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MADRAS LEGISLATIVE COUNCIL
DEBATES.

OFFICIAL REPORT

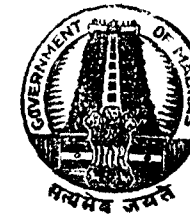
THURSDAY 25TH OCTOBER
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MADRAS LEGISLATIVE COUNCIL DEBATES

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THURSDAY, 25TH OCTOBER 1956

VOLUME XVI—No. 3

CONTENTS

	PAGES
I Questions and Answers	115-126, 155-158
II Announcement by the Hon. Chairman <i>re</i> Messages from the Assembly	126-127
III Statement by the Hon. the Leader of the House <i>re</i> enhancement of dearness allowance of Non-Gazetted Officers, etc. ..	127-128
IV Presentation of the Third Report of the Committee on Government Assurances	128
V Government Bills—	
(1) The Madras Estates (Abolition and Conversion into Ryotwari) Amendment Bill, 1956 (L.A. Bill No. 30 of 1956)	128-148, 159-173
(2) The Madras Estates (Supplementary) Bill, 1956 (L.A. Bill No. 32 of 1956)	148-152, 173-178
(3) The Madras Land Revenue (Surcharge and Additional Surcharge) Amendment Bill, 1956 (L.A. Bill No. 33 of 1956)	152-153, 178-179
VI Papers laid on the table of the House	154

Legislature Department (Council)
Madras

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THE MADRAS LEGISLATIVE COUNCIL.

Thursday, the 25th October 1956.

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

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

Rates of temporary increase in pension drawn by pensioners

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

(a) the rates of temporary increase allowed to pensioners of this State drawing a pension of Rs. 50 and below; and

(b) whether there is any proposal to increase the rates?

THE HON. SRI M. BHAKTAVATSALAM (on behalf of the Hon. the Minister for Finance and Education): (a) The rates of temporary increase in pensions are as follows:

	Temporary increase per mensem.
Pensions not exceeding Rs. 20	4
Pensions exceeding Rs. 20 but not exceeding Rs. 60	5
Pensions exceeding Rs. 60 but not exceeding Rs. 100	6
Persons in receipt of pensions exceeding Rs. 100 but not exceeding Rs. 106 per mensem receive such increase as will bring the total pension to Rs. 106 per mensem	..

(b) No.

SRI G. KRISHNAMOORTHY: Have the Government received any representation that the temporary increase should be half of what they would be paid as dearness allowance had they been in service?

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

SRI G. KRISHNAMOORTHY: In view of the fact that pension is given to a State servant in order to enable him to maintain himself and in view of the fact that dearness allowance is given only to meet the abnormal increase in the cost of living, will the Government kindly consider the case of all these pitiable pensioners and see that half of the dearness allowance is allowed to them as a temporary increase?



[25th October 1956]

THE HON. SRI M. BHAKTAVATSALAM: I am sorry Government cannot give any such assurance.

SRI G. KRISHNAMOORTHY: Is it not a fact, Sir, that this temporary increase is denied to the teacher-pensioner according to the latest rules?

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

SRI V. CHAKKARAI CHETTY: What is the idea of giving pension? Is it not to keep the body and soul together?

THE HON. SRI M. BHAKTAVATSALAM: That is the obvious idea.

Scales of pay for Second Language Masters in Anglo-Indian Schools

* 93 Q.—SRI G. KRISHNAMOORTHY: Will the Hon. the Minister for Finance and Education be pleased to state the scales of pay laid down for Second Language Masters in Anglo-Indian schools?

THE HON. SRI M. BHAKTAVATSALAM (on behalf of the Hon. the Minister for Finance and Education): For the purpose of assessment of teaching grant, the scale of pay of Rs. 80-5-125 has been recognized.

SRI G. KRISHNAMOORTHY: As this amount is taken into account for purposes of grant, is it not obligatory on the part of the managements to see that the teachers are paid at least these rates?

THE HON. SRI M. BHAKTAVATSALAM: There are no prescribed scales of pay for Second Language Teachers in Anglo-Indian schools and all these schools are private schools.

SRI G. KRISHNAMOORTHY: In view of the fact that there has been a scale of Rs. 80-3-110 in the case of Language Masters, will the Government kindly consider the representations that are received from teachers who are not paid according to these scales and who are discriminated against as among the members of the staff themselves?

THE HON. SRI M. BHAKTAVATSALAM: I may tell the hon. Member that the Anglo-Indian schools are governed by a separate code of regulations.

SRI G. KRISHNAMOORTHY: Even according to the separate code of regulations, Government have stipulated scales in 1953 and 1954 and the Inspector of Anglo-Indian Schools who is supposed to be under the control of the Director of Public Instruction is expected to see that these scales are granted to the teachers so long as Government are giving them grants.

25th October 1956]

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

SRI G. KRISHNAMOORTHY: If the Government have received any representation, will they kindly see to it that once these schools are receiving grants, they stick to the rules which are prescribed in the code of regulations?

THE HON. SRI M. BHAKTAVATSALAM: I have no information about the representations received.

Vacation salary for teachers in aided institutions

* 94 Q.—SRI G. KRISHNAMOORTHY: Will the Hon. the Minister for Finance and Education be pleased to state the conditions under which a teacher in an aided institution (elementary, middle or high school) is eligible for vacation salary?

THE HON. SRI M. BHAKTAVATSALAM (on behalf of the Hon. the Minister for Finance and Education): Teachers employed in aided elementary schools are eligible for vacation salary irrespective of the length of their service prior to the vacation provided they are actually paid vacation salary by their managements and are otherwise eligible for teaching grant under the rules for aid to elementary schools even though the teachers do not return to duty after the vacation. The teachers who are discharged from service just before the vacation, are not eligible for teaching grant for the vacation.

Teachers in aided secondary schools have ordinarily the right either wholly or in part for vacation salary provided they were on duty on the last working day of the school year and had served in the school for at least eight months in the school year.

SRI G. KRISHNAMOORTHY: Are the Government aware that in view of the rules just now read by the Hon. Minister, the managements send out the teachers in such a way that they do not fall within the purview of the rules prescribed for payment of vacation salary?

THE HON. SRI M. BHAKTAVATSALAM: If the hon. Member puts a separate question, Government would look into the matter.

SRI G. KRISHNAMOORTHY: In view of the fact that vacation is practically a period of starvation for many teachers who are sent out, will the Government pass an order that each month of service, though temporary, of a teacher in any recognized institution will earn and fetch him vacation salary at the rate prescribed, i.e., $\frac{1}{12}$ th of the total vacation salary?

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

[25th October 1956]

Areas affected by "Yaws"

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

- (a) the areas affected by "Yaws" in the State of Madras;
- (b) whether a survey of the same has been instituted and, if so, the classes of people affected by the disease;
- (c) the steps taken to control the disease and the scheme of treatment followed in such cases; and
- (d) how far the treatment has been found successful?

THE HON. SRI M. A. MANICKAVELU (on behalf of the Hon. the Minister for Health): (a) Certain areas in the Coimbatore district are affected by "Yaws". Sporadic cases are reported in the districts of Malabar and the Nilgiris.

(b) Yes, Sir. Survey was carried out in the Coimbatore district. The classes of people affected are mostly Harijans.

(c) A scheme of "Yaws" control has been put into action since August 1956 in the Avanashi taluk of the Coimbatore district which is the worst affected area.

Penicillin treatment is being given to "Yaws" cases. And children are also given smaller doses of Penicillin.

(d) The treatment work is going on apace. Results so far assessed are encouraging and the public are coming forward to take treatment on account of the good results.

SRI V. CHAKKARAI CHETTY: Will the Hon. Minister kindly enlighten me, as an ignorant man, on what is meant by this term "yaws"? I read it as "yarns"?

THE HON. SRI M. A. MANICKAVELU: I may also answer as an ignorant man that "yaws" is a sort of repulsive disease, something like the venereal disease.

SRI T. PURUSHOTHAM: Will the Hon. Minister be able to tell us what is the latest drug used for the treatment of this disease, whether people have taken kindly to it and how far this disease has been brought under control?

THE HON. SRI M. A. MANICKAVELU: I said "Penicillin" is being tried and people are also coming forward to take it on account of the good results.

Bad odour at Chromepet on the Grand Southern Trunk Road

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

- (a) whether the Government are aware of bad odour at Chromepet on the Grand Southern Trunk Road;
- (b) if so, whether the Government have any proposal to institute an enquiry into the cause of such bad odour;

[25th October 1956]

(c) the number of tanneries located on either side of the said highway; and the conditions of licences granted to them with particular reference to the provision for diversion of used water from the tanneries; and

(d) the action taken or proposed to be taken by the Government under the Madras Public Health Act to prevent such bad odour?

THE HON. SRI M. A. MANICKAVELU (on behalf of the Hon. the Minister for Health): (a) & (b) Yes, Sir.

(c) Twenty. The conditions of licence granted to them are as follows:—

- (1) The flooring should be made impervious.
- (2) The drains should be flushed daily.
- (3) The effluent should not be allowed to run into lake.
- (4) Soakpits should be dug out at the back of the nearby tannery so as to receive the entire effluent of the tannery.

(d) All the tanneries are provided with settling basins. In a few cases the effluent is led into the storm water channel on the road side for want of adequate lands for its utilization. There are eight such tanneries. No coercive action under the Madras Public Health Act has been taken pending the working out of a type-design by the Sanitary Engineer, Madras.

SRI T. PURUSHOTHAM: As the Government have admitted the existence of this public nuisance, will they enforce the condition of licence referred to in the answer to clause (c) of the question and ensure the construction of laid-off drains to avoid stagnation and consequent danger to public health?

THE HON. SRI M. A. MANICKAVELU: Yes, Sir, to mitigate the nuisance, Government are considering a scheme and when it is finalized, it will be put into execution.

Malnutrition among school children

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

(a) whether a survey of prevalence of malnutrition among school children has been carried out in this State and if so, the areas covered by such survey;

(b) the percentage incidence of children showing signs of malnutrition as ascertained by the survey referred to above;

(c) the steps taken to combat malnutrition among school children; and

(d) whether medical inspection of school children is being carried out in urban and rural areas and if so, the details therefor?

[25th October 1956]

THE HON. SRI M. A. MANICKAVELU (on behalf of the Hon. the Minister for Health) : (a) Yes, Sir. Random sample surveys were carried out among school children in selected areas throughout the State.

(b) About 25 per cent.

(c) Free midday meals, skim milk and vitamin supplements are given on a limited scale.

(d) No regular inspection is being done at present.

SRI V. CHAKKARAI CHETTY : May I know from the Hon. Minister what he means by malnutrition? Does he mean that we should not eat what we ought not to eat or what does he mean by that? I do not want to eat dry fish because it is nasty. Is it what he means by malnutrition?

THE HON. SRI M. A. MANICKAVELU : Now, information is available as to how to correct malnutrition by adopting a balanced diet. But it would not help very old people.

SRI T. PURUSHOTHAM : With reference to the answer to clause (d) of the question, will the Government institute a scheme for regular medical inspection of school children in all the schools in our State?

THE HON. SRI M. A. MANICKAVELU : Yes, Sir. For instance, a scheme of medical inspection of secondary school children in fifteen selected urban areas to start with is now under the active consideration of the Government for inclusion in the Second Five-Year Plan.

SRI G. KRISHNAMOORTHY : Will the Government make sure whether the weakness of the children in elementary schools is really due to malnutrition or whether it is due to retention of these children in the schools for nearly five hours which is a fairly long period considering their age?

THE HON. SRI M. A. MANICKAVELU : Malnutrition and retention of children in schools for a long time are different matters. But we are now trying to correct malnutrition. As for retention of children in schools for long hours, it will come within the purview of the Hon. the Minister for Education.

SRI A. M. ALLAPICHAI : Is it not a fact that it is not possible to improve the condition of the children unless and until we improve the condition of the parents?

THE HON. SRI M. A. MANICKAVELU : That is also true.

SRI MOHAMED RAZA KHAN : The Hon. the Minister for Revenue knows the proverb, 'Coming events cast their shadows before'. May I take it that he is going to take up the portfolio of 'Medical' also soon?

THE HON. SRI M. A. MANICKAVELU : Shadows are seen only by people opposite. (Laughter.)

25th October 1956]

Duties of Chief Operation Engineers (Electricity)

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

(a) the duties performed by the Chief Operation Engineers (Electricity);

(b) when and the circumstances in which the posts were created;

(c) whether there are similar posts of Chief Operation Engineers in other branches of the Public Works Department, namely, General, Irrigation, Highways, etc.;

(d) the period for which these posts have been created; and

(e) whether the Government have any proposal to review the need for these posts?

THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI : Attention is invited to the paper placed on the table of the House.

SRI T. PURUSHOTHAM : With reference to the answer to clause (e) of the question, will the Government examine the possibility of retrenchment particularly in view of the diminishing size of our State?

THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI : But in view of the expanding size of rural electrification programme, it is not possible.

SRI T. PURUSHOTHAM : With reference to the duties of these officers enumerated in the paper placed on the table, it will be noted that the Chief Operation Engineers are not only empowered with regard to the transfer and posting of non-gazetted staff and also Assistant Engineers but they are also permitted to correspond direct with the Government on all matters. May I know whether it is proper that the subordinate officers should address the Government direct when there is the head of the department?

THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI : There is nothing wrong at the present juncture in that procedure especially in a democratic State. Further, it is in order to obviate delay that this procedure is adopted. More or less it is a delegated function of the Chief Engineer for Electricity. We have done it with the express intention to avoid delay in the execution of work.

SRI A. M. ALLAPICHAI : Have the Government already achieved that purpose?

THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI : Without it, we may not have achieved even what we have now achieved.

[25th October 1956]

SRI T. PURUSHOTHAM : In view of the answer to clause (c) — 'No' is the answer—could not these duties referred to here be performed by the Deputy Chief Engineers as in the case of the other branches of the Public Works Department? May I appeal to the Government to consider this aspect when the present term of the post expires? In the regular Public Works Department, in the Irrigation, Highways and other branches, there are Deputy Chief Engineers and not Chief Operation Engineers. Applying the same principle, could not these duties be performed by the Deputy Chief Engineers as in the case of the other branches of the Public Works Department?

THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI : This is a very expanding department. The Deputy Chief Engineers do not hold full responsibility. They are only assisting the Chief Engineer. That means the Chief Engineer will be saddled with more work and there will be consequent delay. The present procedure has been amply justified. That is why the Government have already made one post permanent. The question of making the other post permanent will be considered when the term is about to cease. As at present, the term ceases in February 1957.

Employments Exchanges in the Madras State.

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

(i) to state whether it is a fact that the Government have agreed to take over the administration of the Employment Exchanges in this State and if so, the terms under which and the date on which they will be taken over; and

(ii) to lay on the table of the House a statement showing—

(a) the number of Employment Exchanges in this State at present;

(b) the number of officers, both men and women, employed therein;

(c) the number of clerical and inferior staff allotted to each Exchange; and

(d) the cadre in which different categories of officers will be absorbed after the Employment Exchanges are taken over?

THE HON. SRI M. BHAKTAVATSALAM : (i) This Government have agreed in principle to take over the Employment Exchanges now under the control of the Central Government. The terms under which they are to be taken over are still under negotiation with the Government of India and hence no date has yet been fixed for the actual taking over, though the Government of India have fixed 1st November 1956 as the target date.

(ii) A statement ^a is placed on the table of the House regarding items (a), (b) and (c) as on 7th August 1956. Particulars regarding item (d) cannot be given since the proposals have not yet been finalised.

^a Printed as Appendix II on pages 156-157 infra.

25th October 1956]

SRI M. ETHIRAJULU : வேலை தேடித் தரும் ஸ்தாபனத்தை நமது ராஜ்ய சர்க்கார் எடுத்துக்கொண்ட பிறகு அந்த ஸ்தாபனத்திலுள்ள எல்லா உத்தியோகஸ்தர்களுக்கும் மத்திய சர்க்கார் சம்பள விதிதங்கலின்படியே சம்பளம் கொடுக்கப்படுமா அல்லது நமது ராஜ்ய சர்க்கார் சம்பள விதிதங்கலின்படி அவர்களுடைய தற்போதைய சம்பள விதிதங்கலி திருத்தியமைக்கப்படுமா?

THE HON. SRI M. BHAKTAVATSALAM : எடுத்துக்கொள்ளப் படுபவர்கள் தற்போது என்ன விதித்தில் சம்பளம் வாங்கிக்கொண்டிருக்கிறார்களோ அதே விதித்தில் தான் பிறகும் கொடுக்கப்படும்.

SRI M. ETHIRAJULU : அங்கிருந்து எடுத்துக்கொள்ளப்படும் குமாஸ்தாக்களுக்கும் அதே மாதிரி விதித்தில் சம்பளம் கொடுப்பதற்கு சர்க்கார் ஏற்பாடு செய்யுமா?

THE HON. SRI M. BHAKTAVATSALAM : நான் முன்பு சொன்ன பதில் எல்லாவற்றிற்கும் பொருந்தும்.

Medicinal drugs imported from abroad and the check on the quality

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

(a) whether medicinal drugs imported from abroad as well as drugs manufactured in our country are subjected to quality test before use and if so, the system followed in this respect;

(b) whether any pharmaceutical research has been carried out as to the causes of ineffectiveness of some of the drugs and, if so, the precautions proposed to be taken by the Government to ensure the standards required;

(c) how indents for drugs in State hospitals are prepared;

(d) the arrangements made for adequate supply of up-to-date drugs, tablets, etc., to the Government hospitals for the patients; and

(e) whether the Government have experimented B2-55 and the other latest drug Invionol considered fit for diabetic patients?

THE HON. SRI M. A. MANICKAVELU (on behalf of the Hon. the Minister for Health) : (a) A check on the quality of drugs imported from abroad is made by the Assistant Drugs Controllers (India) posted at the importing ports. Samples are taken periodically from the imported drugs and forwarded by them to the Central Drugs Laboratory for analysis. The imported drugs are released for sale only if they are found to be of standard quality. The control over the import of drugs from abroad is exercised by the Government of India.

The Inspectors appointed under the Drugs Act, 1940, the manufacturing concerns in drugs in this State and take samples and forward them to the Government Analyst for analysis. If samples are reported to be not of quality, action is taken against the manufacturers.

[25th October 1956]

(b) No research has been carried out as to the cause of ineffectiveness of any of the drugs. The Drugs Act, 1940, is being strictly enforced in this State and this should result in ensuring that only standard drugs are sold in the market.

(c) The medical indents are prepared according to the provisions contained in the Madras Medical Code.

(d) The Medical Stores Depot has arranged to keep sufficient stocks of medicines, etc., and supplies are made to the hospitals as and when required.

(e) A trial of B2-55 was made by a Physician of the Government General Hospital, Madras, and the result has been reported to be satisfactory. Invionol is only the proprietary name for B2-55.

SRI T. PURUSHOTHAM: With reference to the answer to clause (c), will the Government arrange for supply of drugs and tablets of good quality and not cheap varieties, by revising suitably the indent system of supply of these items to the hospitals?

THE HON. SRI M. A. MANICKAVELU: I have stated that the drugs are tested by taking samples. All that is done with a view to getting drugs of proper and good quality. I suppose, therefore, drugs of good quality will be supplied.

SRI T. PURUSHOTHAM: My contention is that when you call for tenders in the open market, it is not the quality that is being considered. Whoever quotes the lowest rate is given the order for supply. So, I want the Government to consider this aspect that instead of going in for the cheapest variety, the system of indent may be revised suitably for supply of drugs of the highest quality to the hospitals.

THE HON. SRI M. A. MANICKAVELU: I am not prepared to accept offhand that drugs of cheap quality are supplied. I will try to examine that aspect.

SRI T. PURUSHOTHAM: Will the Government tell us whether the latest discoveries, anti-biotics, etc., are catered to poor patients also as there is a general feeling that these are supplied only to those who could afford to pay for them in the hospitals?

THE HON. SRI M. A. MANICKAVELU: I take it that very expensive medicines will be charged for and naturally, only paying patients can afford to have them. But as far as possible, in other cases also, some expensive drugs are supplied, but not as a matter of course.

SRI T. PURUSHOTHAM: It is not the "expensiveness" but it is the "effectiveness" that should be considered and the rich and the poor should be treated alike. Will the Government consider that aspect?

[25th October 1956]

DR. A. LAKSHMANASWAMI MUDALIYAR: Do the Government get it from the manufacturing concerns or from the dealers in these drugs?

THE HON. SRI M. A. MANICKAVELU: To answer the question correctly, I want notice. But I may venture this answer. When the medicine is sought to be bought from the dealers, the dealers' quotation is taken. But if the medicine is taken straight from the manufacturers, the manufacturer's quotation is taken.

DR. A. LAKSHMANASWAMI MUDALIYAR: Are the Government aware that there is extensive misuse of these drugs at the dealers' end and that very often pure drugs are not available at all? 11-20 a.m.

THE HON. SRI M. A. MANICKAVELU: I shall examine it.

SRI G. KRISHNAMOORTHY: May I know what exactly is done in the case of drugs that are found to be harmful on being tested? Are they seized by the Government and destroyed?

THE HON. SRI M. A. MANICKAVELU: Such drugs will not be bought.

SRI A. GAJAPATHY NAYAGAR: Do the Government invite open tenders for the supply of these drugs? I want to know how cheap drugs come to be used.

THE HON. SRI M. A. MANICKAVELU: I want notice.

SRI T. PURUSHOTHAM: Will the Government assure us that by the use of the latest discoveries, there has been a tangible increase in the average longevity of our people?

THE HON. SRI M. A. MANICKAVELU: On the whole, the span of life has increased. That much I can say.

Indents placed by the District Boards for forms, etc., on the Government Press

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

(a) to place on the table of the House a statement showing indents placed by the district boards on the Government Press for code forms and registers for the years (i) 1953-54, (ii) 1954-55, and (iii) 1955-56 still pending compliance by the Government Press as on 1st February 1956, the dates on which the indents were received, and the reasons for the delay in supply in each case; and

(b) to state the steps taken or proposed to be taken by the Government to ensure prompt supply of these forms and registers to the district boards; and

(c) whether the district boards are permitted to print locally forms and registers in case the Government Press do not supply them in time?

[25th October 1956]

THE HON. SRI S. S. RAMASWAMI PADAYATCHI: (a) A statement ^a is placed on the table of the House.

(b) Steps are being taken to expand the Government Press by procurement of additional machinery to cope with the work.

(c) The indenting officers are permitted to get their requirements printed locally in cases of urgency.

SRI T. PURUSHOTHAM: May I invite the attention of the Hon. Minister to the large pendency of these indents? The number of forms pending supply is 2,592,730 and the number of registers is 2,955. May I invite the attention of the Hon. Minister to the representation made by the Chamber of District Boards about the delay in the supply of these forms by the Government Press and will the Government kindly examine the representations made by the Chamber in the matter?

THE HON. SRI S. S. RAMASWAMI PADAYACHI: Yes, Sir; it will certainly be examined.

SRI A. GAJAPATHY NAYAGAR: Do the Government place orders in respect of these forms with private presses also in addition to the Government Press?

THE HON. SRI S. S. RAMASWAMI PADAYATCHI: No, Sir.

SRI M. P. GOVINDA MENON: On a point of information, Sir. I would like to know whether there is any change in the portfolios allotted to the Ministers since I see that answers to questions are given by Ministers other than those to whom they are addressed. Has anything happened?

THE HON. SRI M. A. MANICKAVELU: The Hon. the Minister for Health has to be in the Assembly. That is why I am deputising for him.

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, dated the 24th October 1956, from the Hon. the Speaker, Madras Legislative Assembly:—

"(1) In accordance with rule 114 of the Madras Assembly Rules, I transmit a copy of the Madras Estates (Supplementary) Bill, 1956 (L.A. Bill No. 32 of 1956), as passed by the Assembly on the 24th October 1956 and signed by me for the concurrence of the Council; and

(2) In accordance with rule 114 of the Madras Assembly Rules, I transmit a copy of the Madras Land Revenue (Surcharge and Additional Surcharge) Amendment Bill, 1956 (L.A. Bill No. 33

^a Printed as Appendix III on page 158 *infra*.

[25th October 1956] [Mr. Chairman]

of 1956), as passed by the Legislative Assembly on the 24th October 1956 and signed by me for the recommendations of the Council.

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

III.—STATEMENT BY THE HON. THE LEADER OF THE HOUSE *RE* ENHANCEMENT OF DEARNESS ALLOWANCE OF NON-GAZETTED OFFICERS, ETC.

* THE HON. SRI M. BHAKTAVATSALAM: Sir, in answering interpellations in the Houses of Legislature, the Hon. the Minister for Finance indicated that the Government would soon take a decision on the immediate relief that may be rendered to non-gazetted Government servants. The Committee of Officers appointed by the Government has since submitted its report. The main recommendation of the Committee is to enhance the dearness allowance of all non-gazetted officers and of gazetted officers up to a pay limit of Rs. 300 by a flat rate of Rs. 5. In the New Madras State after the separation of Malabar, South Kanara and the Kollegal taluk, there will be 121,000 non-gazetted officers in the regular establishments, 37,400 work-charged establishments, i.e., employees whose cost is debited to the estimates for works, 6,400 menials paid from contingency, 37,000 employees under the Local Boards, and 84,600 teachers paid out of educational grants, making a grand total of Rs. 2,86,400. The Government feel that any concession given to Government servants should also be extended to employees of local boards. The Government of India are now considering certain proposals for improving the service conditions of teachers and in anticipation of a favourable decision, this Government desire to extend the proposed relief to them also. The cost of the proposal as recommended by the Officers' Committee amounts to about Rs. 170 lakhs per year. The Government have decided to accept this recommendation in full.

The dearness allowance drawn by the lowest class of employees on salaries of Rs. 20 and below is Rs. 18 and that of employees on salaries exceeding Rs. 20 and below Rs. 40 is Rs. 19. The present enhancement in the dearness allowance will raise the dearness allowance of these categories to Rs. 23 and Rs. 24 respectively. The Government have decided that the minimum of the dearness allowance for any regular employee should not be less than Rs. 25. This means that about 37,800 employees, mostly peons, menials and work-charged establishments, will get a further enhancement of Rs. 2 in their dearness allowance, and about 98,000 employees made up largely of policemen, school teachers, attenders and other low-paid hands will get a further enhancement of Re. 1 in their dearness allowance. The cost of this additional concession, which is in excess of the Committee's recommendation, is estimated to be about Rs. 20 lakhs, raising the total cost to about Rs. 190 lakhs. The enhancement will take effect on the salary earned in November 1956, and drawn on 1st December 1956. The cost during the current year will, therefore,

[Sri M. Bhaktavatsalam] [25th October 1956]

be about Rs. 63 lakhs. This concession will not apply to employees who have been allotted to the Madras State from the Travancore-Cochin State as and from 1st November 1956. Their case will have to be considered separately, especially in view of the recent increase in their emoluments made by the Travancore-Cochin Government. As far as village officers are concerned, the Committee have recommended that their case should be considered separately after the Cabinet Sub-Committee makes its recommendations.

Hon. Members will recollect that the Budget as framed for the current year, anticipated a deficit of Rs. 166 lakhs even after taking credit for certain measures of additional taxation. Some of these new taxation measures have not yet been implemented and with the various new development services introduced during the course of the year, the deficit for the year will be much larger than anticipated. We have been running into substantial revenue deficits during the last few years though no doubt in our anxiety to implement an ambitious Plan. The House would, therefore, appreciate that the Government have already gone beyond their existing resources and any further improvement in the conditions of service of Government servants can be effected only if our resources are augmented substantially through the recommendations of the Finance Commission or otherwise.

I am happy to announce further that since the Cabinet gave its approval to the statement which I have just made, a telegraphic communication has been received from the Government of India giving its concurrence to the proposed increased emoluments to the teachers.

IV.—PRESENTATION OF THE THIRD REPORT OF THE COMMITTEE ON GOVERNMENT ASSURANCES.

Dr. A. LAKSHMANASWAMI MUDALIYAR: Mr. Chairman, Sir, on behalf of the Committee on Government Assurances, I rise to present the Third Report of the Committee on Government Assurances.

V.—GOVERNMENT BILLS.

(1) THE MADRAS ESTATES (ABOLITION AND CONVERSION INTO
 RYOTWARI) AMENDMENT BILL, 1956 (L.A. BILL NO. 30 OF 1956).

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

“That the Madras Estates (Abolition and Conversion into Ryotwari) Amendment Bill 1956 (L.A. Bill No. 30 of 1956), as passed by the Legislative Assembly, be taken into consideration.”

* Printed as Appendix IV on pages 159-173 infra.

25th October 1956] [Sri M. A. Manickavelu]

Sir, the amendments proposed in this Bill are those found necessary as a result of the experience gained in the working of the Madras Estates (Abolition and Conversion into Ryotwari) Act, 1948. The Statement of Objects and Reasons explains the scope and purpose of each amendment proposed. The amendments proposed by clauses 3 to 6, 10, 13, 15, 17, 21, 25 and 27 are only formal intended to bring out the intention underlying the provisions of the Act very clearly or to meet some technical point or to correct the drafting error. They involve no new principle. The other clauses are somewhat more important, and the objects in bringing in those amendments are explained in the Statement of Objects and Reasons. For instance, there is a clause which refers to power being taken to cancel a notification when circumstances need it and also to renotify, if it is found necessary. Another clause deals with the case of deduction in the interim payment if excess collections had been made by the landlord. All these clauses have been explained in the Statement of Objects and Reasons. I need not go through them over again.

MR. CHAIRMAN: Motion moved—

“That the Madras Estates (Abolition and Conversion into Ryotwari) Amendment Bill, 1956 (L.A. Bill No. 30 of 1956), as passed by the Legislative Assembly, be taken into consideration.”

* SRI K. BALASUBRAMANYA AYYAR: Mr. Chairman, Sir, the original Act itself is a very difficult one. My statement will be testified to by the Revenue Department. They found it very difficult to work it. It took a number of days and sessions for the Assembly and the Council to decide the very many difficult points involved in the abolition of all estates and converting them into ryotwari pattas and assessing them on a ryotwari basis. Now, after about seven or eight years of the working of the Act, they have brought in some amendments. As was explained by the Hon. the Revenue Minister, the first amendment concerns itself with the power of notification. The reasons given are very interesting. I would like to draw the attention of the House to some of the reasons that have been given in the Statement of Objects and Reasons. They are—

“The Government had notified under that section a number of villages which were reported to be inam estates or under-tenure estates within the meaning of section 2 (7) or 2 (15) of the Act. It was subsequently found that some of these villages were not really inam estates or under-tenure estates. Section 9 of the Madras Estates (Abolition and Conversion into Ryotwari) Amendment Act, 1951 was, therefore, enacted withdrawing the provision of the main Act from a number of such wrongly notified villages. It has since been brought to the notice of the Government that there are still a number of villages which have been wrongly notified. In some cases the notification of an estate as an under-tenure estate may have to be cancelled because it is an inam estate which may have to be notified again after inquiry under

[Sri K. Balasubramanya Ayyar] [25th October 1956]

section 9 of that Act. As instances of such wrong notifications come to the notice of Government from time to time, the Government consider it desirable to take general powers so as to enable them to cancel or amend a notification issued under section 1 (4) of that Act and also to make it clear that the cancellation of a notification in respect of an estate does not prevent the Government from notifying the estate again."

Where is this to end? This is the very simple question I would like to ask.

SRI M. P. GOVINDA MENON : I protest, Mr. Chairman, Sir. The hon. Member turns to me and puts the question as if I have done it. (Laughter.)

* SRI K. BALASUBRAMANYA AYYAR : I turned to you, Mr. Chairman, Sir. All Members have to turn to you. My hon. Friend has mistaken me. I am very sorry. (Laughter.)

The Government say that as instances of such wrong notification came to their notice, they have taken this power. This seems to read quite all right. But I would like to ask why notifications were at all published in the first instance before giving sufficient consideration to all the points that were likely to arise in deciding whether a particular land was an estate land or not. They might very well have issued the notification after deciding that question. They were anxious to notify the lands as estate lands for the purpose of issuing ryotwari pattas. It is a wonder to me why they did not take this very power in the original Act itself. Evidently, they thought at that time that all their notifications would be perfectly all right. That must have been their idea. Otherwise, they could have already taken this power. Now, they want to take power to cancel such notifications. Let us see the difficulties in the matter. Once a land is notified as estate land, it becomes an ordinary ryotwari property and ryotwari pattas are issued and so many of the rights and privileges which were in existence are swept away by the notification. What would happen if now the notification is cancelled? All these rights and privileges should be restored to them. Unfortunately, I do not find any such statement in the Bill that they will be restored to all those rights and privileges that they were enjoying before. I shall come to that aspect of the matter later. Thus they issued notification in almost all cases and questions were raised and now they say numerous instances have come to their notice and they want power to cancel them. The Collectors, the Board of Revenue and the Government have all considered the whole aspect of the question and issued the notification and now they find they are entirely wrong. I am not finding fault with them for issuing the notifications. But why this hurry in issuing notifications in the beginning and then taking powers to cancel them? Even at the time of issuing notifications, they should have been careful. There are all sorts of inams, poramboke

11-40
a.m.

