

MADRAS LEGISLATIVE COUNCIL DEBATES

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

23rd to 26th October 1956.

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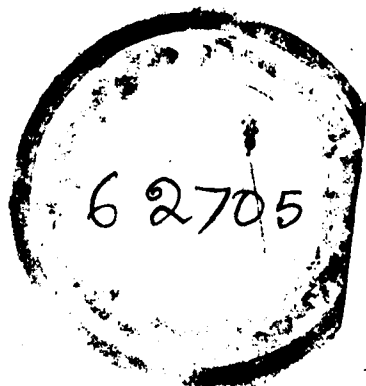
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THE MADRAS LEGISLATIVE COUNCIL.

Tuesday, the 23rd October 1956.

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

I.—CONDOLENCE ON THE DEATH OF SRI B. V. NARASIMHA AYYAR, MEMBER OF THE FORMER LEGISLATIVE COUNCIL OF MADRAS.

MR. CHAIRMAN: I have to announce to the hon. Members that I have received information about the death of Sri B. V. Narasimha Ayyar, a former member of the old Madras Legislative Council, for eight years from 1912. I propose that we express our sorrow at the demise of Sri B. V. Narasimha Ayyar by all of us standing in silence for two minutes. I shall convey this to the members of the bereaved family.

The Members stood in silence for two minutes as a mark of respect to the deceased member.

II.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

Use of water for irrigation at Vasudevanallur village

* 74 (SHORT NOTICE) Q.—SRI K. BALASUBRAMANYA AYYAR: Will the Hon. the Minister for Revenue be pleased to state—

(a) whether it is a fact that the Government passed orders in G.O. No. 3651, Revenue, dated the 28th December 1954, in regard to the unauthorized use of water for irrigation by the Karnam of Vasudevanallur village, Tirunelveli district;

(b) whether there is any proposal to reconsider the decision of the Government in the above orders; and

(c) for what reasons?

THE HON. SRI M. A. MANICKAVELU: (a) Yes, Sir.

(b) & (c) A review petition from Sri V. N. Periaswamy Pillai, Karnam, Vasudevanallur of Sankarankoil taluk in the Tirunelveli district, for reconsideration of the orders in G.O. No. 3651, Revenue, dated 28th December 1954, is under the consideration of the Government.

SRI K. BALASUBRAMANYA AYYAR: Is it a fact that there was previously a review petition from the very same gentleman against the orders in G.O. No. 3651 and that it was dismissed by the Hon. the Minister for Revenue?

THE HON. SRI M. A. MANICKAVELU: Sir, there has been quite a seesaw of orders, the Collector passing one order and then the Board passing another order and then reviewing it and all that. I cannot exactly say at what stage it is now.

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SRI K. BALASUBRAMANYA AYYAR : Is it a fact that three District Collectors, three Executive Engineers, and the Secretaries in the Board of Revenue, considered the question for three years and that finally it came before the Hon. the Revenue Minister? There was a review petition again before the Hon. the Minister for Revenue and that was also dismissed?

THE HON. SRI M. A. MANICKAVELU : Sir, there is one review petition pending still.

Procession conducted by Sri E. V. Ramaswamy Naicker as a part of the Buddha Day Celebrations at Salem

* 75 Q.—**SRI A. SUBRAMANIAM :** Will the Hon. the Chief Minister be pleased to state—

(a) whether it is a fact that as a part of the Buddha Day Celebrations conducted at Salem under the auspices of Dravida Kazhagam, Sri E. V. Ramaswamy Naicker and his party-men conducted a procession with men dressed as Rama and Sita to vilify them; and

(b) if so, the action taken or proposed to be taken in the matter?

THE HON. SRI M. BHAKTAVATSALAM (on behalf of the Hon. the Chief Minister) : (a) It is a fact that a procession was taken out as stated in the question.

(b) The procession was conducted in a peaceful manner and there was no opposition to it. No action was, therefore, taken in the matter.

SRI K. BALASUBRAMANYA AYYAR : Is 'conducting the procession in a peaceful manner' the only factor that is taken into consideration or is the question that feelings of people are wounded also taken into consideration?

THE HON. SRI M. BHAKTAVATSALAM : I agree, Sir, that feelings of people should be considered; if anybody does anything which offends the feelings of other people, that should also be taken into consideration. But the hon. Member is an eminent lawyer and he knows the limitations of law and the limitations of Government in such matters.

SRI V. CHAKKARAI CHETTY : May I ask a very simple question? Does not the Hon. the Chief Minister think that if a man makes such foolish statements, it is a sign of aberration of the mind and, therefore, treats them with scorn and indifference and does not take them seriously and make heroes and martyrs of them lest they should also join the noble army of martyrs and heroes?

THE HON. SRI M. BHAKTAVATSALAM : The hon. Member has expressed his own opinion and it should be duly considered by the people concerned.

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SRI A. SUBRAMANIAM : இந்து மதத்தைச் சேர்ந்த பல ஆஸ்திகர்கள் இருக்கின்ற இடங்களிலும், பல ஆஸ்திகர்கள் செல்லுகின்ற ரஸ்தாவிலும், ராமர் குடிகாரர் போலவும், ராமன் ஆட்டின் பச்சைக் காலே வாயில் கடித்துக்கொண்டு சீதையின் வாயில் கள்ளை ஊற்றுவது போலவும் லக்ஷ்மணன் சீதையைக் காதலிப்பது போலவும், வேஷம் போட்டுக்கொண்டு சிலர் நடனமாடிக்கொண்டுவந்தால், அது ஆஸ்திகர்களின் மனதைப் புண்படுத்தாதா? இப்படிப்பட்ட சம்பவம் நடந்தபோது பொது ஜனங்கள் அமைதியாக இருந்தார்கள் என்றால், அமைதிக்குப் பங்கம் ஏற்படுத்தக் கூடாது என்ற உணர்ச்சியினாலும், காங்கிரஸ் சர்க்கார் தக்க நடவடிக்கைகளை எடுத்துக்கொள்ளும் என்ற நம்பிக்கையின் பேரிலேயும்தான் அவ்வாறு இருந்திருக்கிறார்கள். ஆகவே இந்த சம்பவம் நடந்தபோது அரசாங்கம் சரியானபடி நடவடிக்கைகள் எடுத்துக்கொண்டதா என்று அறிய விரும்புகிறேன்.

THE HON. SRI M. BHAKTAVATSALAM : நான் முன்பே சொன்னேன் : “சட்டப்படி அரசாங்கம் என்ன என்ன நடவடிக்கைகளை எடுத்துக்கொள்ளக்கூடுமோ அந்த நடவடிக்கைகள் விஷயத்தில் அரசாங்கம் கவனம் செலுத்தக்கூடும்.” இந்த சம்பவத்தைப்பற்றி கனம் அங்கத்தினர் விவரமாகச் சொல்வது இங்கேயுள்ள கனம் அங்கத்தினர்களின் மனதைப் புண்படுத்தக்கூடும். இப்போது விவரமாகச் சொன்னது என்னுடைய மனதையே புண்படுத்தியிருக்கிறது என்கூடச் சொல்வேன். மற்ற அங்கத்தினர்களின் மனதும் புண்பட்டிருந்தாலும் அவர்கள் கனம் அங்கத்தினர் சொல்வதைக் கேட்டுக்கொண்டுதான் இருக்கிறார்கள். ஆகவே கனம் அங்கத்தினர் அவர்களைத் தாழ்மையுடன் கேட்டுக்கொள்கிறேன் : “இந்த சம்பவத்தை மட்டும் இங்கே விவரித்துச்சொல்லவேண்டாம்.”

SRI A. SUBRAMANIAM : கனம் மந்திரி அவர்கள் சொன்னதை நான் ஒப்புக்கொள்கிறேன். ஆனால், இம்மாதிரியான சம்பவங்கள் இனிமேல் நடக்காமல் அரசாங்கத்தார் பார்த்துக்கொள்வார்களா என்று அறிய விரும்புகிறேன்.

THE HON. SRI M. BHAKTAVATSALAM : நான் முன்பே சொன்னதுபோல், சட்டப்படி அரசாங்கம் மக்களுடைய உணர்ச்சிகளைப் பாதுகாப்பதற்கு என்ன என்ன நடவடிக்கைகளை எடுத்துக்கொள்ள முடியுமோ அவைகளை எடுத்துக்கொள்வதற்கு அரசாங்கம் தயங்காது.

SRI M. P. GOVINDA MENON : Mr. Chairman, Sir, is it to avoid any action being taken against Sri E. V. Ramaswami Naicker on such occasions that he in season and out of season supports the Chief Minister's administration in the State?

THE HON. SRI M. BHAKTAVATSALAM : I do not know anything about it, Sir.

Language tests for Gazetted and Non-gazetted Government servants

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

(a) whether, in view of the formation of the Andhra State and the reorganisation of States on linguistic basis, there is any proposal under the consideration of the Government for the revision of service rules in regard to the language tests prescribed for Gazetted and Non-gazetted Government servants; and

(b) if so, the stage at which the matter now stands?

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THE HON. SRI M. BHAKTAVATSALAM (on behalf of the Hon. the Chief Minister): (a) The answer is in the negative.

(b) Does not arise.

SRI T. PURUSHOTHAM: As 'Language Tests' in respect of other languages are not apparently necessary in the reorganized set-up, will the Government take up the revision of service rules in this respect?

THE HON. SRI M. BHAKTAVATSALAM: Government rather consider it premature to take up the question now. After the reorganisation business has finally settled down, Government may take up the question.

SRI M. P. GOVINDA MENON: Will the Hon. Minister consider the advisability of retaining the Language Tests so that there may be more contacts and better understanding between the residents of one State and another?

THE HON. SRI M. BHAKTAVATSALAM: The Government may consider that aspect also when they look into the question.

SRI T. PURUSHOTHAM: Will the Government indicate to us when the policy regarding introduction of Tamil as the State language will be given effect to and what steps have been taken in that direction with reference to the Policy Statement in the latest Governor's Address to us?

THE HON. SRI M. BHAKTAVATSALAM: As has already been explained, this will be taken up after the reorganisation comes into effect.

SRI A. GAJAPATHY NAYAGAR: Which language is to be tested, Sir, with reference to this question?

THE HON. SRI M. BHAKTAVATSALAM: It is not the language that is to be tested; it is the persons that are to be tested (laughter) in the languages concerned.

SRI V. V. RAMASWAMI: தமிழ் நாட்டில் இனிமேல் தமிழ் மக்களுக்குத்தான் வேலை கொடுக்கவேண்டும் என்ற உணர்ச்சி தமிழ் மக்களிடையே நிலவி வருகிறது என்பது அரசாங்கத்திற்குத் தெரியுமா?

