be enhanced?

THE HON. SRI A. B. SHETTY : Experience in the working of Prohibition must make us wise.

SRI T. PURUSHOTHAM : May I appeal to the Government to make a rule that the medical practitioners should not smoke in the presence of the patients at least, so that they may set an example to the patients?

THE HON. SRI A. B. SHETTY : It is left to their good sense.

SRI A. M. ALLAPICHAI : Is it not possible for the Government at least to make sufficient propaganda against this smoking so that our children and others may be weaned away from that habit?

THE HON. SRI A. B. SHETTY : It is very desirable that the parents, teachers and others concerned with the welfare and health of the younger people should make this propaganda.

SRI V. V. RAMASWAMI : Is there a proposal to ban betel chewing also?

THE HON. SRI A. B. SHETTY : Chewing betel with tobacco and keeping the cud in the mouth for a long time is really very bad.

SRI MOHAMED RAZA KHAN : Is the Hon. Minister aware of the psychological effect of this smoking on those who have man-

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worries? It may be due to other factors. But, in fact, they are able to forget their worries for the time being. Is he aware of that fact, Sir?

THE HON. SRI A. B. SHETTY : That is the reason given by those addicted to drink and drugs.

Thoppayar Scheme

* 63 Q.—SRI A. GAJAPATHY NAYAGAR : Will the Hon. the Minister for Public Works be pleased to state—

(a) whether the Government have investigated the Thoppayar Scheme and prepared any estimates;

(b) whether the Thoppayar Scheme is included in the Second Five-Year Plan and if not, the reasons therefor; and

(c) whether it is a fact that Omalur taluk has been excluded from the Block Development area and if so, the reasons therefor?

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

(b) No, Sir; the scheme was considered as not worthwhile by the Planning Commission.

(c) No, Sir.

Marketing Society and Rural Bank in Taramangalam

* 63-A Q.—SRI A. GAJAPATHY NAYAGAR : Will the Hon. the Minister for Health be pleased to state—

(a) whether there is any Marketing Society and Rural Bank in Taramangalam, Salem district; and

(b) if not, the reasons therefor?

THE HON. SRI A. B. SHETTY : (a) No, Sir.

(b) Taramangalam is included in the area of operations of the Salem Co-operative Marketing Society and the Karaikkattu Velayudar Co-operative Credit Society and there are no prospects of a separate rural bank being organized in this place.

Posts of District Health Officers and Municipal Health Officers.

3-20 p.m. * 63-B Q.—SRI V. V. RAMASWAMI : Will the Hon. the Minister for Health be pleased to state—

(a) the number of posts of District Health Officers and Municipal Health Officers sanctioned for this State;

(b) the number of posts which remain unfilled; and

(c) the reasons therefor?

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THE HON. SRI A. B. SHETTY : (a) Posts of District Health Officers—14; Posts of Municipal Health Officers—53.

(b) Four posts of Municipal Health Officers.

(c) Dearth of officers.

SRI M. ETHIRAJULU : May I know, Sir, whether the Government have any proposal to abolish the posts of Municipal Health Officers?

THE HON. SRI A. B. SHETTY : There is a proposal to extend the jurisdiction of the Municipal Health Officers by giving a portion of the revenue division for their work.

SRI V. V. RAMASWAMI : May I know the reason for the dearth of these officers? Is there any difference in their pay or is it due to prohibition of private practice?

THE HON. SRI A. B. SHETTY : The pay scales of Health Officers do not compare favourably with the earnings of clinicians. That is why the posts are not attractive.

SRI V. V. RAMASWAMI : Will the Government consider the question of allowing them private practice?

THE HON. SRI A. B. SHETTY : There is no such proposal.

SRI T. PURUSHOTHAM : Will the Hon. the Minister for Health tell us how many of the Health Officers are under re-employment after retirement?

THE HON. SRI A. B. SHETTY : Government have sanctioned the re-employment of 17 Health Officers recently. There was recently a selection for recruiting people for 50 vacancies. Only 15 candidates were selected and out of them two have been disqualified on medical grounds.

SRI T. PURUSHOTHAM : May I know what steps will be taken to get sufficient number of men trained as Health Officers in view of the statement just now made by the Hon. Minister?

THE HON. SRI A. B. SHETTY : We are now recruiting M.B.B.S. men as Health Officers and allowing them certain concessions so that they may take the required qualification of B.S.Sc., after they get into service.

SRI T. PURUSHOTHAM : In view of the fact that these people are denied private practice as stated by the Hon. Minister, will the Government consider the question of revising the scales of pay of the Health Officers to attract more medical men to take to this line?

THE HON. SRI A. B. SHETTY : That is one of the matters under consideration in connexion with the general revision of the scales of pay.

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DR. V. K. JOHN : What is the present scale of pay?

THE HON. SRI A. B. SHETTY : It is just the same as that of the Assistant Surgeons with a little additional pay.

Special allowance for workers in the Confidential section in the Government Press

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

(a) whether the special allowance for workers in the confidential section is paid to the concerned workers in the Government Press, Madras; and

(b) if not, whether the Government considered the proposal and with what result?

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

(b) Does not arise.

SRI T. PURUSHOTHAM : Will the Hon. Minister tell us how many are employed in the Confidential section and what is the nature of the allowance that will be given to them?

THE HON. SRI M. BHAKTAVATSALAM : About 18 or 19 are getting this extra allowance which ranges from 10 to 25 rupees per month.

SRI T. PURUSHOTHAM : From what date has this been sanctioned?

THE HON. SRI M. BHAKTAVATSALAM : From 4th August 1956.

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* MESSAGES FROM THE ASSEMBLY.

MR. CHAIRMAN : I have to announce to the House that I have received the following messages from the Hon. the Speaker, Madras Legislative Assembly, dated the 26th and the 27th September 1956 :—

“(1) In accordance with rule 114 of the Madras Assembly Rules, I transmit a copy of the Madras Cultivating Tenants (Payment of Fair Rent) Bill, 1956 (L.A. Bill No. 4 of 1956), as passed by the Assembly on the 26th September 1956 and signed by me, for the concurrence of the Council.

(2) In accordance with rule 114 of the Madras Assembly Rules, I transmit a copy of the Madras Agriculturists' Relief (Amendment) Bill, 1956 (L.A. Bill No. 19 of 1956), as passed by the Assembly on the 27th September 1956 and signed by me, for the concurrence of the Council.”

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III.—GOVERNMENT BILL.

THE MADRAS CULTIVATING TENANTS (PAYMENT OF FAIR RENT) BILL, 1956 (L.A. BILL NO. 4 OF 1956).

MR. CHAIRMAN : Hon. Mr. Manickavelu.

DR. V. K. JOHN : Sir, copies of the Bill were given to us only this morning and I am not standing in the way of the Hon. Minister moving the Bill. What I suggest is the general discussion may be had to-day—it may not be completed to-day—and the Bill may be taken up for consideration clause by clause to-morrow.

MR. CHAIRMAN : That is what we are going to do.

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

“That the Madras Cultivating Tenants (Payment of Fair Rent) Bill * 1956 (L.A. Bill No. 4 of 1956), as passed by the Legislative Assembly, be taken into consideration.”

Sir, the Bill was introduced in the Legislature in January last. A Joint Select Committee to consider the Bill was appointed by the Assembly on the 28th January 1956 and by the Council on 31st January 1956. The Committee resolved to receive representations and oral evidence from persons interested in the Bill. At the meetings held on 20th and 21st April 1956 the Committee heard representations of landholders, Officers of the Hindu Religious and Charitable Endowments Department and other individuals connected with agriculture.

This Bill has been brought forward so that economic justice may be done to the small and poor tenants. While the majority of the Members of the Joint Select Committee considered that the Bill went a long way in helping the tenant and wanted only some slight changes to be made in the Bill, some of the Members opposed the measure on the ground that it will disturb the harmonious relationship now existing between the landholders and the tenants and that it will also hit hard the landowners, especially small and middle-class landowners who form the bulk of the agriculturists. Some other Members, on the other hand, suggested that the share of the tenant was not sufficient and should be increased to 75 per cent as has been recommended by the Planning Commission. I had discussions on the provisions of the Bill with the members of the Planning Commission when I had been to Delhi last month. I also visited Bombay and Hyderabad where the tenancy problem has been tackled very earnestly and studied at first hand the working of the land reforms in those two States. Taking into consideration the conditions prevailing in this State, the provisions in this Bill are deemed to be fair. They were subjected to a very careful scrutiny by the Joint Select Committee and this resulted in several changes being made in the Bill. The Assembly discussed the Bill and has

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made a few more changes. Some of the important changes made in the Bill by the Joint Select Committee and the Assembly are—

As it is very difficult in some areas to determine which is the principal crop and which is the catch crop, all crops should be shared without any distinction between the tenant and the landlord.