25th October 1956] [Sri K. Balasubramanya Ayyar]

lands, waste lands and all those things. They involve a bundle of rights and privileges. When this is the case, I submit in all seriousness that they should take more care about issue of notifications and cancellation; otherwise, this will be followed by cancellation of cancellations made now, and it will go on merrily like that. Instead of taking powers for cancellation and for re-cancellation, it would be better that the notifications are issued only after giving full consideration and, as far as possible, after making an enquiry, instead of issuing notifications first and making an enquiry afterwards. This is reversal of the process. Therefore, enquiries should be held first and then only notifications issued. Otherwise, it amounts to sweeping away the rights and privileges conferred on owners from time immemorial. After cancellation of notification, they do not say that the rights and privileges would automatically be restored. I do not find any clause which says that the rights and privileges which the owners were enjoying before the notification would be restored to them.

Turning to the annexure to the Bill, I would invite the attention of hon. Members to the proposed new section 20 (1) which reads—

"Rights of certain lessees and others.—(1) In cases not governed by any other provision of this Act, where on or after the 1st day of July 1945 but before the notified date a landholder has created, by way of lease or otherwise, rights in any mines or minerals, quarries, fisheries or ferries, the transaction shall be deemed to be valid; and all rights and obligations arising thereunder, on or after the notified date, shall be enforceable by or against the Government."

Then, there is a proviso which states—

"Provided that the transaction was not void or illegal under any law in force at the time and that any such right was created for a period not exceeding one year"

Then in regard to the third proviso in the existing section, it is stated differently in the proposed section. Whereas the existing section says "... unless it relates to the private land of the landholder ...", the proposed section does not refer to private land at all within the meaning of section 3, clause (10), of the Estates Land Act.

Again, in the proposed new clause (2) (b) of section 20, it is said "The person whose right has been so terminated shall be entitled to compensation from the Government which shall be determined by the Board of Revenue in such manner as may be prescribed, having regard to the value of the right and the period for which the right was created. The decision of the Board of Revenue shall be final and not be liable to be questioned in any court of law." I do not find anywhere mention of private land of the landholder. I do not know what the Hon. the Revenue Minister would say in favour of private land within the meaning

[Sri K. Balasubramanya Ayyar] [25th October 1956]

of section 3, clause (10), of the Estates Land Act. Probably before the Amending Bill, they thought that in the case of private lands, the landlord could have the power to grant leases exceeding one year. That is what I thought the provision was. Not a word was said by the Hon. the Revenue Minister why that right had been taken away now. He said that all these amendments were only consequential and so on. I do not see anything of that nature here. So far as private lands are concerned, if the landholder has created rights in any mines or minerals, quarries, fisheries, ferries, etc., I think he is entitled to them. Why should it not be specified as it was intended to be done in the original Act? I should like to have a clarification of the reasons why Government are taking away that right now. It is said in the proposed section 20 (2) (d) that if the Government are of the opinion that any transaction of the kind referred to in clause (a) was an *improper transaction* entered into in *disregard of public interest*, the Government may, by notice given to the person concerned terminate the right and the person whose right has been so terminated shall not be entitled to any compensation. In the proposed section 20 (3) it is said that Government may, if in their opinion it is in the *public interest* to do so, impose reasonable restrictions on the exercise of any right continued under that section.

11-50
a.m.

I would like to know what is meant by "improper transaction". It is a very vague term. In law (I think Mr. Narasapaya will agree with me) we have to be specific. I may consider all transactions to be improper. The meaning of the term "public interest" is known. We can take it like that so far as that term is concerned. But how are we to judge whether a transaction is proper or improper? Moreover, these things could not also be questioned in a Court of Law. I submit, with all humility, to the Hon. the Revenue Minister that this is a very vague term and should not be there. People do not care for all these. But we, legislators, have got to worry about the correct phraseology and we have got to be specific and not use vague terms in the enactments. Let us try to use the correct phraseology so that in the practical working of the Act we may not encounter any difficulty.

There is another point. In the proposed section 20 (2) (a) it is said as follows:—

"Where any such right was created before the 1st day of July 1945 for a period exceeding one year, the Government may, if, in their opinion, it is in the public interest to do so, by notice given to the person concerned *terminate* the right with effect from such date as may be specified in the notice, not being earlier than three months from the date thereof."

"1st July 1945" is the red-letter day. It was said in Sinclair's history that it was the year 1748 that was the red-letter year when Tipu Sultan(?) died and the rule of Peshwas began. But now 1st July 1945 has become the red-letter day. What I submit is that once the Government assume to themselves the power to terminate

25th October 1956] [Sri K. Balasubramanya Ayyar]

the rights, they must state the grounds, for terminating the rights, specifically. That is my plea. I am leaving out certain minor points.

I shall now come to the amendment of section 39. It is now said in the proposed section 39 (6-A) as follows:—

"Notwithstanding anything contained in sub-section (5) or sub-section (6), the Board of Revenue may, on application made to it by the Director or by any other person in that behalf review any order passed by it under sub-section (5) or sub-section (6) if it is of the opinion that the said order is vitiated by an error in the decision of a point of law or by a mistake and may make such order on the application as it thinks fit."

I ask why the power to apply for review should not be given to the aggrieved party. Any right to apply for review in the case of any mistake is given in the hands of other persons affected by the decision of the Director. That is a very important right. I think the power to apply for review should be given to the aggrieved party. Again if the Government want to file a statement, the period given to them is one year whereas the period given to the party to file a statement is only two months. I can understand the Government asking for one year. (Sri V. Chakkarai Chetti: Government should be roused from their sleep.) But to give only two months' time to the party is not fair. He should be given some more time. He must know his rights. We ourselves do not know our rights. That we see many times when dealing with our income-tax assessment. We consult our lawyers then and then only we come to know the rights we possess. Government should give the party some more reasonable time.

It is said in the proposed section 50 (4-A) as follows:—

"If the amount deposited under section 54-A is, on subsequent calculation either because data for better calculation have since become available or because of mistake in the method of calculation adopted before the deposit was made under that section, found to be in excess of the amount that should properly have been deposited, such excess shall also be deducted out of the amounts to be deposited under sub-section (3) or sub-section (4)."

What is meant by saying 'data for better calculation have since become available'? It is quite vague. I can understand mistakes in the method of calculation. But in addition to that, this thing is also added, namely, 'data for better calculation have since become available'. Of course, I am not a person fully acquainted with the method of calculation adopted by the Revenue Department in these matters. There may be better data. But what they are can very well be stated to us if they cannot be stated in the Bill. It may be stated what kind of data for better calculation have since become available. I thought about the

[Sri K. Balasubramanya Ayyar] [25th October 1956]

matter for some time, but I was unable to fully understand it. It is so vague. We can rest content with saying, 'because of mistake in the method of calculation. . . . Mistake is a mistake. Therefore, the Government can very well review it and ask for a further reduction. Because they deposited the amounts, they are very careful to deduct the excess amount. Therefore, elaborate steps are being taken for the purpose of seeing that the amounts are reduced.

In the proposed sub-section (5) (a) of section 54-A, it is stated—

“Notwithstanding anything contained in sub-sections (1) to (4), if data for the better calculation of the amount payable as advance compensation become available, the amount to be paid may be recalculated by the Government with reference to such data.”

Advance compensation is paid soon after the notification is issued. Within one year after the notification advance compensation is paid. Even that advance compensation is sought to be reduced. If data for the better calculation of the amount payable have since become available to them, they could very well deduct the excess amount later in the final compensation to be paid. But they are anxious that it should be deducted even in the advance compensation. This amount ought to be paid. I am not saying that any amounts which are not due to the landholder should be paid. It is a question of public money. I am anxious that care should be taken of public money. But here the Government want to make deductions in the advance compensation. Advance compensation is only a rough amount. They do not say that it is calculated correctly. They may make calculations on principles which are set out in the statute. But why should the amount be deducted from the advance compensation? They can very well deduct it from the final compensation.

There are various frequent amendments as regards the fasli year. Section 16, clause (1) says—

“Every person, whether a landholder or a ryot, who becomes entitled to a ryotwari patta under this Act in respect of any land shall, with effect on and from the notified date, be liable to pay to the Government such assessment, as may be lawfully imposed on the land.”

That is to say that from the date of the notification, the ryotwari pattadar will be liable to pay to the Government such assessment as may be lawfully imposed on the land. The section, as proposed to be amended, reads as follows :—

“Every person, whether a landholder or a ryot, who becomes entitled to a ryotwari patta under this Act in respect of any land shall, for each fasli year commencing with the fasli year in which the estate is notified, be liable to pay to the Government such assessment, as may be lawfully imposed on the land.”

25th October 1956] [Sri K. Balasubramanya Ayyar]

Suppose the notification is issued in the middle of a fasli year. Then, they say that the amount due for the whole fasli year should be paid. Suppose something has been paid to the landholder before the notification. Should that not be deducted? Therefore it is I think that it was said in the beginning, 'with effect on and from the notified date'. Whatever amount is due, after the notification comes into effect, for the rest of the year must be paid. Suppose an amendment is to be introduced for the purpose of seeing that for the whole year the assessment is paid. Then, the Government should be careful to see that the amount already paid to the landholder is deducted and the balance alone is paid. But they have not done that. Therefore, the amendment is not in the nature of a clarification. There are some difficulties which flow from the amendment.

These are some of the points I have mentioned on a cursory glance of the Bill. Yesterday night I wanted to sit and study the Bill, but till 10 p.m. I could not do it as there was a dinner party. But I do not say that by way of personal explanation. I feel there may be other points also which have escaped careful examination. I agree that amendments should be brought forward. I am not saying that amendments should not be brought in at all. But I am saying that amendments of this kind which give power to issue a notification and then to cancel it should not be brought forward. All these things should be done carefully. I am sorry, Sir, I had to give notice of amendments even at a very late stage. I came to the office at 10 a.m.

MR. CHAIRMAN: Anyhow, the hon. Member will have an opportunity to speak on the amendments.

* SRI K. BALASUBRAMANYA AYYAR: You would give me an opportunity to move them formally, I know.

* SRI A. GAJAPATHY NAYAGAR: Mr. Chairman, Sir, I may preface my remarks by saying that there is a difference between me and the hon. Member Sri Balasubramanya Ayyar. Sri Balasubramanya Ayyar always sees things with the eyes of a lawyer. For a lawyer, Sri, the motto is—“My client, right or wrong”. But I approach this question in a detached manner because I was myself Chairman of the Madras Estates Tribunal and I know something about the working of the Act. This Amending Bill deals with the question of land tenures. No country has been more beset with these kinds of tenures, as complicated and ununderstandable as the caste system. Therefore, we must deal with each case as it comes up. As the hon. Member suggests, notification must be made. Sometimes, we are not put in possession of all the facts of the case. In fact, notification is first issued by experienced officials who know the facts of the case, who consider the points in favour of, and against, the subject and see whether there is a *prima facie* case for issuing a notification or not. If a landholder feels aggrieved, he may go to the Tribunal,

[Sri A. Gajapathy Nayagar] [25th October 1956]

which will deal with the question whether a notification is right or wrong. Therefore, the power has been rightfully vested in the Board of Revenue. But in sub-section 2 (b) of section 20 as proposed to be amended by clause 9 of the Bill, it is stated, "The decision of the Board of Revenue shall be final and not be liable to be questioned in any court of law." This is with reference to the rights of lessees. Sometimes the question involves the legal rights of lessees. I am not in any manner casting any aspersion upon the capacity of the Board of Revenue. But if the issues have a bearing on legal rights, I submit that these decisions of the Board of Revenue shall be made subject to appeal to a court of law. It is very difficult to decide the question of the nature of the inams. Even now, the matter is not settled. Each case has got to be decided on merits. As far as certain lessees are concerned, rights may have been created before the 1st July 1945 and even after that date. The rights created before the 1st July 1945 may be regarded as *bona fide* and valid. But since then, many rights have been created, which may be against the public interests. Therefore, the Government are right in reserving the right to terminate the privileges of the landholder on improper transactions of such kind. At the same time, my submission is that the decision of the Board of Revenue may not be regarded as final but subject to an appeal to a court of law where legal questions are involved. That is a safeguard that has to be provided; otherwise, our civil rights may be jeopardised.

12-10
p.m.

Secondly, I want that in regard to the question of compensation to be paid, we should see that no person simply walks away with the compensation that may be paid to him in the first instance, even though it may be found later on that the payment was not proper. Therefore, it is just and proper that the Government should reserve to themselves the right to examine this question of compensation and to retain a fair portion of the amount to be paid with them. The Government must be careful as regards public money and we cannot say that in a matter of this kind the rights of private persons who may not have any cause, should be protected.

Lastly, I would say this with regard to finality of orders to be passed under this Act. Clause 25 says:

"Any order passed by the Government or other authority by or under this Act in respect of matters to be determined for the purposes of this Act shall, subject only to any appeal or revision provided by or under this Act, be final."

I feel that the right to go to a court of law on any occasion must be taken away. Of course, there is a final authority, the Tribunal, and the Tribunal consists of an experienced District Judge and Subordinate Judge as well as an executive officer. With regard to the question of estates, in my experience I found that one Tribunal decided that certain estates were not estates because the extent of land that was confirmed was actually less than what it was said

[25th October 1956] [Sri A. Gajapathy Nayagar]

to have been granted originally. In a particular case, the Tribunal took a wrong view that the area of an estate which was confirmed after some years of the grant of the concerned village was less than the extent of the village itself. Ultimately, this was corrected by a court of law. Therefore, I submit that a provision which seeks to subject the decision of the Appellate Tribunal to an appeal to a court of law, i.e., the High Court is a good safeguard. But, at the same time, I feel it is good that the power given to the parties to go to court at any time has been taken away. Subject to this, in the matter of payment of compensation to lessees and in the right of appeal to the High Court from the decision of Tribunal, safeguards may be provided because this is a valuable right which cannot be left to be decided by any administrative body.

* THE HON. SRI M. A. MANICKAVELU : Sir, this subject is like mathematics to me and it has been admitted by hon. Members that this is a very complicated and intricate subject. It has been the subject of decisions in the High Court and also in the Privy Council. One eminent jurist has characterized this Estates Land Act of 1908 as the most ill-drafted Act. It is very complicated, I admit. But we try to meet the difficulties as they arise. Now, the hon. Member asked, "Why take power to cancel notifications?" The reason why we take power to cancel notifications and to re-notify is this. Some of the estates are very complicated in the nature of their tenures. Estates like Sivaganga and Ettayapuram are of that sort. No relevant information is forthcoming in respect of these estates. Perhaps, information is deliberately suppressed as is done in some cases. Then, when information is got through other sources, naturally we have to interfere and the Government should have the power to cancel the notification and sometimes to renotify, if necessary. But this power will be used only in cases where fresh facts come to our notice. As it is under the Act, once an estate is notified, there is no power to cancel the notification. Hence it is we seek powers to cancel notifications. I may add here that in certain cases, we have got very valuable information after we have notified those estates.

Then, with reference to the question why the phrase "private land" was omitted in the amendment, in the case of private land, a ryotwari patta is issued. No difficulty arises here. The clause here deals with lessees and others and so it will only refer to cases of tenures other than private land. Only such cases will be gone into in order to find out whether the land is ryoti or communal or forest land.

With regard to the question of compensation, this is worked out in a very elaborate and complicated way. There is, what is called, basic income. There is also the "miscellaneous income". Then there is what is known as multiples of income which is different in the case of inams from the one in the case of estates. It is all quite baffling. Only those who deal with them can know

[Sri M. A. Manickavelu] [25th October 1956]

the exact difficulty. The amount of compensation will vary once the nature of the estate changes. Suppose an estate is made an inam. Then the compensation payable will differ. I may incidentally inform the hon. Member that in some cases such revision will go to the benefit of the landholder.

The hon. Member referred to other questions also and I would deal with them when the Bill is taken up clause by clause.

DR. A. LAKSHMANASWAMI MUDALIYAR: May I know from the Hon. Minister whether the Government have satisfied themselves that their officers understand everything contained in this Bill and that they are in a position to implement the provisions of the Bill? Has any test been applied? On what basis, do the Government allow these officers to go and enforce these laws?

* THE HON. SRI M. A. MANICKAVELU: Yes, Sir; the officers are very experienced officers who have got a very thorough knowledge of these things.

SRI K. BALASUBRAMANYA AYYAR: Not the Board of Revenue.

DR. A. LAKSHMANASWAMI MUDALIYAR: I am referring to the Collectors who initiate these proceedings—L.A.S. officers.

* THE HON. SRI M. A. MANICKAVELU: These officers have had training in this work. Only such officers are in charge of this. This is a separate department, as it were, and is well-versed with this work. The Government have not so far come across any difficulty in the matter.

MR. CHAIRMAN: The question is—

“That the Madras Estates (Abolition and Conversion into Ryotwari) Amendment Bill, 1956 (L.A. Bill No. 30 of 1956), as passed by the Legislative Assembly, be taken into consideration.”

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

Clause 2.

12 20 p.m. MR. CHAIRMAN: The motion is—

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

* SRI K. BALASUBRAMANYA AYYAR: Mr. Chairman, Sir, I move the following amendment:—

“In sub-clause (6), add the following at the end:—
‘and the persons concerned shall be restored to their former rights and proceedings’.”

[Sri K. Balasubramanya Ayyar] 25th October 1956]

It might be said that they mean it. I think in a case where notifications are issued and then cancelled—where there is cancellation, re-cancellation, cancellation of cancellation and so on, and all these things take place—it is better to have a particular provision stating that once the notification is cancelled, the parties concerned would be restored to their rights and privileges. This is a simple amendment.

SRI T. PURUSHOTHAM: That follows automatically.

* SRI K. BALASUBRAMANYA AYYAR: I am sorry the hon. Member has not been following me. That was exactly what I said. I know it follows. Many things are supposed to follow certain things but they do not really follow in the case of the people. That is the difficulty. It is, therefore, better to state it in the Act itself so that the notification may be issued after a full enquiry. I would like to ask in this connexion why they should not come up to the Board of Revenue or even to the Hon. Minister concerned before finally notifying them. There is nothing wrong in doing that. We have waited for long. These are complicated matters, especially the land tenures. My hon Friend compared this to the caste system in India. They have abolished the estates but the caste system has not been abolished. I should say it is sometimes reinforced especially in times of elections. Let us not talk as though the caste system has disappeared. We are trying our best to do it. It is our ambition and it is our aspiration also. Therefore, my point is that the tenure system cannot be swept away entirely. When we appeal to the people about these things, let us remember facts. When they concede that the tenure system is a difficult matter to tackle, let them take time, if necessary, for issuing the notification. The Hon. Minister has not replied to my point why he should not issue the notification instead of allowing the Collectors to do it. Their anxiety is to notify first as in the case of temples. In the case of temples they first issue the notification and then take into consideration whether it is necessary or not. I am not saying this in any carping spirit. These are the usual and general tendencies and I am only pointing to them. Take, for instance, income-tax. The income is first assessed and then only examination of the assessment commences. That is why there is cancellation of assessment and cancellation of cancellation and so on. My submission is that this particular provision should be included in the Bill.

MR. CHAIRMAN: Who is seconding the amendment?

DR. A. LAKSHMANASWAMI MUDALIYAR: I second the amendment, Sir.

* SRI K. BALASUBRAMANYA AYYAR: That is the advantage of being in a Party, Sir.

* THE HON. SRI M. A. MANICKAVELU: Mr. Chairman, Sir, the notification is issued only after careful and detailed examination,

[Sri M. A. Manickavelu] [25th October 1956]

and only after a sort of *prima facie* case is made out. Sir, even in courts after a *prima facie* case is made out, cases fail. Here also if there is a *prima facie* case for notification, the notification is issued. But afterward so many other new factors crop up and naturally the notification has got to be changed, if necessary. I may inform the hon. Member that the notification is issued only by the Government but on the basis of information supplied by the officers of the department who are working at it. Now, I oppose this amendment for the simple reason that the amendment is not necessary and I am advised by the Law Department that even without the amendment the *status quo* before notification would prevail and that there is no necessity for accepting this amendment.

MR. CHAIRMAN : The question is—

“ In sub-clause (6), *add* the following at the end :—

‘ and the persons concerned shall be restored to their former rights and proceedings ’.”

The amendment was put and lost.

Clause 2 was put and carried.

Clauses 3 and 4 were put and carried.

Clause 5.

MR. CHAIRMAN : The motion is—

“ That clause 5 do stand part of the Bill.”

* SRI K. BALASUBRAMANYA AYYAR : Mr. Chairman, Sir, I move the following amendment :—

“ *Add* the following at the end :—

‘ and any payment made to the landholder before the notified date for the fasli year shall be deducted from the amount reserved ’.”

This is about the fasli year business, Sir. The Government amendment seeks to levy assessment for the whole of the fasli year even though the notification might have been issued in the middle of the fasli year. Hence my amendment, Sir.

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

THE HON. SRI M. A. MANICKAVELU : This will not be necessary because section 18 does not refer to any amount. Therefore, putting in phrases like “ amount imposed ” and all that will come into clash with others. I am advised, therefore, that the amendment is not necessary.

* SRI K. BALASUBRAMANYA AYYAR : It won't come into clash.

25th October 1956]

MR. CHAIRMAN : The question is—

“ *Add* the following at the end :—

‘ and any payment made to the landholder before the notified date for the fasli year shall be deducted from the amount reserved ’.”

The amendment was put and lost.

Clause 5 was put and carried.

Clause 6 was put and carried.

Clause 7.

MR. CHAIRMAN : The motion is—

“ That clause 7 do stand part of the Bill ”.

* SRI K. BALASUBRAMANYA AYYAR : Mr. Chairman, Sir, I move the following amendment :—

“ *Add* the following at the end :—

‘ except the right to compensation ’.”

Sir, the clause says—

“ Where any person has been admitted into possession of any ryoti land by any landholder for a non-agricultural purpose, that person shall be entitled to remain in possession of the land subject however to the payment by him to the Government of the ryotwari or other assessment or the ground-rent which may be imposed upon the land for each fasli year commencing with the fasli year in which the estate is notified.”

This is quite all right. But there are two provisos to this clause. I wish to refer to the second proviso which reads thus :

“ Provided further that a person who has been admitted into possession of any ryoti land on or after the 1st day of July 1945 ”, *that is the red-letter day*, “ shall be entitled to no rights in respect of such land except where the Government otherwise direct.”

Suppose there is a lease created after 1955 and there may be some rights attached to it. These rights will go away according to the Government provision. He should have a right to compensation. That is what I want.

SRI T. PURUSHOTHAM : Government can sanction that in such cases. That is what the proviso says.

* SRI K. BALASUBRAMANYA AYYAR : It is said : “ . . . except where the Government otherwise direct.” If they don't direct, they may forfeit the right to the property. Many things may or may not be done by the Government. But, in the application of the provisions of the Statute, we are not bound by these

[Sri K. Balasubramanya Ayyar] [25th October 1956]

things. Compensation is a thing which ought to be provided for in the Statute. Otherwise they may say no compensation will be given. This is a fundamental and important matter.

SRI T. PURUSHOTHAM: Government have reserved the power to grant it.

* SRI K. BALASUBRAMANYA AYYAR: When they say they will have no rights, the right to compensation which is also a right will also go away. These are the difficulties. Let us make it clear in the Act itself. If the Government are anxious to pay compensation, why not make it clear and put it in the Act itself? Because the Government are not willing to give it, they are not putting it in the Act itself.

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

THE HON. SRI M. A. MANICKAVELU: But the trouble is that in the Act, there is no provision for payment of compensation to such persons.

* SRI K. BALASUBRAMANYA AYYAR: That is a better way of answering. That is why I press the amendment, Sir.

MR. CHAIRMAN: The question is—

“Add the following at the end:—

‘except the right to compensation’.”

The amendment was put and lost.

Clause 7 was put and carried.

Clause 8 was put and carried.

Clause 9.

MR. CHAIRMAN: The motion is—

“That clause 9 do stand part of the Bill.”

* SRI K. BALASUBRAMANYA AYYAR: Mr. Chairman, Sir, I move the following amendment:—

“In sub-clause 2 (a), after the words ‘one year’ and before the words ‘the Government’ insert the following:—

‘unless it relates to the private land of the landholder within the meaning of section 3, clause (10), of the Estates Land Act’.”

Sir, this relates to the private land of which I made mention and for which an answer was given. I am not satisfied with the answer. Therefore, I am pressing the amendment. The existing section reads thus:—

“In cases not governed by sections 18 and 19, where before the notified date, a landholder has created any right in any land

25th October 1956] [Sri K. Balasubramanya Ayyar]

(whether by way of lease or otherwise) including rights in any forest, mines or minerals, quarries, fisheries or ferries, the transaction shall be deemed to be valid; and all rights and obligations arising thereunder, on or after the notified date, shall be enforceable by or against the Government . . .

Provided also that where such right was created for a period exceeding one year, unless it relates to the private land of the landholder within the meaning of section 3, clause (10), of the Estates Land Act, the Government may, if, in their opinion, it is in the public interest to do so, by notice given to the person concerned, terminate the right with effect from such date as may be specified in the notice, not being earlier than three months from the date thereof.”

The Government take the powers in the case of public interest to terminate the lease given by the landholder. But in the case of private land, they cannot do so, because it is absolutely the power of the landholder. The proviso in the existing section is perfectly clear. But in the amendment brought forward by the Government, this exception in regard to private land has been omitted I am not in favour of taking away this right and therefore it is that I press the amendment.

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

* SRI K. BALASUBRAMANYA AYYAR: I will move all the amendments together, Sir. Perhaps they want to sweep away all together. I move the following amendments also:—

“In sub-clause 2 (c), for the word ‘determined’ substitute the word ‘terminated’.”

“Omit sub-clause 2 (d).”

The amendments were duly seconded.

* SRI K. BALASUBRAMANYA AYYAR: This is only a verbal correction; there is something wrong in drafting and I am proposing only the correct word, for I think the word “terminated” is more appropriate than the word “determined”.

12-30
p.m.

SRI A. GAJAPATHY NAYAGAR: I cannot understand the hon. Member's point. What is the difference? Can he tell me the difference? Both the words have the same meaning. . . .

* SRI K. BALASUBRAMANYA AYYAR: Oh, a Daniel has come to judgment! If that is so, I shall not speak any further on that, Sir.

* THE HON. SRI M. A. MANICKAVELU: Sir, there is a confusion of amendments and the best thing in the circumstances as far as I can see is to oppose them. I am opposing both the amendments.

[25th October 1956]

MR. CHAIRMAN : The question is—

“ In sub-clause 2 (a), after the words ‘ one year ’ and before the words ‘ the Government ’ *insert* the following :—

‘ unless it relates to the private land of the landholder within the meaning of section 3, clause (10), of the Estates Land Act ’.”

“ In sub-clause 2 (c), for the word ‘ determined ’ *substitute* the word ‘ terminated ’.”

“ Omit sub-clause 2 (d). ”

The amendments were put and lost.

Clause 9 was put and carried.

Clauses 10 to 15 were put and carried.

Clause 16.

MR. CHAIRMAN : The motion is—

“ That clause 16 do stand part of the Bill.”

* SRI K. BALASUBRAMANYA AYYAR : Sir, I move the following amendment :—

“ In the proposed sub-section (4-A) of section 50 (iii) of the principal Act, *omit* the following words :—

‘ either because data for better calculation have since become available or ’.”

The amendment was duly seconded.

* SRI K. BALASUBRAMANYA AYYAR : What is the meaning of this? How can any data become “ since available ”? I can understand some information becoming available. But “ data ” is something specific. It cannot be covered by the general proposition “ mistake ”. Therefore, I think it is wrong drafting and it should be rectified.

THE HON. SRI M. A. MANICKAVELU : I think, I have already stated that the data for calculation vary according to the nature of the tenure. Probably that is the idea in putting that there.

* SRI K. BALASUBRAMANYA AYYAR : I can understand change in interpretation or calculation. But how can data for better calculation become since available, that is, after the notification, after the working of the Act? Unless the Government can give me some instance, I am unable to understand it.

THE HON. SRI M. A. MANICKAVELU : Even a notification can be cancelled on getting fresh data. Similarly, in the matter of calculation also, if we get further data, naturally it will have to be changed. That is all.

25th October 1956]

SRI K. BALASUBRAMANYA AYYAR : You have an elaborate machinery and all data necessary for calculation will be with you. This is only an attempt to have more powers with the Executive, and that is very wrong. That is my humble submission. These things will simply give ample powers to the Executive to do anything.

* THE HON. SRI M. A. MANICKAVELU : The officers who go into the question get fresh data, fresh documents, and such evidences and other materials become suddenly available. In such cases a change has to be made. In some estates, proper accounts are never kept. In other estates suddenly some accounts come to light. Probably hon. Members are not aware of the state of affairs of the offices of these landholders. In many cases, evidence springs up like a treasure-trove and something more is got. Thus there is necessity for a change.

MR. CHAIRMAN : The question is—

“ In the proposed sub-section (4-A) of section 50 (iii) of the principal Act, *omit* the following words :—

‘ either because data for better calculation have since become available or ’.”

The amendment was put and lost.

Clause 16 was put and carried.

Clauses 17 and 18 were put and carried.

Clause 19.

MR. CHAIRMAN : The question is—

“ That clause 19 do stand part of the Bill.”

* SRI K. BALASUBRAMANYA AYYAR : Sir, I move the following amendment :—

“ In sub-section (iii) of section 54-A of the principal Act, *omit* the proposed sub-section (5) (a). ”

There are two points. One is with regard to the vagueness of the question of “ data becoming available for better calculation ”. How can data become available? The Hon. the Revenue Minister was referring to suppression of accounts. If accounts are suppressed, there are no data. Supposing false accounts are produced afresh, then what happens?

SRI A. GAJAPATHY NAYAGAR : May I ask whether data do not include facts and figures? Can the hon. Member honestly tell me whether facts and figures are also not included in data?

* SRI K. BALASUBRAMANYA AYYAR : Sir, I rise to a point of order. My hon. Friend wants me to answer “ honestly ”. It

[Sri K. Balasubramanya Ayyar] [25th October 1956]

secus he has transferred all the improper accounting to me and asks me to answer honestly. It comes to that. Whatever else I have been or I have not been, I have always been honest. All these minutes I have been arguing though without any profit, but with honesty.

The amendment was duly seconded.

MR. CHAIRMAN: I shall put the amendment to the vote of the House. The question is—

“In sub-section (iii) of section 54-A of the principal Act, omit the proposed sub-section (5) (a).”

The amendment was put and lost.

Clause 19 was put and carried.

Clauses 20 to 27 were put and carried.

Clause 1 and the Preamble were put and carried.

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

“That the Madras Estates (Abolition and Conversion into Ryotwari) Amendment Bill, 1956 (L.A. Bill No. 30 of 1956), as passed by the Legislative Assembly, be passed.”

12-40
p.m.

MR. CHAIRMAN: Motion moved—

“That the Madras Estates (Abolition and Conversion into Ryotwari) Amendment Bill, 1956 (L.A. Bill No. 30 of 1956), as passed by the Legislative Assembly, be passed.”

DR. A. LAKSHMANASWAMI MUDALIYAR: Sir, I should have to congratulate the Hon. the Revenue Minister on his pyrrhic victory in getting this Bill passed in this House. Such an important measure as this deserves much better consideration and more time than what has been bestowed upon it. Unfortunately, the Hon. Minister and some of those speaking with him are of the opinion that any expropriatory measure which takes away the right of the people who are supposed to have something, that is, the “haves”, is good enough. Seeing the manner in which this Bill has been rushed through and the manner in which the amendments have been disposed of, I am strongly of the opinion that it is the mentality of several people, I do not say in this House or outside, that anything is good enough if some sort of deprivation of the rights of property is given effect to. We are all for land reform but not of the sort of land reform that has been enacted. I protested when the Estates Land Act was passed and I protest against the manner in which these amendments are being rushed through without proper consideration. The Hon. Minister was frank enough to say that this was like a mathematical problem for him and that he was not in a position to answer any points. Now, several of the amendments that were moved have been jocularly brushed aside. But I think it is a fundamental factor to be borne

25th October 1956] [Dr. A. Lakshmanasami Mudaliyar]

in mind, viz., that these amendments do constitute a serious infringement of the rights of those who are possessed with property. Those amendments should not be lightly brushed aside but should be given the consideration which they deserve. If we are to have a Communist Policy, I can quite understand this sort of regimentation and support to a Bill of this nature. It is with deep regret that I have to oppose this Amending Bill.

* SRI A. GAJAPATHY NAYAGAR: The Hon. Minister has not answered my question. With regard to sub-section (2) of section 20, I pointed out that the decision of the Board of Revenue should not be final. It shall be questioned in a Court of Law because this question involves legal rights. I expressed my difficulty. I request the Hon. Minister to give me an answer.