THE HON. SRI M. BHAKTAVATSALAM: தமிழ் மக்களுக்கு அவ்வளவு குறுகிய உணர்ச்சி இருக்கிறதென்று நான் ஒருக்காலும் ஒப்புக்கொள்ள முடியாது.

Licences issued to handloom dealers eligible for the rebate under the Cess Fund Scheme

3-10 p.m. * 77 Q.—SRI A. J. ARUNACHALAM: Will the Hon. the Minister for Agriculture be pleased—

(i) to lay on the table of the House a districtwar list of total number of licences issued up to March 1956 to handloom dealers eligible for the rebate under the Cess Fund Scheme; and

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(ii) to state—

(a) the number of licensees who had misused and abused the rebate; and

(b) whether and if so, what alternative scheme was before the Government while withdrawing the rebate scheme on handloom goods outside the co-operative fold?

THE HON. SRI M. BHAKTAVATSALAM: (i) & (ii) (a) A statement* is laid on the table of the House.

(b) The rebate scheme was withdrawn with effect from 1st February 1956 under instructions of the Government of India and the All-India Handloom Board. No alternative scheme was before the Government on that date as the scheme was withdrawn by the Government of India at short notice.

SRI A. J. ARUNACHALAM: May I know whether the Government have taken action against the misusers?

THE HON. SRI M. BHAKTAVATSALAM: This was one action taken on account of the abuse.

SRI A. J. ARUNACHALAM: It is seen from the reply given that out of 911 licensees only 81 dealers have misused the rebate. How far is it justifiable for the Government to cancel all the licences till the end of March 1956?

THE HON. SRI M. BHAKTAVATSALAM: Even if there had been a few cases of abuse, the Government thought it fit to cancel this scheme and to consider other suitable measures to be adopted.

SRI A. J. ARUNACHALAM: May I request the Government to open at least emporia or depots in all important centres just to find a better market for the handloom goods produced by the weavers and master-weavers outside the co-operative fold?

THE HON. SRI M. BHAKTAVATSALAM: The Government are considering this question. They are also looking into the recommendations made by a sub-committee set up by the All-India Handloom Board.

Voting system in general elections

* 78 Q.—SRI T. PURUSHOTHAM (on behalf of Sri Mohamed Raza Khan): Will the Hon. the Minister for Finance and Education be pleased to state whether any reference has been received by the Government from the Election Commission in regard to the period of polling and the voting system to be adopted in this State during the next General Elections?

THE HON. SRI C. SUBRAMANIAM: No reference has been received from the Election Commission in regard to the period of polling for the next General Elections.

As regards the voting system to be adopted in this State during the next General Elections, the Election Commission invited the

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remarks of the State Governments about the introduction of the system of marking on ballot papers for voting at elections in Assembly and Parliamentary Constituencies in select areas (e.g., urban areas where the literate classes preponderate) in the next General Elections. This Government recommended to the Election Commission that the new scheme might be tried as an experimental measure in all the constituencies in Madras City alone. The Commission has since discussed the proposal with the representatives of the All-India Parties and in view of the preponderance of opinion against the immediate introduction of the system, the Chief Election Commissioner has decided that the marking system of voting will not be tried during the ensuing General Elections.

SRI T. PURUSHOTHAM : Will the Hon. Minister kindly tell us whether the dates for the next General Elections have been finalized and if not, whether there are any indications that the elections will be postponed?

THE HON. SRI C. SUBRAMANIAM : The dates have not yet been finalized. Perhaps, they will be finalized after the reorganisation of the States. There is no prospect of postponement of the elections.

SRI A. M. ALLAPICHAJ : May I know which are the All-India Parties that were opposed to the marking system of voting?

THE HON. SRI C. SUBRAMANIAM : All the parties were consulted by the Election Commission. I do not have a record of the proceedings here to state which are all the parties that opposed this system.

SRI A. GAJAPATHY NAYAGAR : Even in urban areas are not illiterates on a level with literates?

THE HON. SRI C. SUBRAMANIAM : Perhaps taking that into consideration, the Election Commissioner has postponed this. But even amongst the illiterates we have proved that it is possible to educate them to make a mark on the ballot paper.

SRI T. PURUSHOTHAM : Have the Government received any representations regarding the location of polling stations and will the Government rectify discrepancies so as to ensure that nearby villages are not tacked on to distant polling stations?

THE HON. SRI C. SUBRAMANIAM : Yes, Sir. Any representation can be made to the Electoral Officer and that is taken into consideration. Periodical revisions also are being made in the light of representations.

Access to libraries in Government and State-aided educational institutions by the general public

* 79 Q.—SRI T. PURUSHOTHAM : Will the Hon. the Minister for Finance and Education be pleased to state whether the Government have issued any instructions permitting the general

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public to have access to and use of the libraries in Government and State-aided educational institutions and if so, what they are and the conditions under which such access is allowed?

THE HON. SRI C. SUBRAMANIAM : Yes, Sir; the libraries belonging to 121 secondary schools and 496 elementary schools were thrown open to the public for use during the year 1954-55.

The conditions subject to which school libraries are made available to the public are specified below :—

(1) The facilities for the use of the library by teachers and pupils should not be curtailed.

(2) One or two days in a week, preferably Saturdays and Sundays, should be set apart for the issue of books to the public and for their return to the libraries so that the arrangement may not interfere with the normal working of the school.

(3) Any loss or damage to books should be made good by the person concerned and should not be debited to the school.

SRI T. PURUSHOTHAM : Will the Government consider the question of utilizing the agency of Local Library Authority branch libraries for instituting an integrated library service by obtaining bulk loan of books from school libraries and distributing them to the public?

THE HON. SRI C. SUBRAMANIAM : I do not think we can combine the activities of the Local Library Authorities and the libraries in the schools. Even this experimental measure, which we have introduced, of throwing open libraries in the schools to the public will have to be reviewed after we open sufficient number of libraries under the Libraries Act.

SRI T. PURUSHOTHAM : Will the Hon. Minister kindly tell us whether a comprehensive scheme of rural library service will be implemented under the Second Five-Year Plan and if so, will he give us a few details of the latest arrangements in this respect?

THE HON. SRI C. SUBRAMANIAM : A separate question may be given notice of.

SRI G. KRISHNAMOORTHY : Is the University Library open to the public? If not, will the Government consider the question of extending this benefit to the public?

THE HON. SRI C. SUBRAMANIAM : I think it is open to the public and anybody can become a member of that library.

SRI G. KRISHNAMOORTHY : Can non-graduates bona fide non-graduate teachers have access to the library under the conditions which are usually prescribed for graduates?

THE HON. SRI C. SUBRAMANIAM : I do not understand what is meant by 'bona fide non-graduates'.

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SRI T. P. SRINIVASAVARADAN : Since school libraries are open to the public, they come and consult reference books. When reference books are included in the library indent for purposes of grant, the department disallows them on the ground that they are not needed for the school boys. Will the Government reconsider that question in view of the fact that the school libraries are thrown open to the public? Only a few reference books are included in the indent.

THE HON. SRI C. SUBRAMANIAM : It is not the intention of the Government to convert school libraries into public libraries. This is in order to serve the needs of the transitional period when we do not have a sufficient number of libraries to serve the public. On that account, we cannot expand the school libraries, and even the necessary books are not provided there.

SRI G. KRISHNAMOORTHY : Sir, if there are restrictions on non-graduates, will the Government consider the question of admission of non-graduate teachers to the University Library on a par with graduate teachers and extend the same benefit to them?

THE HON. SRI C. SUBRAMANIAM : I think the Vice-Chancellor of the University will take this into consideration and make necessary arrangements. (Laughter.)

Technical Examination in Drawing

* 80 Q.—SRI G. KRISHNAMOORTHY : Will the Hon. the Minister for Finance and Education be pleased to state whether there is a proposal by the Government to hold the Government Technical Examination in Drawing and allied subjects twice a year?

THE HON. SRI C. SUBRAMANIAM : No, Sir.

SRI G. KRISHNAMOORTHY : In view of the fact that drawing masters who fail in the examination have to wait for one full year to re-appear for the test in the same subject, will the Government consider the question of holding a second examination in September or October?

THE HON. SRI C. SUBRAMANIAM : It depends upon the number of candidates. If there are sufficient number of candidates who will take advantage of the holding of another examination, certainly it will be considered.

SRI G. KRISHNAMOORTHY : May I know whether the Government Technical Examinations in other subjects like Short-hand and Typewriting are held twice a year?

THE HON. SRI C. SUBRAMANIAM : Yes, because there is a sufficient number of candidates.

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SRI G. KRISHNAMOORTHY : In view of the fact that representations have been made to me and also in view of the fact that drawing is a technical subject connected with one's natural gift, will the Government kindly hold a second examination though the number of candidates may be very few?

THE HON. SRI C. SUBRAMANIAM : If the number of candidates are a few, I do not think that it will be commensurate with the results which we may be able to achieve by holding the examination twice a year.

Utilization of the waters of the Krishna and the Godavari

* 81 Q.—SRI V. V. RAMASWAMI : Will the Hon. the Minister for Public Works be pleased to state whether recently there was any discussion at ministerial level between the Andhra State and this State with respect to the utilization of the waters of the Krishna and the Godavari for the benefit of this State?

THE HON. SRI M. BHAKTAVATSALAM (on behalf of the Hon. the Minister for Public Works) : Yes. The Chief Minister of Madras had discussions with the Chief Minister and Deputy Chief Minister of Andhra on this question.

SRI V. V. RAMASWAMI : அதன் (விவாதத்தின்) முடிவு என்ன என்று சொல்லமுடியுமா?

THE HON. SRI M. BHAKTAVATSALAM : முடிவு என்ன என்று அவ்வளவு சுலபமாக, அவ்வளவு சீக்கிரத்தில், யாரும் தெரிந்துகொள்ள முடியாது. அது ஒரு பெரிய விஷயம். கோதாவரியில் ஏராளமான தண்ணீர் இருக்கிறது என்பதும், அது விரயமாகிறது என்பதும் எல்லோருக்கும் தெரிந்த விஷயம். அந்தத் தண்ணீரை எப்படி இந்த ராஜ்யத்திற்குக்கொண்டுவருவது என்பதுபற்றி மேலும் பேசியும், மேலும் பரிசீலனை செய்தும்தான் ஒரு திட்டத்தை உருவாக்க முடியும்.

SRI T. PURUSHOTHAM : May I ask the Hon. Minister whether any expert survey of the possibilities of taking these waters down to the South has so far been made and if so, what the expert opinion is? 3-20 p.m.

THE HON. SRI M. BHAKTAVATSALAM : Some years back there was an investigation undertaken and a scheme was drawn up. But since then, the Nagarjunasagar Scheme has been taken up by the Andhra Government and now, it has to be investigated afresh as to how any scheme can be evolved so as to utilise the surplus waters of the Godavari river for the benefit of this State.