The benefit of the legislation should be restricted to the real tillers and not to those who take very large extents on lease and cultivate them with hired labour and, therefore, the Bill is to apply only to cultivating tenants with $6\frac{2}{3}$ acres of wet land either as tenants or as owners or as tenant-cum-owners. To protect the marginal cases provision has been made that in the case of persons cultivating 10 acres of wet land they can surrender the excess over $6\frac{2}{3}$ acres to get the benefit of the Bill. Instead of fixing a uniform rate of fair rent for all the lands, different rates of fair rent have been proposed for different classes of lands :—

	PER CENT.
Wet lands	40
Wet lands where the irrigation is supplied by lifting water	35
Other classes of lands	33½

If water is lifted by pumpsets installed at the cost of the landowner, the fair rent will be 40 per cent. It was also decided that one-fifth of the straw or stalk should be given to the landholder. In view of the peculiar nature of land tenure prevailing in South Kanara, it was decided that if any landowner is a mulgenidar, he should be entitled to have the rent payable by him to his superior landowner reduced in proportion to the reduction in the rent receivable by him from his cultivating tenant. In the case of intermediaries, they have been permitted to surrender the unexpired portion of their leases if the rent payable by them suffers a reduction by this Bill. In the case of lands cultivated with paddy, the landowner has been given the right to insist that the rent shall be paid in kind. Lands cultivated mainly with sugarcane and plantations were in addition to betel-vine excluded from the purview of the Bill. Rent Tribunals are to be presided over by officers not below the rank of District Munsifs and the Rent Courts and Rent Tribunals have been made subordinate to the High Court. I request that the Bill be considered.

MR. CHAIRMAN : Motion moved—

“ That the Madras Cultivating Tenants (Payment of Fair Rent) Bill, 1956 (L.A. Bill No. 4 of 1956), as passed by the Legislative Assembly, be taken into consideration.”

3-30 p.m. * DR. V. K. JOHN : Mr. Chairman, in any measure of agrarian reform the fair rent has to be fixed and I must compliment the Government on thinking at least now over this matter and trying to

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fix the fair rent. Whether the tiller is to become the owner of the soil and what market value should be paid to the owner should all depend upon the fair rent that is fixed. Therefore, I am glad that the Government have considered this matter, although I would have liked the question of fixation of fair rent to be part of a more comprehensive agrarian reform. The contention that sanctity of contract should be maintained, that the contract entered into between the landlord and the tenant should not be disturbed, will no more be available simply because the land is limited. Population is growing; we do not have many industries and there is also much of unemployment and consequently there is growing pressure on land. Therefore, the Government, while bringing in any measure of agrarian reform, should not only fix the fair rent but they should also see that the land is distributed to the landless persons. I do not know when the Government are going to bring in a Bill to distribute lands to persons who are landless.

Now, Sir, having read this Bill, I am of the opinion that it is very defective. First of all, it is too complicated for the layman to understand. This Bill, when it becomes an Act, is to apply to agriculturists. The agriculturists are illiterate people and I am quite sure, when even learned lawyers find difficulty in interpreting the various clauses of this Bill, the agriculturists will be very much embarrassed by the way in which this Bill has been drafted. I think this Bill could have been a simple one providing for fair rent. The assessment on land under the land revenue system is the share of Government in the produce. It may be one-sixth of the net produce. You can fix a standard for the share of Government. Suppose the assessment is one-sixth of the net produce; then five-sixths of the net produce remain. If we give three-fifths to the landlord and two-fifths to the tenant, that would be the proper way of fixing the fair rent. Instead of that, fair rent is fixed in a very complicated way in this legislation. There are three parties who share the produce. One is the Government, the other is the landlord and the third is the tenant. The Government collect the assessment as their share. Then there are the landlord and the tenant. If the tenant is cultivating the land, then the net produce that remains after the assessment is paid, should be shared between the landlord and the tenant. The fair rent that is fixed should be a multiple of the assessment. If the produce is thus shared, then I think all our problems could be easily solved. If the Bill had provided for this, it could have been a simple one. Only when you take away the land from persons who have got too much land or who own extensive acres, give the land to the landless and provide for the market value of the land being paid to the landlord in instalments, you can capitalise the net income from the land and for that also the fixation of fair rent as a multiple of the assessment would be very much better. Now, Sir, we have many provisions in this Bill which, I am quite sure, would lead to a flood of litigation. If you read this Bill carefully, you will find that, as soon as it

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becomes an Act and comes into operation, litigation will start. You have got authority to fix the fair rent. You have then the appellate authority. Then revisionary powers are given to the High Court. My opinion is that a Bill should not give room for litigation. A simple Bill, wherein the fair rent is fixed as a multiple of the assessment, would prevent much of the litigation which this Bill would certainly give rise to.

This Bill, in my opinion, would only accentuate the bad relationship between the landlord and the tenant. What we should do is to make them both live happily. We should so regulate their relationship that the agriculturists may live as a happy lot. But I do not think that this Bill would produce that result. This Bill is a complicated one and is not easily understandable. It will give room for litigation and it will also be a source of friction between the landlord and the tenant. I would suggest that Government must as early as possible, without taking two or three years for the same, introduce a comprehensive measure of land reform. As I said previously, in any measure of land reform, fair rent should be fixed. To-day there is much of rackrenting on account of pressure on land. I am not against the landlord or the tenant. I have my sympathy for the tiller of the soil. But I do not think that the landlords should be expropriated. We must see that no landlord is expropriated and, at the same time, we must see that no tenant is exploited. That is my firm view of doing justice to the agriculturists. What we should do in any agrarian reform is, in my opinion, to make the tiller of the soil the owner of the land, after the market value of the land is paid to the owner. Let the Government give him the option to purchase the land. No tenant should be compelled to purchase the land. But he must be given the option to purchase the land and pay the market value, which is a multiple, say, 20 times, of the rent payable to the landlord. This capitalized value may be paid in instalments and provision can be made for a bond which will be guaranteed by a co-operative society or a Government. That bond should be saleable in the market so that the landlord can sell the bond in the market. That bond must carry a fair rate of interest. This is the scheme which, in my opinion, Government ought to introduce. (Sri A. M. Allapichai: Can't the Government purchase the land?) I do not think it is necessary for Government to purchase the land. If the market value of the land is paid, the tenant becomes the owner of the land. That is what has been done in Germany, and in many other civilized countries which have introduced agrarian reforms. Agrarian reform is not new to this State alone. Germany introduced agrarian reform in 1811. The tenant was given a period of 30 years during which he could pay the market value of the land. Provision was made for a bond guaranteed by a co-operative society; the co-operative society collected the money from the tenant and paid it to the landlord. Annuities could be collected by the co-operative society and invested. At the end of the period when the full amount has been paid to the landlord, the bond is redeemed. That was the

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procedure which Germany adopted and later on many other countries followed that example. I do not see any constitutional objection to this procedure being adopted here. That can be easily done and that is what I suggest to Government. Government should know that the perpetuation of the relationship between the landlord and the tenant is an economic waste. This relationship will be a source of friction. You now give 40 per cent of the produce to the landlord and 60 per cent of the produce to the tenant. I assure you, within a few months, there will be an agitation that the tenant's share should be more than 60 per cent and that the landlord's share be further reduced. The only way to bring happiness and contentment to the agricultural population is to give option to the tenant to purchase the land that he cultivates. If he assigns his rights, the assignee will have that option also. Suppose the tenant leases the land to somebody else and that man is the tiller of the soil; the actual tiller of the soil should have the right to purchase the land, including the rights of the intermediary. This should be done without imposing any burden on the tiller of the soil. He should be allowed to pay the market value in instalments spread over a number of years. He will cultivate the land, raise the crops and pay the money that is due. In fact, one of the primary objects of agrarian reform should be to get the largest output from the land. I have read in books that after the agrarian reform in Germany was introduced giving option to the cultivating tenant to purchase the land from its owner, the production was thrice as much as it was before. It is not enough to make the cultivating tenant the owner of the soil. There are large numbers of people who are landless. Therefore, we must be able to take land from people who own extensive areas and distribute them to the landless. Now, Sir, there is an Act in England, called the Small Holdings Act of 1926. Under that Act, if any person wants to cultivate land, he applies to the local body concerned and that local body is bound to purchase a few acres of land for him and give it to him, and collect fair rent for 60 years, which will include the price of the land also. That was provided as early as 1926 in the Small Holdings Act in England. I do not see any reason why we should not develop our local bodies to discharge such a function. To-day they are not developed to such an extent, because the Government have neglected them and our people are also quarrelsome. But we cannot avoid it. It is inevitable that it is only through these local bodies that we can introduce these agrarian reforms and other things, for the betterment of our people and for the establishment of a Welfare State. Therefore, we must develop the local bodies and the local bodies must be able to purchase lands and give them to the landless people, if an application is made to them. The co-operative societies must be able to finance the landless person to whom some land is given. I would, therefore, very strongly suggest to the Government that they must consider agrarian reform in this agricultural State as one of great importance and give top priority to it. We have waited for a long time, as I said the other day, since 1946; we have had so many measures of agrarian reform.

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We are now in 1956. Still I do not know whether within the next ten years this Government, in spite of other pre-occupations, will bring in a comprehensive measure of agrarian reform which will satisfy the landlord and the tenant and which will also achieve the primary object of an agrarian reform, that is, getting the largest output from the land and distribution of land to as many persons as possible. (Interruption.) I am not sure whether the Government will do that at any time. It will be an indefinite period. I ask the Government to concentrate their attention on agrarian reform and to give top priority to it and not to allow other pre-occupations to stand in the way of their introducing that reform within a year or two. I hope the Government will do that.