* THE HON. SRI M. A. MANICKAVELU: Sir, I submit there is nothing particularly expropriatory in this measure. Whatever expropriatory aspect there was, it has already been done. What we are doing now is to rectify certain defects that have come to our notice. As a matter of fact, through one or two amendments of the Government themselves, the landowners stand to gain in the matter of getting compensation. We do not want to deprive the landowner of his legitimate right. In the practical working of the Act, we found certain defects. We want to rectify those defects. It is not as if we are hurrying through with this Bill. We want to make things more satisfactory. It is only with this object that I have moved the Bill. I request hon. Members not to go with the impression that we are trying in a hurried manner to carry out some amendments of an expropriatory nature. It is not so. We are only rectifying some defects.

As regards the point raised by my hon. Friend Sri Gajapathy Nayagar, a provision to make the decision of the Board of Revenue final was made to avoid unnecessary litigation. There should be some limit to litigation. In many other Acts also, we have limited the intervention of Courts. There must be some finality. We have done this to avoid endless litigation.

* SRI A. GAJAPATHY NAYAGAR: In this Bill, the power of the Court to interfere has been taken away. An appeal can lie against the decision of the Tribunal. The decision of the Board of Revenue is final. While the power is given under one section to go in appeal to a Full Bench of the High Court to determine whether a land is an estate or not, under another section the Board of Revenue has been made the final authority. I find no difference between the two. The two stand on the same footing. Therefore, I submit that such power should be given to safeguard the rights of private persons.

THE HON. SRI M. A. MANICKAVELU: It is thought that that is not necessary. If it is found necessary, we would revise it.

[25th October 1956]

MR. CHAIRMAN : The question is—

“ That the Madras Estates (Abolition and Conversion into Ryotwari) Amendment Bill, 1956 (L.A. Bill No. 30 of 1956), as passed by the Legislative Assembly, be passed.”

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

(2) THE MADRAS ESTATES (SUPPLEMENTARY) BILL, 1956
(L.A. BILL NO. 32 OF 1956).

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

“ That the Madras Estates (Supplementary) Bill, 1956 (L.A. Bill No. 32 of 1956), as passed by the Legislative Assembly be taken into consideration.”

The Madras Estates Land (Reduction of Rent) Act, 1947 and the Madras Estates (Abolition and Conversion into Ryotwari) Act 1948 apply only to “ estates ” as defined in the Estates Land Act. There is no provision in the Estates Land Act for determining the question whether a particular “ non-ryotwari ” area is or is not an estate. Section 9 of the Madras Estates (Abolition and Conversion into Ryotwari) Act, 1948, provides for determination of the question whether an inam village is one which became an “ estate ” by virtue of the Madras Estates Land (Third Amendment) Act, 1936. Though in the enquiry under this provision, the Settlement Officer in the first instance and the Tribunal in appeal give a finding on the question whether an inam village is or is not an “ estate ” under the Estates Land Act, the High Court has held that such a finding is not binding on the parties and that it is open to a Civil Court to consider this question in an ordinary civil suit. This has led to a number of civil suits. The Government have to contest these civil suits and go through all the normal processes of litigation by way of proceedings in the trial courts, appeals, revision petitions, etc. All these retard the progress of the implementation of the Rent Reduction Act and the Estates Abolition Act. The Government, therefore, consider that there should be a special machinery for determining expeditiously the question whether a particular “ non-ryotwari ” area is or is not an “ estate ” within the meaning of section 3 (2) of the Estates Land Act.

It will be advantageous if the same machinery decides the question whether an inam village is an ‘ inam estate ’ or not. It is, therefore, proposed to omit section 9 of the Estates Abolition Act and make suitable provision in the present Bill itself. Here a provision has been made for a Tribunal which will go into the question of determining whether it is “ ryotwari ” or “ non-ryotwari ” or whether an estate is an “ inam estate ” or not. A regular machinery has now been provided.

25th October 1956]

MR. CHAIRMAN : Motion moved—

“ That the Madras Estates (Supplementary) Bill, 1956 (L.A. Bill No. 32 of 1956), as passed by the Legislative Assembly, be taken into consideration.”

* SRI K. BALASUBRAMANYA AYYAR : As put by the Hon. the Revenue Minister, this Bill seems to be fair and simple. But a consideration of the provisions of this Bill will show that it is not so simple. There was provision for enquiry under section 9 of the Zamindari Abolition Act of 1948.

There was also provision for an appeal to a Tribunal. That was mentioned by the High Court. That is stated in the Statement of Objects and Reasons. The more I look into it the more I am convinced that the suggestion I make should be accepted. It is stated in the Statement of Objects and Reasons—

“ Though, in the enquiry under section 9 of the Abolition Act, the Settlement Officer in the first instance, and the Tribunal in appeal, give a finding on the question whether a particular inam village is or is not an estate, the High Court has held that such a finding is not binding on any one and that an ordinary civil suit can be filed for the determination of the question.”

That is to say, if in respect of any particular matter there is a decision of the Settlement Officer or the Tribunal, it may not be binding upon all. That was the difficulty which the High Court pointed out. Therefore, a provision is made here which says—

“ Every decision of the Special Appellate Tribunal and subject to such decision, every decision of the Tribunal shall be binding on all persons claiming an interest in any land in the non-ryotwari area concerned notwithstanding that any such person has not preferred any application or filed any statement or adduced any evidence or appeared or participated in the proceedings before the Tribunal or the Special Appellate Tribunal, as the case may be.”

This is a very odd thing. This is approximating to, what is called, judgment in rem. If any question as regards the status of a particular person is determined, then it is determined once and for all and nobody can question it. But this question is not like that. Suppose a person affected has got a legitimate case and he did not adduce evidence. He could not have known it because no notice was served on him. Why is he prevented from questioning the decision? Therefore, making the decision of the Special Appellate Tribunal binding on all persons claiming an interest in any land in the non-ryotwari area concerned notwithstanding that any such person has not preferred any application or filed any statement or adduced any evidence will be very hard on the persons really affected. I do not think any lawyer would accept it. Decisions on civil matters arise only between parties to a dispute, and other persons who are not parties to the dispute are not bound by the decision. But the Government are worried about every suit. But what are we to do for that? As long as we are in a democratic

[Sri K. Balasubramanya Ayyar] [25th October 1956]

State, a Welfare State, we have to look after the rights and privileges of every individual. We have not yet got into that State where we need not care for fundamental rights or the rights of individuals. Therefore, we cannot say that any decision is binding on all people whether they put in an application or not or whether they adduce any evidence or not.

Then, the time given for putting in an application is six months in the case of the Government but only two months in the case of private individuals. Why should there be such a discrimination?

Then, there is clause 8 which says—

“In deciding the question whether any inam village or a separated part of an inam village was or was not an estate within the meaning of the Estates Land Act as it stood before the commencement of the Madras Estates Land (Third Amendment) Act, 1936 (Madras Act XVIII of 1936), it shall be presumed, until the contrary is proved, that such area or part was such an estate.”

Sir, why should anything be presumed? This amounts to saying ‘This is an estate. It should be abolished.’ Presumption is a serious thing. The onus of proof is on the other side. The burden of proving to the contrary to the satisfaction of the Tribunal or the Settlement Officer rests on the other party. In a criminal case, the accused is presumed or deemed to be innocent until the guilt is proved. Similarly, every part of our country will be presumed or deemed to be an estate and it rests on the party concerned to prove it to the contrary. It may be said by the Government, ‘We are very fair. We ask you to prove to the contrary.’ But, Sir, that is all nonsense. The burden of proof is there. If the proof is not sufficient or satisfactory, then it will be held to be an estate. This is a fundamental question. This is not an innocent amendment.

Then, it is stated—

“Each Tribunal shall consist of a Chairman who shall be a Judicial Officer not below the rank of District Judge and two other members.”

In the case of the other Tribunal, it was stated that a Sub-Judge and a Revenue Divisional Officer should be included as members. Here also a Sub-Judge can be included in the Tribunal. It is an important matter. The Tribunal can consist of a District Judge, a Sub-Judge and a Revenue Divisional Officer.

* SRI A. GAJAPATHY NAYAGAR: Sir, this Bill relates to the non-ryotwari areas. Apart from the estates, there are so many things as inams. It has got to be construed whether inams are grants of melwaram or kudiwaram and whether the inamdar enjoys both the rights. It has got to be decided whether the inamdar has got the rights of full proprietorship. I refer to the question of ‘presumption’ raised by the hon. Member, Sri Balasubramanya Ayyar. A person may claim that all proprietary rights had been

25th October 1956] [Sri A. Gajapathy Nayagar]

granted to him under the Estates Land Act. But he has got to prove it. That is why the presumption is there that it shall be presumed to be an estate. When a grant has to be proved, he has got to show whether he has got the right to get not only the melwaram, that is, the revenue from the land, but also the kudiwaram. Therefore, on the circumstances of the case, it has to be determined whether the grant was for melwaram only or for kudiwaram also. When a person claims full rights, the Bill says that he must prove them.

I understand in respect of this legislation the High Court has stated that certain findings may not be binding on all persons because all are not before the Court. But while taking away the right of persons, this Bill has done well in making the decision of the Tribunal subject to appeal to a Special Tribunal consisting of two Judges of the High Court nominated from time to time by the Chief Justice and who are given full power of discretion. Therefore, there is no fear of miscarriage of justice. It is provided that the inamdars’ rights are protected not only for themselves but for others also. Therefore, I support this legislation.

* THE HON. SRI M. A. MANICKAVELU: Sir, I have already said that there is no provision either in the Rent Reduction Act or in the Estates Abolition Act to go into the question of a non-ryotwari area except the provision of section 9. But, as was pointed out by the High Court, there is no finality about the matter. It was open to the parties to agitate in a Court of Law. Now, by this legislation a special machinery is being created to go into that question.

As for the constitution of the Tribunal, the hon. Member Sri Balasubramanya Ayyar asked why only the Chairman should be a judicial officer, whereas in the other Tribunal a Sub-Judge and a Revenue Divisional Officer were included. I cannot exactly say why it was not specifically mentioned so in the Bill. But I hope it will be formed on the same lines as in the case of the other Tribunal.

With regard to the time given for filing an application, all along we have been adopting this procedure of giving more time to the Government. Even hon. Members have said that the Government move slowly. So, on that principle, the Government are given more time. In the case of a private party, it is different.

MR. CHAIRMAN: The question is—

“That the Madras Estates (Supplementary) Bill, 1956 (L.A. Bill No. 32 of 1956), as passed by the Legislative Assembly, be taken into consideration.”

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

Clauses 2 to 14 were put and carried.

Clause 1 and the Preamble were put and carried.

[25th October 1956]

1 p.m. THE HON. SRI M. A. MANICKAVELU : Sir, I move—
“ That the Madras Estates (Supplementary) Bill, 1956 (L.A. Bill No. 32 of 1956), as passed by the Legislative Assembly, be passed.”

MR. CHAIRMAN : The question is—

“ That the Madras Estates (Supplementary) Bill, 1956 (L.A. Bill No. 32 of 1956), as passed by the Legislative Assembly, be passed.”

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

(3) THE MADRAS LAND REVENUE (SURCHARGE AND ADDITIONAL SURCHARGE) AMENDMENT BILL, 1956 (L.A. BILL NO. 33 OF 1956).

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

“ That the Madras Land Revenue (Surcharge and Additional Surcharge) Amendment Bill*, 1956 (L.A. Bill No. 33 of 1956), as passed by the Legislative Assembly, be taken into consideration.”

The object of this Bill is simple. Hon. Members are aware that the Indian Coinage Act has been passed introducing the decimal system of coinage like naya paisa, etc. We are now seeking to convert the surcharge which is in annas into so many naya paisas. That is all.

MR. CHAIRMAN : Motion moved—

“ That the Madras Land Revenue (Surcharge and Additional Surcharge) Amendment Bill, 1956 (L.A. Bill No. 33 of 1956), as passed by the Legislative Assembly, be taken into consideration.”

SRI K. BALASUBRAMANYA AYYAR : Sir, the only observation that I want to make is this. The Bill is quite all right. But even the Prime Minister of India, when he introduced the Indian Coinage Bill in the Parliament said that alternative coinage would be provided for some time so that people might have time to breathe and find out what was what. Similarly, the Hon. Minister can very well in this Bill provide an alternative to nava paisa. It is stated two annas will be equivalent to 13 naya paisas. The poor ryot may think that he is asked to pay more since 13 is a bigger number than two. An alternative would be very reasonable but I know you will say you cannot do it now. (Laughter.)

* SRI T. PURUSHOTHAM : Sir, the House, I believe, agrees with the purpose of the Bill. But I should like to invite the attention of the Government to the fact that the Madras Land Revenue (Additional Surcharge) Act is primarily intended to help the local boards and more especially the panchayats which are

* Printed as Appendix VI on pages 178-179 infra.

25th October 1956] [Sri T. Purushotham]

struggling for lack of funds even to provide minimum amenities to the villagers. But there is a general apprehension among the panchayats that the allocation of funds has not been fairly done.

THE HON. SRI M. A. MANICKAVELU : That does not come under this.

* SRI T. PURUSHOTHAM : Still, Sir, I want to invite attention to this particular matter because I want the Government to follow a more liberal policy in regard to grant of funds to panchayats out of this additional surcharge. I am obliged to refer to this because the White Paper on Local Administration has come out and I want the Government to bear this aspect of the question in mind. With these words, Sir, I support the Bill.

* THE HON. SRI M. A. MANICKAVELU : This Bill is intended to meet a statutory requirement. We must conform to the Indian Coinage Act. But I understand both the present coinage and also the new one will be there side by side for some years so that people may adapt themselves to the new coinage gradually and easily. There is no difficulty about that. With regard to the question of allocation of funds, it does not come under this. Probably the hon. Member has a right to raise this question here. He has taken me unawares and I cannot tell him anything definite about this.

MR. CHAIRMAN : The question is—

“ That the Madras Land Revenue (Surcharge and Additional Surcharge) Amendment Bill, 1956 (L.A. Bill No. 33 of 1956), as passed by the Legislative Assembly, be taken into consideration.”

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

Clauses 2, 3 and 1 and the Preamble were separately put and carried.

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

“ That the Madras Land Revenue (Surcharge and Additional Surcharge) Amendment Bill, 1956 (L.A. Bill No. 33 of 1956), as passed by the Legislative Assembly, be passed.”

MR. CHAIRMAN : The question is—

“ That the Madras Land Revenue (Surcharge and Additional Surcharge) Amendment Bill, 1956 (L.A. Bill No. 33 of 1956), as passed by the Legislative Assembly, be passed.”

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

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

The House then adjourned.

[25th October 1956]

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

* 1. Balance sheet as at 30th September 1955 of the Ramaraju Surgical Cotton Mills, Limited, Rajapalayam.

† 2. Statement VIII showing action taken on assurances, promises and undertakings given during the VII, VIII and IX Sessions, 1955-56, of the Madras Legislative Council.

‡ 3. Bills passed by the Legislative Assembly and received therefrom in the Council—

(a) The Madras Estates (Supplementary) Bill, 1956 (L.A. Bill No. 32 of 1956).

(b) The Madras Land Revenue (Surcharge and Additional Surcharge) Amendment Bill, 1956 (L.A. Bill No. 33 of 1956).

* Placed on the table of the House on 23rd October 1956.

† Placed on the table of the House on 24th October 1956.

‡ Circulated in the Chamber and also by Special messengers on the 24th October 1956.

25th October 1956]

APPENDIX I.

[Vide answer to starred question No. 98 asked by Sri T. Purushotham at the meeting of the Legislative Council held on 25th October 1956 at page 121 supra.]

(a) The Chief Operation Engineers, Electricity, Operating Systems (North and South), will have control and general supervision of the operation and maintenance of all Thermal and Hydro-power systems respectively of the department and be responsible for the satisfactory operation of the various stations and the proper distribution of loads in their branches.

They will normally be the final authority on all technical matters of an electrical or mechanical nature effecting operation and maintenance of the power systems in their respective branches, but in all important and costly technical decisions especially those concerning additions and alterations to power-house, important sub-stations, and main lines and their operation should be referred to the Chief Engineer for confirmation.

They will be responsible for the commercial work including the tariffs in their respective branches of the department.

The service of the Technical branch will be available for the technical and commercial work of the Chief Operation Engineers.

They will be competent to order transfers and postings of all non-gazetted staff and also Assistant Engineers of all classes in their branches and will exercise powers in respect of grant of leave, etc., to the extent delegated to them. They will correspond direct with the Government on all matters connected with their duties. They should, however, submit proposals on subjects of importance and those involving policy to the Chief Engineer who will address Government for orders, where necessary.

(b) One post was created in 1944 and the other in 1948.

These posts were created to cope with the rapidly increasing work in the Operation branch of the Electricity Department.

(c) No, Sir.

(d) One is a permanent post and the other is temporary, sanctioned till 28th February 1957.

(e) The Government will review the position at the time of continuing the temporary post beyond 28th February 1957.

[25th October 1956]

APPENDIX II.

[Vide answer to clause (ii) of starred question No. 99 asked by Sri M. Ethirajulu at the meeting of the Legislative Council held on 25th October 1956, at page 122 supra.]

Statement I.

(ii) (a) Number of Employment Exchanges in the State at present—

1 District Employment Exchange	..	..	Saidapet.
2 Regional Employment Exchange	..	..	Madras.
3 District Employment Exchange	..	..	South Arcot.
4 District Employment Exchange	..	..	Tanjore.
5 Sub-Regional Employment Exchange	..	..	Tiruchirappalli.
6 District Employment Exchange	..	..	Ramanathapuram.
7 Sub-Regional Employment Exchange	..	..	Madurai.
8 District Employment Exchange	..	..	Tirunelveli.
9 Sub-Regional Employment Exchange	..	..	Kozhikode.
10 District Employment Exchange	..	..	Mangalore.
11 Sub-Regional Employment Exchange	..	..	Coimbatore
12 District Employment Exchange	..	..	Salem.
13 District Employment Exchange	..	..	Ootacamund.
14 Sub-Regional Employment Exchange	..	..	Vellore.

Statement II.

(ii) (b) Number of officers both men and women employed in the Employment Exchanges—

Number of men officers.		Number of women officers.	
Regional Employment Officer	.. 1	Deputy Regional Employment Officer.	
Sub-Regional Officers.	Employment 5		Nil.
Employment Liaison Officer	.. 1		Nil.
Assistant Employment Officers.	17	District Employment Officer, South Arcot.	1
	—		—
	24		2
	—		—

25th October 1956]

Statement III.

(ii) (a) Number of clerical and last grade staff allotted to each Exchange—

Name of the Exchange.	Class III.				Class IV.			
	Superintendent.	Assistant.	Accountant.	Junior Clerk.	Guide.	Dutry.	Peon.	Watchmen-cum-Sweeper.
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
1 District Employment Exchange, Saidapet.	..	..	..	3	..	1	2	1*
2 Regional Employment Exchange, Madras.	1	1	1†	17	2	1	10	1
3 District Employment Exchange, South Arcot.	..	..	..	4	..	..	2	1
4 District Employment Exchange, Tanjore.	..	..	..	4	..	..	2	1
5 Sub-Regional Employment Exchange, Tiruchirappalli.	..	1	..	5	1	1	3	1
6 District Employment Exchange, Ramanathapuram.	..	..	..	4	..	..	2	..
7 Sub-Regional Employment Exchange, Madurai.	..	1	..	5 plus 1†	1	1	3	1 plus 1†
8 District Employment Exchange, Tirunelveli.	..	..	..	5	..	..	2	1
9 Sub-Regional Employment Exchange, Kozhikode.	..	1	..	6	1	1	3	1
10 District Employment Exchange, Mangalore.	..	..	..	3	..	..	2	1
11 Sub-Regional Employment Exchange, Coimbatore.	..	1	..	5	1	1	3	..
12 District Employment Exchange, Salem.	..	..	..	4	..	..	2	1
13 District Employment Exchange, Ootacamund.	..	..	..	2	..	..	2	1
14 Sub-Regional Employment Exchange, Vellore.	..	1	..	5	1	1	3	1
Total	1	6	1†	73	7	7	41	12+1*

* Chowkidar.

† Steno-typist.

‡ Vaigai Sub-office.

APPENDIX III.

[Vide answer to starred question No. 101 asked by Sri T. Purushotham at the meeting of the Legislative Council held on 25th October 1956 at page 126 supra.]

Statement showing the indents placed by the district boards (Madras State) alone for forms, etc., on the Government Press.

Number of Indents received during the year.	Number of items indented.	Total number of forms indented.	Total number of registers indented.	Number of items supplied.	Number of forms supplied.	Number of registers supplied.	Number of items pending.	Number of forms pending.	Number of registers pending.
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
144	2,685	28,82,172	7,280	2,661	27,86,424	7,245	24	96,350	36
277	2,646	46,10,718	14,834	2,414	44,07,293	14,557	232	2,03,425	277
162	2,567	58,89,936	15,108	1,992	32,97,206	12,143	575	25,92,730	2,965

[25th October 1956]

25th October 1956]

APPENDIX IV.

[Vide item V (1) on page 128 supra.]

L.A. BILL No. 30 of 1956.

(As passed by the Assembly.)

A Bill further to amend the Madras Estates (Abolition and Conversion into Ryotwari) Act, 1948.

WHEREAS it is expedient further to amend the Madras Estates (Abolition and Conversion into Ryotwari) Act, 1948 (Madras Act XXVI of 1948), for the purposes hereinafter appearing;

BE it enacted in the Seventh Year of the Republic of India as follows :—

1. *Short title and commencement.*—(1) This Act may be called the Madras Estates (Abolition and Conversion into Ryotwari) (Amendment) Act, 1956.

(2) Sections 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14 and 19, and section 20 in so far as it relates to the insertion of new sections 54-E, 54-G and 54-H in the Madras Estates (Abolition and Conversion into Ryotwari) Act, 1948 (Madras Act XXVI of 1948), section 23 shall be deemed to have come into force on the 19th April 1949 and clauses (i), (ii) and (iii) of section 16 and section 18 shall be deemed to have come into force on the 1st July 1954 and the 1st July 1955 respectively.

2. *Amendment of section 1, Madras Act XXVI of 1948.*—In section 1 of the Madras Estates (Abolition and Conversion into Ryotwari) Act, 1948 (Madras Act XXVI of 1948) (hereinafter referred to as the principal Act), after sub-section (4), the following sub-sections shall be added, namely :—

“(5) The Government may, by notification, cancel or modify any notification issued under sub-section (4) in respect of any estate, but the cancellation shall not be deemed to affect the power of the Government under sub-section (4) again to extend the rest of this Act to that estate.

(6) Where a notification is cancelled under sub-section (5), the rest of this Act shall be deemed never to have applied to the estate concerned, and every proceeding taken thereunder and pending in respect of such estate shall abate.”

3. *Amendment of section 3, Madras Act XXVI of 1948.*—In section 3 of the principal Act—

(i) for clause (a), the following clause shall be substitute, namely :—

“(a) The Madras Estates Land (Reduction of Rent) Act, 1947 (Madras Act XXX of 1947) in so far it relates to matters other than the reduction of rents and the collection of arrears of rent and the Madras Permanent Settlement Regulation, 1802 (Madras Regulation XXV of 1802), the Madras Estates Land Act,

[25th October 1956]

1908 (Madras Act I of 1908) and all other enactments applicable to the estate as such shall be deemed to have been repealed in their application to the estate.”;

(ii) for clause (c), the following clause shall be substituted, namely :—

“(c) the principal or any other landholder and any other person, whose rights stand transferred under clause (b) or cease and determine under clause (c), shall be entitled only to such rights and privileges as are recognized or conferred on him by or under this Act.”

(iii) for clause (g), the following clause shall be substituted, namely :—

“(g) any rights and privileges which may have accrued in the estate, to any person before the notified date against the principal or any other landholder thereof shall cease and determine, and shall not be enforceable against the Government or such landholder, and every such person shall be entitled only to such rights and privileges as are recognized or conferred on him by or under this Act.”.

4. *Amendment of section 16, Madras Act XXVI of 1948.*—In section 16, sub-section (1), of the principal Act, for the words “with effect on and from the notified date”, the words “for each fasli year commencing with the fasli year in which the estate is notified” shall be substituted.

5. *Amendment of section 18, Madras Act XXVI of 1948.*—In section 18, sub-section (4), of the principal Act, after the words “shall be entitled” the words “for each fasli year commencing with the fasli year in which the estate is notified” shall be inserted.

6. *Substitution of new sub-heading for existing sub-heading before section 19, Madras Act XXVI of 1948.*—For the sub-heading “Sales and leases of certain lands” occurring before section 19 of the principal Act, the sub-heading “Protection of certain rights and enforceability of certain obligations” shall be substituted.

7. *Substitution of new section for section 19, Madras Act XXVI of 1948.*—For section 19 of the principal Act, the following section shall be substituted, namely :—

“19. *Rights of persons admitted into possession of ryoti land for non-agricultural purpose.*—Where any person has been admitted into possession of any ryoti land by any landholder for a non-agricultural purpose that person shall be entitled to remain in possession of the land subject however to the payment by him to the Government of the ryotwari or other assessment or the ground-rent which may be imposed upon the land for each fasli year commencing with the fasli year in which the estate is notified :

Provided that such transaction was not void or illegal under any law in force at the time.

25th October 1956]

Provided further that a person who has been admitted into possession of any ryoti land on or after the 1st day of July 1945 shall be entitled to no rights in respect of such land except where the Government otherwise direct.”

8. *Insertion of new section 19-A in Madras Act XXVI of 1948.*—After section 19 of the principal Act, the following section shall be inserted, namely :—

“19-A. *Persons admitted into possession of non-ryoti land, how dealt with.*—(1) Except where the Government otherwise direct, no person admitted by a landholder into possession of any communal land or forest or other land which is not a ryoti land, shall be entitled to any rights in, or to remain in possession of, such land :

Provided that nothing contained herein shall apply to lands for which the landholder is entitled to a ryotwari patta under sections 12, 13 or 14.

(2) A direction under sub-section (1) allowing any person to remain in possession of any such land may specify—

(i) the assessment or ground-rent payable to the Government on the land for each fasli year commencing with the fasli year in which the estate is notified, and

(ii) such special terms and conditions, including the period for which such person may remain in possession of the land as the Government may consider necessary in the public interest.

Explanation.—In this section, ‘communal land’ means any land of the description mentioned in section 3, clause (16), sub-clause (a) or sub-clause (b), of the Estates Land Act.”

9. *Substitution of new section for section 20, Madras Act XXVI of 1948.*—For section 20 of the principal Act, the following section shall be substituted, namely :—

“20. *Rights of certain lessees and others.*—(1) In cases not governed by any other provision of this Act, where on or after the 1st day of July 1945 but before the notified date, a landholder has created, by way of lease or otherwise, rights in any mines or minerals, quarries, fisheries or ferries, the transaction shall be deemed to be valid ; and all rights and obligations arising thereunder on or after the notified date, shall be enforceable by or against the Government :

Provided that the transaction was not void or illegal under any law in force at the time and that any such right was created for a period not exceeding one year.

(2) (a) Where any such right was created before the 1st day of July 1945 for a period exceeding one year, the Government may, if in their opinion, it is in the public interest to do so, by notice given to the person concerned terminate the right with effect from such date as may be specified in the notice, not being earlier than three months from the date thereof.

[25th October 1956]

(b) The person whose right has been so terminated shall be entitled to compensation from the Government which shall be determined by the Board of Revenue in such manner as may be prescribed, having regard to the value of the right and the period for which the right was created. The decision of the Board of Revenue shall be final and not be liable to be questioned in any court of law.

(c) Where any such right created before the 1st day of July 1945 is not determined under this sub-section, the transaction whereby such right was created shall be deemed to be valid and all rights and obligations arising thereunder, on or after the notified date, shall be enforceable by or against the Government :

Provided that the transaction was not void or illegal under any law in force at the time.

(d) If the Government are of opinion that any transaction of the kind referred to in clause (a) was an improper transaction entered into in disregard of public interest, the Government may, by notice given to the person concerned terminate the right and the person whose right has been so terminated shall not be entitled to any compensation.

(3) The Government may, if in their opinion, it is in the public interest to do so, impose reasonable restrictions on the exercise of any right continued under this section."

" *Explanation.*—Any rights granted in perpetuity shall cease and determine and be dealt with under section 3 (e) and not under this section "

10. *Amendment of section 23, Madras Act XXVI of 1948.*—In section 23 of the principal Act, in the opening paragraph, for the words " with effect on and from the notified date ", the words " for each fasli year commencing with the fasli year in which the estate is notified " shall be substituted.

11. *Amendment of section 28, Madras Act XXVI of 1948.*—In section 28 of the principal Act—

(i) in sub-section (2), in clause (b), for the words " irrigation works in the estate " the words " irrigation works serving the estate " shall be substituted;

(ii) the following Explanation shall be added at the end, namely :—

" *Explanation.*—For the purposes of sub-section (1), the expression ' ryotwari assessment ', in respect of any land which has been registered as wet at the settlement referred to in that sub-section under an irrigation work belonging to, constructed or maintained by or on behalf of the Government, and which was liable to pay any water-cess under any law governing the levy of such cess in the State of Madras for irrigation from the said work before the said settlement, shall be taken to be the appropriate assessment determined in the prescribed manner, which the land would bear in the absence of facilities for irrigation from the said work.

25th October 1956]

12. *Amendment of section 32, Madras Act XXVI of 1948.*—In section 32 of the principal Act—

(i) in sub-section (2), for the words " irrigation works in the estate ", the words " irrigation works serving the estate " shall be substituted;

(ii) the following Explanation shall be added at the end, namely :—

" *Explanation.*—For the purposes of sub-section (1), the expression ' ryotwari assessment ', in respect of any land which has been registered as wet at the settlement referred to in that sub-section under an irrigation work belonging to, constructed or maintained by or on behalf of the Government, and which was liable to pay any water-cess under any law governing the levy of such cess in the State of Madras for irrigation from the said work before the said settlement, shall be taken to be the appropriate assessment determined in the prescribed manner, which the land would bear in the absence of facilities for irrigation from the said work."

13. *Amendment of section 39, Madras Act XXVI of 1948.*—In section 39 of the principal Act—

(i) after sub-section (6), the following sub-section shall be inserted, namely :—

" (6-A) Notwithstanding anything contained in sub-section (5) or sub-section (6), the Board of Revenue may, on application made to it by the Director or by any other person in that behalf, review any order passed by it under sub-section (5) or sub-section (6) if it is of the opinion that the said order is vitiated by an error in the decision on a point of law or by a mistake and may make such order on the application as it thinks fit :

Provided that no application for review shall be granted by the Board of Revenue without previous notice to every landholder concerned, and the applicant, to enable them to appear and be heard in support of the order a review of which is applied for."

(ii) in sub-section (7), for the words, brackets and figures " under sub-section (5) or (6) ", the words, brackets, figures and letter " under sub-section (5), (6) or (6-A) " shall be substituted.

14. *Amendment of section 41, Madras Act XXVI of 1948.*—In section 41, sub-section (1), of the principal Act, for the proviso, the following provisos shall be substituted, namely :—

" Provided that the Government shall be entitled to deduct from the amount to be deposited—

(a) the advance compensation referred to in section 54-A, sub-section (1);

(b) all moneys, if any, still remaining due to them—

(i) in respect of peshkash, quit-rent, jodi or other dues of a like nature, or

[25th October 1956]

(ii) in respect of any claim which was secured immediately before the notified date by a mortgage of, or a charge on, the estate or any portion thereof;

(c) the whole or any portion of the rents and excess collections referred to in sub-clause (i) of clause (a) of sub-section (7) of section 50, which cannot be adjusted by deduction under the said sub-section; and

(d) all interim payments deposited under sub-section (5) of section 50 in excess of the amounts finally found to be payable under that section:

Provided further that where the total amount of the compensation payable in respect of any estate stands altered after the deposit referred to above has already been made, the Government may deposit the difference or withdraw the same from the deposit already made, or otherwise adjust the same in such manner and at such time or times as may be prescribed, and the provisions of sections 42 to 49, and sections 51 and 52 shall apply to the amount finally under deposit, and to this extent the Tribunal or the Special Tribunal, as the case may be, shall be competent to revise its orders, if any, already passed."

15. *Amendment of section 42, Madras Act XXVI of 1948.*—To section 42, sub-section (1), of the principal Act, the following provisos shall be added, namely:—

"Provided that after the commencement of the Madras Estates (Abolition and Conversion into Ryotwari) (Amendment) Act, 1956, the further time aforesaid which the Tribunal may allow, shall not exceed six months:

Provided further that the Tribunal may, for a period of two months from the commencement of the Madras Estates (Abolition and Conversion into Ryotwari) (Amendment) Act, 1956, condone cases of delay in making the claim."