SRI A. M. ALLAPICHAJ : Is it not a fact that the surplus waters of such big rivers belong to the whole nation whether they are here or there or elsewhere?

THE HON. SRI M. BHAKTAVATSALAM : That question does not arise. There is surplus water available and that cannot be exclusively owned by anybody.

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SRI V. V. RAMASWAMI : முந்திய திட்டத்தில் தென்பெண்ணை ஆறு வரைக்கும் தண்ணீரைக் கொண்டுவருவதற்கு உத்தேசம் இருந்தது என்று கேள்விப்படுகிறேன். அது உண்மையா?

THE HON. SRI M. BHAKTAVATSALAM : அதுதான் நான் முன்பு குறிப்பிட்டது. முன்பு ஒரு திட்டம் போட்டு அப்படிக் கொண்டுவருவது என்று உத்தேசம் இருந்தது. அதற்குப் பிறகு இப்போது கிருஷ்ணாவில் நாகார்ஜுன்சாகர் என்ற திட்டம் உருவாக்கப்பட்டு வருகிறது. ஆகையால் கோதாவரித் தண்ணீரைக் கொண்டுவந்து ஒரு திட்டத்தை உருவாக்க வேண்டுமென்பதை இன்னும் பரிசீலனை செய்யவேண்டியது அவசியம்.

Baby taxis and lorries involved in Prohibition offences

* 82 Q.—**SRI M. ETHIRAJULU :** Will the Hon. the Minister for Religious Endowments and Transport be pleased to state the number of baby taxis and lorries involved in Prohibition offences during the years 1953-54, 1954-55 and 1955-56 in the City of Madras and the action taken thereon?

THE HON. SRI C. SUBRAMANIAM (on behalf of the Hon. the Minister for Religious Endowments and Transport) : Only during the year 1955-56 three baby taxis were involved in Prohibition offences. Of the three cases charged, all the accused in one case were convicted and sentenced to rigorous imprisonment, and the other two cases are *sub judice*.

SRI A. M. ALLAPICHAJ : What happened to the baby taxis involved in the offences?

THE HON. SRI C. SUBRAMANIAM : The Magistrate will have to pass orders, they being articles used for the purpose of commission of the offences.

SRI T. PURUSHOTHAM : Are not such vehicles involved in Prohibition offences seized and ordered to be confiscated to the Government? If not, will the Government issue mandatory instructions to the Magistrates?

THE HON. SRI C. SUBRAMANIAM : No, Sir; we cannot issue such instructions to the Magistrates. It has got to be a judicial order under the provisions of the law.

SRI V. GURUNANDAN ROW : Were any of these taxis confiscated under the Prohibition Act?

THE HON. SRI C. SUBRAMANIAM : Two cases are still pending. In the first case, it has been stated that three of the accused were sentenced to undergo rigorous imprisonment for three months and the fourth to one month's rigorous imprisonment. There is no information about the taxis.

SRI A. GAJAPATHY NAYAGAR : Were owners of baby taxis involved in the offences?

THE HON. SRI C. SUBRAMANIAM : I am sorry, I have no information.

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SRI A. M. ALLAPICHAJ : What happens to the liquor involved in such cases? Is it destroyed or utilized?

THE HON. SRI C. SUBRAMANIAM : Under the Act, it is destroyed.

SRI K. BALASUBRAMANYA AYYAR : By swallowing?

MR. CHAIRMAN : Questions are over.

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

III.—ANNOUNCEMENTS BY THE HON. CHAIRMAN.

(1) MESSAGE FROM THE GOVERNOR.

MR. CHAIRMAN : I have to announce to the House that I have received the following message, dated the 4th October 1956, from the Governor of Madras :—

“ In pursuance of Article 207, clause (3) of the Constitution of India, I, Sri Prakasa, Governor of Madras, hereby give my recommendation for the consideration in the Madras Legislative Council of the Madras Estates Land (Reduction of Rent) Amendment Bill, 1956.”

(2) BILLS ASSENTED TO BY THE PRESIDENT.

MR. CHAIRMAN : I have also to announce to the House that the following Bills which were passed by the Madras Legislature on the 25th September and the 27th August 1956 received the assent of the President on the 29th September, 1st October and 25th September 1956 respectively and have been published as Acts Nos. XIV, XV and XVI of 1956 in Part IV-B of the *Fort St. George Gazette*, dated the 1st, 6th and 10th October 1956, respectively :—

(1) The Madras Cultivating Tenants Protection (Amendment) Bill, 1956 (L.A. Bill No. 10 of 1956);

(2) The Madras General Sales Tax (Third Amendment) Bill, 1956 (L.A. Bill No. 39 of 1955); and

(3) The Presidency Small Cause Courts (Madras Amendment) Bill, 1956 (L.A. Bill No. 13 of 1956).

(3) DECISION OF THE BUSINESS ADVISORY COMMITTEE.

MR. CHAIRMAN : I have also to report to the House that at the meeting of the Business Advisory Committee held at 2-45 p.m. to-day, it has been decided to meet from 11 a.m. to 1-30 p.m. on the 24th and the 25th October 1956 for the consideration of Government Bills passed by the Legislative Assembly and also to continue the valedictory speeches.

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IV.—GOVERNMENT BILL.

THE MADRAS ESTATES LAND (REDUCTION OF RENT) AMENDMENT BILL,
1956 (L.A. BILL NO. 26 OF 1956).

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

“ That the Madras Estates Land (Reduction of Rent) Amendment Bill*, 1956 (L.A. Bill No. 26 of 1956), as passed by the Legislative Assembly, be taken into consideration.”

The Madras Estates Land (Reduction of Rent) Act, 1947, provides for the reduction of rents payable by ryots and applies only to estates as defined in section 3, clause (2), of the Madras Estates Land Act, 1908. There is at present no provision in the Madras Estates Land (Reduction of Rent) Act, 1947, for the adjudication of disputes whether a land in an estate is or is not ryoti. It is necessary to invest the Collector with such powers of adjudication by suitably amending the Act and also to provide for appeals against the orders of the Collector.

The working of the Rent Reduction Act has revealed that it is necessary for the Government to have powers to cancel the orders issued under the Act which have been subsequently found to have been wrongly issued and to correct clerical and other errors in the orders issued under the Act.

In respect of religious, educational and charitable institutions which are affected by the application of the provisions of the Act, the intention is to pay them the difference between the reduced rates of rent and the income that would have accrued due if the rates of rent had not been reduced in respect of the fasli year 1357 or in any subsequent fasli year until the estate concerned is taken over by the Government. It is considered necessary to recast section 5 of the Act and bring out the intention of the Government clearly.

It has been provided in section 3 of the Madras Estates Land (Reduction of Rent) Amendment Act, 1954 (Madras Act XXVIII of 1954), that where the amount paid to any religious educational or charitable institution for fasli year 1357 or any subsequent fasli year under section 5 (1) of the Rent Reduction Act is in excess of the amount payable to such institution under that sub-section as amended by Madras Act XXVIII of 1954, then, notwithstanding anything contained in any law, contract or decree or order of Court to the contrary, the excess shall be adjusted towards the amount payable for any later fasli year, whether before or after the commencement of Madras Act XXVIII of 1954, under section 5 (1), as amended, or as the tasdik allowance or additional compensation, if any, payable in respect of the estate or part thereof under the Madras Estates (Abolition and Conversion into Ryotwari) Act, 1948 (Madras Act XXVI of 1948). Tasdik allowance and additional compensation are payable only for inam estates held by religious and other institutions under section 38

* Printed as Appendix II on pages 39-43 infra.

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of the Abolition Act. A like provision has not been made in the Abolition Act in respect of zamindari and under-tenure estates held by religious, educational or charitable institutions. Almost all the zamindari and under-tenure estates have been taken over by the Government under the Abolition Act and it is considered necessary to make some special provision for the adjustment of the excess amounts paid under section 5 (1) of the Rent Reduction Act in the case of such estates held by these institutions before being taken over under the Abolition Act.

The Bill seeks to provide for these objects.

I may also mention, in this connection, that the Bill was passed in the Assembly with an amendment seeking to add an explanation to a particular clause. When the Bill is taken up clause by clause, I propose to move an amendment to delete that explanation. When that clause comes up for discussion, I shall explain the circumstances that have made us move for its deletion.

MR. CHAIRMAN : Motion moved—

“ That the Madras Estates Land (Reduction of Rent) Amendment Bill, 1956 (L.A. Bill No. 26 of 1956), as passed by the Legislative Assembly, be taken into consideration.”

SRI K. BALASUBRAMANYA AYYAR : Mr. Chairman, Sir, 8-30
at the outset, I want to refer to one small matter. In the case of p.m.
Bills that are sent to this House after being passed by the Legislative Assembly, originally the office used to give us also the Statement of Objects and Reasons and also sometimes a memorandum and all that. When the Bills are circulated, they are circulated with the Statement of Objects and Reasons scored out. The reason, I understand, is that technically it is only the Bill that is submitted to the Legislative Council for consideration and not the Statement of Objects and Reasons. That is what I understand to be the reason for the procedure now adopted, of striking out the Statement of Objects and Reasons and circulating the Bill alone. I do not understand the reason behind this procedure. It will benefit us also, Members here, if we look into the Statement of Objects and Reasons. It will be useful and instructive to look into it. Even though it is scored out generally, I look into it. But to-day I find in the Bill circulated to us a slip is pasted over it. So, I could not read it. In other cases, I used to look into the scored-out portion and try to understand what it was, and also understood them. But now it is not possible because Sri Hanumanthappa has pasted a slip of paper over it. May I submit to you, Sir, that in future the Statement of Objects and Reasons may also be circulated to us either as a separate annexure to the Bill or in any other way if there should be any technical difficulty in circulating it along with the concerned Bill? I do not think we should make so much fuss about technical difficulties. Because of this technical difficulty, I feel a real difficulty in understanding the reason behind the Bill.

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MR. CHAIRMAN: Does the hon. Member want that the Statement of Objects and Reasons also should be circulated?

SRI K. BALASUBRAMANYA AYYAR: Yes, Sir. Here in this Bill you will find that that portion is pasted over. Therefore, I could not look into it. You can circulate it separately.

MR. CHAIRMAN: In my copy it is scored out. But the matter is there.

SRI K. BALASUBRAMANYA AYYAR: That is what I was also saying. They used to score it out. But to-day it has been pasted over and I could not look into it.

SRI A. M. ALLAPICHAJ: It means that the hon. Member should not look into it.