* SRI T. M. NARAYANASWAMI PILLAI : Sir, we are obliged to the hon. the Deputy Leader of the Opposition for giving us ideas on the agrarian reforms which he requested the Government to introduce at the earliest possible opportunity. We are here concerned with the Fair Rent Bill. It is no doubt unsatisfactory to introduce a Bill on Fair Rent alone without its being made a part of a comprehensive scheme of reform. With regard to the objects enunciated by the hon. the Deputy Leader of the Opposition, viz., that there should be no expropriation and no exploitation, etc., there could be no objection to them and it is from these points of view that this Fair Rent Bill also has to be judged. But so far as the particular scheme referred to by the Deputy Leader is concerned, I have had occasion to go through some reports of experts like the Economic Adviser to the Madras Government; at the time when the Zamindari Abolition Bill was under consideration, a scheme was put forward by him. But there were so many difficulties that the Government thought it was not practicable then. I myself could not say why what was found practicable in Germany was not found practical here. We would reserve consideration of the merits of particular schemes. With regard to the acquisition of lands and distribution of them to the landless people, with regard to the scheme adumbrated by the hon. the Deputy Leader of the Opposition, I wish to say something. He wanted that not less than 4 or 5 per cent interest be given to the landlord whose lands were to be purchased and again he also said that the tenant ought to be allowed to pay that price in instalments. For how long? He did not specify that. "Leave the land in his hands for 20 or 30 years", that is what he said. Now, this 4 or 5 per cent interest, who is to pay and how to pay? Is it the tenant himself that is to pay in addition to the annuity he is called upon to pay or is it somebody else?

I have read something about the way in which the people of Israel have tried to have a Consolidated Fund with reference to the acquisition of lands in recent years. There is no better example than that of the people of Israel. Their lands are allotted piecemeal in bits of 3 or 4 or 5 acres. There is no expropriation, it is all outright purchase; it is all paid from out of the Jewish National Fund to which contributions are made by rich Jews all over the

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world. I do not know whether we would be able to constitute such a Consolidated Fund from which we can pay these landowners and by means of which we could afterwards distribute them to the landless people. Anyway it is worth considering. I leave it at that.

With regard to the actual measure under consideration, we have to consider the present circumstances. I for one do not say and do not lay a charge against the Government that it is a vote-catching device. In the Press and even in the Assembly, I found that the Government were charged with having brought in this measure merely as a device to help them in the coming elections. I do not know whether that is really the Government's motive. So far as we have seen the changes that have been made in the Bill from time to time during the sittings of the Select Committee and the passage of the Bill in the Assembly and the ultimate shape it has assumed, one can very well say that it is not entirely a Bill to help exclusively the tenants; the object seems to be more or less to help the tenants where they are in difficulties and if possible to help the small landholders; but in the second objective, they seem to have failed. So far as the tenants are concerned, the ultimate shape of the Bill after the passage by the Assembly, seems to be more or less a kind of equitable adjustment between the landlord and the tenant.

I was asking a landowner from Tanjore district this morning as to what he thought of the final shape of the Bill. He was furious and I think, for good reasons. For, so far as the people from Tanjore are concerned, on account of the changes that have been introduced, this measure perhaps hits these landlords much more than the landlords in other places. After the rent was fixed at 60 per cent in the Tanjore Tenants and Pannaiyal Protection Act, it has again been reduced to 40 per cent, without good reason and that is what he thinks and therefore it is hitting them in Tanjore in a harsh way. Apart from that, I have also been asking other landowners from other districts; they were also not satisfied with this measure, but only they were not so vehement as the landowners of the Tanjore district. Of course, as one who is neither a tenant nor a landowner I have been viewing it from more or less the standpoint of a citizen who is interested in the country, who is interested in fostering good relationship between the landlord and the tenant, who is interested in seeing that agricultural production is increased, and who is interested in seeing that really both the landlord and the tenant so work as to become members of a good family; this is a matter in which the Nation as a whole and the country as a whole is very much interested. Viewing it from this standpoint, I think the Government have not adequately realised the importance of the small landholder. Exemption ought to be given to him. Notwithstanding what all has been said, it is significant that the concession which they are trying to extend to the small tenant who wants to cultivate 6-2/3 acres has not been given to the small landholder. After all, what

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is the difference between the small landholder and the small tenant? If the small tenant should get the benefit of this Bill—he will get some benefit out of this Bill—why has not that concession been given to the small landowner? In regard to the small landowner, the Government have been, so to say, jumping from one blunder to another. They feel that his case ought to be supported and he ought to be helped; but at the same time, they hedge in his case with so many restrictions, practically nullifying the help proposed to be given to the small landowner. In a country like this with all its history and its association, it is more the small landowner that should be helped, in my opinion. After all, if this State has been progressing, it is because of this class of peasant proprietors. In our country, out of many lakhs of pattadars, these small landholders paying Rs. 30 and less as kist form more than 60 per cent and the extent of their holdings must be either 6-2/3 acres or much less than that. Therefore, if really the Government want to encourage production—and that is our main objective—they must encourage that class which has all along been doing this business of agriculture and which has been doing it in a thrifty way and trying its best to help itself and help others. On the other hand, if they do not want to help those people and if they want to help the tenant class even in respect of these small holdings, where are they to go? It is recognized that this class consists of many helpless women, disabled people and people who depend mainly upon the land for their livelihood. Now, what is the justice done? We must have social justice. I ask sincerely what is the social justice done in driving away people of this class and practically driving them away out of this important industry and then trying to help another class, the tenants. After all, the net result would be that the Government are going to help neither the tenants nor even the landlords. As was pointed out, it will end in creating discord and strife between two sectors of a very important industry which is bound ultimately to affect production. Therefore, if productivity is our objective—and it must be so at a time like this—surely this kind of neglecting or completely driving away the small landholder is very much to be regretted. That is one of the defects I see in this Bill. There is a difference between the way in which the tenant is treated and the small landowner is treated. The tenant is given 6-2/3 acres of land. Why should not the same concession be extended to the small landholder? Why should there be so many restrictions? The definition of “personal cultivation” is very vague and it creates difficulties. Therefore, it is very necessary that this definition of “personal cultivation” should be so revised as to include really people who want to resume lands for *bona fide* personal cultivation and take up the cultivation. No impediment should be placed in their way. That is one of the defects which I see in this Bill and I think the sooner it is remedied the better. If we read the history of the progress made, it looks as though the Government have a policy to try to import into this sector more people than it can even support. If one reads the history

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of some other countries, one will find that in America a man produces for 14 people and that in Scandinavia one man produces for about 4 people. But here, one man produces for himself and perhaps one-fifth of the needs of another person. More than 80 per cent of the population are engaged in agriculture. But one man produces for himself and for one-fifth of the needs of another person. That is not the way in which we can improve agriculture. Less people should be engaged in agriculture and more people should be diverted to other occupations or industries. The Government should be prepared for it. Otherwise, it is not as if the whole country would be better off. Whatever it is, those owners of land who have only 6-2/3 acres of land must be taken special care of and they could not be taken care of by merely saying that it is a question of dividing hardship. They could not be helped by saying, ‘I am helping two persons when one person alone could be helped.’ We should not concentrate upon helping only the class of tenants. What now happens to the present landowner class will happen later on to the tenants. Now, I am not against tenants. I am not against help being given to them when they are in difficulties. I am not against increasing the share which ought to be given to the tenant. At the same time, some kind of concession or help ought to be given to the small landholder to the same extent and on the same basis as to such tenant. Otherwise, it amounts to discrimination; it is a discriminatory piece of legislation so far as the small landholders are concerned. That is what I want to say first.

With regard to the other changes which were mentioned by the Hon. Minister, no doubt they have improved the lot of the landholder during the passage of the Bill in the Assembly. Of course, the provision relating to his right to get a share of the produce in paddy if paddy is cultivated and then the other changes referred to by the Hon. Minister have improved his position. There is only one point which, I think, he might think of adding. That is with regard to the discretion about the kind of crop to be raised. Now, it looks as though the small landholder or the big landowner, whoever it is, cannot have any discretion in the matter of choice of the crop to be raised. The discretion is entirely left to the tenants. Is it just? What is the harm caused to the tenant if the landholder who is the owner of the property has the discretion with regard to the crop that is sought to be raised? I tried to find an answer to this question and I found none. Therefore, if along with the concessions now granted by the Assembly, this concession is also added, namely, giving discretion to the landholder to raise the crop which he thinks will be useful in respect of the land, I think we will be advancing agricultural productivity much more than otherwise. I am really glad about the provision granting liberty to the landlord to insist upon compulsory manuring of the lands by the tenants or to help the tenant with advance up to 10 per cent and to recover it from the share of the tenant. After all, one fault of the present system is that the tenant may

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not have the same incentive and may not cultivate and keep up the fertility of the land as much as is desirable. But, happily, something has been done and I think that defect has been rectified to some extent. At the same time, the approach is something which is not quite happy. What is the harm in a small landowner owning property? The whole matter has been viewed as if there is something wrong in being an owner of a land however small the extent might be. It might be on account of the concept of social justice and on account of the fact that undue concentration of wealth in big people ought to be prevented and that there should be wide distribution of property such as land. But, at the same time, what is wrong in one man being the owner of a property, a small land? On the other hand, what we have been doing is to take away from him the attributes of ownership. Happily, as I said, to some extent, it has been reduced and one other way it ought to be done is giving the landholder discretion in the choice of the crop to be raised.