16. *Amendment of section 50, Madras Act XXVI of 1948.*—In section 50 of the principal Act—

(i) for sub-section (2), the following sub-section shall be substituted, namely:—

"(2) After the notified date and until the compensation is finally determined and deposited in pursuance of this Act, interim payments shall be made by the Government every fasli year prior to the fasli year in which the said deposit is made, to the principal landholder and to the other persons referred to in section 44, sub-section (1), as follows":

(ii) in sub-section (3), the following Explanation shall be added at the end, namely:—

"*Explanation.*—Any amount collected by the Government on behalf of the landholder as rent from the ryots in excess of the rent determined under the Madras Estates Land (Reduction of Rent) Act, 1947 (Madras Act XXX of 1947), and paid to the landholder shall, for the purposes of this sub-section, be deemed to be an amount collected by the landholder."

25th October 1956]

(iii) after sub-section (4), the following sub-section shall be inserted, namely:—

"(4-A) If the amount deposited under section 54-A is, on subsequent calculation either because data for better calculation have since become available or because of mistake in the method of calculation adopted before the deposit was made under that section, found to be in excess of the amount that should properly have been deposited, such excess shall also be deducted out of the amounts to be deposited under sub-section (3) or sub-section (4):

Provided that the amounts deducted in pursuance of this sub-section and in pursuance of the proviso to sub-section (3), or as the case may be, the first proviso to sub-section (4) shall not in any fasli year exceed fifty per cent of the sum to be deposited under sub-section (4) in that fasli year."

(iv) for sub-section (7), the following sub-section shall be substituted, namely:—

"(7) After the compensation has been finally determined, the Government shall ascertain, in the manner specified below, the aggregate interim payment due in respect of the estate:—

(a) In respect of the fasli year in which the estate is notified, the basic annual sum as finally determined under section 39 after deducting therefrom—

(i) the rents, if any, collected before the notified date by the landholder from the ryots in respect of the fasli year aforesaid and any amount collected by him from the ryots in excess of the rent determined under the Madras Estates Land (Reduction of Rent) Act, 1947 (Madras Act XXX of 1947), and outstanding to the credit of the ryots on the first day of that fasli year; and

(ii) an amount bearing to the basic annual sum the same proportion as the amount of the advance compensation referred to in section 54-A bears to the compensation as finally determined under section 39, in case the deposit in pursuance of section 54-A is made in the fasli year in which the estate is notified.

(b) In respect of each of the subsequent fasli years, the basic annual sum as finally determined under section 39, after deducting therefrom an amount bearing to the basic annual sum the same proportion as the amount of the advance compensation referred to in section 54-A together with any further instalment or instalments of compensation deposited up to the end of the fasli year concerned bears to the compensation as finally determined under section 39, and also the whole or any portion of the rents and excess collections referred to in sub-clause (i) of clause (a), which was not deducted under that sub-clause.

If the aggregate interim payment thus determined exceeds, or is less than, the aggregate amounts already deposited under sub-section (5), the balance with interest thereon at three per cent per annum shall be deposited by the Government with the Tribunal, or, as the case may be, the amount of deficiency shall be intimated by the Government to the Tribunal.

[25th October 1956]

Explanation.—Any amount collected by the Government on behalf of the landholder as rent from the ryots in excess of the rent determined under the Madras Estates Land (Reduction of Rent) Act, 1947 (Madras Act XXX of 1947), and paid to the landholder shall, for the purpose of this sub-section, be deemed to be an amount collected by the landholder.”;

(v) for sub-section (9), the following sub-section shall be substituted, namely :—

“(9) The Tribunal shall revise the apportionment of the interim payments with reference to the aggregate interim payments as finally determined by the Government under sub-section (7) on the basis that each of the persons entitled to receive any portion of the interim payments shall be entitled separately to the same share of the said aggregate interim payments as the share of the compensation to which he is finally held to be entitled under section 41. Any excess payment disclosed by such revision shall be deducted by the Tribunal, with interest thereon at three per cent per annum, from the compensation payable to the person concerned.”.

17. *Amendment of section 51, Madras Act XXVI of 1948.*—In section 51 of the principal Act—

(i) to sub-section (1), the following provisos shall be added, namely :—

“Provided that after the commencement of the Madras Estates (Abolition and Conversion into Ryotwari) (Amendment) Act, 1956, the further time aforesaid which the Judge of the High Court nominated for the purpose by the Chief Justice may allow shall not exceed six months :

Provided further that the Judge of the High Court nominated as aforesaid may, for a period of two months from the commencement of the Madras Estates (Abolition and Conversion into Ryotwari) (Amendment) Act, 1956, condone cases of delay in filing the appeal.”;

(ii) for sub-section (2), the following sub-section shall be substituted, namely :—

“(2) The members of the Special Tribunal shall hear the case as *personae designatae*, and on all points, whether of law or of fact, on which they are agreed in their opinion, their decision shall be final. Where on any such point or points, the members are divided in their opinion, they shall state the point or points on which they are so divided, and such point or points, together with their opinions thereon, shall then be laid before one or more Judges nominated for the purpose by the Chief Justice, and such Judge or Judges shall hear the case as a *persona designata* or as *personae designatae*, in so far as it relates to such point or points, and on each such point, the decision of the majority of the Judges who have heard the case, including those who first heard it shall be final.”.

[25th October 1956]

18. *Amendment of section 54, Madras Act XXVI of 1948.*—In section 54 of the principal Act—

(a) in sub-section (2), the words “by the Tribunal” shall be omitted;

(b) after sub-section (2), the following sub-section shall be added, namely :—

“(3) The deductions made under sub-section (1) shall not exceed twenty-five per cent of the amount determined to be payable to the institution for the fasli year concerned and any balance in excess thereof which remains unadjusted under sub-section (2) shall be deducted in annual instalments from the aggregate sum payable to the institution under section 38, sub-sections (1) and (2) as finally determined, in amounts not exceeding twenty-five per cent of the sum so payable for the fasli year concerned.”;

(c) the following Explanation shall be added at the end, namely :—

“*Explanation.*—For the purposes of this section, any amount collected by the Government on behalf of the institution as rent from the ryots in excess of the rent determined under the Madras Estates Land (Reduction of Rent) Act, 1947 (Madras Act XXX of 1947), and paid to the institution shall be deemed to be an amount collected by the institution.”

19. *Amendment of section 54-A, Madras Act XXVI of 1948.*—In section 54-A of the principal Act—

(i) in sub-section (2), for clause (a), the following clause shall be substituted, namely :—

“(a) (I) One half of all moneys, if any, due to them—

(i) in respect of peshkash, quit-rent, jodi or other amount, if any, of a like nature, or

(ii) in respect of any claim which was secured immediately before the notified date by a mortgage of, or a charge on, the estate or any portion thereof; and

(II) the rents, if any, collected before the notified date by the landholder from the ryots in respect of the fasli year in which the estate is notified and any amount collected by him from the ryots in excess of the rent determined under the Madras Estates Land (Reduction of Rent) Act, 1947 (Madras Act XXX of 1947), and outstanding to the credit of the ryots on the first day of that fasli year.”;

(ii) to the same sub-section, the following Explanation shall be added, namely :—

“*Explanation.*—Any amount collected by the Government on behalf of the landholder as rent from the ryots in excess of the rent determined under the Madras Estates Land (Reduction of Rent) Act, 1947 (Madras Act XXX of 1947), and paid to the landholder shall, for the purpose of this sub-section, be deemed to be an amount collected by the landholder.”;

[25th October 1956]

(iii) after sub-section (4), the following sub-section shall be added, namely :—

“(5) (a) Notwithstanding anything contained in sub-sections (1) to (4), if data for the better calculation of the amount payable as advance compensation become available, the amount to be paid may be recalculated by the Government with reference to such data.

(b) Where any amount of advance compensation deposited in respect of any estate under this section exceeds or is less than the amount as recalculated in accordance with clause (a), such amount available with the Tribunal may be withdrawn by the Government, and in the case of a deficiency the Government may deposit with the Tribunal such amount as may be necessary to make up the deficiency.”

20. *Insertion of new sections 54-C, 54-D, 54-E, 54-F, 54-G and 54-H in Madras Act XXVI of 1948.*—Before section 55 of the principal Act and under the sub-heading “Miscellaneous”, the following sections shall be inserted, namely :—

“54-C. *Limitation for claims by persons entitled to payment.*—Every person in whose favour an order for payment has been made by the Tribunal shall make an application for payment within three months from the commencement of the Madras Estates (Abolition and Conversion into Ryotwari) (Amendment) Act, 1956, or from the date of such order, whichever is later, failing which his claim shall cease to be enforceable :

Provided that the Tribunal may, within such further time not exceeding six months as it may in its discretion allow, admit a claim preferred after the period of three months aforesaid if it is satisfied that the claimant had sufficient cause for not preferring the claim within that period :

Provided further that, where an appeal has been filed before the Special Tribunal against the said order for payment, the aforesaid period of three months shall be reckoned from the date of the decision of the Special Tribunal on the appeal.

54-D. *Balance of excess rent collections and excess payments of advance compensation to be recovered from the additional compensation.*—The Government shall be entitled to deduct from the amount, if any, to be deposited under sub-section (2) of section 54-B—

(a) any balance out of the rents and excess collections referred to in sub-clause (i) of clause (a) of sub-section (7) of section 50 remaining to be recovered from the landholder; and

(b) any balance to be recovered from the landholder out of the advance compensation paid to him in excess of the amount due to him under section 54-A.

54-E. *Amounts which may be deducted under section 41 recoverable as arrear of land revenue.*—Any sum representing the whole or any portion of the rents and excess collections referred to

[25th October 1956]

in clause (c) of the first proviso to sub-section (1) of section 41, which cannot be adjusted by deduction under the said clause, shall be recoverable as if it were an arrear of land revenue.

54-F. *Wrong and excess payments to be recoverable as land revenue.*—Where any payment made to any person is subsequently found to be not due to him or to be in excess of the amounts due to him, the amount which is found to be not due or which is in excess, as the case may be, with interest thereon at three per cent per annum, or any portion thereof which cannot be otherwise adjusted by deduction from any amounts due to such person, shall be recoverable as if it were an arrear of land revenue.

54-G. *Recovery of amount paid on cancellation of notifications issued under section 1 (4).*—If any amount has been paid to any person under this Act in pursuance of a notification issued under sub-section (4) of section 1 and if such notification is subsequently quashed by order of Court, or cancelled by the Government the amount so paid, with interest thereon at three per cent per annum, shall be recoverable as if it were an arrear of land revenue.

54-H. *Recovery of excess collections made by a darmila inamdar.*—(1) If, in an estate notified under this Act, a darmila inamdar has collected any amount by way of rent or miscellaneous revenue in respect of the portion of the estate comprising his darmila inam, for the fasli year in which the estate is notified and for any subsequent fasli years, then, such amount, together with interest thereon at three per cent per annum, shall be recoverable as if it were an arrear of land revenue.

(2) If, in respect of the said fasli years, any person is liable to pay land revenue or miscellaneous revenue under this Act to the Government, the amounts paid by him to the darmila inamdar shall be adjusted towards such liability.

Explanation.—Any amount collected by the Government on behalf of the darmila inamdar in respect of the portion of the estate comprising his darmila inam, by way of rent or miscellaneous revenue, and paid to him, shall be deemed to be an amount collected by him.”

21. *Amendment of section 55, Madras Act XXVI of 1948.*—In section 55 of the principal Act—

(a) in sub-section (1), in the first paragraph, for the portion beginning with the words “and all amounts so collected” and ending with the words “shall be paid to him”, the following shall be substituted, namely :—

“and there shall be paid to the landholder all amounts so collected after deducting (a) ten per cent thereof on account of collection charges, (b) the arrears of peshkash, quit-rent, jodi, or other amount, if any, of a like nature due from the landholder to the Government, and (c) the rent, if any collected before the notified date by the landholder from the ryots in respect of the fasli year in which the estate is notified under this Act and any amount

[25th October 1956]

collected by the landholder from the ryots in excess of the rent determined under the Madras Estates Land (Reduction of Rent) Act, 1947 (Madras Act XXX of 1947), and outstanding to the credit of the ryots on the first day of the fasli year.”;

(b) to the same sub-section, the following Explanation shall be added, namely :—

“ *Explanation.*—Any amount collected by the Government on behalf of the landholder as rent from the ryots in excess of the rent determined under the Madras Estates Land (Reduction of Rent) Act, 1947 (Madras Act XXX of 1947), and paid to the landholder shall, for the purpose of this sub-section, be deemed to be an amount collected by the landholder.”.

22. *Insertion of new section 55-A in Madras Act XXVI of 1948.*—After section 55 of the principal Act, the following section shall be inserted, namely :—

“ 55-A. *Apportionment of amounts collected under section 55.*—(1) Where any doubt or dispute arises as to who the lawful landholder entitled to receive the payment under sub-section (1) of section 55 is, or where there is more than one claimant, what, if any, the share of each claimant is, the question shall be referred to the Tribunal and intimation of the fact given to the claimants, and so far as information is available with the manager appointed under section 6, to the landholder or landholders.

(2) Pending the decision of the Tribunal, the amount due under sub-section (1) of section 55 shall be kept in revenue deposit and no interest shall accrue thereon.

(3) The fact of every such deposit shall be published in the *Fort St. George Gazette* and intimation thereof shall also be given to the Tribunal as well as to the claimants and to the landholder or landholders referred to in sub-section (1).

(4) Every person claiming the amount so deposited or any portion thereof as a landholder shall apply to the Tribunal within three months of the date of publication of the fact of such deposit in the *Fort St. George Gazette* or within such further period not exceeding three months as the Tribunal may, in its discretion, allow.

(5) Every claim against the amount so deposited or any portion thereof which is not made to the Tribunal within the time aforesaid shall cease to be enforceable.

(6) The Tribunal shall, after giving notice to all persons who have applied under sub-section (4) and to any others whom it considers to be interested make enquiry into the validity of the claims received by it, and determine the persons who in its opinion are entitled to the amount so deposited and the share of each person in respect of it.

[25th October 1956]

(7) Any person deeming himself aggrieved by any decision of the Tribunal may appeal to the Special Tribunal constituted under section 51 and the provisions of that section shall apply *mutatis mutandis* in respect of such appeals.

(8) Neither the Tribunal nor the Special Tribunal shall have jurisdiction to go into the correctness of the amount placed in deposit.”.

23. *Amendment of section 58, Madras Act XXVI of 1948.*—In section 58 of the principal Act, for the words “ With effect on and from the date on which an estate is notified ”, the words “ For each fasli year commencing with the fasli year in which an estate is notified ” shall be substituted.

24. *Insertion of new section 59-A in Madras Act XXVI of 1948.*—After section 59 of the principal Act, the following section shall be inserted, namely :—

“ 59-A. *Liability of person unauthorizedly occupying land to forfeiture of crops, etc.*—When under this Act any person is dispossessed of any land, any crop or other product raised on the land, and any building or other construction erected or anything deposited thereon shall, if not removed by him after such written notice as the officer who issued the order for dispossession may deem reasonable be liable to forfeiture. Forfeitures under this section shall be adjudged by the said officer and any property so forfeited shall be disposed of as that officer may direct.”.

25. *Insertion of new section 64-C in Madras Act XXVI of 1948.*—After section 64-B of the principal Act, the following section shall be inserted, namely :—

“ 64-C. *Finality of orders passed by or under this Act.*—(1) Any order passed by the Government or other authority by or under this Act in respect of matters to be determined for the purposes of this Act shall, subject only to any appeal or revision provided by or under this Act, be final.

(2) No such order shall be liable to be questioned in any Court of Law.”.

26. *Amendment of section 67, Madras Act XXVI of 1948.*—In section 67 of the principal Act, after sub-section (2) the following sub-sections shall be added, namely :—

“ (3) A rule made under clause (c) of sub-section (2) may provide for restrictions and conditions subject to which the power delegated may be exercised and also for control and revision by the delegating authority either *suo motu* or on application of the orders of the authority or person to whom the power is delegated. Any such rule shall, unless otherwise specified therein, apply also in respect of orders passed by such authority or person before the rule was made. All rules made under the said clause before the commencement of the Madras Estates (Abolition and Conversion into Ryotwari) (Amendment) Act, 1956, shall be deemed to be valid and to have been validly made.

[25th October 1956]

"(4) 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 Houses of the Legislature and shall be subject to such modifications 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."

27. *Omission of section 4, Madras Act I of 1950.*—Section 4 of the Madras Estates (Abolition and Conversion into Ryotwari) Amendment Act, 1950 (Madras Act I of 1950), shall be omitted.

MEMORANDUM REGARDING DELEGATION OF LEGISLATIVE POWERS.

The amendment to section 67 proposed by clause 26 of the Bill authorizes the Government to make rules providing for the restrictions and conditions subject to which the power delegated under section 67 (2) (c) may be exercised and also for the control and revision by the delegating authority either *suo moto*, or on application, of the orders of the authority to whom the power is delegated.

The above delegation is necessary to give effect to the purposes of the Act and it is only normal in character.

FINANCIAL MEMORANDUM.

Sub-section (2) (b) of section 20 proposed by clause 9 of the Bill provides for the payment of compensation by the Government in such manner as may be prescribed, to a person whose right has been terminated under sub-section (2) (a) thereof. Sub-sections (2) and (7) of section 50 proposed by clause 16 of the Bill provide for the payment of interim payment every fasli year after an estate has been notified and taken over by the Government until the fasli year in which the compensation is finally determined and deposited in pursuance of the Act.

These provisions are the same as the existing corresponding provisions in sections 20 and 50 of the Madras Estates (Abolition and Conversion into Ryotwari) Act, 1948, and no additional expenditure is contemplated by the amendment proposed by the Bill.

Clause 14 provides that where the total amount of the compensation payable in respect of an estate stands altered after the deposit of the compensation as finally determined the Government may deposit the difference or withdraw the same from the deposit already made or otherwise adjust it. The net financial effect of the above provision cannot be estimated now.

Clauses 16 (iii) and 18 (b) subject the deductions referred to in those clauses to a maximum of 50 per cent and 25 per cent of the amount payable, respectively, but as the balance can be recovered or adjusted subsequently there will be no additional expenditure ultimately.

25th October 1956]

Clause 19 (iii) authorizes the Government to deposit additional advance compensation if it is found payable with reference to better data which may become available subsequently but as this will not affect the total compensation which is finally deposited there will be no additional expenditure to the Government ultimately.

APPENDIX V.

[Vide item V (2) on page 148 supra.]

L.A. BILL No. 32 OF 1956.

(As passed by the Assembly.)

1 *Bill to provide for the determination of questions whether any non-ryotwari area in the State of Madras is or is not an estate.*

WHEREAS it is expedient to provide for the determination of questions whether any non-ryotwari area in the State of Madras is or is not an estate;

BE it enacted in the Seventh Year of the Republic of India as follows:—

1. *Short title, commencement and application.*—(1) This Act may be called the Madras Estates (Supplementary) Act, 1956.

(2) It shall come into force on such date as the State Government may, by notification, appoint.

(3) It applies to all non-ryotwari areas in the State of Madras, including any area in respect of which an order under section 3, sub-section (2), of the Rent Reduction Act or a notification under section 1, sub-section (4), of the Abolition Act, or both an order and a notification as aforesaid has or have been published.

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

(a) 'Abolition Act' means the Madras Estates (Abolition and Conversion into Ryotwari) Act, 1948 (Madras Act XXVI of 1948);

(b) 'Estates Land Act' means the Madras Estates Land Act, 1908 (Madras Act I of 1908);

(c) 'Rent Reduction Act' means the Madras Estates Land (Reduction of Rent) Act, 1947 (Madras Act XXX of 1947);

(d) 'Tribunal' means a Tribunal having jurisdiction over the area and constituted under section 5.

[25th October 1956]

3. *Determination of questions whether any non-ryotwari area is or is not an estate.*—(1) Notwithstanding anything contained in the Estates Land Act or in any other law for the time being in force, any person interested may make an application to the Tribunal for a declaration that the area specified in the application is or is not an estate or part of an estate as defined in section 3, clause (2), of the Estates Land Act, or that it is or is not an inam estate as defined in section 2, clause (7), of the Abolition Act.

(2) Any such application shall be filed within three months from the date on which this Act comes into force or within three months from the date of publication of the order under section 3, sub-section (2), of the Rent Reduction Act, or of the notification under section 1, sub-section (4), of the Abolition Act, whichever of the dates aforesaid is the latest.

(3) The Tribunal may, in its discretion, allow further time not exceeding three months for the making of any application under this section.

4. *Applications by Government.*—(1) Against the decision of any Court or of a Settlement Officer or Tribunal (constituted under the Abolition Act), an application may, within one year from the date on which this Act comes into force, be filed under this Act on behalf of the State Government by such Officer as they may from time to time authorize in this behalf, for a declaration that any non-ryotwari area is an estate under section 3, clause (2), of the Estates Land Act, or that it is an inam estate as defined in section 2, clause (7), of the Abolition Act.

(2) Such application—

(a) against the decision of a Settlement Officer shall lie to the appropriate Tribunal and be dealt with under section 6; and

(b) in other cases, shall lie to the Special Appellate Tribunal constituted under section 7 and be dealt with as an appeal under the said section.

5. *Constitution of Tribunals.*—(1) The State Government shall constitute as many Tribunals as may be necessary for the purposes of this Act.

(2) Each Tribunal shall consist of a Chairman who shall be a Judicial Officer not below the rank of District Judge and two other members.

(3) Each Tribunal shall have such jurisdiction and over such areas as the State Government may, by notification, from time to time, determine.

(4) Every Tribunal shall have all the powers of a Civil Court to compel the attendance of witnesses and the production of documents.

25th October 1956]

6. *Procedure to be followed by the Tribunal.*—On receipt of an application under section 3 or under section 4, the Tribunal shall, after giving notice in the prescribed manner to the applicant, to the State Government if the State Government is not the applicant, to the landholder and if the applicant is the landholder to the person in occupation of the land in the area concerned, and after publishing the notice in the prescribed manner in the village, and after giving the parties who appear before it an opportunity to be heard and to adduce their evidence, give its decision on the question whether the area concerning which the application is filed is or is not an estate as defined in section 3, clause (2), of the Estates Land Act and if it is an estate, the sub-clause of the above clause under which it falls, and if it falls under sub-clause (d) of the above clause whether it is an inam village which became an estate by virtue of the Madras Estates Land (Third Amendment) Act, 1936 (Madras Act XVIII of 1936).

7. *Appeals to the Special Appellate Tribunal.*—(1) Against any such decision of the Tribunal, the State Government, within six months from the date of the decision, and any person aggrieved by such decision within two months from the said date, may appeal to a Special Appellate Tribunal, consisting of two Judges of the High Court nominated from time to time by the Chief Justice in that behalf, provided that the Special Appellate Tribunal may, in its discretion, allow further time not exceeding three months for the filing of such appeal.

(2) The members of the Special Appellate Tribunal shall hear the appeal and on all points, whether of law or of fact, on which they are agreed in their opinion, their decision shall be final. Where on any such point or points, the members are divided in their opinion, they shall state the point or points on which they are so divided, and such point or points together with their opinions thereon, shall then be laid before one or more Judges nominated for the purpose by the Chief Justice, and such judge or judges shall hear the appeal in so far as it relates to such point or points, and on each such point, the decision of the majority of the judges who have heard the appeal including those who first heard it, shall be final.

(3) Subject to the decision on such appeal, the decision of the Tribunal shall be final and shall not be liable to be questioned in any court of law.

(4) Every decision of the Special Appellate Tribunal and subject to such decision, every decision of the Tribunal shall be binding on all persons claiming an interest in any land in the non-ryotwari area concerned notwithstanding that any such person has not preferred any application or filed any statement or adduced any evidence or appeared or participated in the proceedings before the Tribunal or the Special Appellate Tribunal, as the case may be.

8. *Presumption as to inam villages or parts thereof.*—In deciding the question whether any inam village or a separated part of an inam village was or was not an estate within the meaning of

[25th October 1956]

the Estates Land Act as it stood before the commencement of the Madras Estates Land (Third Amendment) Act, 1936 (Madras Act XVIII of 1936), it shall be presumed, until the contrary is proved, that such area or part was such an estate.

9. *Defect not to invalidate decision of Tribunal or Special Appellate Tribunal.*—No decision of the Tribunal or of the Special Appellate Tribunal shall be invalid by reason of any defect in the form of any notice issued by it or in the manner of publication of such notice.

10. *Jurisdiction of civil and revenue courts barred in certain matters.*—Save as otherwise expressly provided in this Act, no civil or revenue court and no Tribunal constituted under any other law shall have jurisdiction—

(a) to entertain or adjudicate upon any question whether any non-ryotwari area is or is not an estate or part of an estate as defined in section 3, clause (2), of the Estates Land Act, or whether it is or is not an inam estate as defined in section 2, clause (7), of the Abolition Act; or

(b) in respect of any matter which the Tribunal or the Special Appellate Tribunal is empowered by or under this Act to determine.

11. *Transitory provisions.*—(1) All suits, appeals or other proceedings (other than those pending before the High Court) pending at the commencement of this Act before any Court or Tribunal or Settlement Officer as defined in section 2, clause (13), of the Abolition Act, in which any question is in issue whether a particular area is or was an estate as defined in section 3, clause (2), of the Estates Land Act, or is or was an inam estate as defined in section 2, clause (7), of the Abolition Act, shall stand transferred to the appropriate Tribunal constituted under this Act for the determination of that question.

(2) (a) In cases in which, at the commencement of this Act, a Tribunal constituted under the Abolition Act has given a finding under section 9 of that Act that a particular area is an inam estate as defined in section 2, clause (7), of that Act, that finding shall be final, subject to the decision of the Special Appellate Tribunal constituted under this Act on any appeal preferred to that Tribunal.

(b) Any such finding shall be deemed to be a decision given by a Tribunal constituted under this Act and the provisions of section 7, sub-section (1), shall apply to appeals against such finding.

12. *Tribunal to give decision in certain cases remanded by the High Court.*—If, on remand by the High Court in respect of a case pending before it on or after the commencement of this Act, a court subordinate to the High Court is seized of the question whether a particular non-ryotwari area is or is not an estate as defined in section 3, clause (2), of the Estates Land Act, or is or is not an inam estate as defined in section 2, clause (7), of the Abolition Act,

[25th October 1956]

that case shall stand transferred to the appropriate Tribunal constituted under this Act for the determination of that question and be disposed of by it in accordance with the provisions of this Act.

13. *Amendment of Madras Act XXVI of 1948.*—In the Madras Estates (Abolition and Conversion into Ryotwari) Act, 1948 (Madras Act XXVI of 1948)—

(a) in section 1, sub-section (4), the figure '9' shall be omitted;

(b) in section 2, clause (10), the figure '9' shall be omitted; and

(c) section 9 and the heading thereto shall be omitted.

14. *Power to make rules.*—(1) The State Government may make rules to carry out the purposes of this Act.

(2) In particular, and without prejudice to the generality of the foregoing provision, such rules may provide for—

(a) all matters expressly required or allowed by this Act to be prescribed;

(b) the procedure to be followed by Tribunals and Special Appellate Tribunals appointed under this Act;

(c) the application of the provisions of the Code of Civil Procedure, 1908 (Central Act V of 1908);

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

(e) the filling up of vacancies in Tribunals; and

(f) the transfer of proceedings from one Tribunal to another.

(3) All rules made and all notifications issued under this Act shall, as soon as possible after they are made or issued, be placed on the table of both the Houses of the Legislature and shall be subject to such modifications by way of amendment 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.

FINANCIAL MEMORANDUM.

Clause 5 of the Bill provides for the constitution of as many Tribunals as may be necessary for the purposes of the Act. The Tribunal to be constituted shall consist of a Chairman who shall be a Judicial Officer not below the rank of a District Judge and two other members. Though the Bill contemplates the constitution of Tribunals, it is not proposed to bring into existence new Tribunals by appointing new officers and staff for the purpose. It is proposed only to entrust the functions of the Tribunal under the proposed Act to the Tribunals constituted already under section 8 of the Madras Estates (Abolition and Conversion into Ryotwari) Act, 1948. There will, therefore, be no additional expenditure to the Government.

[25th October 1956]

MEMORANDUM REGARDING DELEGATION OF
LEGISLATIVE POWERS.

Clause 5 of the Bill authorizes the Government to constitute as many Tribunals as may be necessary for the purposes of the Act and also determine the areas over which each Tribunal will exercise jurisdiction.

Clause 14 of the Bill authorizes the Government to make rules to carry out the purposes of the Act and in particular for the following purposes:—

(a) All matters expressly required or allowed by this Act to be prescribed;

(b) the procedure to be followed by Tribunals and Special Appellate Tribunals appointed under this Act;

(c) the application of the provisions of the Code of Civil Procedure, 1908 (Central Act V of 1908);

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

(e) the filling up of vacancies in Tribunals; and

(f) the transfer of proceedings from one Tribunal to another.

2. The above delegations are necessary to give effect to the purposes of the Act and are only normal in character.

APPENDIX VI.

[Vide item V (3) on page 152 supra.]

L.A. BILL No. 33 OF 1956.

(As passed by the Assembly.)

A Bill further to amend the Madras Land Revenue (Surcharge) Act, 1954, and the Madras Land Revenue (Additional Surcharge) Act, 1955.

WHEREAS it is expedient further to amend the Madras Land Revenue (Surcharge) Act, 1954 (Madras Act XIX of 1954), and the Madras Land Revenue (Additional Surcharge) Act, 1955 (Madras Act XXX of 1955), for the purposes hereinafter appearing;

BE it enacted in the Seventh Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Madras Land Revenue (Surcharge and Additional Surcharge) Amendment Act, 1956.

(2) It shall come into force on the 1st day of April 1957.

2. *Amendment of Madras Act XIX of 1954.*—In the Madras Land Revenue (Surcharge) Act, 1954 (Madras Act XIX of 1954)—

(a) in section 3, for the words "Two annas on each rupee", "Four annas on each rupee" and "Eight annas on each rupee", the words "Thirteen naye paise on each rupee", "Twenty-five naye paise on each rupee" and "Fifty naye paise on each rupee" shall respectively be substituted;

25th October 1956]

(b) after section 3, the following section shall be inserted, namely:—

"3-A. *Tax to be collected to the nearest naya paisa.*—In the determination of the amount of tax or a refund payable under this Act, fractions of a naya paisa less than half a naya paisa shall be disregarded and fractions of a naya paisa equal to or exceeding a naya paisa shall be regarded as one naya paisa."

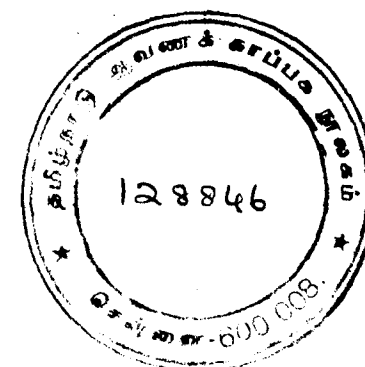
3. *Amendment of Madras Act XXX of 1955.*—In the Madras Land Revenue (Additional Surcharge) Act, 1955 (Madras Act XXX of 1955)—

(a) in section 3, for the words "two annas", the words "thirteen naya paise" shall be substituted;

(b) after section 3, the following section shall be inserted, namely:—

"3-A. *Tax to be collected to the nearest naya paisa.*—In the determination of the amount of tax or a refund payable under this Act, fractions of a naya paisa less than half a naya paisa shall be disregarded and fractions of a naya paisa equal to or exceeding half a naya paisa shall be regarded as one naya paisa."

I certify that this is a Money Bill.



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MADRAS LEGISLATIVE COUNCIL DEBATES

OFFICIAL REPORT

FRIDAY, 26TH OCTOBER 1956

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CONTENTS

	PAGES
I Announcements by the Hon. Chairman—	
(1) Message from the Assembly	181
(2) Bills assented to by the Governor	181
II Valedictory speeches on the eve of reorganization of States ..	182-219
III Papers laid on the table of the House	220

Legislature Department (Council)
Madras

3712

THE MADRAS LEGISLATIVE COUNCIL

Friday, the 26th October 1956.

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

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

I.—ANNOUNCEMENTS BY THE HON. CHAIRMAN.

(1) MESSAGE FROM THE ASSEMBLY.

MR. CHAIRMAN: I have to announce to the House that I have received the following message, from the Hon. the Speaker, Madras Legislative Assembly, dated the 25th October 1956 :—

“ In accordance with sub-rule (1) of rule 122 of the Madras Assembly Rules, I have the honour to intimate that the amendments made by the Council in the Madras Estates Land (Reduction of Rent) Amendment Bill, 1956 (L.A. Bill No. 26 of 1956), were taken into consideration by the Assembly at its meeting held on the 25th October 1956 and that the Assembly has agreed to the amendments made by the Council.”

(2) BILLS ASSENTED TO BY THE GOVERNOR.