SRI K. BALASUBRAMANYA AYYAR: Whenever we prohibit a thing, we do that very thing which has been prohibited. We are fairly acquainted with the difficulties in the enforcement of the Prohibition Act.

MR. CHAIRMAN: I think action is being taken on this matter. We will look into it.

SRI K. BALASUBRAMANYA AYYAR: Sir, in this particular matter, the Government had made certain statements in the 'Statement of Objects and Reasons'. One difficulty that I feel is this. The Act was passed in the year 1947. Now, Government want to take power for the purpose of deciding whether a particular land is a ryoti or private land. What happened all these nine years? Did they not decide such questions or did they merely brush aside such objections? Did the Special Officer who was appointed for this particular purpose take any interest in this matter? He has to survey the whole estate. Has he done these things and has any report been submitted? I do not find any information furnished on these points. For the last nine years, from 1947 to the end of 1956, has nothing been done? Now Government say that there was a lacuna as it were in the Amendment Act and so, they want to invest the Collector with powers of adjudication by suitably amending the Act. They say, "There must have been cases where the question whether a particular land is private land or ryoti land must have arisen all this time". No information has been given to us on any of these matters to enable us to decide whether this particular Bill is necessary or not.

Another point is this. To discuss this point, the Statement of Objects and Reasons is very necessary. On the 31st July 1952 Government introduced in the Legislative Assembly a Bill to amend the Rent Reduction Act. That was intended to give power to the Government to cancel the orders issued under the Act which had been held by Courts to have been wrongly issued in respect of Inam villages and portions of Inam villages on the ground that those villages were not estates. The Bill also provided for the correction of clerical and other errors in the orders issued under

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the Act. That Bill and another Bill introduced later in the Legislative Assembly for the same purpose were not, however, proceeded with. It is now considered necessary to confer power on the Government as originally intended. Why did they draft that Bill at first? What was the reason for dropping it subsequently? What fresh reasons are there for reconsidering it and bringing it again in 1956? These are all very relevant matters about which any man who looks into the Bill would like to know. Is that the reason why the Statement of Objects and Reasons has been scored out? We have to look into these matters and understand them. The Act was passed in the year 1947. That was being briskly worked by a Special Officer. Ryotwari assessment is being imposed on land. Now, after nine years, the Government want to invest the Collectors with the power to adjudicate these things.

It is rather a very curious explanation, which has been adopted an explanation which says: 'Any land which has not been decided to be private land under the Madras Estates Land Act, 1908 (Madras Act I of 1908), shall, for all purposes of this Act, be deemed to be ryoti land'. How can anybody deem anything? Suppose it is a minor's property and the guardians left over never cared for it; or suppose there is a piece of land owned by a widow, she had not much of advice, after sometime she was advised and then she raised this question. That point has not been decided. For how many years? Is there no limitation for that decision? It is rather a very curious explanation, which has been adopted by the Assembly and pasted in the Bill. This was not in the original Bill.

THE HON. SRI M. A. MANICKAVELU: This amendment was accepted by the Assembly. We are omitting it now.

SRI K. BALASUBRAMANYA AYYAR: I am very happy. I have also given notice of an amendment to that effect. For the first time, I have anticipated the Government. I never thought it would be accepted by the Government. Usually I put all my amendments in the lumber room as of no use. To-day I find to my great surprise that my amendment is to be accepted by Government.

Sir, it is a surprise to me that for the first time, the Government, after nine years since the passing of the main Act, should come before the Assembly and the Council with an amendment investing the Collectors with powers to decide this question. I think it is well that the explanation is omitted. I cannot for a moment imagine how the Assembly could have passed such an amendment. 'Any land which has not been decided to be private land . . . shall be . . . deemed . . .'. Decided where, when and after how many years? Again they say, it shall be 'deemed'. This 'deemed' business in the legislations is working havoc. I am sorry to say this. Everything is 'deemed'. In the Sales Tax Act, it is 'deemed': 'From 1954 it shall be deemed

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to be part of the sales tax'. In the Fair Rent Act also, it is 'deemed': 'It shall be deemed to have come into force on the 1st October 1956'. In this case also they say, 'for all purposes it shall be deemed'. How can private land be deemed to be ryoti land? No legislation on earth can make it ryoti land. They cannot say, 'It shall be deemed', for anything and everything. There is a limit even to legislations made by our Parliaments. There is a well-known saying that Parliament cannot make a man a woman, or a woman a man. Similarly, Government cannot make ryoti land private land nor can they make private land ryoti land.

SRI A. M. ALLAPICHAJ: This they can make.

DR. A. LAKSHMANASWAMI MUDALIYAR: That also in course of time. (Laughter.)

SRI K. BALASUBRAMANYA AYYAR: How can they say 'shall be deemed'?

3-40 Then, Sir, there may be other difficulties also. I am sorry I have had a little difficulty in fully studying the amendment, but P.M. I wish to refer to one or two things only. One thing to which I want to refer particularly is this. It is stated, 'The decision of the Tribunal on the appeal shall be final and shall not be liable to be questioned in any Court of law.' Ordinarily, there is the provision always of a writ against any decision. But in order to avoid that difficulty also—now that it involves an expense of Rs. 100 or so for each writ—they want to make the decision of the Tribunal final. This provision need not be here; it may be allowed to come under the limitations contained in the Civil Procedure Code. The question of deciding whether a particular piece of land is ryoti land or private land is a very difficult one. In some cases, it involves various questions of law and fact and interpretation of documents. In such cases it is best to settle that particular matter by a revision petition to the High Court. Unless the matter involves a really fundamental question of jurisdiction, the High Courts will not ordinarily allow such revision petitions, and in this view I am sure the Deputy Chairman will bear me out. Therefore, I must state that there may be a provision that any party aggrieved by the decision of the Tribunal may prefer a civil revision petition to the High Court and that the provisions of section 115 of the Civil Procedure Code will apply in such cases. That has been adopted previously in one or two Bills like even the Cultivating Tenants Bill. It will be good to adopt it here also.

Under the 1947 Act, many things have been held final and most of the acts of Government cannot be questioned in any Court of Law. In section 8 of the Estates Land (Reduction of Rent) Act of 1947, it is stated—

"The validity of the following orders and proceedings shall not be liable to be questioned in any Court of Law:—

(i) any order made under section 3, sub-section (2);

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(ii) any recovery of rent effected by the State Government under section 3, sub-section (4), or any payment made by them to the landholder under the same sub-section;

(iii) any determination of net income or average net income made under section 5, sub-section (2)."

Therefore, there are many things which cannot be agitated in a Court of Law. At least in this matter—this is a very important matter, a matter of life and death—where we have to decide whether a land is ryoti land or private land, which involves a fundamental question, there should be provision for revision by the High Court. Such questions cannot be raised in all sorts of cases, for it will also involve a large amount of expenditure. Therefore, it is only in cases where there is some possibility of success, that in order to get justice, important questions of jurisdiction, etc., will be raised, and it seems to me very reasonable that a provision for that should be there. This has been adopted in other Bills and, therefore, that benefit may be extended to this particular Rent Reduction Bill also.

Sir, the other things are general matters of amendment, making the provisions a little more clear or a little more confused. That is all. Section 5 says—

"Where by reason of the foregoing provisions, the net income derived by any religious, educational or charitable institution from any estate or part of an estate belonging to it, in the fasli year 1357 or in any subsequent fasli year until the commencement of the fasli year in which the estate may finally be taken over by the State Government, becomes less than the net income which the institution would have derived in such fasli year if the rates of rent had not been reduced under this Act, the State Government shall pay the difference to the institution at the end of the fasli year in question."

This is the very same thing I wanted to provide for in the case of the Fair Rent Bill also. Here so far as the religious and charitable institutions are concerned, the Hon. the Revenue Minister has accepted this principle, but in the other case he did not. This is the particular method which I wanted to be adopted in the other case also. This is a good provision.

Lastly, I should like to say one thing. Before bringing in this particular Bill, it would have been very good if the Government had satisfied the Legislature as to how this particular question was decided all these years; they could have given a statement as to how many cases are pending up till date. I find under the old Act, a Special Officer was appointed to go into the question of reduction of rent. When he did go into that question, naturally he would have taken into consideration whether a particular land was ryoti land or private land. What are his findings? What is the Report of the Special Officer?

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How many cases are pending? Is it necessary for the Government still to have powers for purposes of decision on this particular question? All these things we should know. I would, therefore, like the Government to give us some help and guidance, and throw some light on these questions.

* THE HON. SRI M. A. MANICKAVELU: Mr. Chairman, Sir, as regards the preliminary remarks, I wish to state that the Bill is introduced in the Assembly and naturally the Bill is published in the Gazette and at that stage the Statement of Objects and Reasons is appended to it. But now the Bill, having been passed by the Assembly, has come here as passed by the Assembly and, therefore, the statement is not found. But I have indicated in my preliminary speech the reasons for bringing in the Bill and the objects with which it is brought in. No doubt, till, now when the Bill is passed in the Assembly, usually the Statement of Objects and Reasons is scored out; but still it is open to the hon. Members to read it. But, in this case, unfortunately, that portion was obliterated or pasted over. Otherwise, we have been getting on well.

As regards the other provisions, as it is, there is no express provision for deciding whether a particular land tenure is ryoti or non-ryoti, etc. Even though an order might have been passed by the Collector taking the nature of the case into consideration, still the parties take the matter to Courts of Law and drag it on for a long time. Now, it is sought to be provided that that question might be decided by a special machinery. The hon. Member wants that a revision petition to the High Court should lie.

SRI A. M. ALLAPICHAJ: Is it not better that questions like these should be decided by persons who have had judicial training than by the Collectors? Why is it that the Government fight shy of placing such matters before people having judicial training?

3-50 P.M. * THE HON. SRI M. A. MANICKAVELU: The hon. Member does not know exactly all the implications. This is being administered on the executive side by the Collector. The Collectors are well-versed in this matter rather than a judicial officer. A judicial officer may be very proficient in other matters, but in this particular matter, the Collectors are better fitted.

SRI A. M. ALLAPICHAJ: Can the Hon. Minister give instances where the judicial officers have not been proficient?

* THE HON. SRI M. A. MANICKAVELU: The hon. Member may reserve his remarks till I finish my speech. That will be better for I can answer him once and for all and not now and then.

Now, the provision is made that the decision of the Collector will be a subject-matter of appeal to the Tribunal. As regards the request that there may be an appeal to the High Court also,

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that has not been provided for because we know in respect of these Acts what amount of delay is caused by these matters being taken to the Court. In certain cases, notifications were held up and in certain other cases, even after the issue of notifications, implementation was held up. In the Ettayapuram and some other estates, the matter was held up for a number of years. If a similar provision is made here, there will be inordinate delay and there will be no finality at all. That is why we have made provision for an appeal and it is considered that that is enough to meet the ends of justice.