Another point which strikes me is this. This Bill produces a system of sharing of the produce. No doubt, theoretically it may be good. Nobody says anything against it. But the tendency has been, in the history of this land reform, to reduce to as little as possible the waram. I understand that in Tirunelveli there are two kinds of systems including the pattom tenure, a kind of fixed rent. By this they helped the small landowner and also gave some incentive, I should say, sufficient incentive to the tenants to produce as much as possible, because what remained after paying the fixed rent went to the tenant entirely. That was the customary way in which wet lands were cultivated in that district. This system that was prevailing in the Tirunelveli district and possibly some other districts also has been given the go-by. I ask, "What advantage is it to give the go-by to such a system which would ensure to the tenant all that was necessary?" If on the other hand you have the sharing system, the landlord will not take much interest in improvements and will say, "Why should I bother myself? I am not going to get anything more. So, why should I put extra effort?" On the other hand, the tenant will also say, "Why should I trouble myself? If I put more work and increase the produce, a part of it will go to the landlord also. So, I will not do that." That is why, wherever the system of sharing was in existence, even in the case of the Estates Land Act, provision was made for commutation. We do not want commutation as such. At the same time, I feel that some sort of commutation with regard to the produce is necessary. I do not know why that system wherever it has been in existence has now been given the go-by and has been taken away as though by one stroke of the pen. The present system of sharing will be injurious to production as such. It will produce discord among the landlords and tenants. Already, we see it from the amendments moved in the other House. There were amendments about the place where the sharing is to take place. Now, we have the clause stating that this sharing will be done on the

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threshing floor. As pointed out by the hon. the Deputy Leader of the Opposition, all this will lead to friction, difficulties and embitterment between the landlord and the tenant. It is now too late to change the whole thing. I know it will be very difficult. But, any way, we must take the earliest opportunity to remedy this defect. So far as the Government are concerned, there may be resettlement for a period of say, 30, 20 or 10 years. We may fix the quantity which the tenant should give to the landlord taking into consideration the fertility of the land, nearness of the market, the prevailing situation and things like that, and also the source of irrigation. I look upon the question of sharing of the produce with some amount of apprehension. It is not a very happy introduction.

THE HON. SRI M. A. MANICKAVELU : Contract is not precluded. It will apply only in the absence of the contract.

* SRI T. M. NARAYANASWAMI PILLAI : We have to be clear in these matters. You may very well state "Subject to the custom prevailing in every district". It looks as though the other aspects have not been taken into account at all. That is what strikes me.

THE HON. SRI M. A. MANICKAVELU : Clause 5 only states, "The fair rent in respect of any land may be paid either in cash or in kind or partly in cash and partly in kind, in accordance with the terms of the contract between the landowner and the cultivating tenant; in the absence of such a contract, the fair rent may be paid at the option of the cultivating tenant in any one of the above ways . . ." There may be pattom and other things in existence. The only thing is that they must not go beyond the ratio fixed.

* SRI T. M. NARAYANASWAMI PILLAI : Therefore, there will be a dispute. You have provided for contract, you say. But, this sharing will come in. If the pattom rent is higher, it will be given the go-by and this sharing will come in. To me it looks as if the present Bill does not provide for the continuance of some of the old systems which are prevalent now.

With regard to the Rent Tribunals, Rent Courts and revision by the High Court, one does not wish that these questions should be taken to the High Court. It looks as though every question is going to be agitated. As pointed out by the hon. the Deputy Leader of the Opposition, we must do something to reduce bitterness among the landlords and tenants and establish good relationship between them. Of course, that could not be done single-handed by the Government. Having regard to the usefulness of the industry and to the fact that lands are our national asset, I think everybody should see that indefiniteness in the provisions is not taken advantage of and that the relationship between the landlord and the tenants does not deteriorate. If we allow such a

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relationship between them to deteriorate, I am afraid not only production will suffer, but also the law and order situation will deteriorate and perhaps we will be going in for some serious trouble which we cannot arrest at all. With these few words, I do welcome this measure.

(Deputy Chairman in the Chair.)

4-10 p.m. SRI K. BALASUBRAMANYA AYYAR: Mr. Deputy Chairman, I have been pursuing this Bill from the date on which it was introduced, when it was before the Joint Select Committee and now when it is before us. So, I do not propose to enter upon any general consideration. I have often stated my views about land reforms and other things connected with them. So, I should like to confine myself on this occasion to the particular Bill before us and the changes that have taken place in the Bill and certain changes which, I think, are still desirable not from the point of view of any particular section in the agricultural sector but from the point of view of the smooth, just and fair relationship that must exist between the landowner and the tenant. In all these discussions, we are handicapped by the fact that we have not got very accurate statistics for the various parts of our State. The land tenure, the cultivation expenses, the contracts between landlords and tenants, the crops that are produced on the land and all these things vary from district to district and sometimes from taluk to taluk even. Therefore, when one embarks upon a legislation of this kind, just as the Planning Commission has insisted, one must have statistics about the holdings, crops, the relationship between landlord and tenant and also a general picture of conditions obtaining in the various taluks and districts of our State. But, unfortunately, that literature is not completely forthcoming in our State. There was a land census report which was placed on the table of the House. It has been arranged in such a fashion that one finds it very difficult to understand in a real way what the situation is. First, they have converted everything into dry acreage and then this acreage has been converted into sixteen annas and so on. I looked into the report very carefully and it took a lot of time for me to understand even a little. It is not easy for one to find out what the report says and what the conclusions are. I would very much wish that the Government, after placing all these on the table of the House, had given us some of the conclusions they might have arrived at on the basis of this report. It would have helped us all in coming to correct conclusions. The Government are not very much bothered about criticism in this House. But, in the other House, they are subjected to very severe criticism by those who espouse the cause of the tenant. That is how they have worked out this 33 1/3 per cent. The Hon. the Minister for Revenue has acted like the father of the prodigal son. But I must point out that even the Government do not have full statistics. For example, we do not have figures about cultivation expenses. I tried to get figures from various sources, but sometimes those figures vary. But, on the whole, we can find out the average. There are very

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many difficulties in the way of our getting accurate statistics even as regards cultivation expenses. The Hon. the Minister for Revenue has been saying "roughly one-third". Recently, a memorandum has been submitted to all legislators by the Nagapattinam Chamber of Agriculture. This relates chiefly to Tanjore, though the Chamber does not say so. It is stated in the memorandum that the gross yield from 5 acres varies from taram to taram. In Tanjore, there are 12 tarams. Taram I refers to a first-class land. The gross yield per five acres of such land is 271 kalams. The landholder's share, according to the present Bill, is 108 kalams. The land revenue in terms of cash is 100 rupees or 20 kalams in kind. This may become less since the Government are anxious to reduce agricultural prices. Then, for repairs and kudimaramaths, five kalams have been set apart. So, land revenue and repairs take away 25 kalams. The landholder's net share will be 108 minus 25 kalams, that is, 83 kalams. The tenant's share, on the other hand, is 163 kalams. As we proceed further, we see the share becomes less. Let us take taram 12, for example. The gross yield for five acres is 73 kalams. This is so in Tanjore. In other places, it will be much less. The landholder's share out of this is 29 kalams. The land revenue will be Rs. 25. Kudimaramath takes away another five rupees. The balance left with him will be 19 kalams. All this is for a five-acre holding and that is a proper unit to adopt. (The Hon. Sri M. A. Manickavelu: Cultivation expenses come to a fifth.) I am referring to all this not to help one party or another. These figures may not sometimes be in consonance with our impressions. In Tanjore district, the cultivation expenses are less than in other places. The figure for actual cultivation expenses has been adopted from the detailed statement furnished by experienced landholders in Tanjore district. Sri A. M. P. Subbarayalu Chettiar is a very responsible person. He says that these are the expenses. In places other than Tanjore, they will be much more. Then, one will find that in the case of small landholders, their share is a pittance. The Planning Commission, taking 16 ounces as the average requirement of an adult, has put the total requirements of a family of five members at 45 kalams of paddy. What is it that the 12th taram man gets? 19 kalams. Seventy-seven per cent of the people are those who are occupying from the 12th to the 4th tarams in Tanjore, according to this report. The 4th taram land will get him only 57 kalams; the 5th, 51 kalams—the 6th, 43 kalams; the 7th, 36 kalams; the 8th, 33 kalams; the 9th, 31 kalams; the 10th, 28 kalams and the 11th, 23 kalams. I have already referred to the 12th taram.

SRI O. P. RAMASWAMI REDDIAR: Tanjore is a fertile district.

SRI K. BALASUBRAMANYA AYYAR: Tanjore is a fertile district. Let us imagine what will be the fate of those landholders who have got five acres only. They are in a majority. The Deputy Chairman was under the impression that many people had

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not have lands and that lands were concentrated in the hands of a few persons. He thought that the extent of such lands was large. That is not correct. That is only our impression. You will find from the figures of the Planning Commission that the smaller holdings total more in extent than the lands which are in the hands of a few people.

DEPUTY CHAIRMAN: What I stated was with reference to the whole country.

SRI K. BALASUBRAMANYA AYYAR: Now I realize it. Unfortunately, as I have been constantly repeating, the situation here in our State has not been fully appreciated by our Planning Commission. That is the difficulty here. Small landowners are too numerous here.

SRI O. P. RAMASWAMI REDDIAR: Ninety-five per cent.