MR. CHAIRMAN: I have also to announce to the House that the following Bills which were passed by the Madras Legislature on the 29th September 1956 received the assent of the Governor on the dates mentioned against each and have been published as Acts Nos. XVII to XXI of 1956 in Part IV-B of the *Fort St. George Gazette*, dated the 24th October 1956 :—

- (1) The Madras Civil Courts (Amendment) Bill, 1956 (L.A. Bill No. 24 of 1956). 10th October 1956.
- (2) The Madras Appropriation (No. 3) Bill, 1956 (L.A. Bill No. 27 of 1956). 12th October 1956.
- (3) The Madras Appropriation (No. 4) Bill, 1956 (L.A. Bill No. 28 of 1956). 12th October 1956.
- (4) The Madras Appropriation (No. 5) Bill, 1956 (L.A. Bill No. 29 of 1956). 12th October 1956.
- (5) The Madras Cinemas (Regulation) Amendment Bill, 1956 (L.A. Bill No. 23 of 1956). 18th October 1956.

[26th October 1956]

II. VALEDICTORY SPEECHES ON THE EVE OF
REORGANIZATION OF STATES.

SRI V. CHAKKARAI CHETTY : Mr. Chairman, Sir, it gives me a melancholy pleasure to bid farewell to our friends from Kerala and Karnataka. So far as Kerala is concerned, I must say that my recollection goes very far to my school and college days when I had the friendship and acquaintance of many distinguished friends from Malabar whose names I need not mention just now. It is so long a list. But the last acquaintance, that I will mention, outside my collegiate career, but in my public life, is that of my friend and comrade Sri A. K. Gopalan from Kerala. So far as we in the Tamil country are concerned, we have never regarded Kerala as distinct from Tamil Nad. In all our Tamil books, we find mention made of Chola, Chera, Pandyan. Chola takes precedence. It is always the first to be mentioned. Then comes Chera, that is Kerala which seems to have a somewhat phonetic similarity or identity with Chera.

Sir, so far as the Tamil country is concerned, it is connected with the Chera Nadu by ties of discipline, valour and culture. With regard to valour, I must say this. It is said that one of the greatest epics is attributed to a Kerala Prince, Elango Adigal. 'Silapathikaram' is one of the most distinguished epics in the world, not inferior to the Iliad of Homer or the Iliad of Virgil. It is said in that great epic that Seran Senguttuvan, a Malabar Prince, invaded the North and conquered the Aryan Prince because of the insult offered to him, which he took to be an insult to the Tamil country. It is indeed a most remarkable thing that the Tamil literature has been enriched by the learning and philosophy and culture of a distinguished Prince. He was a Jain ascetic who gave up his claims to the throne and became an ascetic. He wrote the book at the request of a great Tamil scholar who was equal to him in learning. Elango Adigal wrote it celebrating the victory of the three great Chola, Chera, Pandyan capitals. Vanchi is even now known to Kerala and it was there that Seran Senguttuvan made a statue of stone for the heroine of Silapathikaram, Kannagi, whose name is well-known throughout the country. He invaded the North, conquered the Aryan Prince, put a big stone on the head of the Aryan Prince as a mark of his anger and got the stone and made a statue of her. In many ways, the Tamil country has been associated with Kerala. It was not a separate province, but it was a part of the Tamil country. As is well-known in our Tholkappiam and grammar, it is said that Vada Vengadam—we call it Tirupati now and there is a good deal of dispute about it—was the northern boundary and Then Kumari, that is, Cape Camorin, the southern boundary. One will thus see that the portions of land between these two boundaries was the Tamil country which included Kerala also. Therefore, I do not think I should take more of your time by dwelling upon the ancient culture and ties binding Kerala and the Tamil country. But I only say this that a melancholy duty has devolved upon us to bid good-bye to our friends. But I should

[26th October 1956] [Sri V. Chakkarai Chetty]

say 'God be with us all till we meet again'. Let us sing of Him along with Christians, because this came to my memory just now. 'God be with us all till we meet again.' We are bound to meet somewhere although we separate now, in more favourable circumstances when Kerala will again become one with us and we shall become one with them tied by indissoluble ties. It is, therefore, with the greatest pleasure, melancholy pleasure as I said, that I take leave of my friends among whom there are some here. Sitting on my left is the hon. Member Sri Govinda Menon, very active, energetic, alive like a live wire, if I may say so, to all the facts concerning Malabar and always standing up as the champion of Malabar rights. With these words, I once again bid farewell to them and say 'God be with us all and make us unite again under happier auspices at some time in the future'. Where and how we shall unite again I am not in a position to say. I am not an astrologer. But I know in the evolution of historical events in our own time, something may happen which will bring the Tamil country and Kerala together. About Karnataka, I cannot say anything. My mind is blank with regard to their culture and other things. I have not many friends among those people. I have had one or two friends but not many.

Malayalam is a curious language. When I was in Trivandrum 11-10 a.m. some years ago to attend a Labour Conference, I got up to speak in English. People in the audience wanted me to speak in Tamil and they said they could understand Tamil. I then spoke in Tamil and they listened to me with great fervour. In the end they said that my Tamil was of the language of the books and not the colloquial language which is spoken ordinarily. Unfortunately, that was so; then I was not much accustomed to speaking in Tamil on platforms. I began speaking in Tamil whenever occasion arose on account of various popular demands and public demonstrations.

Sir, once again, I bid farewell to those Members who are going out. I hope that it is quite possible in the evolution of historical events for us all to join together again and meet in this Council or in a bigger place and work together for the common good of our motherland. We will not be divided by means of language or even by means of race, for there is no distinction between the Tamilians and the Malavalees so far as racial affinities are concerned. We can all work together for the common good of all of us.

With these words, I resume my seat.

*SRI V. V. RAMASWAMI : கனம் தலைவர் அவர்களே, இந்த ஆண்டிலே நமது நாட்டின் வாலாற்றிலேயே மக்கியத்தவம் பெறக்கூடிய நவம்பர் 1-ம் தேதியன்று நாட்டு மக்கள் வெகு நாட்களாக விரும்பிக் கொண்டிருந்த மொழிவழி ராஜ்யங்கள் அமைக்கப்பட்டுவதால், பல ஆண்டுகளாக நம்மிடையே இருந்து ஒரே அரசின்கீழ் வாழ்ந்து பல காரியங்களில் நம்மிடம் ஒத்துழைத்த பல அன்பர்கள் நம்மை விட்டுப் பிரியும் தருவாயில் இருக்கிறார்கள். இப்பொழுது, நம்மை விட்டுப் பிரியும் நண்பர்கள் ஒவ்வொருவரையும் குறித்துச் சிந்திக்கும்போதும்,

[Sri V. V. Ramaswami] [26th October 1956]

அவர்கள் நம்முடன் சேர்ந்து சேவைசெய்த சம்பவங்களைப்பற்றி நினைக்கும் போதும் தான் நாம் வருத்தப்படக்கூடிய நிலையில் இருக்கிறோமே தவிர, மொழிவழி ராஜ்யங்கள் வருகின்றன என்பதைப் பார்க்கும்போது நாம் வருத்தப்படக்கூடிய நிலையில் இல்லை என்றே சொல்லவேண்டும்.

நமது நாட்டை அன்னியர்கள் ஆண்ட காலத்திலே, இந்த நாட்டில் தங்கள் ஆதிக்கத்தை நிலைநாட்ட ஆரம்பித்த காலையில், அவ்வப்போது தங்களுக்குப் போர் மூலமாகவோ உடன்படிக்கைகள் மூலமாகவோ கிடைத்த நிலங்களை, அந்தக்காலத்திலிருந்த சூழ்நிலைக்கேற்ப, அவர்களுடைய நிர்வாக சௌகரியத்திற்கேற்ப, ராஜ்யங்களாக அமைத்திருந்தார்கள். அதே ராஜ்யங்கள் சுமார் 150 ஆண்டுகளாக இருந்துவந்தன. அன்னியர்கள் செய்த ராஜ்ய அமைப்பும் நிர்வாகமும் அவ்வளவு காலமாக நீடித்து வந்ததனால் நாட்டிலே அரசாங்க காரியங்கள் எவ்விதம் நடைபெறுகின்றன, அரசாங்க காரியங்களால் மக்கள் சமுதாயம் எவ்விதம் பாதிக்கப்படுகிறது என்பதை தாங்கள் நேரிடையாகத் தெரிந்துகொள்வதற்கு வழி இல்லையே என்று இந்நாட்டு மக்கள் குமுறிக்கொண்டிருந்தார்கள் என்பதை நாம் மறுக்க முடியாது. நாளடைவில் உலகத்திலுள்ள பல் விதமான சூழ்நிலைகளின் காரணமாக நமது நாட்டு மக்களிடையே விடுதலை வேட்கை உண்டானவுடனே, ஒவ்வொரு ராஜ்யத்திலுள்ள மக்கள் சமுதாயமும், தங்கள் ராஜ்யத்தை வளம்பெறச்செய்த நல்ல நிலைமைக்குக் கொண்டுவர வேண்டுமானால் அவர்களுடைய தாய்மொழியில், பிராந்திய மொழியில் அரசாட்சி நடைபெற வேண்டும் என்பதை அறிந்தார்கள். ஆகவே பிரதேச மொழியில் ஆட்சி நடைபெற வேண்டும் என்றே கோரிக்கை வலுத்துக்கொண்டே வந்தது. விடுதலைப் போரின் முன்னணியிலிருந்த காங்கிரஸ் மகாசபையானது, ஜனங்களின் இந்த உணர்ச்சியை அறிந்து மொழிவழியாக ராஜ்ய காங்கிரஸ் ஸ்தாபனங்களை ஏற்படுத்தி தங்கள் நோக்கம் வெற்றிபெறச் செய்தார்கள் என்பதும் சரித்திரம் காட்டும் உண்மை. இப்படிப்பட்ட நிலைமையில் மக்கள் முக்கியமாகப் பேசக்கூடிய மொழிகளின் அடிப்படையில் மொழிவழி ராஜ்யங்கள் அமைக்கப்பட வேண்டும் என்ற உணர்ச்சி வலுப்பெற்றுவந்தது.

நாட்டு மக்களின் உணர்ச்சிக்கு மதிப்புக் கொடுத்து மொழிவழி ராஜ்யங்களை அமைப்பதற்காக ஒரு குழுவை ஏற்படுத்தி அந்தக் குழுவின் சிபார்சுகளும் வெளியான பிறகு, மொழிவழி ராஜ்யங்கள் அமைக்கப்பட வேண்டியதில்லையென்றும் கூட்டு ராஜ்யங்களை அமைக்கவேண்டும் என்றும் ஒரு யோசனையைச் சொன்னபோது, மக்கள் அதை ஏற்றுக் கொள்ளாமல் வட நாட்டில் அதை எதிர்த்து பலவிதமான குழப்பங்களை ஏற்படுத்தினார்கள் என்பதும் நமக்குத் தெரியும். அதற்குப் பிறகு மக்களின் விருப்பத்திற்கிணங்க இந்திய பேரரசு மொழிவழி ராஜ்யங்களை அமைக்கும் யோசனையை இப்போது அமலுக்குக் கொண்டுவருவதானது மிகவும் பாராட்டத்தக்கது.

தென் இந்தியாவில் சென்னை ராஜ்யம் பெரியதொரு ராஜ்யமாக இருந்தது. மொழிவழியில் முதலில் ஆந்திர நாடு சென்னையிலிருந்து பிரிக்கப்பட்டது. இந்த சமயத்தில் நாம் முக்கியமாக ஒரு விஷயத்தை மனதில் வைத்துக்கொள்ளவேண்டும். அதாவது, சென்னை ராஜ்யத்தில் வாழ்ந்த தமிழர்கள் எந்த நோத்திலும் எக்காரணத்தைக்கொண்டும் தனித் தமிழ் ராஜ்யம் வேண்டுமென்று கேட்டதில்லை. தமிழ் ராஜ்யம் வேண்டுமென்று அவர்கள் எந்தவிதமான கிளர்ச்சியும் செய்ததில்லை. ஆனால் மற்ற மொழி பேசுபவர்கள் தங்களுக்குத் தனி ராஜ்யம் வேண்டுமென்று கேட்டபோது நாம் குறுக்கே நின்றதும் இல்லை. முதலில் ஆந்திரர்கள் தங்களுக்குத் தனி ராஜ்யம் வேண்டுமென்று கேட்டபோது நாம் குறுக்கே நிற்கவில்லை. அவர்களுடைய கோரிக்கைக்கு உடன்பட்டு அதை நிறைவேற்றிவைத்தோம் என்பதை மறுக்க முடியாது. தங்களுக்குத் தனி ராஜ்யம் வேண்டுமென்று கேட்டதற்கு ஆந்திரர்கள் எல்லோரும் சொன்ன முக்கிய காரணமானது, முதலில் ஆட்சி மொழி தங்களுடைய பிரதேச மொழியில் இருந்தால் அதன் மூலமாக பொது மக்களின் தொடர்பைப்பெற்று, ஜனநாயகத்தில் பொதுமக்கள் நல்ல

[26th October 1956] [Sri V. V. Ramaswami]

பங்கெடுத்துக்கொள்வதற்கு வழிசெய்யலாம் என்பதுதான். அது அவர்களுடைய குறிக்கோளாக இருந்தாலும் சில அரசியல் கட்சிகளின் தலைவர்கள் அரசியலில் சண்டையையும் பூசலையும் கிளப்பி தங்கள் சொந்த விருப்பங்களைப் பூர்த்தி செய்துகொள்ளும் நோக்கத்துடன், “ஆந்திரப் பிரதேசம் சென்னையோடு இரூப்பதால் அது சரியாகக் கவனிக்கப்படவில்லை, ஆகவே தான் அது பிரிய வேண்டுமென்று சொல்கிறோம்” என்று சொன்னார்கள். அவர்களுடைய கூற்றிலே உண்மை இருந்தாலும் இல்லையா என்பதுபற்றி இப்போது பரிசீனை இல்லை. இருந்தாலும் அவர்கள் சொன்னது உண்மை இல்லை என்று சொல்வதைக் காட்டிலும் அவர்களுடைய விருப்பம் போல் பிரிந்துகொள்ளட்டும் என்பதற்காகத் தான் நாம் அந்தக் கோரிக்கைக்கு ஒப்புக்கொண்டோம். அதே சமயத்தில் கர்ணாடகர்கள் ஐக்கிய கர்ணாடகம் வேண்டுமென்றும், மலையாளிகள் ஐக்கிய கோளம் வேண்டுமென்றும் கிளர்ச்சி செய்தார்கள். அவர்கள் தங்கள் கோரிக்கைகளை எந்த முறையில் சொல்லவேண்டுமோ அந்த முறையிலும், எந்த இடத்தில் சொல்லவேண்டுமோ அந்த இடத்திலும் சொன்னார்கள். அவர்களுடைய கோரிக்கைகளை இந்தியப் பேரரசானது ஏற்றுக் கொண்டது. ஐக்கிய கேரள நாடு பிரிவதை நாம் எந்த நேரத்திலும் எதிர்க்கவில்லை. அதே மாதிரி இந்த ராஜ்யத்திலுள்ள கன்னடியர்கள் மைசூர் ராஜ்யத்துடன் சேர விரும்பியதையும் நாம் எதிர்க்கவில்லை. சுருக்கமாக சொல்லப்போனால், நமது ராஜ்யத்திலுள்ள ஒவ்வொரு மொழியினரும் தங்கள் தங்கள் மொழிவழி ராஜ்யத்துடன் சேர்ந்துவாழ வேண்டுமென்று விரும்பிய காலங்களெல்லாம் “அந்தப்படியே அவர்கள் பிரிந்துபோகட்டும், அவர்கள் கேட்ட நிலத்தை எடுத்துக்கொடுக்கிறோம்” என்ற பரந்த மனப்பான்மையில் தமிழர்களாகிய நாம் விட்டுக்கொடுக்கிறோமே தவிர அவர்களுக்கு எதிராக நாம் எந்தக் காலத்திலும் குறுக்கே நின்றதில்லை.

சென்னை ராஜ்யத்திலுள்ள தமிழல்லாத மற்ற மொழி பேசும் பகுதிகளை அந்த அந்த ராஜ்யங்களுடன் சேர்க்க வேண்டுமென்று மற்றவர்கள் சொன்னபோது நாம் அதற்கு இணங்கினோம்; அவர்களும் தாங்கள் கேட்ட நிலங்களை எடுத்துக்கொண்டார்கள். அதே மாதிரி மற்ற ராஜ்யங்களிலுள்ள தமிழர்கள் அவர்களுடைய தமிழ் பகுதிகள் சென்னை ராஜ்யத் தோடு சேர்க்கப்பட வேண்டுமென்று சொன்னபோது அந்த ராஜ்ய சர்க்கார்கள் அதை ஆதரிக்காவிட்டாலும் இக்கியப் போரானது தமிழர்கள் களுக்கு நியாயம் வழங்கும் என்று எதிர்பார்க்கிறுத்தோம். ஆனால் இந்தியப் போரரசு தமிழர்களுக்கு நியாயம் வழங்கவில்லை. ஆந்திர நாட்டிலுள்ள தமிழர்கள் தங்கள் தமிழ் பகுதிகள் தமிழ் நாட்டின் சேர்க்கப்படவேண்டுமென்று கேட்டபோதிலும் அந்தப் பகுதிகள் சென்னை ராஜ்யத் தோடு சேர்க்கப்படாமல் இரூப்பது ஒரு வருத்தத்தக்க விஷயம் என்பதை மாத்திரம் இந்த சந்தர்ப்பத்தில் சொல்லிக்கொள்ள விரும்புகிறேன். எப்படியிருந்தாலும், எந்த எந்த இடத்தில் யார் யார் இருந்தாலும் கூட கோரிக்கைகள் சொல்லவேண்டிய இடத்தில் சொல்ல வேண்டிய முறையில் தெரிவிக்கப்பட்டால் நியாயம் வழங்கப்படும் என்ற நம்பிக்கையில், தமிழ் நாடு தனியாகப் பிரிவது குறித்து நாம் நமது மனம் சரியைத் தெரிவித்துக்கொள்ளவேண்டும்.

எஞ்சிய தமிழ் பேசும் சென்னை ராஜ்யத்திற்கு தமிழ் நாடு என்று பெயர் வைக்கவேண்டுமென்றால், அதற்குப் போதிய அளவு கிளர்ச்சி இல்லை என்று அனேகர் சொல்லி வருகிறார்கள். அந்தப் பிரச்சினையைப் பற்றி இப்போது சொல்ல வேண்டியதில்லை என்றாலும் காலம் அவர்களுக்குப் பதில் சொல்லும் என்று நம்புகிறேன். இனிமேல் தமிழ் நாட்டிலுள்ளவர்கள் முக்கியமாக கவனிக்க வேண்டியது ஒன்று உண்டு. அதாவது, நமது சமுதாயத்திலே அமைதி நிலவி கூடிச் சம்பந்தம் ஏற்பட வேண்டும். ராஜ்யத்தில் அமைதியும் அமைதி நிலவச் செய்து ராஜ்யத்தை வளம்பெறச் செய்வதற்கு என்ன என்ன நடவடிக்கைகள் எல்லாம் எடுக்க வேண்டுமோ அவைகளையெல்லாம் எடுக்க வேண்டும். மற்ற புள்ளிகளை யெல்லாம் மறந்துவிட்டு எடுக்க வேண்டிய நடவடிக்கைகளை எடுப்பதற்கு

[Sri V. V. Ramaswami] [26th October 1956]

நாம் எல்லோரும் ஒருமைப்பாட்டு ஒருத்துழைத்தால் ராஜ்யம் எவ்வளவு சுருக்கமாக இருந்தாலும்கூட, அது தன் நிறைவுபெற்று சுபிட்சமாக இருக்கும். நாம் எல்லோரும் ஒன்றுபட்டு உழைத்து நமது ராஜ்யத்தின் வளத்தைப் பெருக்கிக்கொண்டோமானால் உணர்வு பொருள்களுக்கும் இடம் பொருள்களுக்கும் மற்ற ராஜ்யங்களை எதிர்பார்க்காமல் இருக்க முடியுமென்று சொல்லிக்கொள்ள விரும்புகிறேன். பொருளினங்களின் தலைவர்கள் என்று சொல்லக்கூடியவர்கள் பொறுப்பிலுள்ள தலைவர்கள் எல்லோரும் இந்த உணர்ந்து செயலாற்றவேண்டும். வரப்போகும் தேர்தலிலும் மற்றச் சமயங்களிலும் அரியல் நிலை எப்படியிருந்தாலும் கூட, பொறுவாக மக்களிடத்தில் அமைதியை நிலவச்செய்து அவர்க ளினையே துவேஷ உணர்ச்சி வளராதபடி செய்து தலைவர்கள் எல்லாம் ஒருமைப்பாட்டுடன் செயலாற்றினால் நம் குறைகள் எல்லாம் சீக்கிரமே நிவர்த்தியாகி நம் ராஜ்யம் தன்னிறைவு பெற்ற நாடாக ஆகமுடியும்.

11-20 இறுதியாக, பிரிந்து போகிற நம் நண்பர்களுக்குக் கூறுகிறேன் :
a.m. “ நீங்கள் கோரிய ராஜ்யங்களை நீங்கள் பெற்றுக்கொண்டீர்கள். உங்கள் கோரிக்கைகளை நிறைவேற்றிக்கொள்ளுவதற்குப் பாடுபட்டபோது நாங்கள் உங்களுக்குக் குறுக்கே நிிற்கவில்லை என்பதைத் தெரிவித்துக்கொள்கிறேன். நீங்கள் கேட்டதை வாங்கிக்கொண்டீர்கள். இது வரையிலும் சென்னை ராஜ்யத்தில் இருந்த போது உங்கள் பிரதேசங்களில் என்ன என்ன காரியங்கள் செய்யப்பட வேண்டுமோ அவைகளை நிறைவேற்றிக் கொண்டீர்கள். உங்கள் பிரதேசங்கள் வளப்படுத்தப்படாமல் இருந்தால், உங்கள் பகுதிகளிலுள்ள குறைகள் இந்த சர்க்காரால் சரியாகத் தீர்க்கப் படாமலிருக்கும் பக்கத்தில், நாங்கள் வேண்டுமென்றே அல்லது உங்கள் மீது வெறுப்புக்கொண்டோ அவ்வாறு செய்ததாகக் கருத வேண்டாம். குற்றம் குறைகளையெல்லாம் மறந்து விடுங்கள். உங்கள் பிரதேசங்களை இனிமேல் நீங்களே கவனித்துக்கொள்வதற்கு வாய்ப்பு ஏற்பட்டிருப் பதால், உங்கள் சொந்த ராஜ்யத்திற்குச் சென்று நீங்கள் வேண்டிய காரியங்களை செய்துகொள்ளலாம். உங்கள் பிரதேசங்கள் வளம்பெற வேண்டுமென்று நாங்கள் வாழ்த்துகிறோம், எதிர்பார்க்கிறோம் என்பதைத் தமிழ் மக்கள் சார்பில் தெரிவித்துக்கொள்கிறேன்.”

அடுத்தபடியாக, தமிழ் நாட்டில் அனேக காரியங்கள் செய்யவேண்டியிருக்கின்றன. முக்கியமாகத் தமிழ் நாட்டின் நீர்வளத்திற்கு, நீர்ப்பாசன வசதிகளுக்கு, உபயோகமான நதிகள் நமக்கு அண்டையிலுள்ள கோள நாட்டில் இருப்பதால் அவர்களுடைய ஒத்துழைப்பும் நல்லெண்ணெயும் நமக்கு அவசியம். ஆனால், அதற்காக இரண்டு ராஜ்யங்களும் ஒன்றாக இருக்க வேண்டுமென்பதே இல்லை. எனென்றால், இப்போது பிரிந்துபோயிருக்கும் ஆந்திரர்கள் முன்பு நம் ராஜ்யத்தில் இருந்தபோது நம் மீது எவ்வளவோ வெறுப்புக் கொண்டிருந்ததுபோல் தோன்றிய போதிலும் உண்மையில் அவர்கள் நம்மிடம் நல்லெண்ணெய் கொண்டிருக்கிறார்கள் என்பதைத் தெரிந்துகொண்டோம். இரண்டு நாட்டிற்கு முன்பு நமது சபையின் முதல்வர் நான் கேட்ட ஒரு கேள்விக்கு பதிலளிக்கும்போது, ஆந்திர நாட்டிலிருக்கும் கோதாவரி, கிருஷ்ணா, ஆசிய ஜீவ நதி களின் தண்ணீரை இந்த ராஜ்யத்திற்குத் தென் பெண்ணையாற்றின் வரை கொண்டுவருவதில் அங்குள்ள அமைச்சரவை எவ்வளவு நல்லெண்ணெய் தோடு இருக்கிறார்கள் என்பதை நமக்கு எடுத்துச் சொன்னார்கள். ஆகவே சென்ற காலத்தில் நடந்தவைகளை மறந்துவிட்டால் வருங்காலத்தில் எல்லா ராஜ்யங்களுக்கும் நன்மை ஏற்படும் என்பதை அாகியல் தலைவர்கள் நன்கு உணர்வார்கள். பிரிந்துசெல்லும் மலையாளிகளுக்கும், கன்னடியார்களுக்கும் ஒத்தாசை செய்வதற்கு நாம் தயாராக இருக்கிறோம் என்பதையும் அவர்களும் நம் ராஜ்யத்திற்கு ஒக்காசை செய்வதற்குத் தாங்களே மாட்டார்கள் என்ற நம்பிக்கையுடன் இருக்கிறோம் என்பதையும் தெரிவித்துக்கொள்ள விரும்புகிறேன். கோள நாட்டிலுள்ள பல நதிகள் அங்கு மின்சாரத்திற்கும் இங்கு நீர்ப்பாசனத்திற்கும் உபயோகப்படுத்தப்படக் கூடியவைகளாக இருக்கின்றன. அதற்கெல்லாம் கோள நாட்டவர்கள் உதவுவார்கள் என்று நம்புகிறோம் என்றும் இக்கரையிலுள்ள தமிழர்களும் அவர்களுக்கு கட்டாயம் உதவுவார்கள் என்றும் தெரிவித்துக்கொள்கிறேன்.

[26th October 1956] [Sri V. V. Ramaswami]

இதை அங்கே பொறுப்பிலுள்ள தலைவர்களும் இங்கேயுள்ள தலைவர்களும் தெரிந்து கொள்ள வேண்டும் என்பதையும் சொல்லிக்கொள்கிறேன். பிரிகிறவர்கள் சென்னை ராஜ்யத்திலிருந்தபோது எப்படி தங்கள் பிரதேசங்களில் காரியங்களை சாதித்துக்கொண்டார்களோ அதே மாதிரி அந்த அளவுக்கும் மேலாக அவர்கள் போய்ச்சேருகிற ராஜ்யங்களிலும் சாதித்துக்கொள்ள வேண்டும் என்று நாங்கள் சந்தோஷமாக வாழ்த்துவதோடு அவர்கள் எப்போதும் சென்னை ராஜ்யத்திற்கு ஆதரவாக இருக்க வேண்டுமென்றும் கேட்டுக்கொள்கிறேன்.

ஒருவனுக்கு 20 வயது ஆனவுடன் அவன் சுயேச்சையாக இருக்க வேண்டுமென்று விரும்பி எவ்வளவோ பொறுப்போடு வளர்த்த தந்தையை விட்டுக்கூட பிரிந்து வாழ்க்கை நடத்த விரும்புவது இயல்பாக இருக்கிறது. அதேபோல் பிரிந்து செல்ல வேண்டுமென்ற ஒரு நிலைக்கு வந்த சமுதாயத்தை வேறு நிலைக்குத் திருப்புவது வீண் முயற்சி தான். அப்படி முயற்சித்தால் அது வீண் துவேஷத்தைத் தான் கிளப்பும். இதேபோல் அந்த அந்த மொழி பேசுபவர்கள் தங்கள் தங்கள் மொழிவழி ராஜ்யங்களுக்குச் செல்வது இயல்பு தான்.

ராஜ்யங்களுக்கிடையே இருக்கும் தகராறுகளையும் பிரச்சனைகளையும் நல்ல முறையில் மண்டல சபையில் (ஸோனல் கவுன்சில்) தீர்த்துக்கொள்ளலாம். நாம் மண்டல சபைகளை இந்த விஷயத்தில் கட்டாயம் நல்ல முறையில் பயன்படுத்திக்கொள்ளவேண்டும் என்பதே என்னுடைய அவா. இந்த சபையானது சம்பந்தப்பட்ட ராஜ்யத்தினரெல்லாம் கூடி பிரச்சனைகளைப் பற்றி நன்றாக விவாதித்து நல்ல முடிவுக்கு வருவதற்கு ஏதுவாக இருக்கும். தென் நாட்டிற்கான மண்டல சபையில் எக்காரணத் தாலோ மைசூரைச் சேர்க்கவில்லை. அந்த ராஜ்யத்தையும் இந்த சபையில் சேர்த்திருந்தால் மிகவும் நன்றாக இருந்திருக்கும்; எனென்றால் நான்கு ராஜ்யங்களும் சேர்ந்து எந்த முடிவைச் செய்தாலும் அதை இந்தியப் பேரரசு புறக்கணிக்காது.

அந்த அந்த மொழி வழி ராஜ்யங்கள் பிரிந்தாலும் மண்டலசபையில் நம் ராஜ்யத்தினர் அவ்வப்போது ஒன்றுகூடலாம். மண்டல சபையில் நாம் ஒன்று கூடித் தென்நாட்டின் பிரச்சனைகளை விவாதிக்கலாம். மண்டல சபையில் நாம் எல்லா ராஜ்யத்தினரும் ஒருமைப்பாட்டுடன் ஒத்துழைக்க வேண்டும். அப்படி நாம் மண்டல சபையில் ஒன்றுகூடும்போது இந்த மாநிலம் பழைய சென்னை மாநிலமாகவே காட்சியளிக்குமே தவிர வேறு விதமாக இருக்காது. அதனை நாம் வரவேற்போமாக!

பிரிந்துபோகிற அன்பர்கள் எல்லோருக்கும் என்னுடைய வாழ்த்துக்களை நான் தருகிறேன். கனம் ஸ்ரீ ஷெட்டி அவர்களைப் பலரும் பல இடங்களிலும் பாராட்டியிருக்கிறார்கள். அவர் சட்ட சபையின் உறுப்பினராக வந்த காலத் திலிருந்து அவரை நான் நன்கு அறிவேன். அவரை இந்த சபையிலும் அந்த (கீழ்) சபையிலும் வெளியில் பல விருந்து சமயங் களிலும் பலர் நன்றாகப் பாராட்டியிருக்கிறார்கள். அவரை நான் மிகவும் பாராட்டுகிறேன்.

கனம் நண்பர் ஸ்ரீ கோவிந்த மேனன் அவர்களும் நம்மை விட்டுப் பிரிகிறார்கள். அந்தப்பக்கத்திலுள்ள ஸ்ரீ உமர் கோயா சபையில் எங் வளவு நயமாகவும் இனிமையாகவும் பேசி காரியத்தை சாதிக்கிறார்களோ அதற்கு நேர்மாறாக ஸ்ரீ கோவிந்த மேனன் காரசாரமாக பேசுபவர். அவர் கோளாவிற்குச் சென்று அங்கே என்ன பதவி வகித்தாலும், தமிழ் மக்கள் மலையாளிகளிடத்தில் நல்லெண்ணெய் கொண்டிருக்கிறார்கள் என்பதை அம்மக்களுக்குத் தெரிவிக்க வேண்டுமென்று அவரை நான் கேட்டுக்கொள்ளுகிறேன்.

நம்மை விட்டுப் பிரியும் அன்பர்கள் எல்லோருக்கும் மறுபடியும் என் வாழ்த்துக்களைத் தெரிவித்துக்கொண்டு இத்துடன் என்னுடைய வார்த்தையை முடித்துக்கொள்கிறேன். வணக்கம்.

[26th October 1956]

11-30 a.m. * SRI M. ETHIRAJULU : கனம் தலைவர் அவர்களே, நம்முடன் சமார் நான்கு வருஷங்களாக இருந்துவந்த மலையாள, கன்னட நண்பர்கள் எல்லாம் இப்போது நம்மை விட்டுப் பிரிந்து அவர்களுடைய தாயகத்துக்குச் செல்கிறார்கள். தங்களுடைய தாயகத்துக்குப் போக வேண்டுமென்ற அவாவுடன் அவர்கள் வெகு நாட்களாகக் கொண்டுவந்த கோரிக்கை நிறைவேறி இப்போது அவர்கள் நம்மைவிட்டுப் பிரிந்து சந்தோஷமாகச் செல்கிறார்கள். ஆனாலும் அவர்கள் நம்மை விட்டுப் பிரிவதைப் பற்றி நினைக்கும்போது விசனிக்க வேண்டியிருக்கிறது. அவர்கள் நம்மிடையே இருந்த காலத்தில், அவர்களில் சிலர் எதிர்கட்சியிலிருந்தாலும் அவர்களுடைய கருத்துக்களையெல்லாம் அந்த அந்த சந்தர்ப்பங்களில் இங்கே சொன்ன பிறகு சர்க்கார் கட்சியில் சொல்லப்படுவதைப் புரிந்துகொண்டு சர்க்கார் கட்சியில் சொல்லப்படுவது சரிதான் என்பதை ஒப்புக்கொண்டு தங்கள் கருத்துக்களையே மாற்றிக்கொண்டிருக்கிறார்கள். ஆகவே தான் அப்பேர்ப்பட்ட நண்பர்களுடன் சமார் நான்கு வருஷங்களாகப் பழகிய பிறகு அவர்களைப் பிரிவது என்றால் மிகவும் கஷ்டமாக இருக்கிறது.