The other provision is only in the nature of clarifying matters. It is made because in certain cases doubts have been expressed whether it will apply from a particular fasli or not. That is why we have made express provision for it.

As regards the Explanation, I shall explain the point when that particular clause is taken up.

MR. CHAIRMAN: The question is—

“That the Madras Estates Land (Reduction of Rent) Amendment Bill, 1956 (L.A. Bill No. 26 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.

MR. CHAIRMAN: The motion is—

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

There are two identical amendments given notice of, one by the Hon. Sri M. A. Manickavelu and the other by the hon. Member Sri K. Balasubramanya Ayyar. Under rule 77 (1) of the Council Rules I select the amendment of the Hon. Sri Manickavelu to be moved.

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

“Omit Explanation to sub-section (1) of new section 3-A.”

MR. CHAIRMAN: The question is—

“Omit Explanation to sub-section (1) of new section 3-A.”

The amendment was put and carried.

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

“For the existing sub-section (4) (b) of new section 3-A, substitute the following:—

‘Any party aggrieved by the order of the Tribunal may prefer an application to revise the said order to the High Court under the provisions of the section 115 of the Civil Procedure Code, shall apply for the said proceedings.’”

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Sir, my answer to the point of dilatoriness which the Hon. the Revenue Minister referred to is this. If it is an appeal, I can understand it. But being a revision petition, it comes on for admission and on the general principle of jurisdiction, it will not be admitted and it will be dismissed once and for all. Therefore, I do not think that this particular provision will increase the dilatoriness on the part of the Tribunal. That dilatoriness is a serious matter. We have already known of many cases wherein there has been dilatoriness on the part of the Tribunal as much as in the case of proceedings before the District Courts and Sub-Courts.

Now, there are two proceedings, one proceedings before the Tribunal and the other an appeal. For the information of the Deputy Chairman, I may say that the Tribunal has been constituted with a District Judge as the Chairman and a Sub-Judge and a person with revenue experience as members. So, they have utilized the services of judicial officers and, at the same time, of a revenue official also. But still there may be questions about jurisdiction. I know in the case of private lands and ryoti lands, sometimes we have to go into the history of the matter for over thirty or forty years. In that process difficulties arise. Therefore, the general question of dilatoriness need not agitate the mind of the Hon. the Revenue Minister. I agree that there should not be dilatoriness. But so far as this particular matter is concerned, the whole question is sifted by a Tribunal and there is also provision for appeal. Still there are some cases where the High Court will have to decide certain points. That itself will be a good thing because it will help the Tribunal in deciding many other cases. The decision of the High Court will be treated as a precedent. This is an advantage which has to be taken into consideration by the Hon. Minister. There won't be any dilatoriness and I am only suggesting the preferring of a revision petition. This is a question of jurisdiction. When there is a fundamental question, the High Court will not go into it and if it goes into it and if it is a fundamental question, its decision will be helpful to all parties. I am now in a fortunate position. One amendment having been accepted, the Bill will have to go back to the Assembly. Therefore, why not this particular matter also go to the Assembly? If the Assembly decides otherwise, then there will be no further discussion. But let us have the satisfaction of the Assembly considering this matter also just like any other matter. That is why I have striven to give the various reasons which will show that there won't be any dilatoriness so far as revision petition is concerned. There are no two Tribunals here. There will be only one Tribunal and there will be an appeal. Afterwards, there won't be any revision of the order in all cases. There may be revision only in some important cases. Therefore, I submit that this amendment may be accepted by the Hon. Minister and that this matter may be considered by the Assembly.

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

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SRI A. GAJAPATHY NAYAGAR: I want to know whether the right of suit given to a party is taken away by this Bill.

* THE HON. SRI M. A. MANICKAVELU: Sir, the Government have made this provision consequent on certain remarks made by the High Court as *obiter dicta* in a case sometime back. This question arises not only under the Rent Reduction Act but also under the Estates Abolition Act. In the Estates Abolition Act, section 15, clause 2 (b) says, 'The decision of the Tribunal in such appeal shall be final and not be liable to be questioned in any Court of Law.' We have adopted a similar provision here. If we allow it to stand as it is there and adopt a different procedure here, it will create a very funny situation. Therefore, I cannot accept that. 4 p.m.

As regards the other question raised, as it is, the order of the Collector is not binding on the parties. It is open to them to agitate by means of a suit. But after the coming into effect of this Act, every suit will be barred because the idea is to prevent unnecessary litigation. When a matter has been substantially gone into not only initially but also in appeal, there is no need to provide for any separate suit. It is in order to avoid that, we are making this provision. Since a different provision is there in the other Act, I do not think I can accept one that is different from that here.

MR. CHAIRMAN: The question is—

"For the existing sub-section (4) (b) of new section 3-A, substitute the following:—

'Any party aggrieved by the order of the Tribunal may prefer an application to revise the said order to the High Court under the provisions of the section 115 of the Civil Procedure Code shall apply for the said proceedings.' "

The amendment was put and lost.

Clause 2, as amended, was put and carried.

Clauses 3 to 7 were separately put and carried.

New clause 8.

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

"After clause 7, add the following as new clause 8:—

'8. Insertion of new section 4-A in Madras Act XXX of 1947.—After section 4 of the principal Act, the following shall be inserted, namely:—

"4-A. Rent payable in respect of lands which are not ryoti or private.—No person in an estate cultivating any land which is not ryoti land or which has not been decided to be private land under some prior proceedings or under the Madras Estates Land (Reduction of Rent) Act, 1947, as amended by the Madras

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Estates Land (Reduction of Rent) Amendment Act, 1956 shall be bound to pay as rent in respect of that land at a rate exceeding that payable in respect of similar land which is ryoti land in the neighbourhood." , , ,

MR. CHAIRMAN : The question is—

" After clause 7, add the following as new clause 8 :—

8. Insertion of new section 4-A in Madras Act XXX of 1947.—After section 4 of the principal Act, the following shall be inserted, namely :—

" 4-A. Rent payable in respect of lands which are not ryoti or private.—No person in an estate cultivating any land which is not ryoti land or which has not been decided to be private land under some prior proceedings or under the Madras Estates Land (Reduction of Rent) Act, 1947, as amended by the Madras Estates Land (Reduction of Rent) Amendment Act, 1956 shall be bound to pay as rent in respect of that land at a rate exceeding that payable in respect of similar land which is ryoti land in the neighbourhood." , , ,

The amendment was 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 Land (Reduction of Rent) Amendment Bill, 1956 (L.A. Bill No. 26 of 1956), as passed by the Legislative Assembly and as amended, be passed."

SRI K. BALASUBRAMANYA AYYAR : I am not really able to understand the provision in new section 4-A. If it is not ryoti land, why should we demand more rent than what is paid in respect of a ryoti land?

MR. CHAIRMAN : The question is—

" That the Madras Estates Land (Reduction of Rent) Amendment Bill, 1956 (L.A. Bill No. 26 of 1956), as passed by the Legislative Assembly and as amended, be passed."

The motion was put and carried and the Bill, as amended, was passed.

V.—VALEDICTORY SPEECHES ON THE EVE OF REORGANIZATION OF STATES.

MR. CHAIRMAN : We are now coming to the very important part of our agenda, that is, valedictory speeches. We have to say good-bye to the Members who are going away from us. I would request the hon. the Leader of the Opposition to begin.

DR. A. LAKSHMANASWAMI MUDALIYAR : Mr. Chairman, Sir, for some months past—at least for some weeks—we have realized that the day of parting must come and yet, as the day of

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parting approaches, I cannot but feel a sense of sadness at the approaching departure from our midst of some of our esteemed colleagues. I need not now refer to the whole question of reorganization of States and to the views expressed by some of us on this question. However, as the Parliament of India has passed the Bill, we as persons responsible to see that all Acts of Legislature are observed faithfully, must bow down to the wish of the Parliament and accept its decision. Nevertheless, we cannot possibly refrain from mentioning that there are some sad features which we have to take note of. Our colleagues in this House have been with us for some years. We have learnt to esteem them and to recognize their worth and their contribution to the debates in this House, some more particularly perhaps than others. But all of them have lent dignity to this House and have certainly enhanced the value of this Legislature by their contribution. I should also like to refer to the fact that not only some Members of this House but some Members of the other House also are leaving us. With the Members of the other House who are leaving us, we have had the good fortune of contact in various ways. We have sat with them in the Joint Select Committees. We have sat with them in some of the special committees constituted by the Government. We have had opportunities of discussing with them various problems that have come up before the Legislature. We have had also the privilege that some of the Members of the Legislative Assembly have sat on the Treasury Benches here and piloted many Bills, taking due note of the wishes of the people in so doing. We have had Ministers in the past who have sat on these Benches. But we have at present a Minister who will be leaving us shortly and who has certainly done a great deal while dealing with the particular portfolios which he has had to handle. I refer to the Hon. Mr. A. B. Shetty, who, I think, has been felicitated on many occasions by those who know his work and worth. I have known Mr. Shetty for a generation almost. I have known him in the old days when he was a Member of the old Legislature, silently pouring through the columns of newspapers in the extreme corner of a city club. I know the active part he has taken in the deliberations of the Legislature and elsewhere. I think it is really a loss that persons of his stature are leaving us at present.

When the State's reorganization question was being mooted and before the Commission was actually constituted, somehow or other we felt that this would also end in nothing turning out. Sir, you know the old agitation in Scotland for home rule for the Scotchmen. But the Scotchmen do not want that a Bill should be passed granting home rule to them because, they simply want to trade on that slogan so that they may get more and more responsible positions in Government and elsewhere. The bulk of the people who hold responsible positions in the United Kingdom—from Fleet street down to the Thread Needle street—in wharfs, docks, ships and everything pertaining to them are Scotchmen. I likewise thought that we could make a bargaining point here also by trying to

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emulate the Scotchmen. But States' reorganization has now become an accomplished fact and we must now say good-bye to our friends in the Legislature. I am sorry that on this occasion, I have to refer to one other aspect of the matter which could have been easily avoided. One of our Lady Members will be leaving us without a chance of being renominated. This at least could have been avoided with a little of vision. Unfortunately, we are not privileged to have any voice in the matter, and it has been done. We have to accept it as we accept so many decisions here, including those on Bill moved by the Ministers. (Laughter.) I have one appeal to make to our friends. I would claim the privilege of suggesting to them that they should prove themselves to be ambassadors of goodwill when they go back to their particular regions where they will have their say. It is to me a matter of great regret that some of them are not in a position, owing to fortuitous circumstances, to work as legislators in the State to which they have been assigned. If they had reverted as legislators, I think, it would have done a great deal of good to the particular Legislatures with which they would be connected. Undoubtedly, the experience that they have gained for many decades in this Legislature that has been functioning with autonomy would have been a great asset to the particular Legislature concerned. I share with them the grief that unfortunately circumstances have rendered it impossible for them to give the benefit of their assistance and advice at this particular juncture. I, however, hope and pray that it will only be for a short time that they will be deprived of the privilege and that very soon we shall hear of my esteemed Friend Sri M. P. Govinda Menon or my hon. Friend opposite being in the legislatures of their respective States and taking part in the debates with that determination and force which always used to be associated with the speeches of the hon. Member Sri Govinda Menon. Whether he agreed with us or did not agree with us, it was a treat to hear him. Occasionally, it was a great refreshing thing for us on this side to hear him when he did not agree with the Treasury Benches.