4-20
p.m.

SRI K. BALASUBRAMANYA AYYAR: That fundamental fact has been lost sight of in this Bill. I have come in touch with many of them. So many of them are feeling very much over this Bill. They are very anxious. To-day I received three telegrams. The hon. Member Sri T. Purushotham also might have received some telegrams, from various parts of the districts, requesting that small landowners at least should be exempted from the operation of this Bill, just as they were exempted from the Tanjore Tenants and Pannaiyal Protection Act by the provision there that that Act would not apply to landlords owning less than 6-2/3 acres. But no such provision is found in this Bill. Ten acres should be the unit and all persons owning less than 10 acres should be exempted from the purview of this Bill. One plough unit is 5 acres. That is what is stated. With the proposed share of 40 per cent of the produce, people owning less than 10 acres cannot subsist.

There is also another factor. There is the kist. It is a figure that varies with the price of paddy. We are all anxious and the State Government and the Centre are anxious that the prices of agricultural produce should be reduced. When the prices of agricultural produce are reduced then the number of kalams that have to be set apart for paying the kist would become more. I cannot say that the price of agricultural produce should be high so that I may have to sell only a few kalams of paddy to pay the kist. During the years 1931 and 1932, one kalam of paddy sold at Re. 1 or Re. 0-14-0. Now it is selling at the rate of Rs. 7 per kalam. Therefore, it is now seven times the rate at which it used to be sold during the years 1931 and 1932. Suppose it sells now at Re. 0-14-0 per kalam. Then the 40 per cent of the produce that is now given as the share of the landlord would be eaten away by the kist, because the kist has been remaining stationary all along. In those days we used to clamour against the collection of land revenue. We used to say that it was very high and was causing havoc to our people because most of the paddy had to be sold for paying the kist. But now, because of the increase in the

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price of agricultural produce, we have forgotten about the land revenue. Prices of agricultural produce are soaring high. I mentioned some of the reasons for the same on the last occasion. I do not want to repeat them now. When the kist has not been reduced and when the prices of agricultural produce are soaring high, Government cannot by one stroke of the pen say that they would fix a uniform share of 40 per cent of the produce for the landlord. The kist has got to be paid in cash and for paying the same, some paddy has to be sold. If the price of paddy is high, the number of kalams to be sold for paying the kist becomes less. The kist has not been reduced. It is 30 years since the revenue settlement took place. Therefore it is I say that the fixation of 40 per cent as the share of the landlord in the produce is not correct. That percentage should be determined from time to time and not allowed to remain as it was. There should be exemption granted to the small landowner owning less than 10 acres. That provision should be there. But it is absent now. Without such a provision, there is no salvation for the small landowners, for whom my hon. Friend Sri T. M. Narayanaswami Pillai has been pleading very strongly. I am here to express on their behalf their grievances and to state how acutely they feel over this fixation of fair rent. Some exemption ought to be given to those people. That is the first important and fundamental proposition that I want to put forth. At least, on a future occasion that exemption should be given. The present moment may not be the opportune time. It is all over now. I know that my speech at present is like the one delivered at a funeral ceremony. The Assembly has discussed and passed the Bill. The matter is almost over. It has been said that the Government have been trying to support the views expressed by the Opposition in the Assembly. But I must say that the Government have been considering the whole problem with a view to do justice both to the landlord and to the tenant. I cannot say that they have not done so. But I am anxious that they should do justice at all points. Therefore it is that I am stressing the need for exempting the small landowners from the purview of this Bill. We should do them justice. Under the Tanjore Tenants and Pannaiyal Protection Act which was introduced in 1952, the landlord was given 60 per cent share of the produce. Four years have passed and we are now in the fifth year. But now suddenly the share of the landowner is reduced to 40 per cent. We gave five years' security of tenure to the tenant at Tanjore under the Tanjore Tenants and Pannaiyal Protection Act. There has been quiet in Tanjore district since then. There has not been any disturbance. Therefore, the example of Tanjore ought to have given some guidance to the Government to extend that Act to other parts of the State. But, instead of doing that, Government are now fixing the uniform rate of 40 per cent of the produce for the landlord throughout the State. The case of Tanjore is quite different. It is the granary of South India. Since the passing of the Tanjore Tenants and Pannaiyal Protection Act, there has been quiet there. Moreover, under the Tanjore Tenants and Pannaiyal Protection

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Act, those owning less than one veli (6-2/3 acres) were given exemption. But now even that exemption is taken away. This Bill supplants the Tanjore Act. I gave expression to my views in the Joint Select Committee. I said that because of the calm that was prevailing in Tanjore since the passing of the Tanjore Tenants and Pannaiyal Protection Act, it would be better to exempt Tanjore from the provisions of this Bill. I pleaded for keeping the Tanjore Tenants and Pannaiyal Protection Act separate, just like the Malabar Tenancy Act. But the Hon. the Finance Minister said that we should not make any distinction between the tenant at Tanjore and the tenant at any other place. He said that this Bill should apply to the whole State. I say it is very difficult to apply a uniform rule so far as tenancy legislation in our State is concerned. The sooner the Government give up such an idea, the better for them. Various circumstances have to be taken into consideration. Some changes have to be made. Have not changes been made so far as sugarcane cultivation is concerned? Very big landlords in Tanjore have taken to sugarcane cultivation. I am not speaking against them. Tanjore is the granary of South India. The major crop grown there is paddy. But either anticipating coming events or because of their interest in sugarcane cultivation, some big landlords have now taken to sugarcane cultivation. What do the tenants there do now? They do not now get any paddy at all. This 40 per cent share cannot apply there. Therefore it is that I say that we have to make a distinction between the tenant at one place and the tenant at another place. We cannot have a uniform procedure for the whole State.

We have tenants in various lands belonging to religious institutions or charitable endowments. The fixation of fair rent for those lands will reduce the income of those religious and charitable endowments very much. This 40 per cent share supports a large number of people including Harijans.

4.30 p.m. The Commissioner for Hindu Religious and Charitable Endowments submitted a memorandum to the Joint Select Committee when it was sitting and the Deputy Commissioner came and gave evidence before the Committee. I shall only read the last paragraph of the Commissioner's memorandum :—

“ If, for any reason, general exemption is not granted to the religious institutions from the provisions of the Bill, at least the State Government should pay such compensation to religious institutions for the loss that such institutions might suffer by diminution of the income under the provisions of this Bill. Similar compensation in favour of the religious institutions has been fixed and paid under the Rent Reduction Act and the Estates Abolition Act.”

(Mr. Chairman in the Chair.)

Under these two Acts, compensation has been paid and is being paid. I know very well the Education Society here in Madras which had lands from which the shrothriam was taken away by

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the Government; they are paying compensation for any reduction. Therefore, Government have to do the same thing here and that is the prayer of the Commissioner for Hindu Religious and Charitable Endowments. It was also supported and fortified by the evidence given before us by the Deputy Commissioner. Therefore, it is not possible for us to make the same rules as regards the tenants in various parts of our State. It is not at all possible because the circumstances are like that. Suppose in the case of widows maintenance is reduced suddenly, they will have to go to the Court for enhancement of maintenance and so many such complications will really arise. Lands are owned by different categories of people. We must take that into account and we cannot say that tenants are all of the same kind. It is not possible to do like that. In the Bill itself it was accepted in the case of lands enjoyed by religious and charitable institutions and many tenants were given lower rents, and services which they render during festivals were specially put here. Therefore, we have to make a difference. Though it appears logical and consistent, differences between tenants cannot be fitted in with the facts of the case or realities of the situation. Therefore it is I am stating these points.

This 40 per cent share has for the first time been mentioned here. The Tamil Nad Congress Committee which went throughout our State and which took evidence from many of the landowners as well as tenants, recommended in their Report that the share of the landowner and that of the tenant might be fixed at 50 : 50. Already we have the Tanjore Tenants and Pannaiyal Protection Act wherein the share of the landlord has been fixed at 60 per cent. Before that we had our Subramaniam Committee and also Raghavendra Rao Survey Committee. They all recommended 45 per cent or so. At no time was it put at 40 per cent up till now. They all took evidence; they didn't do it out of their own feelings for landlords and they did not do it for doing justice to one group or the other. After investigating the full problem and after taking evidence, they made their recommendations. (The Hon. Sri M. A. Manickavelu : Some other responsible people have suggested 20 and 25 per cent also.) I want to refer to those who, after careful survey and examination, made their recommendations rather than other people. The Congress Committee, the Committee of the ruling party, went into the whole question and they did not recommend this 40 per cent. This 40 per cent is mentioned for the first time only in this Bill and evidence was also given before the Joint Select Committee by all landowners of our State in which they categorically were of the opinion that the share was unfair. Simply because there is some general feeling that the tenant should be helped, we should not do unjust things. I am not against helping the tenants. But in what way they should be helped is the question. The share to which they should be made entitled should be fair and proper.