மனித வாழ்க்கையில் எப்படி காரியங்கள் நடைபெறுகின்றனவோ அதே மாதிரித் தான் நாட்டின் அரசாங்கத்திலும் காரியங்கள் நடைபெறுகின்றன என்பது இப்போது நமக்கு விளங்குகிறது. ஒரு குடும்பத்தில் பல பிள்ளைகள் இருந்தால் அவர்கள் பிரிந்து போவது சகஜம். குடும்பங்களில் பிள்ளைகள் பிரிவதை இன்றைக்கும் பார்க்கிறோம். அதே மாதிரித் தான் நமது நாட்டிலும் ராஜ்யங்கள் பிரிகின்றன. பாஷாவாரியாக ராஜ்யங்கள் பிரிந்த பிறகு இதுவரை நம்முடனிருந்த சகோதரர்கள் இனிமேல் ஆயிரக்கணக்கான மைல்களுக்கு அப்பால் இருந்தாலும், குடும்பங்களில் பிரிந்த சகோதரர்கள் குடும்ப விசேஷங்கள் நடக்கும்போது திரும்ப ஒன்றுகூடுவது போல, நாமும் ராஜ்ய காரியங்கள் நடக்கும் சமயம் ஒருவருக்கொருவர் உரையாடுவதற்கான சந்தர்ப்பங்களை ஏற்படுத்திக்கொள்ளவேண்டும் என்பது தான் என்னுடைய கோரிக்கை. அதற்கு சர்க்கார் சில வழிகளை கையாள்வதற்கான யோசனைகளைச் சொல்ல விரும்புகிறேன். அந்த வழிகளை சர்க்கார் கையாள்வார்கள் என்று நம்புகிறேன். நம்மிடையே, நம் ராஜ்யங்களிடையே, பல சிக்கல்கள் இருந்து வருகின்றன. நாம் அடிக்கடி சந்திப்பதற்கான உபாயங்களைக் கையாளாத காரணத்தால்தான் அந்தப் பிரச்சனைகள் தீராமல் இருக்கின்றன. பிரச்சனைகள் தீராததைக் கண்டு தமிழ் மக்களிடத்தில் ஒரு விழிப்பு ஏற்பட்டிருப்பதோடு நம்மிடையே பல கலவரங்களும் ஏற்பட்டிருக்கின்றன. நாம் அடிக்கடி சந்திப்பதற்காக, அந்த அந்த ராஜ்யங்களில் பெரிய விழாக்களும், விசேஷங்களும் நடக்கும்போது ராஜ்யங்களுக்கு ராஜ்யம் அரசியல் தலைவர்களும் அமைச்சர்களும் சென்று பங்கெடுத்துக்கொள்ளவேண்டும். ராஜ்ய ரீதியாக நடக்கும் பெரிய விழாக்களில் ராஜ்யங்களுக்கு ராஜ்யம் தலைவர்கள் சென்று கலந்துகொள்ளவேண்டும். அதாவது, கேரளநாட்டில் நடைபெறும் விழாக்களுக்கு தமிழ் நாட்டிலுள்ள அமைச்சர்களும் தலைவர்களும் அங்கு செல்ல வேண்டும். தமிழ் நாட்டில் நடக்கும் விழாக்களுக்கு கேரள நாட்டு அமைச்சர்களும் தலைவர்களும் வரவேண்டும். அம்மாதிரிச் செய்தால் நம்மிடையே ஒரு பரஸ்பர ஒற்றுமையை ஏற்படுத்திக்கொள்ளலாம். நம்மிடையே மாறுபட்ட கருத்துக்கள் இருந்தால் அடிக்கடி சந்திக்கும்போது அவற்றை விவாதித்து மாற்றிக்கொள்ளலாம். இந்த யோசனையை நிறைவேற்றுவதற்கு சர்க்கார் ஏற்பாடு செய்ய வேண்டும். அமைச்சர்கள் இந்த விழாக்களுக்குச் சென்று வருவதற்கான போக்குவரத்துச் செலவுக்கு பணம் ஒதுக்குவதைக் கூட சர்க்கார் செய்யலாம். அமைச்சர்கள் மட்டுமின்றி, மற்ற அரசியல் தலைவர்கள் கூட ஆங்காங்கே ராஜ்ய காரியங்களுக்கும், விசேஷங்களுக்கும் சென்று வருவதற்கான போக்குவரத்துச் செலவையும் சர்க்கார் ஏற்றுக்கொண்டால் மிகவும் நலம் எனக்கருதுகிறேன். இந்த யோசனையை நிறைவேற்றினால் நம்மிடையே நல்ல சூழ்நிலை ஏற்படும், எல்லைப் பிரச்சனைகளும் மற்ற பிரச்சனைகளும் எளிதில் தீரும்.

26th October 1956] [Sri M. Ethirajulu]

நமது நண்பர் ஸ்ரீ கோவிந்த மேனன் சபையில் பேசும்போதெல்லாம் உற்சாகத்துடனும் ஊக்கத்துடனும் பேசுவார். அவருடைய ஆவேசமான பேச்சை கேரள நாட்டிலே கேட்பதற்கு வழியில்லையே என்றுதான் நான் விசனிக்கிறேன். இங்கிருந்து செல்லும் அவர் கேரள நாட்டிலே உள்ள சட்ட சபையில் நன்றாகப் பேசும்போது அங்குள்ளவர்கள் “ திறமை வாய்ந்த சென்னை சட்டசபையிலிருந்து வந்தவர் ” என்பதை அறிவுறுத்தத்தான் செய்யும். காரணம், மற்ற ராஜ்யங்களிலுள்ள அமைச்சர் குழுக்கள் சென்னை ராஜ்ய அமைச்சர் குழுவைப்போன்று திறமைவாய்ந்தவை அல்ல. மற்ற ராஜ்யங்களிலுள்ள அமைச்சர் குழு நிரந்தரமாக இருந்ததாக நாம் கேள்விப்பட்டதில்லை. ஒரு வருஷத்திற்கு ஒரு முறையோ அல்லது இரண்டு வருஷங்களுக்கு ஒரு முறையோ மற்ற ராஜ்யங்களில் அமைச்சர் குழுக்கள் மாறிக்கொண்டேவருகின்றன. சென்னை ராஜ்ய அமைச்சரவையிலுள்ளவர்களைப் போன்ற திறமைவாய்ந்த அமைச்சர்கள் வேறு எந்த ராஜ்யத்திலும் இல்லை. நமது சட்டசபையில் எப்போர்ப்பட்ட கேள்விகள் கேட்டாலும் அமைச்சர்கள் ready reckoner-ஐப் போல் உடனே பதிலளிக்கிறார்கள். அவ்வளவு திறமைவாய்ந்த அமைச்சர்களைக்கொண்டது சென்னை அமைச்சர் குழு. இந்தியாவில் வேறு எந்த ராஜ்யத்திலும் சென்னை ராஜ்யத்திலுள்ளதைப்போன்ற அமைச்சரவை இருக்கமுடியாது என்பது என்னுடைய அபிப்பிராயம். ஆகவே நல்ல கைதேர்ந்த அமைச்சர்கள் இருக்கும் ராஜ்யத்திலிருந்து ஸ்ரீ கோவிந்த மேனன் அவர்கள் கேரள நாட்டிற்குச் செல்கிறார்கள். அதவே அவருக்கு ஒரு பெரிய நற்சாட்சிப் பத்திரம் என்று நாம் நினைப்பதில் தவறில்லை. கேரளாவில் மேல சபை இல்லை. புதிதாக மந்திரி சபை ஏற்படும் பொழுது மேல் சபையும் ஏற்படலாம்.

ஸ்ரீ உமர் கோயா தேர்தலில் நின்று வெற்றி பெற்று இங்கு வந்தவர்; அவர் பிரதம கொரடாவாக இந்த சபையில் டணியார் நியமனமாகிறார். அவர்கள் பிரிவதும் நமக்கு மனக் கஷ்டத்தைத் தருகிறது. அவர்களுக்கும் எனது வந்தனத்தைத் தெரிவித்துக்கொள்ளுகிறேன்.

கனம் ஸ்ரீ ஏ. பி. ஷெட்டி அவர்களும் நம்மை விட்டுப் பிரிகிறார்கள். அவர் பல ஆண்டுகளாக இங்கே அமைச்சராக இருந்திருக்கிறார். அவரிடம் எப்போதாவது சென்று, எதைப்பற்றியாவது கேட்டால் அப்போதெல்லாம் சிரித்த முகத்துடன் பேசுவார். அவர் கடுகடுத்த முகத்தையே நான் பார்த்ததில்லை. வெளியிலும் சரி, சபையிலும் சரி அவர் புன் சிரிப்புடனேயே காணப்படுவார். அப்போர்ப்பட்ட ஒரு அமைச்சர் நம்மை விட்டுப் பிரிந்து செல்லும்போது ரொம்பவும் கவலைப்படவேண்டியிருக்கிறது. அவருக்கும் எனது வந்தனத்தைத் தெரிவித்துக்கொள்ளுகிறேன்.

கனம் நண்பர் ஸ்ரீ கோபாலனும் மற்றும் பல நண்பர்களும் பிரிந்து செல்லுகிறார்கள். கட் சபையில் என்னிடம் மிகுந்த அன்பு கொண்ட பலர் இருக்கிறார்கள். அவர்களெல்லாம் பிரிந்து செல்லுகிறார்கள். நான் தேர்ந்தெடுக்கப்பட்டபோது கேரள மெம்பர்களும், கர்னாடக மெம்பர்களும் எனக்கு ஏராளமான ஓட்டுகளைப் போட்டுத் தேர்ந்தெடுத்தார்கள். எனக்கு அவர்களுடைய வோட்டுகளைக் கொடுக்கும்படி கர்னாடக மேலிடம் அவர்களுக்குத் தெரிவித்திருந்தும், அவர்களுடைய கடமையைத் தவறாகச் செய்தார்கள். அவர்கள் எல்லோரும் அப்படி தவறாக் தங்களை வோட்டுகளைப் போட்டபோது அதைப் பார்த்தவர்கள் எல்லாம், கேட்டவர்களெல்லாம் ஆச்சரியப்பட்டார்கள். அப்போர்ப்பட்ட நண்பர்கள் சட்ட சபையிலிருந்து பிரிகிறார்கள். அவர்களுக்கு நாம் சொல்லுவதெல்லாம் இதுதான்! “ நீங்கள் பிரிந்து போங்கள் என்று நாங்கள் சொல்லவில்லை. உங்களுடைய நெடுநாளைய கோரிக்கை நிறைவேறியது. உங்களுடைய வேட்கை தீர்ந்தது. நீங்கள் பிரிந்து போகிறீர்கள்.”

நாங்கள் எங்கு சென்றாலும் தமிழர்கள் நல்ல மனப்பான்மை உடையவர்கள் என்று சொன்னால் போதும். எந்த நாட்டிலிருந்து யார் தமிழ்

[Sri M. Ethirajulu] [26th October 1956]

நாட்டிற்குள் வந்தாலும் அவர்களுக்கு உண்ண உணவும் உறைவிடமும் கொடுப்பதற்கு தமிழர்கள் என்றுமே தயங்கியதில்லை என்று மற்ற நாடுகள் சொல்வதை நாம் பார்க்கிறோம். அப்பேர்கொத்த தமிழ் நாட்டு மக்கள் வேறு நாடுகளில் அவதிப்படுவதைப் பார்க்கிறோம். குறிப்பாக, இலங்கையில் தமிழர்கள் அவதிப்படுவதைப் பார்க்கிறோம். அங்கே பாஷை வெறியும், இன வெறியும் தாண்டவமாடுகிறது. அதே மாதிரி தென் ஆப்பிரிக்காவில் இன வெறி தாண்டவமாடுகிறது. கேரள நாட்டவர்களும், கன்னடியர்களும் அம்மாதிரியில்லாமல் அவர்கள் ராஜ்யங்களிலுள்ள தமிழர்களைப் பாதுகாக்கவேண்டும் என்று அவர்களைக் கேட்டுக் கொள்கிறேன். அதே மாதிரி இந்த ராஜ்யத்திலுள்ள மலையாள நண்பர்களை இந்த அரசாங்கம் பாதுகாக்கும் எனப்படவேண்டாம். ஸ்ரீ வி. வி. ராமசாமி அவர்கள் இந்த அரசாங்கம் உத்தியோகங்களில் மலையாளிகளுக்கு இடம் கொடுப்பது சம்பந்தமாக ஒரு கேள்வி கேட்டபோது கனம் அமைச்சர் ஸ்ரீ பக்தவத்சலம் அவர்கள் தமிழர்கள் பற்றி மனப்பான்மை உடையவர்கள் சமமாக எல்லோரையும் நடத்துவார்கள் என்று பதில் சொன்னார்கள். அதேமாதிரி கேரளத்திலுள்ள தமிழர்களுக்கும் மலையாளிகள் தக்க பாதுகாப்புக்கொடுக்கவேண்டும் என்பதுதான் என்னுடைய கோரிக்கை. மற்றப்படி இங்கிருந்து கேரளாவிற்கு உத்தியோகத் துறையில் அனுப்பப்படும் மலையாளிகள் விஷயத்தில்கூட இஷ்டப்பட்டவர்களை அனுப்பியிருக்கிறார்களே தவிர இந்த அரசாங்கத்தார் யாரையும் கட்டாயப்படுத்தி அனுப்பியதாக யாரும் இங்கே சொல்லவில்லை.

11-40
a.m.

அடுத்தபடியாக, பொருளாதாரத் துறையில், ராஜ்யத்திற்கு ராஜ்யம் விளைபொருள்களை தாராளமாக அனுப்ப முன்வரவேண்டும். இந்த ராஜ்யத்திலுள்ள விளைபொருள்களை மற்ற ராஜ்யங்களுக்கு நாங்கள் தாராளமாக அனுப்புவோம். அதே மாதிரி கேரள ராஜ்யத்திலுள்ள விளை பொருள்களை சென்னை ராஜ்யத்திற்கு தாராளமாக அனுப்புவதற்குத் தீர்மானித்துக் கொள்ளுங்கள் என்று மலையாள நண்பர்களைக் கேட்டுக் கொள்கிறேன். அப்போதுதான் மலையாளிகள் சென்னைக்குத் திரும்ப வரவேண்டியிருந்தாலும் அவர்களை தமிழர்கள் அதிருப்தியில்லாமல் வரவேற்க முடியும் என்று சொல்லிக்கொள்கிறேன்.

அடுத்தபடியாக, நமது கவர்னர் அவர்கள் பிரிந்து செல்வதும் மிகவும் விசனிக்கத்தக்கது. அவர் மிகவும் நல்ல முறையில் இங்கே பணியாற்றினார். தமிழ் நாட்டில் அவர் எவ்வளவோ காரியங்களைச் செய்திருக்கிறார். அவர் அரசியல் துறையில் எவ்வளவோ செய்திருந்தாலும் தொழிலாளர்களுக்காக அவர் செய்த ஒரு காரியத்தைப் பற்றி மட்டும் இங்கே நான் சொல்லாமல் இருக்க முடியவில்லை. சலவைத் தொழிலாளர்களுக்காக சைதாப்பேட்டை ஆற்றங்கரையில் தம் சொந்தச் செலவில் கவர்னர் அவர்கள் ஒரு கட்டிடத்தைக் கட்டிக் கொடுத்திருக்கிறார்கள் என்றால், அதைப் பற்றி நான் இங்கு சொல்லாமல் இருக்கமுடியுமா என்று கேட்கிறேன். இந்தியா விலேயே உத்தியோகத் துறையில் ஈடுபட்டிருக்கும் தலைவர்கள் தங்கள் சொந்தப் பணத்தில் தொழிலாளர்களுக்காக இந்த மாதிரி ஏதாவது நன்மை செய்திருக்கிறார்களா என்றால் இருக்க முடியாது. தொழிலாளர்கள் கஷ்டப்படுகிறார்கள் என்றும், தொழிலாளர்கள்தான் இத்தேசத்தின் செல்வம் என்றும் வினோபாஜியும் அரசியல் தலைவர்களும் பேசுவதைப் பார்க்கிறோம். ஆனால் கவர்னர் நடைமுறையில் செய்து காட்டியிருக்கிறார். வட நாட்டிலிருந்து வந்த நமது கவர்னர் அவர்கள் தமிழர்களிடத்தில் கொண்டிருந்த அன்பையும் தமிழர்களுக்குச் செய்த சேவையையும் நாம் எக்காலத்திலும் மறக்க முடியாது. டாக்டரியமாக சலவைத் தொழிலாளர்கள் அவரை ஒருக்காலும் மறக்க முடியாது. அவருக்கும் என் நன்றியைத் தெரிவித்துக் கொள்கிறேன்.

கடைசியாக, ராஜ்யங்களிடையே நல்லுறவு நீடிப்பதற்காக அண்டை ராஜ்யங்களில் நடக்கும் பெரிய விழாக்களுக்கும் விசேஷ காரியங்களுக்கும் மற்ற ராஜ்யங்களின் அமைச்சர்களும் அரசியல் தலைவர்களும் சென்று வருவது செய்வதற்கும், அதற்கான போக்குவரத்துச் செலவை சர்க்கார்

[26th October 1956] [Sri M. Ethirajulu]

ஏற்றுக்கொள்வதற்கும் ஏற்பாடு செய்ய வேண்டும் என்ற யோசனையை மறுபடியும் தெரிவித்துக்கொண்டு என்னுடைய வார்த்தையை முடித்துக் கொள்கிறேன்.

MR. CHAIRMAN : We are very much pressed for time again today. There is a long list of speakers and I would, therefore, like hon. Members to make their speeches as short as possible.

SRI G. KRISHNAMOORTHY : Mr. Chairman, Sir, in the next few days, we are going to have the greatest national festival in our country, viz., the Reorganization of States. On the 1st of November, our country is going to get integrated further. Though it may seem to be a division when we look at it from our point of view in the South, it is really a further integration of our country. From the 600 odd States that were there, we consolidated ourselves into 26 States and now we are at further consolidation and we shall have 19 States, 13 big and 6 small, may I say, territories. Every house-top is going to be adorned with flags and festoons on the 1st November 1956 and entertainment will be the main feature of that day. The whole of India is going to spend this day in a gay manner. The eyes of the world are upon us. It is startled at the rapid pace at which we are consolidating ourselves. In fact, this is the first step in bringing about a further advancement in our social, economic and cultural affairs. Days there were when we were encouraging and developing the arts, fine arts and the special types of culture that belonged to the various linguistic areas in the country. If Gandhiji's dream of Ramrajya were to come true, the first step to take is the formation of the States on a linguistic basis. We may say that it is only for administrative convenience, but still, we see it is only a linguistic division. I say this ought to have been done even earlier. It is not a question of dividing the country. It is a question of consolidating the country, as I just now submitted. There are brothers who rise to prosperity. Naturally they want to live in comfort and convenience. They separate themselves and live in separate families only to suit their convenience. For administrative convenience, for financial convenience and so on, we have divided India into 13 big units.

11-50
a.m.

Sir, every happiness is preceded by a little agitation of mind. That is the work of God. So also in this House our minds are agitated a little before the happy event of the 1st of November. Five of our hon. Members will be leaving us. This includes a veteran lady Member, a social worker, who has practically dedicated her life to the cause of social uplift. Now, Sir, we cannot forget the forceful speeches delivered on the floor of the sacred House by the hon. Member, Sri M. P. Govinda Menon. The hon. Member, Sri Narasapaya, with his persuasive language, is able always to convince us. He has got the special art of clear thinking and cogent presentation. The hon. Members, Sri Ummer Koya and Sri Gopalan have contributed in their own way to the debates in this House. When we think of the Hon. Minister, Sri A. B. Shetty, we cannot forget the smile with which he used to

[Sri G. Krishnamoorthi] [26th October 1956]

face the most stormy questions of the day regarding 'health' and hospitals. His rich experience as also the experience of the other hon. Members who are going away will be available to the neighbouring States in our country. After all, they will be here in our country. Though there may be a temporary agitation in our minds, we indirectly spread the ideas imbibed here to other parts of our country.

Sir, as I submitted earlier, the first step of reorganization is going to lead us to the revival of our old culture, old customs and influences that have been neglected for over two centuries.

SRI A. M. ALLAPICHAJ: What about the new things that we have to achieve in the future?

SRI G. KRISHNAMOORTHY: I may at once tell the hon. Deputy Chairman that the back-ground comes first, i.e., essentially the revival of the old culture, to put into us the self-confidence that we so much require to preserve the hard-won freedom. It was this self-confidence that was destroyed by the foreign rule and which ought to be regained first. And in this, language can help us a lot. There are lots of treasures which we must first realize as our own. These only can help us to regain our self-confidence which we possessed in those days. This self-confidence will make us strong mentally and physically and help us in preserving our freedom. The first thing we must do to achieve this is the revival of our culture. Everyone whether he is in Andhra, Kerala, Karnataka or Madras will admit that we possess a very ancient culture, that our languages were better than they are now, and that our arts and fine arts were very well developed then. If, therefore, we want not only administration, but everything through our own languages, it is only to revive these things. India is but a tree with so many branches, each having a culture of its own. But the whole tree is attractive to look at. Unity in diversity has been the order of God. Even though we have different branches in the different languages of India, we all come together and make that one unity of India, the tree of India which will stand out in the comity of nations with her glories revived which we had neglected in the past.

More than all these, Sir, in a democracy people will be able to understand the spirit in which the administration is carried on only when they know the language of administration. If they know the language of the Government, they will also be able to respond better to the wishes of the Government. If the States have not been reorganized on the basis of language so far, then we have committed a sin. On the 1st of November by reorganizing the States on a linguistic basis, we are doing a noble thing. This was long overdue. Nobody, therefore, need be sorry that we are doing this thing, and dividing the country. We are not dividing the country. Not at all. If we have an overall picture, we will see we are consolidating the country. The 26 units of India are going to be consolidated into 19 units. I would ask,

[26th October 1956] [Sri G. Krishnamoorthi]

'Is this division of the country or integration?' Perhaps, people looking at us from two or three thousand miles away are terrified at the pace at which India is consolidating herself. On the 1st November, if four or five members are to go away, they have to leave us in the interest of the country. They have to leave us in the interest of spreading the same culture that we have; they have to go there and spread the idea of fraternity still further. Mr. Chairman, I shall conclude by saying that the 1st of November 1956 will be the happiest day for all of us and if we part today, we part only to take up a greater task, to help in the achievement of social, economic and cultural progress of the country as a whole.

* SRI JOHN ASIRVATHAM: Mr. Chairman, Sir, I am not going to take the time of the House by making a very long speech. I would be as brief as possible. At the outset, I must confess that I am one of the new Members of the House and I have not had the privilege of knowing about those colleagues of mine who will be leaving the State for their native States. That does not detract me from wishing them godspeed. I hope they will give of their best and make a valuable contribution to the deliberations of the Legislature of their new States, and work for their continued prosperity.

The hon. Member from Malabar, Sri Govinda Menon, has attracted me towards him during the short time I have been here by his fiery oratory and I wish him the very best of luck in the ensuing elections to the Kerala Assembly. (Here, hear.)

I have not had the privilege of knowing the Hon. Sri A. B. Shetty, Minister for Health, personally except for the fact that his grandchild was in my school for some years. Only twice I had the opportunity of listening to his speeches. The first was when he had to face a barrage of questions regarding admissions to the Medical Colleges and I was very impressed by the adroit manner in which he answered those questions. The second time I heard him was when he piloted in this House a few days ago the Bill to provide for the registration of practitioners of integrated medicine in the State of Madras. He, by his sweet reasonableness, disarmed all opposition from this side of the House and not only did he carry the Bill through, but he also carried the Jay. His mastery of health problems will be a great asset and acquisition to any Cabinet and I look forward to the day when he will be the Health Minister of the Mysore State.

As for the hon. Member Sri Narasayya, I have heard him only once and I felt then that he had in him promise of becoming a great parliamentarian one day. The hon. Member Sri Kova has a very sweet face and I am sure he will be an ornament to any House.

Sir, we should not think in terms of Keralaites or Kannadigas or Tamilians, for we are all nationals of India. This linguistic frenzy must cease and the agitation for calling Madras as Tamil

[Sri John Asirvatham] [26th October 1956]

12 Nad must be stopped. By naming Madras as Tamil Nad, we shall
noun. be isolating ourselves from our fellow nationals. (A voice: What
about Kerala?) Please follow me. Madras is a historic name
known throughout the world and we cannot throw away that sacred
word 'Madras'. We must be proud to feel that we are citizens
of the Madras State. We must be extremely fortunate in calling
ourselves citizens of the Madras State.

One more thing, Sir, and I have finished. As a sequel to the
reorganization, Madras State has shrunk in size. Not only that,
but the Madras Legislative Council of which we have the proud
privilege of being Members has also shrunk. This is a very
serious matter to be considered by the Madras Government. Accord-
ing to the statute, we are entitled to have 64 Members in this
House and I request the Government of Madras to use their good
offices with the Union Government and see that by bringing an
amendment to the Constitution ere long before Parliament, the
size of this House is increased to 64. The Graduates' constituency
which represents the learned professions of Law and Medi-
cine should have 12 Members in this Council. I had pointed out
on an earlier occasion that the second Chamber must consist of
representatives of the learned professions in a view large measure.
Now, if we go on reducing the number of representatives of the
Graduates constituency, I think it is much better to close down
even the Council itself. I hope and pray that a day will come
when all the States south of the Vindhya mountains will be merged
in one large State.

With these few words, I wish godspeed to all those Members
who will be leaving our State.

* SRI A. M. ALLAPICHAJ: Mr. Chairman, Sir, we have
within the short period after Independence committed two
greatest follies. The one was when we divided ourselves into
Pakistan and India; the second was when we passed the law relat-
ing to States' Reorganization. Sir, these two follies have been
justified on false philosophies, very false philosophies which, in
course of time, will be exposed. One was the philosophy of culture
and religion and on that we divided the country. To that extent,
we became weak, and there is no doubt about that. All right.
That has taken place and we will have to be satisfied with that.
Then we went on to commit another mistake on some other philo-
sophy, that is, the philosophy of language and things like that.
Well, I can never understand that. I am one who fought with
the Muslim League in the past in the best way possible. Now, I
was wondering what this talk of culture and language was all about
and at times I feel whether I had not committed a mistake in
opposing the League. That is the feeling I have. Sometimes big
mistakes and small mistakes are committed by big men. Merely
because mistakes are committed by big men, they should not go
unchallenged. People say that the question of linguistic division
was started by the Congress organization. Well, the Congress has

[Sri A. M. Allapichai]

26th October 1956] been saying that for a very long time. Was that after Inde-
pendence? No. When did the Congress say that? It was said
at a time when the British Empire and the British people sought
to denationalize us; their greatest attempt was to make us all
ashamed of our language, make us feel ashamed of our philo-
sophies and make us feel ashamed of our great leaders, religious
and otherwise. Then the wind was blowing in that direction and
it was at that time that the Congress came forward with this idea
more to put a stop to that attempt of the Britishers. What was
good some 30 years ago is not at all good today and what is good
today may not be good tomorrow. I know that my sentiments
will not be shared by some friends. Whatever it is, whether they
share them with me or not, I wish to impress upon this House the
need to think "whither we are drifting". If we go on like this,
I may say, we may not be able to produce a Pandit Nehru after
some time. Because we will be so much divided and everyone will
think of his own particular leadership—the Tamilians will think
of only Tamil leaders, the Andhras about Andhra leaders and
so on. No one is going to think collectively in an all-India way
and we are not going to have all-India leadership, unless and until
we rise up and realize the mistakes which we have been commit-
ting. Still, if we are accepting this States Reorganization Act, it
is because it has been passed by our Parliament and we as decent
men who believe in constitutional methods, who believe in democracy
and who believe that by God's grace these divisions will change,
have to submit ourselves to that. We know it is not really a good
thing.

Now, we are talking of farewell and thanks. Why this fare-
well? We need not have any farewell at all. What is all this
shedding of tears? Of course, we are feeling sorry at the parting
and our sorrow is all genuine. This is all because of the mistakes
we have committed. (Interruption.) Yes, we shall do it so long
as we have strength; we shall do it so long as we have conviction.
Yet, I do not like that. After that great disaster which involved
the division of the country, this kind of "Pakistanization" of the
whole country is taking place. Yes, it is "Pakistanization."
indeed. People may try to justify this. I do not know how hon.
Members like Mr. Krishnamoorthi could speak like that. I do not
know what has happened to Mr. Krishnamoorthi, such an eminent
and cultured person. The atmosphere has become so very
poisonous and minds have become so much confused. All our
thinking power is gone. Our eyes are blinded. We have become
confused. Whatever that might be, we have to submit to fate. I
characterize it as nothing but fate. In this connexion, we have
to see to it that our country is made more happy.

Of course, having been in the company of such a lovable person
as the Hon. Sri A. B. Shetty, it is rather sad to think of his
leaving us. He was such a lovable man. (Dr. A. Lakshmana-
swami Mudaliyar: Why say "was"? I am sorry, Sir. He is
such a lovable man and he will continue to be lovable. As my

[Sri A. M. Allapichai] [26th October 1956]

12 10 friends have put it, he is loved by everyone of us. As a matter
p.m. of fact, when there was some trouble before (I am not divulging
any secret), we were even thinking of making the Hon. Sri A. B.
Shetty, the Chief Minister. (Sri M. P. Govinda Menon: It is not
a secret. It was in the air before.) That shows the affection
with which we have all held the Hon. Sri A. B. Shetty.

Then comes our friend, Mr. M. P. Govinda Menon. He does
not belong to our party. But that does not matter. All these
Congressmen have gone out of the Congress because they felt
that they had some justification for doing so. Because they saw
some weaknesses in the Congress organization, they left that organi-
zation sometime ago. I do not want to question their motives.
The hon. Member Sri M. P. Govinda Menon is a great patriot.
He has fought for the freedom of the country and he has suffered
for the country. I am sure he will be a source of great strength
to our country.

Then comes in hon. Friend Sri S. Narsapaya, who always
put things in a sweet manner, even though he was angry. His
way of putting things was so very convincing. I am glad that he
is going to occupy a seat in the Legislative Council of the Mysore
State.

With regard to my hon. Friend Sri P. P. Ummer Koya, I have
got my sympathies for him. I say "sympathy" because he is
going to a State containing about 40 lakhs of Muslims. He will
have a very strenuous work to do in that State and he must do
his best to make the Muslims of that State develop progressive
views. He has got a difficult job to do. So also Sri Govinda
Menon and Sri Gopalan have difficult jobs to do. They may
become great leaders of Aikya Kerala. I am really sorry that these
people are leaving us. But what to do? We have to submit to
fate, as I have already said. But, there is one feeling that
wherever one may be, whether he is in Tamil Nad, Andhra, Uttar
Pradesh or Kashmir, he is an Indian dear to all of us. It is
painful to think that our friends, with whom we have become so
familiar, are leaving us. But what to do? As I have observed
before, we have to submit ourselves to fate.

* DR. T. V. SIVANANDAM: Mr. Chairman, Sir, I would
like to associate myself with the sentiments expressed by the
Members of this Council in bidding farewell to the Members from
South Kanara and Kerala. In doing so, I would like to say that
when the history of this State is being written, they have got to
write all the important things that happened during the four years
when the Legislature of this State had been in session from 1952 to
1956. It is only just three years before on account of the sacrifice
of one soul, that the Andhra State was formed. Having formed
the Andhra State, they thought that everything would be solved.
Whether it was a mistake or not, whether it was fortunate or
unfortunate, the creation of this State of Andhra led to a cry for
creation of linguistic States, from every corner. As an offshoot of

26th October 1956] [Dr. T. V. Sivanandam]

this cry, we are now contributing some of our districts, viz., South
Kanara and Malabar to the Mysore and Kerala States. So far as the
Members of this House representing South Kanara are concerned,
they are going to become Members of the Legislature of the
Mysore State. In this connection, I would be failing in my
duty if I do not pay my humble tribute to the Hon. Sri A. B.
Shetty, Minister for Health. He has done yeoman service during
the past 30 years of his service in the Madras Legislature. That
is why most people used to call him as "Doctor" even though
he is not a doctor by profession. He has got very good knowledge
of the subject and he has turned to all the corners to see to it that
the medical profession is put in the proper way. He has also done
another great service to the medical profession by having piloted
successfully the Bill to provide for registration of practitioners of
integrated medicine in the State of Madras. For this act of his,
the medical people must be ever indebted to him. We should be
grateful to him for his having done this great work during his
term of office. It would not be a surprise if his vast skill and
experience are taken advantage of by the Mysore State by his
being included in the Cabinet of the Mysore State. But it will
be a surprise and shock if he is not included in the Cabinet of the
Mysore State. But there is every confidence that he will be
included in the Cabinet of the Mysore State and I am sure, all
hon. Members would agree with me, if I say that he would be an
asset to the Mysore State.