I said, I hope that they will be ambassadors of goodwill cementing friendship between these States, and that we shall all work harmoniously towards a common goal. Sometimes in the heat of a controversy statements may be made, sometimes irresponsible persons may make statements and ask questions without a due consideration of the implications of those questions. I would request my hon. Friends to realize that they do not represent the opinion of the public. There is a 'public' in this State as in other States which takes a more robust view of all these questions and which is animated by the one desire to promote unity in our country, to promote the welfare of all classes wherever they may be and see to it that their welfare is always a matter of concern. To-day some questions were asked. We do not want the waters of the Godavari to come to us if it is going to mean any reduction in the amenities that are available to the people of that particular State. We do not want any resources of another State to be exploited by us. What we do want is—and I hope that this will

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be the principle on which this State will base all its activities, where it is mutually advantageous, where it is good to further the common ends and welfare of the people at large, whether they are on this side or that, such measures shall be taken up jointly for the good of the people, the common man. In that respect, I hope and trust our friends will be ambassadors to promote that goodwill, to promote that co-operation and bring about that state of affairs when we shall talk of the interests not of this particular State or that particular State but we shall talk of the interests of the whole region, nay, of the whole country. It is in that way that I hope that our friends will carry with them a message from this House that we on our part will always be willing and eager to do our very best, whether it be in the matter of exploiting the natural wealth of the country, whether it be in the matter of giving what facilities there may be here and which may not be readily available in other parts, to those that need them or whether it be in the matter of promoting goodwill and concord between people who speak different languages. We speak different languages but yet they are so closely allied to each other. What is Malayalam and what is Tamil? A twist of the tongue, I believe, makes Tamil, Malayalam. If I may say so respectfully, there is very little difference between Malayalam and Tamil. I can understand my hon. Friend when he speaks in Malayalam though I do not know much of that language. So also my hon. Friend understands me when I speak in Tamil. Let us not, therefore, think that there is a great difference between Malayalam and Tamil. And, what is Kannada? Kannada is nothing but a little rounding off at the ends. I can always read Kannada because I know a little of Telugu. Again, Telugu and Tamil are not so very different.

Sir, very recently I had the privilege of visiting the capital of Andhra, Kurnool, which is going to be shifted to Hyderabad on the 31st of this month. I was very happy indeed once again to contact our colleagues who had been in the Legislature here and also those who were our Ministers. I met our esteemed Friend Sri Kal Venkata Rao who, I once said, was a fit candidate for the award of the Ph.D. degree on land reform and revenue legislation. I also met our esteemed friend Sri Sanjeevi Reddi who, we are very glad to know, is to become the Chief Minister of the new State of Andhra Pradesh. I met many other legislators who were working with us formerly. That amount of goodwill is there. Let us only try to exploit it to good ends. Let us try to utilize all our resources to cultivate this goodwill. Let there be more of contact between the several States which have now separated.

Only last week we had a conference of Vice-Chancellors and Directors of Public Instruction of the Southern States at Waltair. It was not convened for any exclusive purpose. It was not certainly intended to antagonize any other part of India. It was because we realized that there were so many common ties between us. The institution there branched off from the mother University with such

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docility which was remarkable. The mother University allowed the daughters to grow and, when they wanted to be mistress in their own houses, let them go with goodwill and wishing them godspeed. So do we do at present. The old Madras Presidency which was so extensive has given birth to so many daughter States and we wish them all godspeed. We wish them all prosperity. We wish them all happiness. I hope and trust that in the future there will be more of contact than even at present, that there will be many more visits of my hon. Friend Sri Govinda Menon to the Legislature of this part of the State. He will be always welcome to our distinguished visitors' galleries. I hope and trust that that message will be one which will be reciprocative and I hope that in the future we shall rejoice instead of feeling sorry that we have entered into a new phase of life where each is responsible for his own but all in the interest of everybody. It is in that spirit that we bid them good-bye with a certain amount of sadness. We hope and trust that there would be many, many occasions when we will contact them in the many spheres of national activity.

Thank you, Sir.

* SRI T. PURUSHOTHAM: Mr. Chairman, Sir, on behalf of the Members on this side of this House I wish to associate myself with the remarks made by the hon. the Leader of the Opposition. As he pointed out, valedictory addresses always go with a tinge of sorrow. Fortunately or unfortunately, this Legislature has had to part with longstanding friends on more than one occasion with the result we have had to make valedictory speeches rather frequently. First, the Andhras went away and now our Kerala and Kannadiga friends are to leave us. Even when we had valedictory addresses in this House on the occasion when Andhra separated from us, we had a warning of the coming events, that more regions would go away from the Madras State. My hon. Friend Sri Narasapaya sounded that note of warning when he said, 'We Kannadigas also are asking for a separate Karnataka State'. The demand for the formation of Aikya Kerala was also there. To-day our Kannadiga and Kerala friends are leaving us.

Sir, while we are sad that they are leaving us, I should like to take this opportunity to congratulate them on the realization of their long-cherished dreams and wish them well in the new States to which they are going as a result of an Act of Parliament which was passed in response to popular public demand.

4.20 p.m. All the same, this Legislative Council loses some of its best men. Need I say how badly we would miss our two younger friends, Messrs. P. P. Ummer Koya and Gopalan, representing the West Coast Local Authorities. Mr. Koya's cheerful face and dignified speeches and Mr. Gopalan's sedate and clear-cut talks whenever he rose to address us, we cannot forget. Mr. Narasapaya is a class by himself. We will all miss him and his eloquent and masterly exposition which he exhibited in this House on several legal problems with which we were faced. We will certainly long remember

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the memorable speeches he made and his sweet voice. Hon. Members will, I am sure, agree with me that his voice will continue to ring in our ears, though he may leave us. I wish to congratulate him on this occasion on his election as a Member of the Mysore Legislative Council and as the popular saying goes, what this State loses is certainly gained by the other State.

Last but not the least, this House will never forget the reverberating and sometimes caustic attacks, none the less eloquent oratory, of Mr. Govinda Menon who, whatever his political colour may be either previously or now, would never give the go-by to his original Congress leanings and affections. I wish him the best of luck and extend to him all good wishes. I wish all the Members who are leaving us a long and useful career of greater service to the public.

Then, Sir, Sister R. S. Subbulakshmi is also leaving us. She is a great educationist and a great social worker. Her outstanding contribution to the debates in this House needs no special emphasis. On behalf of the Members of this House, I have very great pleasure in conveying our good wishes to her.

As the hon. the Leader of the Opposition has just now said, the Madras Cabinet will lose one of our brilliant Ministers, the Hon. Sri A. B. Shetty, the Minister for Health. 'Who can replace him?' When I say this, I am only repeating the words used by Sri C. Rajagopalachari on the eve of the Andhra separation. In his valedictory address then, he asked the same question when some of the members of the Cabinet belonging to Andhra were about to leave us. The Health Minister, Sri Shetty, has been thorough with all health problems; he has been thoroughly conversant with the incidence, prevention and cure of all diseases, so much so, he was called by several of his friends as 'Dr. Shetty'. He has been a gem of a friend to one and all of us. It has been a pleasure to us to move with him. Perhaps, Sir, I have been putting him the largest number of questions on health topics, questions on family planning, vasectomy (A voice: B.C.G.) and several other subjects and he has been a masterful exponent of all these topics. As a Minister, he has been sympathetic to all the suggestions made in this House. Hon. Members would certainly remember his able exposition of, and support to, B.C.G. in spite of the strongest opposition from several quarters. His knowledge of technical matters even astounded medical men and it is our sincere wish that when he goes to the other State, he would continue to occupy the same place in the Mysore Government. The Health Department has made tremendous advance under him here and I have every hope that the rich experience that he has had here in handling this department will be certainly utilized by the State to which he goes. His one object in putting forward the great schemes under the Health portfolio has been to reduce the mortality rate to an appreciable degree in this State as in Western countries. He said so very recently in one of his radio talks. The Madras State owes

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him a deep debt of gratitude for the great service he has rendered. I am sure he will have a long and useful public career in the new State to which he goes.

Sir, the States' reorganization has hit us hard in another way also. Our great and good Governor, Shri Sri Prakasa, is leaving us before completion of his full term. I need hardly say that Shri Sri Prakasa has endeared himself to one and all in this State; he has been a most popular and successful Governor; he has effected a voluntary cut in his salary to the tune of Rs. 10,000 per annum. I wanted to make a reference to this, particularly because certain remarks have appeared in certain papers about the salary of the Governor. Our Governor has been the most economical in the management of the Governor's household: he has effected retrenchment in all possible ways and has been paying personal attention to charges on public Exchequer on his account as Governor. I should like to convey to him our deepest sense of gratitude and appreciation for all that he has done to us during his term of Governorship in this State. I am sure, Sir, you will kindly communicate to His Excellency the Governor our good wishes expressed in this House.

4-30 p.m. I feel, Sir, that my speech will not be complete without a reference to the Hon. the Speaker of the Legislative Assembly, Mr. Gopala Menon. He has been occupying the Speaker's *gadi* only for a short while, but he has done a great job of it. Soon after his continental visit, he has introduced salutary changes in parliamentary procedure in our State Legislature. It has been left to him, as you are aware, and of course, with your active co-operation, to organize a Branch of the Commonwealth Parliamentary Association in this State and we are grateful to him for his enthusiastic endeavours and wholehearted service in the setting up of better standards of parliamentary tradition in our State. May I request you, Sir, to convey to him our greeting and sincere good wishes?

Let me also add our farewell greeting to all other Members of the Legislative Assembly who have to leave us shortly. Malabar, South Kanara and Kollegal are going away from our State. Apart from the representatives on the Legislature, we wish the people of those parts all luck and progress in their new States. Some of the officials belonging to those regions have had to leave us too. But most of the Malavalee and Kanarese officials are still here. Not only officials but all the people of those parts who have been here will continue to be here. We welcome them to continue to be here. Belonging to the Party in power, I can safely say that the interests of the officials left over and all the other citizens belonging to those districts who will be left here will be perfectly safe in our State. Statutory safeguards apart, ours has been a sort of a cosmopolitan State and we have all been living together on the best terms and we will continue to do so. We are indeed a happy family and will continue that tradition. Sri Rajagopalachari, referring to the talk about minorities in his farewell speech on the eve of separation of Andhra, said in his own cryptic way that it was all nonsense.