The Andhra Congress Land Reform Committee proposed only 50 per cent for lands with first-class sources of irrigation. There also the tenure is the same as here. But still in Tanjore district

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where the lands are fed by river irrigation, registered irrigation sources, well-protected by the Public Works Department, there is no difficulty for the tenant. Simply water comes into the land. That is all. Before the construction of Mettur Dam, even manuring was not necessary, because the river itself furnished all the beautiful manure that was required for the fertility of the land. But, unfortunately, after the Mettur Dam was constructed, that has been very much reduced. Still the work of the tenant is very little. Both of them are enjoyers of the land; both work equally. Therefore, there can be no difference between the two. So far as cultivation expenses are concerned, their labour is not dear or wage higher. I know in other districts at least, labour costs more and it is more difficult to get it. Therefore, some difference ought to be made in the case of lands which are river-fed, which have first-class irrigation sources. There, the Andhra Committee did it with a realistic sense and with due appreciation of the facts of the case and said that in the case of lands with first-class source of irrigation, the share of the produce given to the landlord may be 50 per cent. Somehow, I have begun to feel that the Andhras are progressing and all along the Andhras have been progressing step by step. They wanted Visala Andhra, they have got it; they are getting so many other things. While we in Madras have been reduced from district to district and even our border disputes have not been settled yet, they are becoming bigger and bigger, next only to Bombay and Uttar Pradesh . . .

DR. V. K. JOHN : May I ask whether the hon. Member thinks we are wiser in having reduced ourselves?

SRI K. BALASUBRAMANYA AYYAR : Events will show whether we are wiser or not. Let us see.

Therefore, I say that the fixation of this share is unfair, while I am not objecting to the various grades that have been made in the Bill. I still say that in the case of lands with first-class source of irrigation, in the case of lands which are river-fed, where the cultivating tenant has no trouble and where his work is almost equal to that of the landowner, their share may also be 50 and 50. With this object only, I have given notice of an amendment, though the fate of it I certainly know very well.

These are some of the aspects I wanted to put before the House. About determination of the crops, already my hon. Friend Mr. Narayanaswami Pillai has dealt with it and, therefore, I do not want to repeat them. There are many matters other than sharing of product. Merely saying that we must give a larger share to the tenant will not work all right. When it comes to a question of seeing that the land is manured, that the land is made fertile and that production is kept up, the Government look to the landlord. Therefore it is we find various provisions in the Bill in which it is stated that the landlord can undertake manuring expenses and recover the amount from the tenant. The landlord may also manure

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with oil-cakes and chemical manures up to 10 per cent of the total gross produce. How much is that? How can he know that? How can he have an estimate of the money to be spent? All these seem to be very difficult. What does that show? That shows when it comes to a question of production from the land, when it comes to the real crux of the problem, they look to the landowner. There was even a suggestion in the Joint Select Committee to compel the landowners to do that. That amounts to reducing the share with one hand and compelling the landowner with another to undertake all the expenses for the improvement of the land. However much the land would have been improved by the use of fertilizers, he can recover barely the expenses while all the benefit of production is given to the other person. All these things show that we cannot dispense with the landowner. We cannot raise the cry that the tiller of the soil will be the owner. That cry is quite right as a slogan. But when we come to the real facts of the case, it is otherwise. I am addressing all these things to the Hon. the Revenue Minister who is fully apprised of all these difficulties. That is why I am emboldened to say all these things. But the situation is very difficult. Several forces are at work and the Government are handicapped for want of facts and figures. The whole evidence tendered before the Joint Select Committee was not at all thought of at the time of the sitting of the Committee at Ootacamund. The attempt made to consider it made no impression upon any of the Members. That was the strange thing I found. So, I even felt hopeless. Landholder after landholder—I do not want to use the term 'landlord' as if he were a lord—representatives of Associations of landowners, Presidents, Secretaries and other officer-bearers came there and gave evidence on the facts submitted by them. The only request made on behalf of the tenants was, "Please go over to our places—so that we can stage demonstrations." They did not say the latter part, but I add that. That was the only thing that they said. All these things happened. I am not exaggerating things. If there is any exaggeration, I am subject to correction by the Hon. Minister. Still, some general theory was adumbrated. One Member—he knew the psychology of our legislators—stood up and said, "We have already said to our people that it would be 40 per cent." It has been decided by him and how can we interfere with it? (Laughter.) I am not putting it in any caricaturing form, but I am depicting the mentality or psychology behind the statement. That is why I sav with all due respect to our Government and to our people that all these things have to be thrashed out by committees appointed specially for the purpose. There may be legislators on that committee; there may be experienced officers. From the Subrahmanyam Committee Report, not even the definition of "personal cultivation" has been taken. It has been shelved practically. Excepting myself, no other person ever takes care of the Subrahmanyam Committee Report though there were two Subrahmaniams on that Committee. One was Sri M. V. Subrahmanyam, Member of the Board of Revenue and the other Sri C. Subramaniam, our present Finance

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Minister. What I am stating is that we must do things based upon facts produced before us and evidence tendered before us. Of course, evidence is a thing which one can accept or reject. But, still, we have to proceed upon some basis. Therefore it is that I say that the share of the landholder being fixed at 40 per cent does not do justice to the small landholder. That is my view. It does not do justice to the facts of the situation.

Of course, at the end, I have to concede that the original Bill has been improved during its passage through the Joint Select Committee and the Assembly. All credit for that is due to the Hon. the Revenue Minister. I am not unmindful of that. But, still, when I see the large number of small landowners who are coming to our doors and are asking us, as if we have got any power, to help them and speak in the Assembly or in the Council—you may be surprised when I say all that—I have to be here to voice forth their feelings. That was why the hon. Member Sri Narayanaswami Pillai, who generally speaks cautiously, to-day spoke very strongly. That was because some people had represented to him also, not because they were agitators. If they had been mere agitators, what would they have done? Like Sri Sivagnana Gramani and others, they would have been here for staging a demonstration and they would have been arrested. But they are not agitators. I am not discounting the agitation of these people, but they do not know this sort of agitation. They do not know how a democratic Government can be impressed by demonstrations, arrests and so on. All these small landholders only want their cause to be espoused before the Government and in the Council. Therefore it is that I am stating at some time or other—it is no longer possible in this Bill—when prices of agricultural produce go down and when the position becomes difficult, the share of the landholder may be raised a little, although the agitation might be there now and there may be walk-outs because people bargained for 33½ per cent.

* SRI T. PURUSHOTHAM: Mr. Chairman, having been a Member of the Joint Select Committee, I feel that I am at a disadvantage as I feel I could not refer to the various provisions of the Bill except with regard to the points raised by me in my dissenting minute. The Bill has undergone several changes even after the Joint Select Committee reported on it. I should just like to mention a few matters about which I feel very strongly and about which I had also mentioned in the Joint Select Committee during its sittings. Firstly, I should express my entire sympathy for the small landowners and agree with all that the hon. Members Sri Narayanaswami Pillai and Sri Balasubramanya Ayyar have just now said. I should particularly like to mention that in this class of landowners there is a large number of Government officers and middle class Government servants. They had to leave the village and go and work elsewhere. After retirement when they go back to the village, they will find themselves in a

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sorry predicament if this Fair Rent Bill is put into operation in their case. That is why, having been a Government servant myself and known their conditions too well, I cannot but support the able plea put forward on behalf of the small landowners that they should be exempted from the operation of this Fair Rent Bill.

I should also like to impress on the Government the position of lands belonging to religious endowments under the Fair Rent Bill. The 40 per cent share provided for in the Bill would adversely affect the income of the temples. As stated by the hon. Member Sri Balasubramanya Ayyar, the Commissioner for Hindu Religious and Charitable Endowments has pointed out in his reports to the Government and also in the evidence that he tendered before the Joint Select Committee on the subject that the temple income would go down in most cases as the 40 per cent share would be much less than the share they now receive from the endowments by the lease of the lands in public auction which is the procedure now adopted. I should, therefore, like to impress on the Government that in view of the imperative necessity for the preservation of temples and the preservation of the connected art and architecture, these lands should be exempted from the provisions of the Fair Rent Bill. If, however, the Government should take the view that no distinction could be made between the lands of the private landowners and those of the religious endowments, I would plead that the Government should consider the question of making good the income lost by these religious institutions by the passing of the Fair Rent Bill. This, I think, is a most reasonable proposition. The Government have provided for payment of a similar compensation in the case of the estate lands belonging to temples which have been taken over. If, however, nothing could be done for the payment of compensation and if they cannot accept any of the alternative proposals put forward now, I think the Government would do well to take over the lands of all these temples and constitute a Consolidated Fund as has been done by the Travancore-Cochin Government and make proportional annual grants from the Consolidated Fund for the administration of the temples on the basis of the average income that they got before the passing of this legislation. That seems to be the only possible way to preserve the temples and the temple arts and architecture.

One other matter, and I have done. I have always said in this House that the Legislative Assembly and the Legislative Council should be treated alike with regard to the provisions made for the exercise of the rule-making powers delegated by the various Acts to the Government, subject to ratification of the Legislative Assembly and the Council. This subject of equal treatment of the Assembly and the Council was pressed by me on more than one occasion. Sri C. Rajagopalachari, when he was the Chief Minister assured this House, that no distinction would be made between the two Houses in such matters of legislative control over the

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rule-making powers of the Government. I am constrained to refer to this, because, I am sincerely sorry that in spite of the vigorous pleas put forward here and in spite of the example that I quoted that in the Madras Cultivating Tenants Protection Act, there is a provision that such powers are vested equally in both the Houses of the State Legislature, the Government do not seem to care to consider this simple proposition of mine. Even yesterday, in the case of one Bill, this difficulty arose. I do not see any reason why the Government should not issue strict instructions to the Law Department to see that in drafting the Bills a uniform procedure is adopted and a uniform provision is made. I am only sorry that the Government have not thought it fit to consider the dissenting minute and the remarks made by me.