Regarding our Members from Kerala, we feel a bit sad because
there is no legislature functioning there at present. Because they
have now got the Kerala State, it does not mean that their work
is over. It is now that the work is beginning. They have got
to reconstruct their house and they have got to put the house in
order and see that everything is set right at least hereafter, if not
till now. That, I hope they will do in their Legislature when they
go. It is like what a mother says to a daughter when the daughter
is sent to another house, the house of the husband, viz., "Keep
up the prestige of the House in which you are born and raise the
prestige of the House you are entering now". I request Members
who are going to Kerala and Karnataka States to inculcate in the
minds of the people in their State a belief in God, respect for law
and service to the country. Thank you, Sir.

* SRI T. V. DEVARAJA MUDALIAR: கனம் சபைத் தலைவர் அவர்களே, இந்த பாஷ்யத்திலிருந்து உலையாளிகளும் கன்னடியர்களும் பிரியப் போகிறார்கள். இந்த சபையிலுள்ள உலையாளர், கன்னட அங்கத்தினர் களுக்கு மற்ற அங்கத்தினர்கள் வந்தனம் தெரிவித்திருக்கிறார்கள். பிரியம் அங்கத்தினர்களுக்கு வந்தனத்தைத் தெரிவித்துக் கொள்வதற்கு எனக்கு வாய்ப்பு அளித்ததற்காக முதலில் சபைத் தலைவர் அவர்களுக்கு என் நன்றியை தெரிவித்துக்கொள்கிறேன்.

இப்போது ஏற்படும் பாஷ்யப் பிரிவினையை நான் கொஞ்சம் விளக்க விரும்புகிறேன். ஒரு தாயார் இருக்கிறாள் என்று வைத்துக்கொள்வோம். அந்தத் தாயாருக்கு ஒரு பிள்ளை இருக்கிறது. அந்தப் பிள்ளை பெரிய வனாக வளர்ந்த பிறகு தாயாரை விட்டுப் பிரிகிறது. "தொனக்கு விடுதி லுலி தொழன்" என்று சொல்வார்கள், தொனக்கு விடுதி வளர்ந்தவுடன்

[Sri T. V. Devaraja Mudaliar] [26th October 1956]

பிள்ளை பிரிகிறான். அதே மாதிரி மலையாளமும், கன்னடமும் தமிழ் நாட்டில் தோளுக்கு மிஞ்சிவிட்ட நிலையை அடைந்திருக்கின்றன. ஆகவே மலையாளமும் கன்னடமும் பிரிகிறது.

12-20
p.m.

தமிழர்களும், மலையாளிகளும், கன்னடியர்களும் இதுவரை கூடியிருந்து ஒருவரோடொருவர் அன்புடன் அண்ணன் தம்பி போலப் பழகி வந்தோம். பிரிந்த பிறகும் நாம் அன்புடனும் ஒன்றுமையுடனும் இருக்க வேண்டும். இதை விளக்குவதற்கு, இந்த நாட்டில் சுமார் 800 வருஷங்களுக்கு முன் நடந்த ஒரு விஷயத்தைச் சொல்ல விரும்புகிறேன். அந்தக் காலத்தில் தமிழ் நாட்டில் கோப்பெருஞ் சோழன் என்ற அரசன் ஆண்டு வந்தான். அவன் சகல கலைகளையும் கல்வியையும் பயின்று தேர்ச்சி பெற்று புகழுடன் வாழ்ந்துவந்தான். அவன் காசிமா நகரத்தில் காசி ராஜன் சபையிலிருந்து பிசிராந்தையார் என்ற புலவருடன் நட்புக் கொண்டான். இருவரும் நண்பர்களாக வாழ்ந்து வந்தார்கள். ஒரு சமயம் கோப்பெருஞ் சோழன் வயது முதிர்ந்து அவன் இறக்கும் தருவாயில் இருந்தான். அவன் இறக்கும் தருவாயிலிருந்தபோது அவனைச் சுற்றி ராஜாக்களும் பிரமுகர்களும் நின்றுகொண்டிருந்தார்கள். அப்போது அவன் யாரையோ எதிர்பார்த்துக் கொண்டிருந்தான். அந்த சமயத்தில் அவன் வாயிலிருந்து “என் நட்புக்குரிய பிசிராந்தையார் மாலைப் பொழுதிற்குள் வருவார், வழி விடுங்கள்” என்ற வார்த்தைகள் வெளிவந்தன. காசிமாநகரத்திலுள்ள பிசிராந்தையார் எப்படி மாலைப் பொழுதிற்குள் வருவார் என்று எல்லோரும் சிந்தித்துக் கொண்டிருந்தார்கள். அந்தக் காலத்தில் இப்போதுமாதிரி போக்குவரத்து வசதிகள் கிடையாது. ஆனால் கோப்பெருஞ் சோழன் பிசிராந்தையார் கட்டாயம் வருவார் என்ற நம்பிக்கையைத் தெரிவித்தான். அதேபோல் மாலைப்பொழுதிற்குள் பிசிராந்தையார் அங்கே ஒட்டோடியும் வந்து கோப்பெருஞ் சோழனைக் கட்டியழைத்துக் கொண்டார். அவர்கள் ஒருயிரும் ஈருடனுமாக இருந்து வந்தார்கள். அதேபோல் தமிழர்களும் மற்றவர்களும் பிரிந்தாலும் ஒருயிரும் ஈருடனுமாக இருப்போம் என்று கொள்ளவேண்டும். தமிழர்களுக்கும் மலையாளிகளுக்கும் அதிக வித்தியாசமில்லை. ஒற்றல் உண்டு வாழ்வெல்லாம். தமிழருக்கும் மலையாளத்திற்கும் அவ்வளவாக வித்தியாசம் தெரிவதில்லை. மூக்கைப் பிடித்துக்கொண்டு தமிழைப் பேசினால் அதுவே மலையாளம் என்று ராஜாஜி சொன்னார். “ஒற்றல் உண்டு வாழ்வெல்லாம்” என்ற முதுமொழிக் கிணங்க நாம் எப்போதும் ஒற்றுமையாக இருக்க வேண்டும். ஒற்றுமையாக இருந்தால் எப்போதும் தொடர்பு இருந்துகொண்டே இருக்கும். நாம் சகிப்புத் தன்மையோடு இருந்தால் ஒற்றுமையாக இருக்கலாம். தாயார் பிள்ளையிடத்தில் சகிப்புத் தன்மையோடு இருக்கிறாள். பிள்ளை சூதாடுவதைப் பார்த்துவிட்டு தாயிடத்தில் வந்து “உன் பிள்ளை சூதாடுகிறான்” என்று யாராவது சொன்னாலும் அப்போது தாய் “அவன் சூதாட மாட்டான். அவன் சூதாடினாலும் திருந்திவிடுவான்” என்றுதான் சொல்கிறாள். தாயாரிடத்தில் சகிப்புத் தன்மை இருக்கிறது. பிள்ளை கொலை வழக்கில் சம்பந்தப் பட்டிருக்கிறான் என்று யாராவது சொன்னால் அப்போதும், அதை அவன் மறுத்துவிட்டாலும், அவனை எப்படியாவது காப்பாற்றுவதற்குப் பாடுபடுகிறாள். பிள்ளை மிகவும் சூதாடினாலும் சகித்துக் கொண்டிருக்கிறாள். சூதாடுவதற்காக பிள்ளை பணம் சேட்டாலும் கொடுக்கிறாள். மூன்று தடவை பணம் கொடுக்கிறாள். நான்காவது தடவை கேட்கும்போது பணம் கொடுக்க மறுக்கிறாள். அப்போது பிள்ளை கோபம்கொண்டு தாயை கன்னத்தில் அடித்துவிடுகிறான், ரத்தம் வருகிறது, அப்போதும் தாயார் “அட பாவி அடித்து விட்டாயே!” என்று சொல்கிறாளே தவிர வேறொன்றும் செய்வதில்லை. “அட பாவி, அடித்து விட்டாயே” என்று சொன்னாலும் பிள்ளைக்கு வலு வந்துவிட்டதே என்று நினைத்து ஒரு பக்கத்தில் சந்தோஷப்படுகிறாள். பிள்ளையை அப்போதும் வெறுப்பதில்லை. அதுபோல நாம் சகிப்புத் தன்மையோடு இருந்து ஒற்றுமையாக இருக்க வேண்டும் என்று சொல்லிக்கொள்கிறேன்.

நாம் எல்லோரும் நன்றாக இருப்பதற்கு ஆண்டவன் அருள்புரிய வேண்டுமென்று சொல்லிக்கொண்டு என்னுடைய வார்த்தையை முடித்துக் கொள்கிறேன்.

26th October 1956]

MR. CHAIRMAN: We have now reached the next stage. Outgoing Members will now speak.

SRI S. NARASAPAYA: Mr. Chairman, my friends and I are deeply grateful to all the gentlemen who have expressed sentiments of cordiality, good feeling and good wishes. The exigency of reorganization of States has compelled us to go out of this House. Parting is always sad and more so when we find the volume of affection, regard and goodwill expressed for us both in and out of this House. But then I cannot say that I am really sad about this parting. I cannot say that I regret it. If I say that, I would not be true to myself. We have been for the last so many years attempting to have and working and wishing for a Kannada State, and when that Kannada State comes, we have to go and we are going.

Much has been said about the desirability or otherwise of reorganization of States. Harsh words have been uttered. Opinion is very sharply divided as to the advisability or otherwise of reorganization of States. But this is neither the time nor the occasion to try to convince people that reorganization of States on a linguistic basis is the only corollary to, the only logical consequence of, the other accepted facts, namely, encouragement of the regional language, instruction in the mother-tongue and carrying on the Government, the democratic Government, the Popular Government, in the language of the masses. We must remember that India is a vast continent and that we have accepted the Federal Constitution under which India is bound to be cut up into States. We should also remember that there are areas as big as in the western States and that people as many as and more than in most of the western States are living in a compact area, talking one language, having developed a culture, tradition, custom and manner. We should further remember that the imposition of foreign rule by the might of arms has suppressed all this culture and that till now we had only one culture, that is, the Britisher's culture. We followed his manners, mode of dress and custom. We read English history and not Indian history. Our boys in the schools read English history. They know about 1214, the year of the Magna Carta, rather than about 1857, the year of the War of Independence. It is therefore that when nationalism began to permeate the entire length and breadth of India, in every nook and corner people felt that they must have their own country, their own culture, and their own tradition. Is it any wonder, therefore, that they think in terms of their language, a language in which they have been born and bred up and which for thousands of years they have loved? When every area is in this manner a viable unit, what is wrong in carving out States on the basis of language, on the basis of these compact areas? Therefore, opinion is divided and when even some of us who have been working for these States saw the upsurges and emotions of people who forgot that they were men and not beasts to whose level they were brought in the name of language, we ourselves pondered over whether

[Sri S. Narasapaya] [26th October 1956]

all that was right. But in every movement a time comes when evil also comes out of it, like the churning of the legendary ocean which brought out not merely the much-sought nectar, but also the poison. Like that, this reorganization of States was made an occasion for giving vent to certain violent emotions. But all that will vanish and we will certainly come into our own. I am sure that no person who is opposed to the formation of linguistic States need have any doubt regarding the future of our country. If any instance is needed, there is the Andhra Pradesh. In fact, Andhra Pradesh has been carved out and made practically a pilot project. What has happened? The Andhras are quite happy. My hon. Friend, the Deputy Chairman, compared the reorganization of States with the carving out of Pakistan. Far from truth is his analogy.

SRI A. M. ALLAPICHAJ : The hon. Member should go deeper into it.

SRI S. NARASAPAYA : I have gone deepest.

SRI A. M. ALLAPICHAJ : No, no.

SRI S. NARASAPAYA : I have gone deepest into the matter. If the Deputy Chairman to-day says that the carving out of Pakistan is like the reorganization of States, I should certainly think that he has not thought about the matter. I should say that he has not lived in the villages and that he does not know about the country, living as he is in the town in the midst of prosperity, plenty, good culture and education.

SRI A. M. ALLAPICHAJ : It is a tall claim. I have known about as many villages as the hon. Member knows.

SRI S. NARASAPAYA : The Deputy Chairman may have his own opinion. He is welcome to hold that opinion. But let him not start criticising in harsh terms people who hold a different opinion. The Nation has accented the principle of reorganization of States. Reorganization is almost an accomplished fact. Therefore, if there is any person who does not believe in the efficacy of reorganization, I draw his attention to Andhra Pradesh. How is Andhra Pradesh now? Ministers of our State and eminent men go there every week and every month in connection with various functions. We see through the newspapers, how well they are progressing. What is wrong about it? Can't we also go on like that? Particularly, when we come to language, I request my friends to bear in mind the particular position of Kannarese. In the British regime, the organization of States was made in a haphazard manner, without rhyme or reason, and the Kannadigas were the worst hit. The Kannadigas, about 20 millions in number, have been distributed among five different States and in everyone of them they are in a minority. There are Kannadigas in Hyderabad and they are in a minority. In Mysore, previously there was not a representative Assembly. Coorg, a Part 'C' State, is even to-day under the guidance and control of the Central Government.

26th October 1956] [Sri S. Narasapaya]

Both in Madras and in Bombay our population is so small and the number of Kannadiga Members even in the Assembly is so small that it will not be wrong to say that we are an ineffective minority. Is there anything wrong in our coming together and having a State of our own? Look at the deliberations of the other House and this House. Many of my friends talk and rightly talk in Tamil. I too would have done the same thing if I had been in Mysore. Now, they deliver speeches in Tamil. Are we able to understand them all? People who have read and studied English—even Graduates—are speaking in Tamil.

SRI M. P. GOVINDA MENON : Retired District Judges. 12-30 p.m.
(Laughter.)

SRI S. NARASAPAYA : They speak in Tamil out of respect, regard, love and affection for that language. What about ourselves? Are we, as dummies, to sit quiet and hear things which we do not understand or are we expected to contribute valuable suggestions and ideas to the deliberations of this House? So, seen from any point of view, reorganization of States on the basis of language is proper and reasonable. It is a natural corollary to what we have been asking for. As I said, Sir, the new State of Mysore is going to be formed in the next few days. We have got vast areas there—virgin soil, with plenty of rainfall. We have a beautiful landscape. The entire Western Ghats are in our territory. There is a waterfall; there is mineral wealth; there is forest wealth. Of course, all these have not been exploited so far. They were neglected. Given vision and foresight and given also proper leadership, the land can be made into a land of plenty. It will become a source of strength not merely to the Kannadigas, but to the entire country. The new State of Mysore will comprise 72,000 miles of beautiful land and the population is just about 10 millions, so that it is a good augury that we have elected unanimously as leader a person who fought all these years for the formation of a Karnataka State. The bickerings and quarrels that usually dominate our political life to-day have luckily gone under and we have been able to elect a man of vision and foresight, a simple, God-fearing, good man as leader. I trust he will be able to get a band of good men to work with him and help to develop that State into a land of plenty.

Mr. Chairman, I said parting was sad. My friend, the Hon. the Finance Minister, when he recently visited South Kanara, likened this separation to a daughter being given in marriage. The same simile has been used by many others. (Sri Mohamed Naza Khan : You agreed to it.) May I, Sir, with the permission of the Hon. the Finance Minister, carry that analogy a little further? A girl born and bred up in her parents' home always looks forward to visiting her husband's home after marriage. That is our Hindu tradition. Whatever the luxury, the wealth, the comfort, in her parents' home, she would always like to go and stay in her husband's home. She might be happy in her parents' home because of the wealth and luxury available there but still she

[Sri S. Narasapaya] [26th October 1956]

prefers her husband's home, even though she may not be so happy there. It is the husband's home that she can call her home. Her husband may neglect her; he may be poor and he may not look after her properly. Still her home is her husband's home and not her parents' home.

SRI A. M. ALLAPICHAJ : Which is the parents' home and which is the husband's home here?

SRI S. NARASAPAYA : Have some patience. I said that the Hon. the Finance Minister, when he came to Mangalore, likened our going away to a daughter going to her husband's home, meaning thereby that the Madras State was the parent State and that South Kanara, being the daughter, was given away to Mysore, her husband. I only take that analogy a little further and suggest that whatever may be the wealth, luxury and comfort that may be available in the parents' home, no Hindu girl would like to remain in that house. She wants to go to her husband's home, and by her goodwill, courtesy and service, she wins over all in that house to her side. She gets their regard and affection and eventually gets the full control of the house without practically anybody knowing that she has got the control. She thus makes her new home better and happy. Mr. Chairman, some of my friends in their bigness of heart and abundance of affection said that they were looking forward to the day when we would come back. The hon. Member, Mr. T. G. Krishnamoorthi, on this side, said that in Tamil they would say, when parting took place, "We go to return". This is not a peculiar privilege of the Tamils alone. In Kannada, we do not say "Hogi thaney"; we say "Hogi barthaney", because the other thing is considered inauspicious. On such occasions, going means going for the last time. If we take the analogy of a daughter being given in marriage, whatever may be the affection of the parents for their daughter, they never say, "You come back"; that is because it is considered inauspicious. A Hindu girl comes back to her parents' home only when she becomes a widow. God forbid that state of affairs and our coming back in that manner !

SRI K. BALASUBRAMANYA AYYAR : If she becomes pregnant, she comes back.

SRI S. NARASAPAYA : For a time she comes, not permanently.

SRI T. G. KRISHNAMOORTHY : She may come back with her husband and stay with her parents. (Laughter.)

SRI S. NARASAPAYA : Mr. Chairman, as I said, parting is sad. We shall ever remember the amount of good that the Madras Government have done for us. Our association with Madras is over 150 years old. All these years, our affinity has grown strong and stronger, and the stronger the affinity the more painful it is to part. During the last ten years particularly, the Madras Government have been good to us. Lakhs and lakhs of rupees

[26th October 1956] [Sri S. Narasapaya]

have been poured into the South Kanara district for developmental activities which the district never saw before. No doubt, many of us have been complaining here that we are a neglected lot. But that is only in an attempt to get more done. (Laughter.) It does not mean, however, that we are not conscious of the amount of money spent by the Madras Government on our district. If to-day, our district were compared to any other district in Karnataka, I dare say that our district would be found to be the most developed of all. This is naturally due to the work done and the money invested by the Madras Government. Particularly since 1952, both during Rajaji's régime and during the term of the present Ministry, various development schemes—electricity, roads, bridges, etc.—have been taken up. I too regret this separation in one respect. My only regret is that we cannot remain here for five more years so that our district may be made perfect in the matter of industrialization. But that is another matter.

Sir, I would like to make particular mention about two or three Ministers of the Madras Government who have been specially kind to us. The Hon. Mr. Bhaktavatsalam, our Leader, has been ever good and kind to us for the last ten years. Ever since 1946, when he first got into the Ministry, he has developed a peculiar affection for our district. How many times he came to our place and personally attended to our problems! How many schemes he has executed! How much amount he has sanctioned for development work in our district! He has always been kind to us. Whatever problems we had, we went and discussed with him. We are thankful to him for his advice and guidance which we cannot forget.

Then, my Friend, the Hon. the Finance Minister is another person whose name deserves special mention. He took up office only in 1952. And ever since he took up office, he has developed a special regard and affection and liking for our district and the Members coming from there. For whatever we want, we go to him. He is so courteous and amiable, and grants all our requests, if they can be granted. We cannot forget him.

Then, I must say a word about the Hon. the Revenue Minister, Mr. Manickavelu. It had been the desire of our district to have some tenancy legislation for years. But nothing happened until 1952. When the Hon. Mr. Manickavelu took over as Revenue Minister, our great ambition came to be fulfilled. Our agitation yielded fruit. Tenancy legislation was introduced by him both for the fixation of fair rent and for protection of tenants from eviction in our district. I am thankful to him for this.

About other Ministers, I must thank them all for what they have done including our popular and very amiable Chief Minister, Mr. Kamaraj Nadar, whom I most heartily thank.

So far as this House is concerned, what shall I say? Mr. 12-40
Chairman, Sir, the saddest part of parting is my parting from P.M.
you, and your simple smile, your amiable disposition, your ready accommodation. And you have been treating us, one and all, as

[Sri S. Narasapaya] [26th October 1956]

very good friends. I have been considering you as my personal friend. I wonder whether in any Council in India, there would be as good a Chairman as yourself. With your amiability, regard and affection for us, you have been maintaining the dignity of the House in a manner unequalled. I wish the Chairman of other Legislative Councils emulate your good self and treat the Members with the same courtesy, accommodation, goodwill and sympathy as you have been doing. (Cheers.) I personally feel, Mr. Chairman, that to part from you and not be able to sit in a House over which you preside is the saddest part of my parting.

Regarding the Members of this House, I wonder whether there is any Legislative Council in this country of ours which has got such a galaxy of eminent and talented men, men who occupied the very highest positions in the land, Governors, Governor-General, Vice-Chancellors and what not. People who have distinguished themselves in every walk of life are here and were here. The cream of the Madras State in the matter of intellect and position is here. It has been a rare privilege for me to have been a Member of this House. It has been a proud privilege to have been here to hear the speeches and take part in the debates of this House. On this side of the House, I do not want to mention any particular name because we were all one and worked as comrades for the last four years. We belong to one party and every one of them is dear to me, near to me and I am sorry to part from them. On the other side of the House, Mr. Chairman, there is the hon. the Leader of the Opposition, Dr. Lakshmanaswami Mudaliyar. To hear him is a treat. His brilliant intellect, his constructive criticism, his wise suggestions, the manner of delivery of his speeches, the diction, and style made every one of us hear him with rapt attention. I am really sorry I would be losing the opportunity of hearing him hereafter in this House. Possibly we may hear him in some public functions or lectures. But to hear him as the Leader of the Opposition and have the opportunity of mixing with him is gone for us. He is a gentleman who is heard even in international councils with respect and reverence. To hear him here as our Leader of the Opposition is really a privilege. (Cheers.)

Sir, about the Deputy Leader of the Opposition,—I am sorry he is not here—I may say this. It was a treat in another manner to hear him. In everything that the Government brought before the House, he would see something wrong. Indeed, he would attribute motives. He would criticise downright. His forthright criticism of every measure of the Government was in itself a treat. It was refreshing and something out of the way to the extent that it reduced the monotony of the House. (Laughter.) That way we were saved from monotony.

Then, Sir, we have got the hon. Member Sri K. Balasubramanya Ayyar, the doughty champion of the landlords. He would always champion their cause with his very good and constructive criticisms. Being an eminent lawyer himself, he would always

26th October 1956] [Sri S. Narasapaya]

pitch upon the right point and show how any legislation is either against the Constitution or not properly drafted and so on. It is really good for the Government to have such eminent men in the Opposition.

Then we have our hon. Member Sri Narayanaswami Pillai, Vice-Chancellor of the Annamalai University. He is another very great man.

Then there is the hon. Member Sri G. Krishnamoorthi. The peculiarity about him is that whatever is brought before the House, he will drag it on ultimately to the cause of the teachers. Even to-day, while he was speaking, I was wondering whether he would ultimately end his speech by referring to teachers. But, for once, he did not bring in teachers. It may be any measure, either on land reforms, or taxation or anything else; he would begin with the Bill and ultimately come to teachers and ask the Government to save the teachers. I do not think the teachers of the State could get a more devout champion of their cause than him either inside or outside the Council.

Mr. Chairman, I do not want to weary the House any further. In bidding farewell, I wish the Madras State all prosperity and all happiness. You have a beautiful State, beautiful in the sense that it has a compact unit; it is well-developed, has industries, electricity and everything that is wanted. More than all, you have got a very popular Chief Minister, a people's man in the right sense of the word, a right representative of the people, ably helped by a band of Ministers whose one motto is service and uplift of the State. You have a very efficient machinery for administration, officers who are well-trained and who give proper guidance to Ministers. So, I wish the Madras State and its people well. I wish them all prosperity, happiness and a very good future. (Cheers.)

* SRI M. P. GOVINDA MENON : Mr. Chairman, Sir, I must confess to you that I find it very difficult to express my feelings to-day. You know that generally I do not feel any difficulty for words. To-day, overcome as I am with emotions, I find that I cannot do justice. I cannot express myself as I used to do. The very kind words, the very affectionate words uttered by almost all the Members of this House, commencing from the illustrious son of our country, the hon. the Leader of the Opposition, and followed by the hon. Member Sri T. Purushotham and others, completely unnerved me and I find it difficult to control my feelings. I stand to-day, perhaps for the last time in this august body, before you with mixed feelings of joy and sorrow. I agree with the hon. Member Sri Narasapaya and say that I will not be doing justice to my conscience, if I do not say that I am happy that we have got the Kerala State.

Sir, if you go into the past history of Kerala for thousands of years and more, you will find that Kerala was never united for a long period. History says that when Lord Parasurama reclaimed

[Sri M. P. Govinda Menon] [26th October 1956]

12-50
p.m. the land of Kerala from the Arabian Sea, he instituted some sort of a Republic on the oligarchic basis for the governance of the whole of Kerala. It was purely a Brahmin oligarchy, the Nam-budris oligarchy. That was the way in which Kerala was governed at the time it was reclaimed by Lord Parasurama. That system continued for some years and it fell after some time. It was then that the wise men of Kerala met in a kind of an Assembly on the banks of the river Bharatha and decided to invite a Member of a Royal family of Tamil Nad to rule over Kerala for a period of 12 years. You might have heard of the administration of the 'Perumals' in Kerala imported from Tamil Nad. Perhaps they were the forerunners of the modern P. S. Rao, who has been imported to carry on the administration there. These 'Perumals' were elected by the people of Kerala and not imposed upon them by the Centre. This system continued for some years. Whenever we were in difficulties, we always borrowed from Tamil Nad. We had the goodwill of Tamil Nad and it always helped us. Tradition has it that the last of these 'Perumals' embraced Islam and went on a pilgrimage to Mecca. That is the bond between myself and the Muslims. The hon. Member Sri Mohamed Raza Khan must know this. Even to-day the Zamorin on installation accepts betel leaf from a Muslim woman. When the last of the 'Perumals' left on the pilgrimage, he divided the whole of Kerala into small principalities and handed them over to different chieftains, thus ending the unity of Kerala. That was 1,032 years ago. From that day to this day, there is no common administration or Government for Kerala.

Now, Sir, in the year of grace 1956, we are having a Kerala State. It is a matter of pride and joy. But I must say that on this occasion I have a mixed feeling of joy and sorrow. The hon. the Leader of the Opposition moderately taunted me in his own good style and compared us with the Scotchmen, and other hon. Members also said, "You asked for it and you have got it. What right have you to grumble now?" Sir, it is true that we asked for the Kerala State, but not for the Kerala State which we have got now, deformed, moth-eaten, truncated Kerala State. It is not the Kerala State that we wanted. Yet, we shall accept the decision of the Parliament of India whatever it may be. You might have known, emotional as we are, we never created any trouble. When Gudalur and Cape Comorin were taken away, we never raised our little finger even against it, never gave any trouble to this Government or the Central Government. Even when our Tamil friends carried on an agitation for the transfer of Devikulam and Peernede to Tamil Nad, the people in Kerala did not create even the slightest disturbance over this question. Patriotic as we are, wedded as we are to the Union of India, we shall accept the decision of the Parliament of our country.

But, Sir, I am afraid history is going to repeat itself. The trouble to our country, the European invasion of our country started in my district in 1498. Vasco de Gama, the Portuguese man, landed in Calicut. He was followed by the Dutch, the

26th October 1956] [Sri M. P. Govinda Menon]

French and then the English. There were troubles and fight for supremacy among the European nations in the West Coast. They made the chieftains divide and quarrel among themselves. That unfortunate event, the welcoming of the foreigners to Kerala—Vasco de Gama landed himself; he was not welcomed—led to the slavery of our country. We were responsible for the enslavement of the whole of India by the Europeans. We only pray that this history should not repeat itself. We are to have a Kerala State where there is no chance of forming a stable Government for sometime to come. That is the unfortunate situation in Kerala now. It is a coast which is subject to foreign influences, religious and otherwise. I hope and pray that Kerala would be made strong. If I plead for Kerala, I should not be understood to be parochial. I am not at all parochial. My submission is that the instability and trouble in Kerala are a source of danger to others on the other side of the Ghats and in other places. I hope and believe that our elders would see to it that Kerala is made strong and stable.

Mr. Chairman, Sir, the 1st of November is an auspicious day for the whole of India. We celebrate Deepavali. But do you know, Sir, that in Malabar and in Kerala we do not celebrate Deepavali? It is not a festival for us. When the whole of India rejoices, we do not have the lights as people have in other parts. We do not have that festival. On the other hand, there is a Malayalam saying, "Deepavali Kulikkuka". When one says he had a Deepavali bath, it means he has become pauper. Let us hope that this 1st of November will not lead to pauperism of Kerala and thereby create a source of danger to the rest of the country.

Sir, speaking of this House, I consider it a great privilege in my life that I was a Member of this House. When we started under the new Constitution, this Council was led by no less a person than Sri C. Rajagopalachari, the distinguished intellectual of the country, sitting on the Treasury Bench. On this side was my revered and large-hearted leader Sri T. Prakasam. It was a House consisting of the intellectuals of the State. Then, Sir, to be a Member of a body of which Dr. Lakshmanaswami Mudaliyar is also a Member is a very rare privilege. We had the essence of vast experience in the person of Sri Muhammad Usman and others. We had also a host of persons experienced in social service, belonging to the other sex, beginning from Dr. Muthulakshmi Reddy. Mrs. Clubwala and Sister Subbulakshmi, and Srimathi Maniubhashini. To that galaxy of social workers is added Srimathi Jothi Vencatachellum also, who has a musical tone. This is a brilliant and beautiful House. To be a Member of this House is a very rare privilege. The hon. Member Sri Purushotham in paying me high tributes said that I should remember my old Congress leanings. The hon. Member Mr. Pillai who is not present here just now, said that I was a hero of a thousand battles of lost causes. Sir, I have deliberately chosen that role for me for the sake of the development of the country. The hon. the

[Sri M. P. Govinda Menon] [26th October 1956]

Deputy Chairman was very good enough to refer to the part I played in the national struggle. My esteemed friend and leader, the Hon. Sri M. Bhaktavatsalam knows that I have burnt my boats in the national struggle. There is not an inch of land which I can claim as my own. There is not a pie to my credit in any bank in the country.

SRI A. M. ALLAPICHAI: You have gained the affection of the people.

* SRI M. P. GOVINDA MENON: Not only myself, Mr. Chairman, but the whole of my family took part in the national struggle. You know my elder brother languished in the jail for fourteen years during the national struggle. He is still languishing in a corner of the Madras State, uncared for. If now I fight with the Congress, it is not with a feeling of joy that I do it. I feel I owe it to the country to remain outside the Congress. Our leader Sri C. Rajagopalachari referred recently to the necessity of an opposition to the Congress based on Gandhiji's technique and belief. He is not here now. If he had been here, I would have requested him and told him with all respect—I never talked to him in a disrespectful way when he was here though we differed on many occasions—that instead of causing pin-pricks remaining inside the Congress, he could come out and be a good leader. If he did this, he would contribute to the development of the country. I am waiting for that day, Sir, when he would come out. I know it will happen. So, the role which I am now playing is a rôle which, I think, ought to be played for the sake of my country. Therefore, I think I too am doing a service to the country by remaining outside the Congress, the greatest organization to which I was wedded all through my life and which I loved like my mother. As the hon. Member Sri T. Purushotham put it, in my heart of hearts, there is still some sort of attachment to that organization. It is a very light voice, but still it is there.

Sir, the hon. Member Sri Balasubramanya Avvar referred to the tussles between me and the Hon. Sri M. Bhaktavatsalam. He does not know the relations existing between us. We had been together in jail. We had been brothers in arms in the national struggle. He had been too good to me. I am greatly attached to him. I am a person who can appreciate the services rendered by him to the State. His great lamented relation was a source of inspiration in the national struggle. I mean Sri Muthuranga Mudaliar, his another relation was the closest neighbour of mine in the jail. We were members of the same family. I may say that I am never wanting in my love and friendship to the Hon. Sri Bhaktavatsalam.

1 p.m. Though we are separated, we are apart and even if we are separated, we will be together. The Western Ghats are not separating us, but they are a kind of cementing force between us. I am sure that in spite of the reorganization of States which

[26th October 1956] [Sri M. P. Govinda Menon]

is purely for administrative purposes, Kerala and Tamil Nad will have to swim or sink together. As years roll on, there will be greater friendship and concord between the two and all of us will contribute to the greater glory of our great mother-country.