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May I repeat his words? What is this language, he asked. 'It is only a medium of communication but flesh and blood will always endure.' Mr. Chairman, I believe that will always be our ideal.

* SRI MUHAMMAD USMAN: Mr. Chairman, Sir, we are very grateful to the hon. the Leader of the Opposition for his excellent speech which reflects the opinion of this House. We are all very sorry that so many Members of our Council are leaving us. After the Andhra Members left us, we thought that we would continue as at present, but that is not to be. Whatever that may be, we are all very sorry that so many friends of ours who have been working with us and who have been taking a very important part in the debates of this House will be leaving us shortly. I wish them very good luck.

I cannot help mentioning the name of my friend, the Hon. Sri A. B. Shetty whom I have known from the year 1926 as a Member of this House. As has been said by the hon. the Leader of the Opposition, his speeches were considered to be superb. As a non-official Member, he always spoke with facts and figures. It was very difficult for the Government to contradict the statements made by Sri Shetty. Sri Shetty has done very well as a Member of the Cabinet, holding the portfolio of Medicine. Public Health and Medicine have made a great advance during the time that he has been in charge of these subjects. I cannot help saying that he has rendered great service for the cause of Indian Medicine. We are very grateful to him for all that he has done. I hope and trust that in the new State to which he is going, his services will be availed of, for it will be of great benefit to that new State if Sri Shetty should become a Member of the Cabinet.

In this connection, I cannot hide my feeling that though we are very sorry that our friends are leaving us, from 1st November the formation of Tamil Nad which has been the dream of the people of this State will become a reality. The people of this State have always been hoping and trusting that they will have a State of their own, a unilingual State of their own, just as the Andhras wanted a unilingual State of their own. Therefore, it is a matter for congratulation that from 1st November we are going to have a unilingual State of Tamil Nad. In this connection, I cannot help mentioning the name of a gentleman to whom Tamil Nad owes a great deal, namely, our Chief Minister, the Hon. Sri Kamaraj Nadar. But for the bold stand that he took on this subject, I think the formation of Tamil Nad would not have become a reality. In the beginning of the year so many talked of merger of States. Whatever that may be, the Hon. Sri Kamaraj Nadar has taken a wise and bold step for which we are all very grateful to him. But for the wise and bold step that he took, we would not have realised the State of our dream, namely, Tamil Nad. We are, therefore, very grateful to him for all that he has done. I sincerely hope, trust and pray that he will have many years of service, devoted service, as the Chief Minister of the new Madras State.

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I also feel sorry, Sir, as the hon. Member Sri Purushotham has pointed out, that Madras will soon be losing the services of our popular Governor. Shri Sri Prakasa has done yeoman service to the State. He is a thorough cosmopolitan. When he moves with people, he moves as a Hindu among Hindus, as a Muslim among Muslims, as a Christian among Christians, as a Parsi among Parsis and as a European among Europeans. We are losing the services of such a cosmopolitan gentleman. The loss of Madras is a gain of Bombay. We are all very grateful to him for all that he has done in the last five years and I am sure the whole State is very grateful to him for the great services that he has rendered as Governor of Madras. It is a good fortune for Bombay that he is going there and I wish him very good luck.

* SRI A. GAJAPATHY NAYAGAR: Mr. Chairman, Sir, when I joined this Council three years ago, the Madras State was a big State. It had the mother Tamil State and the three daughters, namely, the Andhra State, the Malayalam State and then the Kannada State. All these were daughter-States which could not be easily separated from the Madras State, because it is well-established that all the three languages—Telugu, Kannada and Malayalam—are born only out of the Tamil language. Therefore, whatever be the kind of division of land or separate Governments that may be set up, there is no gainsaying the fact that Tamil Nad will always be united with her daughters, the Kannada, the Malayalam and the Andhra States. My submission is that at the time when the Andhra State was formed, the way was prepared for the formation of new States. Therefore, we have now come to the logical conclusion of the formation of four States—the Madras State, the Kerala State, the Andhra State and the Kannada State. But though there may be separation of States, the status of all the States will remain the same, because one State cannot ask what the other States also may not ask. I mention this because at the time I brought the Bill to make Tamil the official language of the Madras State, of course excluding the Kannada and Malayalam areas, there was some opposition.

4-40] p.m. Sir, I am confident that what I asked for here to make Tamil the official language of the Madras State, will also be asked for by them, when they go to their States of Kerala and Karnataka. They will demand for Kannada and Malayalam being the languages of administration in their States. So, Tamil Nad will never ask for things which others cannot also ask for.

I will say that Tamil Nad will always remain open to all persons to come and stay in. Madras City is a cosmopolitan city where anyone can come and live by all good means available to him. All can join with us in all our good endeavours.

Sir, at this time of the day when we are on the eve of the formation of separate States, I want to send a message of thanks to our gracious Governor for having assured us in his last address

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to the Madras Legislature that Tamil shall be made the official language of the State. That is a pointer to other States to make their respective regional languages the official language of the State concerned. Do not call me a fanatic when I suggest that each State shall have a language of its own. I say that each State should have the language of the people as the State language, because there should be real relationship and understanding between the Government and the governed. It must therefore follow that the people should understand the language of the Government. If the language of the Government is one and the people do not know it, there is no real democracy and no good Government. Therefore, I take this opportunity to express my grateful thanks to the Governor who had foreseen that, before long, Tamil would be made the State language.

I would add one more thing before I close. There is kinship of blood between the four groups, the Tamils, the Telugus, the Malayalees and the Kannadigas. They form one Dravidian group. There is a unity of their languages and there is also a common culture. They all can live in union in future. There is no fear absolutely that there will be any fissiparous tendencies at work. There is also no fear that inimical trends would develop, creating walls between State and State and preventing free communication. Let our aspiration be that we shall also live as brothers for ever. Let us part with love and kindness for each other. Our parting is not real. As we have common ideals and aspirations, we shall work together to attain material prosperity and good life.

I thank you, Sir, for giving me this opportunity to speak.

SRI O. P. RAMASWAMI REDDIAR: கனம் தலைவர் அவர்களே, மொழிவாரி மாகாணங்கள் வேண்டுமென்று நாம் எல்லோரும் தெரிந்தோ தெரியாமலோ கேட்டு, இப்போது அவைகளை நடைமுறையில் கொண்டு வருவதற்கு ஏற்பாடு செய்யப்பட்டிருக்கிறது. முன்னமேயே ஆந்திர நண்பர்கள் நம்மை விட்டுச் சென்றார்கள். இப்போது மலையாள நண்பர்களும் கன்னட நண்பர்களும் நம்மை விட்டுச் செல்லவேண்டிய நிலை ஏற்பட்டிருக்கிறது. ஆனால், அவர்கள் பிரிந்து செல்லும்போது, நான்கு ஐந்து சகோதரர்கள் ஒன்றாகக் கூட்டுக் குடும்பத்தில் வாழ்ந்து பிறகு பிரிந்து செல்லும்போது அவர்களுடைய தகப்பன் எப்படி பாரபட்சமில்லாமல் எல்லாக் குழந்தைகளும் நன்றாக வாழவேண்டுமென்று விரும்புவானோ அதே போலத்தான் பிரிந்து செல்லும் நண்பர்களானாலும் சரி, நாமானாலும் சரி, எல்லோரும் விரும்பவேண்டும். பிரிந்தாலும், பிறகு விசேஷங்கள் வரும்போதும் மற்ற பல சமயங்களிலும் குடும்பத்தின் பொது நன்மையை உத்தேசித்து அடிக்கடி சேர்ந்து வாழ்க்கை நடத்துவதுபோல் சேர்ந்து செயல்பட வேண்டிய காலம் வரலாம்; ஆகவே அந்த அந்த சமயங்களில் தனியாகவும் கூட்டாகவும் வாழவேண்டிய நிலை ஏற்படலாம்; ஆகவே நல்ல சூழ்நிலையில் நன்றாக வாழ வேண்டுமென்ற எண்ணத்தில்தான் அவர்கள் பிரிகிறார்கள் என்று நான் எடுத்துக்கொள்கிறேன்.

குறிப்பாக, தமிழ் நாட்டை எடுத்துக்கொண்டால் எனக்கு முன் பேசிய அனேக நண்பர்கள் தமிழிலிருந்து மற்ற பல மொழிகள் வந்தன என்பதைக் குறிப்பிட்டிருக்கிறார்கள்; நான் அதை ஆதரிக்கிறேன். தமிழிலிருந்து மலையாளம், கன்னடம், தெலுங்கு முதலிய பாஷைகள் எல்லாம் வந்திருக்கின்றன. மொழிகளைப்பற்றி நன்றாக ஆராய்ச்சி செய்தால்தான்

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தமிழிலிருந்து மற்ற மொழிகள் வளர்ந்தன என்பது நன்றாகத்தெரியும். இப்போது அந்த உண்மையை மற்றவர்கள் ஒத்துக்கொள்கிறார்களோ என்னமோ தெரியாது. ஆனால் அது உண்மை; அந்த உண்மையை யாரும் மறுக்க முடியாது. அவர்கள் தனித்தனியாகப் பிரிந்து செல்ல வேண்டுமென்ற மனப்பான்மை காரணமாக, “நான் பெரியவன், நீ பெரியவன்” என்ற எண்ணத்தில், அந்த உண்மையை அவர்கள் ஒத்துக்கொள்கிறார்களோ என்னமோ.

SRI M. P. GOVINDA MENON: முதலில் திராவிட பாஷை என்ற பொதுபாஷை இருந்தது என்றும் அதிலிருந்து தமிழ், மலையாளம் முதலிய பாஷைகள் பிறந்தன என்றும் நான் படித்திருக்கிறேன். ஆகவே முதலில் இருந்தது திராவிட பாஷை அல்லவா?