MR. CHAIRMAN: Will the Hon. the Minister for Revenue reply now or tomorrow?

* THE HON. SRI M. A. MANICKAVELU: Personally, I would like the first reading to finish to-day. But, if the general sense of the House is for continuing the discussion tomorrow I have no objection.

* SRI A. GAJAPATHY NAYAGAR: I want to speak, but I will take some time. There are certain points to be clarified.

MR. CHAIRMAN: I am not stopping the hon. Member from speaking. I am asking him to speak. The only thing is that we have to adjourn at 5 o'clock. He can continue his speech tomorrow.

* SRI A. GAJAPATHY NAYAGAR: All right, Sir. This Bill, called the Fair Rent Bill, must be understood in its proper perspective. It is intended for the purpose of determining fair rent. It does not pretend to touch all the aspects. It is not a comprehensive Bill, so to say, covering all aspects of land reform. We are conscious that there are several constitutional difficulties which prevent us now from bringing forward a comprehensive reform. If we understand that point clearly, much of the criticism now levelled against this can be taken away. I have been a member of the Joint Select Committee. No Bill has received a fairer consideration both inside the Committee and outside. In fact, all sorts of opinion were expressed. We are glad that this subject has been thoroughly thrashed out. The Bill as put before the Joint Select Committee was one thing. Now, when it has come before us, it has taken a different and advanced colour. It is more for the benefit of the landlords than for the tenants. I do not grudge it. Because, as a follower of Tirukkural, I will say, "தள்ளா வினையும் தக்காரும் தர்ழவிலாச் செல்வரும் சேர்வது நாடு." A country must possess three types of persons. "தள்ளா வினையும்", that is the person who produces things more and more and sees

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that the production is increased still more. That includes not only the agriculturists and tenants, but also the landowners. Then, there is the second set of people 'தக்காரும்' that is, the person who understands justice, equity and good conscience. We must bring in such legislation which will be suitable to the needs of the time. The third one is 'தாழ்விலாச் செல்வரும்' that is, the rich men who want to produce wealth by good means. We must see that the landlords do not get an undue and unjust share of anything produced by the tenants and poor people. In this matter, I wish to point out that the cultivating tenant must be a person who contributes his physical labour or labour of his family. Then only he can be called a cultivating tenant. A man who employs labourers on hire every now and then and lives in towns, goes to the village and sees his land occasionally and engages a few labourers on a monthly or daily basis, cannot be called a tenant. The purpose of the Bill is to help the tenants who devote their entire labour, time and energy to the production of fair rent. As I said, this Bill is restricted to the fixation of fair rent. So, let us not mix the issues of the landlords. I know in the year 1933, large extents of valuable lands worth lakhs of rupees were purchased for a mere song. We have observed it in so many places. Persons like doctors, lawyers and others who have earned large sums of money have purchased such lands.

MR. CHAIRMAN: The hon. Member can continue his speech tomorrow.

SRI A. GAJAPATHY NAYAGAR: Yes, Sir.

MR. CHAIRMAN: The House will now adjourn and meet again at 11 a.m. tomorrow.

The House then adjourned.

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APPENDIX I.

[Vide answer to starred question No. 59 asked by Sri V. V. Ramaswami at the meeting of the Legislative Council held on 27th September 1956, page 141 supra.]

Progress of lignite investigations at Neyveli.

Pumping tests were undertaken at Neyveli in order to find out whether it would be feasible to lower the pressure surface of the artesian aquifers below the lignite bed sufficiently to permit the safe mining of the lignite and to determine the pattern of wells and their spacing for large scale mining. The tests began on 29th February, and with 20 pumps working, the pressure level was drawn down from 60 feet to 219 feet below the surface, as against 260 feet considered necessary for safe mining. The pumping was suspended temporarily to permit the development of additional wells and installation of more pumps. It was resumed on 22nd June and on the 26th June with 25 large capacity pumps and 4 smaller capacity pumps in action, giving a total discharge of about 26,000 gallons per minute, the pressure surface came down to 267 feet in the centre of the pumping grid area, i.e., well below the bottom of the lignite seam. But further pumping experiments could not be continued to determine the pumping pattern for large scale mining, as power supply was not satisfactory and some of the pumps went out of order. The tests have however proved beyond doubt that the artesian aquifer could be controlled and kept at the desired level by suitably regulating the pumpage to facilitate safe mining of the lignite. The main object of the pumping tests having thus been achieved, it has been decided to go ahead with the implementation of the project. In pursuance of this decision, orders for part of the mining equipment for the initial removal of over-burden has already been placed and the excavation of the first cut of the mine will be started as soon as the equipment ordered has been received at site. Tenders for specialized mining machinery for the further development of the mine and mining of lignite are under scrutiny. Further pumping experiments will be conducted later to determine the most economic pattern, numbers and spacing of pump wells for the actual mining, and to study the time which is likely to be taken for the artesian aquifers to build up pressure, in the event of any of the pumps failing during mining. On the basis of these further tests, the system of ground water control for mining will be finalized.

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APPENDIX II.

[Vide item III on page 151 supra.]

L.A. BILL No. 4 OF 1956.

(As passed by the Assembly.)

A Bill to provide for the payment of fair rent by cultivating tenants in certain areas in the State of Madras.

WHEREAS it is expedient to provide for the payment of fair rent by cultivating tenants in certain areas in the State of Madras :
Be it enacted in the Seventh Year of the Republic of India as follows :—

1. *Short title, extent and commencement.*—(1) This Act may be called the Madras Cultivating Tenants (Payment of Fair Rent) Act, 1956.

(2) It extends to the whole of the State of Madras other than the areas to which the Malabar Tenancy Act, 1929 (Madras Act XIV of 1930), extends.

(3) It shall be deemed to have come into force on the 1st day of October 1956.

2. *Interpretation.*—(1) In this Act, unless the context otherwise requires—

(a) "agricultural year" means the year commencing on the 1st day of April, or, in respect of the whole or any part of any district on such other date as the Collector of the district may specify in that behalf by notification in the District Gazette;

(b) "cultivating tenant" means a person who contributes his own physical labour or that of the members of his family in the cultivation of any land belonging to another, under a tenancy agreement, express or implied, and includes any such person who continues in possession of the land after the determination of the tenancy agreement or the heirs of such person but shall not include a mere intermediary or his heirs;

(c) "fair rent" means the rent payable under this Act;

(d) "garden land" means dry land irrigated by lifting water from wells or other sources;

(e) "Government" means the State Government;

(f) "landowner" means the owner of the land let for cultivation by a cultivating tenant and includes the heirs, assignees, legal representatives of such owner, or person deriving rights through him;

(g) "normal gross produce in respect of any land" means the produce which would be obtained, if the rainfall and the seasons were of a normal character, from lands of the same class as the land in question, similarly situated and possessing similar advantages;

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(h) "paid" includes "delivered";

(i) "Rent Court" and "Rent Tribunal" mean in relation to any area the Rent Court and the Rent Tribunal respectively constituted under this Act for such area.

(2) If any question arises whether any land is wet, or dry or garden land, the question shall be decided on the actual facts on the date with reference to which the question arises.

3. Rights and liabilities of cultivating tenant and landowner.—

(1) With effect from the 1st day of October 1956, every cultivating tenant shall be bound to pay to the landowner and every landowner shall be entitled to collect from the cultivating tenant fair rent payable under this Act:

Provided that the provisions in respect of fair rent shall apply also in respect of crops which are normally due for harvest during the month of September in the year 1956.

(2) Where the irrigation of any land is irregular the landowner may, at his option, either take his share of the produce and bear the excess water-cess in respect of the irregular irrigation proportionate to his share or take the share of the produce which would have been obtained but for the irregular irrigation in which case the entire excess water-cess shall be borne by the cultivating tenant.

(3) Notwithstanding any neglect or failure on the part of the cultivating tenant to raise any crop, the landowner shall be entitled to collect fair rent.

(4) Subject to the proviso to sub-section (2) of section 4, all the cultivation expenses inclusive of cost of seed, ploughing, manuring, harvesting and threshing shall be borne by the cultivating tenant.

(5) The landowner shall be responsible for the payment of all dues payable to the Government and local authorities in respect of the land subject to his right to recover from the cultivating tenant the public charges which are expressly made payable by the cultivating tenant by this Act.

(6) The landowner shall bear all capital expenditure necessary to maintain the land and wells in a state of proper repair.

(7) Subject to the provisions of the Madras Cultivating Tenants Protection Act, 1955 (Madras Act XXV of 1955), no landowner shall, after the commencement of this Act, claim or stipulate for—

(i) payment of any amount by the cultivating tenant in excess of the fair rent or in excess of the public charges which are expressly made payable by the cultivating tenant by this Act;

(ii) the delivery by the cultivating tenant of any article or thing in addition to fair rent; or

(iii) any service by the cultivating tenant or the free use of his cattle.

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Explanation I.—Nothing contained in this section shall affect the right of the landowner to claim from the cultivating tenant compensation for damages to the land or to anything that stood on the land at the time of lease.

Explanation II.—Where a cultivating tenant pays a contract rent lower than the fair rent payable under this Act, clause (iii) of sub-section (7) shall not apply.