Sir, I always observe the parliamentary procedure very correctly. But, for a moment, I am going to break that, with your permission and I want to address the Members direct and not through you. So, you will please close your eyes and ears. (Mr. Chairman: I won't close my ears.) We are leaving. Though we, Members, are leaving, there will be a large number of Malayalam-speaking people scattered throughout this State and the Tamil-speaking people, though not of the same number yet a small proportion of them, will still be in Kerala. I am sure those Malayalees will be well looked after by this State. I want them to feel as Tamilians and behave like citizens of Tamil Nad and work for the good of Tamil Nad and forget that they are Malayalees. They should work in co-operation with the Tamilians as brothers. For, what is good for the one State is good for the other State also.

Sir, I had a half mind to snatch you away to Kerala. (A voice: We won't allow that.) Your not coming to Kerala is a great loss to Kerala. It is a great privilege to be a Member of this Body over which you preside. You have been affectionate to me and if I say that, some hon. Members are likely to mistake it as partiality shown to me. Therefore, I do not say that. Well, Sir, we will make a present of Dr. Cherian to Tamil Nad, for he is the essence of Kerala culture.

Sir, I would like to continue. But I find it very difficult to continue and so, I shall stop by saying that from the 1st of November onwards, let us all work together and let us all do our best to improve each State and our great mother-country. Jai Hind.

* SRI P. P. UMMER KOYA: Mr. Chairman, Sir, I rise to speak with mixed feelings. I am sad because we are going away. Parting has always a saddening effect. Malabar has been an integral part of this Great State for a long time. We have derived much help and consideration from this State and Government and it has been our good fortune to have had a very efficient and stable administration here. We have derived and learnt so much from this State. We had been a happy family in spite of our differences and at times even quarrels and conflicts. We were able to pull together and work together even though we belonged to different linguistic groups. Malayalees, Kannadigas and Tamilians never found it difficult to work together in the interests of the whole State. Now, as from the 1st of November, the country is being reorganized. I am very happy, Sir, the long-cherished dreams of Keralites and Kannadigas are being realised. For centuries the Malayalam areas were unfortunately under different

[Sri P. P. Ummer Koya] [26th October 1956]

administrative and political set-up. But now on the 1st November, Kerala is going to be one single administrative unit. I hope the Malayalees will be able to make Kerala a progressive and prosperous State and I am sure veterans like Mr. Govinda Menon who have left the Congress organization will work with the Congress in order to have a stable and efficient administration in the future Kerala State.

Sir, it has been my proud privilege to be associated with this august body consisting of eminent statesmen, educationists, social workers, great intellectuals and leaders of public opinion, for more than two years. This experience has been a very happy and fruitful one to me. The hon. Members of this House as well as the Hon. Ministers of the Government have treated me very kindly and I am really indebted to them. Sir, I am really moved by the feelings expressed by the hon. the Leader of the Opposition as well as other hon. Members. The Hon. the Leader of the House has been a source of great help and inspiration to me and I cannot express my gratitude to him in words. I am really obliged to him and you, Sir, have been like a father to me. You have guided me, you have encouraged me on many occasions and you have showered on me an abundance of goodwill and good advice. I will never be able to forget you, Sir. The days I spent here will always be green in my memory and the experience I have gained here, I am sure, will stand me in good stead in my future public career.

I take this opportunity to pay my humble tribute to His Excellency the Governor who is going away soon. He has taken so much interest in the affairs of our State. I also pay my tributes to the Hon. Mr. Shetty, the popular Health Minister who has rendered so much service to our State and our people.

One word more to the Members of my Party who were kind enough to elect me as the Chief Whip of the Party. In discharging my duties as such, they have given me their wholehearted support and co-operation and I must particularly mention Sri Purushotham who has been always helpful to me and who always tried to minimise my work.

I also take this opportunity to thank all the hon. Members who have spoken very kindly of me. We are going to the new State with all your goodwill and good wishes. We will carry with us your messages of friendship and I can assure you, Sir, we will strive in all possible ways, in word and in deed, to bring about closer relationship between our States and create better understanding between our people. I wish Madras and Karnataka all success and I crave the blessings of all hon. Members.

With these few words, I resume my seat, Sir.

1-10 SRI K. GOPALAN: Mr. Chairman, Sir, with folded hands
p.m. I bid adieu to this House. It is very difficult for me to express my feelings while I stand, for the last time, here on the floor of this House. For the last 24 years I have been associated with this

[26th October 1956] [Sri K. Gopalan]

House and I have been gifted with knowledge in parliamentary proceedings by the exalted and high-level discussions that used to take place in this House. I thank you for the kind words you have spoken about me.

* SRIMATHI R. S. SUBBULAKSHMI: சேர்மன் ஸார், நமது கவுன்சில் இதுவரைக்கும் ஒரு அவிபக்த குடும்பத்தைப் போல் இருந்துவிட்டு இப்போது ஒரு விதமாகப் பிரியப்போகிறது. பிரிந்துபோவதில் சில அனுசூலங்களும் உண்டு, சில பிரதிகூலங்களும் உண்டு. ஒரு குடும்பத்தில் பிஷ்மரைப்போல ஒரு தாத்தா இருந்து, பாட்டியும் இருந்து, அவர்களுக்கு அவர்களுடைய புத்திரர்கள், புத்திரிகள், பேரன்கள், பேத்திகள் எல்லோரும் இருந்தால், அப்போது அவர்கள் எல்லோரும் ஒன்றாக இருக்க வேண்டுமென்று பெரியவர்களாகிய தாத்தாவும் பாட்டியும் விரும்புவது சகஜந்தான். ஆனால் அவர்களுடைய சில புதல்வர்கள் “நாம் பிரிந்து இருந்தால் நம்முடைய பங்கு சொத்தை அபிவிருத்தி செய்துகொண்டு நாம் இன்னும் செளகரியமாகவும் சுபிட்சமாகவும் வாழலாமே” என்று எண்ணுவதும் சகஜந்தான். இதேபோல தேசம் ஒன்றாக இருந்தாலும் சில அனுசூலங்களும் பிரதிகூலங்களும் இருக்கின்றன; பிரிந்து இருந்தாலும் சில அனுசூலங்களும் பிரதிகூலங்களும் இருக்கின்றன.

பிரியும்போது சில மனஸ்தாபங்களும் பூசல்களும் ஏற்படுவது வழக்கம் தான். இதைச் சொல்லும்போது எனக்கு ஒரு கதை ஞாபகம் வருகிறது. ஒரு குடும்பத்தில் அண்ணனும் தம்பியும் சொத்தைப் பிரித்துக் கொண்டார்கள். அண்ணனும் தம்பியும் அவரவர்களுக்கு இஷ்டமானவைகளை ஏதோ ஒருவிதமாகப் பிரித்துக்கொண்டுவிட்டார்கள். வீட்டுப் பெண்கள் சொத்தைப் பிரித்துக்கொண்டபோது சண்டை ஏற்பட்டது. பெண்கள் எப்போதும் தாங்கள் உபயோகித்த சிறிய பொருள்களையும் பிரமாதமாக நினைப்பார்கள். சின்னப் பொருள்களுக்காக சண்டை போட்டுக்கொள்வார்கள். வீட்டில் உபயோகிக்கப்படும் கல்சட்டிகளுக்காக பெரிய சண்டை போட்டுக்கொள்வார்கள். அதே மாதிரிக் கல் சட்டிகளை பிரித்துக்கொண்ட போது பெண்கள் சண்டை போட்டுக் கொண்டார்கள். ஒரு பேத்தி “கீரை மசிக்கிற இந்தக் கற்சட்டி எனக்குத்தான் வேண்டும்” என்றாள். மற்றொரு பேத்தியும் அதைக் கேட்டாள். இந்த மாதிரி சண்டை போட்டுக்கொண்டார்கள். அவர்களுடைய சண்டை முடிவுக்கு வராமல் இருந்ததால் பிள்ளைகள் தலைவிட்டு, “எல்லாக் கற்சட்டிகளையும் முற்றத்தில் கொண்டு வந்து வைத்துக் கொள்வோம்” என்று சொன்னார்கள். அந்தப் படியே எல்லாக் கற்சட்டிகளையும் முற்றத்தில் கொண்டு வந்து வைத்துவிட்டு, “புதிதாக கற்சட்டிகளை வாங்கிக்கொள்ளுங்கள்” என்று சொன்னார்கள்.

தேசத்தில் இப்போது பல தலைவர்கள் புத்திசாலிகளாக இருக்கிறார்கள். தேசத்தில் இப்போது ஸோனல் கவுன்சில்களை அமைக்கப் போகிறார்கள். பிரிவினைகள் காரணமாக தேசத்தில் விபரீதங்கள் ஏற்பட்டுவிடாதபடி, சமரசமாக எல்லாத்தகராறுகளையும் தீர்த்து வைப்பதற்கு ஸோனல் கவுன்சில்களில் ஏற்பாடு செய்யப்படும் என்று நம்புகிறேன்.

ஒரு குடும்பத்தில் இரு சகோதரர்கள் இருக்கிறார்கள் என்று வைத்துக் கொள்வோம். “குடும்பத்தின் சொத்து முழுவதும் மூத்த பிள்ளையின் பெண்களின் கல்யாணங்களுக்கும் பிள்ளைகளின் படிப்பிற்கும் செலவழிக்கப் படுகிறதே. குடும்பத்தின் சொத்தைப் பிரித்தால் நல்லது,” என்று இளைய சகோதரனின் மனைவி நினைத்தால் அது சகஜந்தான். இந்தியா தேசம், முழுவதும் ஒற்றுமையாக இருப்பது ஒரு விதத்தில் அனுசூலமானதுதான். தேசம் பல ராஜ்யங்களாகப் பிரிவதிலும் சில அனுசூலங்கள் இருக்கலாம். இந்தியாவுக்கே அடிப்படையான பண்பாடு [culture] ஒன்று உண்டு. அதைத் தவிர தனித் தனி இனத்தாருக்கு தனித் தனியான பண்பாடுகளும் உண்டு. ஆகவே தனித் தனியாக இருந்து அந்தப் பண்பாடுகளை

[Srimathi R. S. Subbulakshmi] [26th October 1956]

அபிவிருத்தி செய்வதற்கு மேலும் மேலும் உற்சாகமும் ஊக்கமும் ஏற்பட வேண்டியதும் அவசியம்தான். இந்தியா பாஷாவாரியாக பல ராஜ்யங்களாகப் பிரிந்தாலும், அவரவர்களுடைய டிஸ்பாடுகளை வளர்ப்பதோடு இந்தியா ஒரு தேசம் என்பதை ஞாபகத்தில் வைத்துக்கொண்டிருக்கவேண்டும். அதை ஞாபகத்தில் வைத்துக்கொண்டு பலவிதமாகப் பிரிவதும் நல்லது தான். குறுகிய மனப்பான்மையோடு இல்லாபல் நாம் எல்லோரும் ஒரு தேச மக்கள் என்ற பரிந்த மனப்பான்மையோடு இருக்க வேண்டியது மக்களும் அவசியமாகும்.

அடுத்தபடியாக, இந்த 4½ வருஷங்களாக இந்த சபையில் நான் மெம்பராக இருந்திருக்கிறேன். எனக்கு ஒரு காலத்தில் அரசியலைப்பற்றி ஒன்றுமே தெரியாது. காரணம், அரசியல் விஷயமாக எனக்கு ஒரு அசித்ததை இருந்ததுதான். இந்த 4½ வருஷங்களாக இந்த சபையில் நான் மெம்பராக இருந்ததால் அதே விஷயங்களைத் தெரிந்து கொள்வதற்கு எனக்கு வாய்ப்புக் கிடைத்தது, அதற்காக கனம் பொருத்திய கவர்னர் அவர்களுக்கு என் மனமார்ந்த வந்தனத்தைத் தெரிவித்துக் கொள்கிறேன். எல்லாவுடைய விண்ணப்பத்தின் விளைவாகவே நான் இந்த சபையிலிருந்து இப்போது விடுகிறேனென்றே என் பணை கனம் அங்கத்தினர்களுக்குத் தெரிவித்துக்கொள்ள விரும்புகிறேன். இன்னும் ஒரு வருஷ களுக்கு முன்பே இந்த சபையிலிருந்து விடுகிறேனென்றே வேண்டுமென்றே என் பணை எனக்கு இருந்தது. அதை கவர்னர் அவர்களுக்குத் தெரிவித்தேன். அதை மனதில் வைத்துக்கொண்டு கவர்னர் அவர்கள் என்னை சபையிலிருந்து பிரிக்கும்படி சொல்லியிருப்பது மிகவும் உசிதமானது. இதுவரையிலும் என்னடம் எவ்வளவோ அன்புடன் நடந்தகொண்டதற்கும் என்னைப்பற்றிப் புகழ்ச்சியாகப் பேசியதற்கும் சபையிலுள்ள கனம் அங்கத்தினர்கள் எல்லோருக்கும் என்னுடைய மனமார்ந்த வந்தனத்தைத் தெரிவித்துக்கொள்கிறேன்.

நம்மிடமிருந்து பிரியும் மலையாள சகோதரர்களும், கன்னட சகோதரர்களும் அவரவர்களுடைய ராஜ்யங்களுக்குச் சென்ற பிறகு அவரவர்களுடைய ராஜ்யங்களை முன்னுக்குக் கொண்டு வருவதற்கும் அவர்களுடைய சகோதர சகோதரிகளின் சேஷமத்திற்கும் பாடுபட வேண்டுமென்று அவர்களை நான் கேட்டுக்கொள்கிறேன். அதோடு கூட ராஜ்யங்களுக்கு ராஜ்யம் பாஸ்பர ஒற்றுமை உணர்ச்சியை வளர்ப்பதற்கும் முயற்சி எடுத்துக்கொள்ள வேண்டுமென்றும் அவர்களைக் கேட்டுக்கொள்கிறேன்.

இந்தியாவில் பல பிரிவுகள் ஏற்பட்டாலும், கடவுள் அனுக்கிரகத்தால் ஒவ்வொரு இடத்திலும் மக்கள் சுபிட்சமாகவும், ஒருவரோடொருவர் அன்புடனும் ஒற்றுமையுடனும் இருக்கவேண்டும். உலகம் இருக்கும் நிலையில் இந்தியா மிகவும் ஒற்றுமையுடன் இருக்க வேண்டும். சகோதர சகோதரிகள் எல்லோரும் ஒற்றுமையுடன் சுபிட்சத்துடனும் இருப்பதற்கு வேண்டிய அறிவையும், ஆற்றலையும், சக்தியையும் கொடுக்கவேண்டுமென்று ஆண்டவனை வேண்டிக்கொள்கிறேன். இதுவரையில் எனக்கு கவுன்சிலில் இடம் கொடுத்த சகோதரர்கள், அன்பர்கள் எல்லோருக்கும் என்னுடைய மனமார்ந்த வந்தனத்தைத் தெரிவித்துக்கொண்டு இததுடன் என்னுடைய பேச்சு முடித்துக்கொள்கிறேன்.

* THE HON. SRI M. BHAKTAVATSALAM: Mr. Chairman, Sir, it is indeed a very great pleasure and a rare privilege to echo and reciprocate the very fine sentiments that have been expressed by several hon. Members of the House in the course of this discussion, particularly those who are to leave this State for their own States. Sir, it is indeed sad to think that there is so much of parting, all, at the same time, on account of the reorganization of States. But still the reorganization has been decided upon by the Parliament, and let us all take it, in the best interests of our country. This State no doubt will become small. The size of the

[26th October 1956] [Sri M. Bhaktavatsalam]

State will be reduced on account of the reorganization of the States which will come into effect on 1st November 1956. But, Sir, I would like to point out that our country has a federal type of Constitution and States are bound to be small. Then, I would like to point out to hon. Members that although the size of this State might be reduced on account of the reorganization of States, the number of States in India is to be reduced from 29 to 16.

Therefore, it is a step decided upon by the Parliament, in the very right direction. Therefore, let us not feel sad about the reorganization as such. I would also like to remind hon. Members about the very sagacious advice given by Earl Attlee when he was here in Madras that there should be same finality about these things. Even when the reorganization of States is to come into effect in a few days, let us not be thinking of another reorganization. The States will be there on the 1st November and let us see how we could put forth our best efforts in the interests of the States concerned and also in the interests of our great country.

Sir, I should congratulate hon. Members who will be having their own States and who, on account of the formation of their own States, will be leaving us. They do not leave us on account of any quarrel with us. It is the realization of an age-long aspiration on the part of the people in Kerala and the people in Karnataka. Therefore, if hon. Members will be leaving us after such age-long association with us, no doubt we may feel sad over it for a while, but still we are glad that they are going into their own States and that they will be able to shape the destinies of their own States in their own way. I have no doubt that they will do their best to make their States ideal States.

Metaphors and similes were indulged in in the course of the discussion. Sometimes similes are taken on all fours and are thus misunderstood. But these friends who would be leaving the State could certainly be compared, as has been pointed out, to a daughter who has been brought and bred up by the mother, taking leave of the mother and going to the husband's house. If the hon. Member Sri Govinda Menon would take objection to that simile, I would say it would be just like a brother bidding farewell to his own dear sister who has played with him and who has grown with him all along but who still is to go away to her own house.

SRI M. P. GOVINDA MENON: I have no objection to come to the mother State.

* THE HON. SRI M. BHAKTAVATSALAM: But I shall call him my sister, Sir. Therefore, I agree with the hon. Member Sri Narasapaya that we cannot accept the advice of the hon. Member Sri T. G. Krishnamoorthi and tell the Members who will be parting with us "Poi varungal". If the sister goes to her house, I shall not bless her saying, 'You had better come back.' She may come back for a while. But it is open to the hon. Member Sri Govinda Menon, as he said last evening, to say,

[Sri M. Bhaktavatsalam] [26th October 1956]

'வாழ்குதல்' That is all right; so far as he is concerned, he is always welcome in our midst. But I do hope that they will be able to contribute in no small measure to the prosperity of their new States.

It is on account of this reorganization of the States that we have to part with our own dear Governor. He has been so popular. He has been taking a paternal interest in the affairs of our State. He has been so easily accessible and he has been taking a very lively interest, within the limits of a Constitutional Head, in the affairs of our own administration. It is very difficult to have a Governor of the stature and the affection and the capacity of our present Governor. But he is to leave this State shortly because the reorganised State of Bombay is very badly in need of his guidance and his services. May I request you, Sir, to convey to our Governor the feelings of affection and our own felicitations and the felicitations of this House and the feelings of appreciation, for the manner in which he has been guiding our State and helping our State and building it up? I would request you to convey the feelings of this House to the Governor.

In the same way, it is on account of the reorganization of the States that we shall have to part with the Speaker of the other House. He has been in the *gadi* only for a very short time. But still he has conducted the deliberations of the other House in such a fine way and I know and I can personally testify how he evoked the appreciation of those in London connected with the Parliament and connected with the Commonwealth Parliamentary Association, when he was there for a few days. You will agree with me, Sir, that even within this short time he has found a place in the galaxy of very fine Speakers of the Madras State.

Then, again, I have to lose personally a very valuable Colleague in the Hon. the Minister for Health and this House will be missing him and you will be missing him, Sir. Very fitting encomiums were paid to his qualities, to his capacity and to his character by several hon. Members of this House. This House has listened to his speech which echoed very fine sentiments. Hon. Members are aware how thorough he has been with the subjects he has been handling. He was quite firm and some hon. Members characterised his firmness as obstinacy. He has indeed been firm to the point of obstinacy. He won't yield and I know personally it would be very difficult to convert him to our own point of view if there is any difference of opinion. But with all that, he is so lovable and so affable. He evoked the admiration and appreciation of everyone and even of those who were too critical about his acts of administration. I do hope that there is no exception to this.

Hon. Members are aware that there has been a raging controversy over the issue of B.C.G. vaccination and the two participants are our respected leader Rajaji and our Minister for Health. But still I can testify to the fact that Rajaji has very great affection for the Hon. the Minister for Health. I may say—I do not

[Sri M. Bhaktavatsalam] 26th October 1956]

mind revealing this at this stage—when this Ministry was about to be formed, I had an occasion to have a talk with Rajaji and he put it to me and asked me to convey it to the Chief Minister that the Health portfolio should be with Sri Shetty and that it should not be taken out of him. That is the high regard and respect that Rajaji, in spite of difference of opinion, has had for Sri Shetty.

We shall certainly be missing from the 1st November the eloquence of the hon. Member Mr. Narasapaya and the biting, bitter criticisms of the hon. Member Mr. Govinda Menon. Mr. Govinda Menon's criticisms were biting and bitter but they served a purpose, a good purpose also. That enabled me often to explain what the Government had been doing for Malabar. But I may tell the House that never on any occasion was there any rancour in him. As he just now said, I am proud and happy that he has always been entertaining and that he has had only affectionate feelings for me, in spite of the fact that he sometimes expressed his views in strong or even crude language. As the hon. Member pointed out, sometimes we have to speak in a language and a style like the one he employs in order to create a certain effect. But still, it must be no surprise to anyone to know that our relationship has been continuously cordial. And that is because, as he himself said, we have been comrades-in-arms in the struggle for freedom. The hon. Member, Mr. Govinda Menon, Sir, put a supplementary question the other day asking me to explain why Sri Ramaswami Naicker—the Periyar—was extending his support to our Chief Minister. I can now give him the explanation, the same explanation that I have just now given about the relationship between me and the hon. Member. Our Chief Minister and Sri Ramaswami Naicker were old comrades-in-arms in the initial stages of our freedom struggle under the great leadership of Mahatma Gandhi. That is the explanation I can give now.

Sir, encomiums were paid to the hon. Member Mr. Narasapaya by hon. Members. He is so learned and so thorough that he has always made a worthy contribution to debates in this House. We shall be missing him and also two young Members who are sitting behind me. I should particularly refer to Mr. Ummer Koya, our Chief Whip. The House knows how earnestly and sincerely he and Mr. Gopalan have been doing their duty and how enthusiastically they have been participating in the business of the House. They go to Kerala and I have no doubt that they will play a worthy part in the building up of Kerala.

Sir, we have already lost the unique services of a veteran Lady Member of the House—Dr. Muthulakshmi Reddi. Now again, due to this reorganization of States, we are losing the services of another Lady Member, Sister Subbulakshmi. None can claim her to be a sister. She is grandmother to all. As a grandmother would express her feelings during separation, she has done and we feel as children would feel any separation. I do hope, Sir,

1.30
p.m.

[Sri M. Bhaktavatsalam] [26th October 1956]

that although the strength of the House will be reduced by three from the 1st of November, it will continue to uphold the same traditions as it has upheld in the past and give the same guidance and co-operation to the Government. Sir, fortunately my Hon. Colleague, Mr. Shetty is here by my side and so I would request you to convey our good wishes to the Hon. Speaker of the Assembly who will also be leaving us soon. I need not trouble you about Mr. Shetty. It is my pleasant duty to offer our good wishes to the hon. Members and others who will be leaving us. We offer them our feelings of regard and affection. As has been pointed out by many hon. Members, in spite of partition of States, I hope that those who go to Kerala and Mysore will keep the good of the Tamils at heart and realise that the good of Madras will be their good and we on our part also feel that their good would be our good. There will arise several things in common and we have to sit together and evolve solutions which would be for the common good of all. It is no doubt some solace that there will be a Zonal Council, although unfortunately Mysore would not be in that Council. Kerala and Andhra will, of course, be there and I do hope that the Zonal Council will serve the purpose that is intended by our Prime Minister and the Parliament of India. Hon. Members who will be leaving us for Mysore and Kerala will take with them very happy memories and our affectionate feelings. I would request them to convey to the people of Kerala and Mysore our own greetings and felicitations and our offer of co-operation and good wishes for all happiness and prosperity in those States.

* MR. CHAIRMAN: Hon. Members, parting is not at all a pleasant thing. As most of you have mentioned, this is the second time, we are parting with a large number of our very valued friends. When the Andhra State was carved out, we lost a very large number of Members. Now, when the States are reorganised, we will lose, though not such a large number, at least some of our very good friends.

Along with others, we will have, shall I say, the misfortune of losing our popular Governor, the Hon. Speaker of the Assembly and our respected Friend, Mr. Shetty, Minister for Health. The Governor came to us as a perfect stranger. He had no connections with Madras before, though his ancestors had. He had to make new friends and acquaintances. And a large number of people got to know him. But his greatest success has been due to the easy and automatic way in which he earned the affection of the people of this State. Everybody has got affection for him, regard for him and respect for him. This is not an easy thing for a man placed in such a high position. We had been used to Governors before, particularly during the British regime. The British Governors were unapproachable people who went to the Government House and to whom we had practically no access. This great gentleman, great educationist, philosopher and politician threw himself out and became a friend of every one. It

[26th October 1956] [Mr. Chairman]

will be a great loss to the State when he goes away, as his services are required in another State, a much bigger State. I am sure he will be an equal success there as he has been here and in other places before.

It has been said of him, whenever there is a difficult situation anywhere, our great Prime Minister chooses Shri Sri Prakasa to solve those difficulties. He has been the Governor of Assam, he has been the Ambassador to Pakistan and everywhere he has created a name for himself. The Hon. the Leader of the House has asked me to convey our feelings to the Governor. I shall certainly do so with the greatest pleasure and I associate myself with the sentiments expressed by the hon. Member and the Hon. the Leader of the House.

I shall now go to the Hon. Speaker of the other House. He has been the Speaker only for a short period. He came in with a certain amount of tradition behind him. He is a good speaker in the strict sense of the term. I have listened to his speeches as a student some years ago when he used to compete in the oratorical competitions when the Rt. Hon. Srinivasa Sastri, Sri C. P. Ramaswami Ayyar and other eminent men in our country used to be judges. I think once a prize was won by him and Sastri himself gave away that. He came as a Speaker here and straightaway he made a mark for himself. I know it is not easy to make a mark particularly when there are a large number of parties in opposition and a strong opposition; there very often difficulties crop up; he has been able to manage the affairs of the House beautifully as seen from the encomiums paid to him at the meeting yesterday. I shall convey our good feelings to him. We hope his services would be utilised in the new Kerala State or whether his lot is placed, because it is not a good thing, it is not advisable to lose the services of experienced and good people who have discharged their duties with credit to themselves and happiness to others.

Now, I come to my very respected Friend, the Hon. Mr. A. B. Shetty. I do not exactly remember when I met him for the first time. But I have got a recollection that it was when I was a Junior Surgeon in the Government General Hospital when he came to the Hospital as Secretary to the Hon. Dr. T. S. S. Rajan. I was then introduced to him. Mr. Shetty was in beautiful clean white clothes and he created a very good impression in me and I have never had opportunity to change that opinion. Ere long I had the privilege of being a subordinate to him when he was the Health Minister and met him several times. He does not make subordinates feel as such whenever he meets them. He has a wonderful grasp of the subject.

He came to the General Hospital once for the laying of foundation-stone and opening of a school by Lady Hope, I think. Mr. Shetty has got a great knack of hiding what he is. I have for a long time been thinking he was a lawyer. I introduced him as such. But afterwards, Mr. Shetty told me that he was not

1-40
p.m.

[Mr. Chairman] [26th October 1956]

a lawyer. He has been mistaken by many people for a doctor. But I do not blame the people for from what I have myself seen and I have experienced, I can say there is not a single medical literature which he does not know; he keeps himself absolutely up-to-date with the latest information: the latest British Medical Journal, the American Journal and all medical books would be available with him. Not only that; he likes to know from others. He has got a great knack and capacity of drawing information out of you; whenever any doctor goes to him—many go to him because he is quite accessible—he gets all the information. He knows more about the profession of medicine than I do, I can confess.

Another thing is he hides his age; nobody knows how old he is. Certain people guess. I do hope and wish that he is much younger than what he really is, so that, for many, many more years, he may render useful service to our country. This personal attachment, this respect, this affection and regard and everything that I have for this gentleman far surpass what I feel for many other people. May be, I am in the medical profession and because he was the Health Minister I had to work under him and I had opportunities of knowing about his honesty, his nature and his character, how board minded he is and how correct he is in everything. You can never persuade him to do a thing that is wrong; you can never persuade him to do a cruel thing. Cruelty is not in him. We are losing such a good man. He is an exceptionally clever, efficient and brilliant gentleman who will be of great use to any State; not only to a State, but I venture to say with great confidence that he will make a successful Health Minister at the Centre also. This is not my own impression, but it is the expression of people who are really in charge at the top. Let us hope we will hear more and more about him. I hope he will be visiting us often. On behalf of you and every one in the State I wish to say that he will be the most welcome guest whenever he comes to Madras.

Now we come to the five friends who are going away. Mr. Narasapaya is a recent acquisition of mine as a friend. I saw him in the year 1952 after the new Legislatures were formed. Then discussion was going on in the Congress party for the election of a Leader. I saw this gentleman, his way of contributing to the discussion and the way he carried on the debate with the other people and then I thought 'here is a man who is going to make a mark'. I was not disappointed. Mr. Shetty said that he was a student of physiognomy and I do claim to believe in expressions on faces. From that, I know Mr. Narasapaya is going to be a great man in the Legislative Council; he has very great enthusiasm, a clean-minded man, a good speaker with good analytical ideas. I shall miss him from this Council. We hope we will hear about him. We hope he will come back here now and then even though the States are divided, for Madras as a metropolis has many things for him to come for. We will keep in touch with him.

26th October 1956] [Mr. Chairman]

Next is Mr. Ummer Koya. He belongs to a family which I know very well. I know his uncle. When Mr. Koya came to me he came with the same beautiful face and he gave me the same impression as now. I thought 'here is a boy who is going to make a mark'. His first speech in this House was a treat to listen. I am only sorry he has not spoken as often as we could have wished to hear. He has a very nice way of talking clearly; he is impressive; he is persuasive. It is to be hoped that he also will be re-elected to the Legislature of the Kerala State in a few months' time when there will be elections again.

Mr. Gopalan is one of the young and silent people here. He spoke only on one or two occasions. But still he has got great stuff in him and I am sure he also will make a mark in the future Kerala Legislature.

Then there is my friend Mr. Govinda Menon. He has been a live-wire in this House. Whenever things were dull in the House, then Mr. Menon would get up and set things right. He is a very great parliamentarian. He said he had burnt his boats. I do not know what he meant by that. But a man of his capacity and experience of parliamentary procedure should, it is my personal advice to him, associate himself with a Party which can do something for the good of the country. Of course, Opposition does do good. But Opposition now is very very weak and very small. Everybody knows that the success of a State or a Parliament depends on the strength of the Opposition. If we have one very strong ruling party, what is the use of having a small Opposition? You can say anything you like from the Opposition but nothing happens. Therefore I think it would be best for Mr. M. P. Govinda Menon to join the majority ruling party to make his weight felt. (Sri M. P. Govinda Menon: You, Mr. Chairman, should not align with any party.) I am not aligning with any party. I am making a very general statement. I did not mention the name of any party. What I say is you should join the majority ruling party to make your weight felt; otherwise you would be lost by the time there is a strong Opposition, in the country. That is why I am advising you to join the ruling party.

Sister Subbulakshmi has been known to me for many years. I have the greatest respect and regard for her. It is a great pity that due to this reorganisation and due to the reduction in the strength of our Council, we have to lose one member nominated by the Governor. Sister Subbulakshmi has contributed greatly to the discussions of this Council. In her early days she used to speak several times and she has contributed very valuable suggestions. We are losing her. There is nothing more for me to add except to say how personally I feel the loss of these members from this House. But these inevitable things have happened. I wish them on your behalf and on my own behalf, a very happy, contented, prosperous and fruitful life in the future and our best wishes go to them.

I now adjourn the House *sine die*.

The House then adjourned *sine die*.

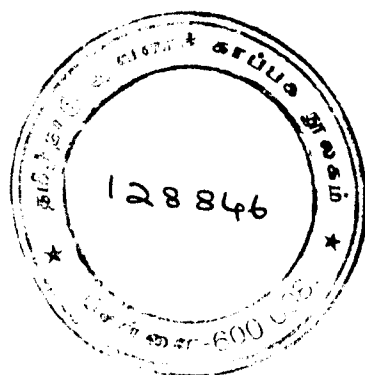
1-50
P.M.

[26th October 1956]

III—PAPERS LAID ON THE TABLE OF THE HOUSE.

^a 1. Notification issued with G.O. Ms. No. 2552, Home, dated the 10th September 1956 relating to amendments to the Madras Cinematograph Rules, 1933 regarding insertion of a condition in the licence in Form A.

^b 2. Main Report of the Second Five-Year Plan, 1956 published by the Planning Commission, Government of India.



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2-14

^a Placed on the table of the House on the 25th October 1956.

^b Circulated in the Chamber on the 25th October 1956.

தமிழ்நாடு ஆவணக்காப்பக நூலகம்,
எழும்பூர், சென்னை-600 008.

புவனாத்தாள்.

பெ. எண் : 128846 ப. எண் : 105-16.3-4

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