(8) Any landowner who is a mulgenidar, and the rent receivable by whom from his cultivating tenant suffers a reduction as a result of the provisions of this Act shall be entitled to have the rent payable by him to his mulgar reduced in proportion to the reduction in the rent receivable by him from his cultivating tenant.

(9) Any landowner, the rent receivable by whom from any cultivating tenant in respect of any land suffers a reduction as a result of the provisions of this Act shall, if he is himself a tenant in respect of that land under another person, be entitled to surrender the lease of that land as from a date specified by him by notice given to his landlord.

(10) A landowner may advance to his cultivating tenant who is not a member of any co-operative society for better farming such loan as may be necessary for manuring his land. The loan so advanced shall be a first charge on the share of the produce to which the cultivating tenant is entitled under this Act.

(11) Notwithstanding anything contained in sub-sections (4) and (10), the landowner may with the consent of the tenant in the case of any wet land or garden land attend to the manuring of the land by chemical manures and oil cakes up to a sum equivalent to ten per cent of the normal gross produce and recover the same from the cultivating tenant. The amount payable by the cultivating tenant under this sub-section shall be in addition to the fair rent payable under this Act:

4. *What is fair rent.*—(1) Subject to the provisions of sub-section (2), fair rent shall be—

(i) in the case of wet land, 40 per cent of the normal gross produce or its value in money;

(ii) in the case of wet land where the irrigation is supplemented by lifting water, 35 per cent of the normal gross produce or its value in money;

(iii) in the case of any other class of land 35 per cent of the normal gross produce or its value in money;

Explanation.—In every harvest the landowner shall be entitled to one-fifth of the straw or stalk of all the crops.

(2) In the case of lands in items (ii) and (iii) of sub-section (1) in which water is lifted by pumpsets installed at the cost of the landowner the fair rent specified in sub-section (1) shall be increased to 40 per cent.

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Provided that the cultivating tenant shall bear all the maintenance charges and the landowner shall bear the charges for repairing the pumpsets. The installation of a pumpset shall be at the option of the landowner.

(3) Where the contract of tenancy provides for payment of a rent lower than the fair rent payable under the above provisions, the contract rent alone shall be payable during the contract period.

5. *Fair rent may be in cash or in kind.*—(1) The fair rent in respect of any land may be paid either in cash or in kind or partly in cash and partly in kind, in accordance with the terms of the contract between the landowner and the cultivating tenant; in the absence of such a contract, the fair rent may be paid at the option of the cultivating tenant in any one of the above ways:

Provided that the option shall be exercised in the case of a tenancy in force on the date on which this Act is first published in the *Fort St. George Gazette*, within three months from that date and in any other case within three months from the date on which the tenancy agreement takes effect; and if the cultivating tenant does not exercise the option, within the period aforesaid, the landowner shall, by notice in writing given to the cultivating tenant, specify the way in which the fair rent shall be paid by the cultivating tenant:

Provided further that the option once exercised or the way once specified shall not be changed except by mutual agreement:

Provided further that where the crop raised is paddy, the landowner shall have the right to insist that the rent shall be paid in kind.

(2) Whenever adverse seasonal conditions result in the reduction of the gross produce from any particular crop to the extent of more than 25 per cent, the landowner shall be bound to remit a proportionate part of the fair rent due to him from his cultivating tenant in respect of that land for that period:

Provided that before admitting or inquiring into an application made by a cultivating tenant for remission of fair rent under this section, the Rent Court may impose such conditions as it considers reasonable in the circumstances of the case including conditions as to deposit of admitted rent which has become due.

6. *Alteration or revision of fair rent.*—Where in respect of any land fair rent has been determined under this Act, it shall continue in force for five years:

Provided that the Rent Court may, on an application made by the cultivating tenant, reduce the fair rent, if it is satisfied that on account of deterioration of the land by floods or other causes beyond the control of the cultivating tenant, the land has been wholly or partially rendered unfit for the purposes of cultivation:

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Provided further that the Rent Court may, on an application made by the landowner, enhance the fair rent if it is satisfied that on account of any improvements made in the land by or at the expense of the landowner, the produce of the land has increased.

7. *Sharing of produce.*—Where the produce to be shared is grain the sharing shall be done at the threshing floor on which the threshing took place; and no portion of the produce shall be removed therefrom at such time or in such manner as to prevent the due division thereof at the proper time.

8. *Constitution of Rent Courts and Rent Tribunals.*—(1) The Government may, by notification, constitute Rent Courts and Rent Tribunals for the purposes of this Act with jurisdiction over such areas as may be specified in the notification.

(2) Every Rent Court shall be presided over by an officer not below the rank of Tahsildar and every Rent Tribunal shall be presided over by an officer not below the rank of District Munsif.

9. *Application to Rent Courts and Appeals to Rent Tribunals.*—(1) Notwithstanding any agreement between a landowner and the cultivating tenant, or any decree or order of a Court, either party may apply to the Rent Court for fixation of fair rent or for deciding any dispute arising under this Act.

(2) From every decision of a Rent Court, an appeal shall, within such time as may be prescribed, lie to the Rent Tribunal whose decision shall be final, subject to revision, if any, under section 11.

10. *Costs.*—The costs of and incident to all proceedings before the authorities referred to in sections 8 and 9 shall be in the discretion of the respective authority.

11. *Revision by High Court.*—The Rent Tribunal shall be deemed to be a Court subordinate to the High Court for the purposes of section 115 of the Code of Civil Procedure, 1908 (Central Act V of 1908), and its orders shall be liable to revision by the High Court under the provisions of that section.

12. *Collector to publish list of prices.*—(1) The Collector of the district shall publish in the months of January, April, July and October every year in the District Gazette the average market price during the immediately preceding three months at the headquarters of each taluk of the main crops of the district.

(2) Where, for the payment of fair rent by a cultivating tenant to whom the provisions of this Act apply, the cash value of any crop has to be fixed, such value shall be fixed—

(a) in the case of any of the crops referred to in sub-section (1), the market price at the taluk headquarters last published under sub-section (1) before the date when such fair rent became payable;

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(b) in the case of any other crop as may be agreed upon between the landowner and the cultivating tenant and in the case of disagreement, as may be deemed fair and reasonable by the Rent Court.

13. *Act to override contract and other laws, etc.*—The provisions of this Act shall have effect notwithstanding anything to the contrary contained in any pre-existing law, custom, usage, agreement or decree or order of a Court.

14. *Surrender of land in excess of certain extent.*—(1) The provisions of this Act shall not apply to any cultivating tenant who owns, or who cultivates either as tenant or as owner or as both, an extent of land in excess of one veli (6-2/3 acres) of wet land.

(2) Any cultivating tenant who owns, or who cultivates either as tenant or as owner or as both, an extent of land exceeding that specified in sub-section (1) but not exceeding 10 acres of wet land may, by notice in writing addressed to the landowner, relinquish at the end of the agricultural year ending in 1957 the tenancy, in respect of such portion of the land aforesaid, as may be necessary to entitle him to all the benefits of a cultivating tenant under this Act. Such cultivating tenant shall be entitled to all the benefits of this Act till the end of the agricultural year ending in 1957 and shall thereafter be entitled to all the rights of a cultivating tenant under this Act only on such relinquishment.

(3) For the purpose of computing the land owned or cultivated by a person all the lands owned or cultivated by him whether, wet, dry or garden shall be taken into account, and 3 acres of dry land or 1½ acres of garden land shall be taken as equivalent to one acre of wet land.

15. *Exemption.*—Nothing in this Act shall apply to any land during the period when such land is used for raising as main crop, sugarcane, plantain or betel vines or any crop which does not give any yield for a continuous period of two years or more from the time of cultivation or to any contract merely for collection or harvesting of the produce of any kind.

16. *Act to override Madras Act XIV of 1952.*—If any provision contained in the Tanjore Tenants and Pannaiyal Protection Act, 1952 (Madras Act XIV of 1952), is repugnant to any provision contained in this Act, the latter provision shall prevail and the former provision shall, to the extent of the repugnancy, be of no effect.

17. *Power to make rules.*—(1) The Government may, by notification, make rules to carry out the purposes of this Act.

(2) Without prejudice to the generality of the foregoing power, such rules may provide for—

(a) the procedure to be followed by Rent Courts and Rent Tribunals;

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(b) the matters to be taken into account in determining normal gross produce;

(c) the fees to be paid in respect of applications, and appeals under this Act;

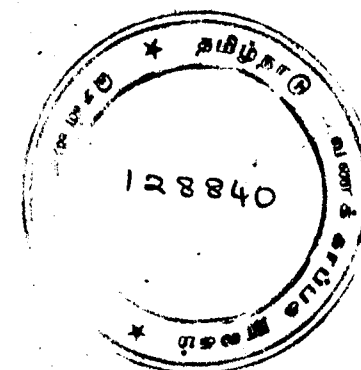
(d) the time within which appeals may be presented under this Act;

(e) the notification of prices of agricultural or horticultural produce for the purpose of fixing the cash value of the fair rent.

(3) 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.

18. *Power to remove difficulties.*—If any difficulty arises in giving effect to the provisions of this Act, the Government may, as occasion may require, by order, do anything which appears to them necessary for the purpose of removing the difficulty. A copy of every order passed under this section shall be laid before each House of the Legislature.

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