SRI O. P. RAMASWAMI REDDIAR: சரித்திரங்களையும், மொழிகளையும் நன்றாக ஆராய்ந்த philologists சொல்வதையும் ஆராய்ச்சி செய்தால் திராவிட பாஷை என்பது எது என்று நன்றாகத் தெரிந்துகொள்ள முடியும். எப்படி இருந்தாலும், இப்போது இந்தியா தேசம் நமக்கெல்லாம் பொதுவானது. எப்படி ஒரு நிலத்தில் நன்றாக வெள்ளாமை செய்வதற்காக உழவன் அந்த நிலத்தில் பல வரப்புக்களைப்போட்டு பயிர்த்தொழில் செய்கிறானோ, அதே மாதிரிதான் இப்போது ராஜ்யங்கள் பிரிக்கப்படுகின்றன என்று நான் நினைக்கிறேன். அப்படியில்லாமல் வேறுவிதமாக நாம் நினைத்தால், நாம் எல்லோரும் தனியாக இருந்தாலும் கூட்டாக இருந்தாலும், எப்போதுமே தென்னிந்தியாவிற்கு அந்த எண்ணம் நன்மை பயக்காது. அதனால்தான், மொழிவாரி ராஜ்யங்கள் ஏற்படுவது பற்றி கவர்னர் பெருமானுக்கும் தலைவர் ஸ்ரீ ராஜ்குமாராசாமிசாரியாருக்கும், “இந்த ஏற்பாடு நம்மை எங்கே கொண்டிப்பாய் விடப்போகிறது?” என்று கடிதங்கள்கூட எழுதியிருந்தேன். நாம் பிரிந்து செல்லும்போது நல்ல சூழ்நிலையில், நல்ல மனத்துடன், சினைகிதர்களாகப் பிரிந்துசெல்ல வேண்டும். அது மாதிரமல்ல. திரும்பவும் சேரவேண்டியிருந்தாலும் அதற்கத்தகுந்த சூழ்நிலையை உண்டாக்கிக் கொண்டிருக்கவேண்டும். தமிழர்களாக இருந்தாலும், கன்னடியர்களாக இருந்தாலும், மலையாளிகளாக இருந்தாலும் அந்த மனப்பான்மையைக் கொள்ளவேண்டும். அப்படிப் பிரிந்தால்தான் திரும்பவும் நன்றாக வாழ்க்கையை நடத்துவதற்கு இந்த தேசத்தில் நல்ல சூழ்நிலையை உண்டாக்கமுடியும்.

அனேக அன்பர்கள் நம்மை விட்டுப் பிரிந்து சென்றாலும், எந்த எந்தத் துறையில் மக்களின் முன்னேற்றத்திற்குச் சேவைசெய்யவேண்டுமோ அந்த அந்தத் துறைகளில் கூட்டுக் குடும்பத்தில் சேவைசெய்த மாதிரியே பிரிந்த பிறரும் அவர்கள் சேவை செய்வார்கள். சுகோதரர்களாகப் பிரிந்து செல்லும்போது வாழ்த்தவேண்டியது கடமை. ஆகையால் நல்ல சூழ்நிலையில் பிரிந்து செல்கிறார்கள் என்றுதான் நாம் எடுத்துக்கொள்ள வேண்டும்.

நம்மை விட்டுப் பிரிந்துசெல்லும் ஸ்ரீ எ. பி. ஷெட்டி அவர்கள் அனேக வருஷங்களாக இந்த ராஜ்யத்தில் மந்திரியாக இருந்திருக்கிறார்கள். அவர் எப்போதும் அதிகமாகப் பேச மாட்டார். ஏதோ தம் கடமையை மெனனமாகச் செய்துகொண்டிருந்தார். அவர் நம்மை விட்டுப் பிரிந்து செல்கிறார்.

கனம் நண்பர் ஸ்ரீ எம். பி. கோவிந்த மேனன் அவர்கள் உற்சாகத்தோடும் ஆவேசத்தோடும் பேசுவார்கள். அவர் நம்மை விட்டுப் பிரிந்த பிறகு இந்த சபையில் அவரைப்போல் ஆவேசமாகப் பேசவேண்டுமானால் நம் ராஜ்யத்தில் உள்ள வேறு யாராவதுதான் ஆவேசமாகப் பேசுவதற்குக் கிளம்பவேண்டும்.

ஸ்ரீ நரசம்பையா, ஸ்ரீ உமர் கோயா முதலியவர்கள் நம்மை விட்டுப் பிரிந்துசெல்கிறார்கள். அவர்கள் எல்லோரும் இனஞர்கள். அவர்கள் மேலும் உணர்ச்சியுடனும் உதவேகத்துடனும் சேவை செய்யவேண்டும்.

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எப்படி இங்கே நமக்கு ஒத்தாசையாக இருந்து, அரசாட்சியை நல்ல முறையில் நடத்துவதற்கு அவர்கள் உதவினார்களோ, அதேபோல் போய்ச் சேரக்கூடிய ராஜ்யங்களிலும் சேவை செய்யவேண்டும்; இதற்கும் மேலாக சேவை செய்யவேண்டும் என்று எல்லாம் வல்ல இறைவனைப் பிரார்த்திக்கிறேன். அன்பர்கள் எல்லாம் இந்த சபையில் இருந்தாலும் சரி, அந்த சபையில் இருந்தாலும் சரி நல்லெண்ணத்துடன் பிரிந்து சென்று, நன்றாக வாழ்ந்து நாட்டுக்குத் தொண்டி செய்யவேண்டுமென்று இறைவனைப் பிரார்த்தித்துக்கொண்டு என்னுடைய வார்த்தையை முடித்துக் கொள்கிறேன்.

SRI K. BALASUBRAMANYA AYYAR: Mr. Chairman, Sir, I do not want to repeat what my leader and others have said on this occasion. I do not want to use the word ‘greetings’ because we are not happy that our friends are going away from us. There is no question of ‘greetings’ at all on this occasion. It is a question of bidding them farewell. It is a question of offering them good wishes for their future career. That is all. We have to express our sense of sorrow at our parting. Sometimes the word ‘greetings’ was used and that is why I say this.

Sir, one of the tragic consequences of this reduction of the number from 51 to 48 is the going of away of Sister Subbulakshmi from this House. She represents a very strong and useful element of our society. She is a great social worker. She has dedicated her entire life to social work. She has done it in such a remarkable fashion that we do really want her guidance on many matters which may come up for discussion here. In this Council women are represented in a more effective manner than in any other place. Some of our best women are here. Therefore, it is a matter for real sadness that we are forced to nominate her to go away, that you have been forced to nominate her to go away . . .

MR. CHAIRMAN: It is the Governor that did it.

SRI K. BALASUBRAMANYA AYYAR: Fortunately, that trouble has not been yours. This is the most important effect of the reduction in the strength of this House.

Sir, some other Members are going away as a result of the reorganisation of the State. It is a thing which people wanted. They have got it. That is our pleasure and difficulty also. At first we thought it would be a good thing. Afterwards, we began to feel that it was not so good. The linguistic distribution of States, it was said, would be very good. This view was pressed by the Congress in the beginning. The Andhras were very anxious to have their own State. It was a dream of their lives, of many Andhra patriots. Even from the very old days, from 1914-15, they were agitating for the formation of the Andhra State, where Telugu would be spoken primarily by all the people. Therefore, finally we have got the reorganization of States.

But, Sir, there are one or two matters which we must remember. This reorganization of States is made only for administrative convenience. It is not actual separation, one from the other, or

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between the different parts of India. It is certainly not a separation in that sense. It is only for administrative convenience that we have divided our States on a linguistic basis. We must remember that unlike the American Constitution, there is no separate citizen of a State. Under our Constitution, all are citizens of India. There is no separate citizen of Tamil Nad, there is no separate citizen of Andhra, and there is no separate citizen of Karnataka. That fundamental fact we must remember. Anybody can acquire property anywhere in India and marry anywhere in India, e.g., in Tamil Nad and become the son-in-law of Tamil Nad, as you have done, Sir. We are very glad you will continue to remain with us as Chairman of this Council unlike the Speaker of our Legislative Assembly, who goes away now. We must remember all these things when we talk about the States Reorganization Act. That should not make much of a difference at all, if it is not going to make any difference in our mental approach. Many of our Malayalee brethren are still welcome. Many of our Malayalee officers can very well continue to be officers in this State, if they cannot be accommodated in the other State. All this can take place and we can continue as a happy family as we have hitherto been. This question of reorganization of States on a linguistic basis need not be emphasised much more than is necessary. Let us not think that because we have divided ourselves on a linguistic basis, we are fundamentally dividing ourselves. In this connection, I should like to say that even the analogy of a daughter and mother is not good, is not happy at all, because the daughter takes more care of the husband than of the mother. I should say the illustration of families is not to be used at all here. There is no division here. There is no separation. The linguistic consideration has been emphasised only for administrative convenience because people think that administration can be carried on better if one's own language is used. But, when it becomes the official language of the State, then the people of other linguistic groups find it difficult to carry on. The States Reorganization Act has also emphasised the need for protecting the linguistic minorities.

What I want to say is this. When we part, let us not emphasise much the linguistic aspect of the reorganization. Let us not remind our friends of all these things. One fact which I must mention in this connection is that so far as our Malabar friends are concerned, they are really going into oblivion. That is the difficulty. There is no Assembly functioning in their new State. There is the Governor's rule. (An hon. Member: President's rule and it will end shortly.)

Let us hope so. As soon as they leave this State, they have no Legislature where they could function. The hon. Member Sri Narasapaya, on the other hand, will become a Member of the Legislative Council of Mysore. I congratulate him on that. How glad would we be if in the very same notification announcing the Membership of Sri Narasapaya, it was also stated that the hon. Member Sri Govinda Menon and the hon. Member on the other

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side Sri Ummer Koya would become members of the Upper House of Travancore-Cochin. But, unfortunately, that is not to be. We do not know what the fate of our Malabar friends would be. This is a matter on which the hon. Member Sri Govinda Menon felt very strongly. That is the added element of sadness in the farewell that we are giving them so far as Malabar is concerned. So far as South Kanara is concerned, it is all right.

Sir, the hon. Members, Sri Narasapaya and Sri Govinda Menon and myself belong to one fraternity of lawyers, whose usefulness is not very much appreciated in the present day. But I hold, we belong to a fraternity whose services will necessarily be taken advantage of by people in difficulties. The hon. Member Sri Narasapaya has a very clear and forceful way of discussing things. I should say this though we differed on occasions. We are all glad that the hon. Member Sri Narasapaya will be a Member of the Mysore Legislative Council and will bring to bear upon his work the same freshness, lucidity and ability which he has brought to bear on the discussions we have had here in this Council.

The hon. Member Sri Ummer Koya is a very nice man with a cheerful face. I always admire his look and happy manners. He piloted a Bill here and it had a better fate than the one which I piloted. (Laughter.) The Bill was passed by all of us. That was the last contribution to the settlement of land reforms in his part of the State. With this credential he goes to Kerala. But, unfortunately, there is no person there to appreciate this credential. I wish that soon the Travancore-Cochin State will have a Council. (An hon. Member: It is Kerala State and not Travancore-Cochin State.) The old Madras State and the Travancore-Cochin State can never go out of our minds. I hope the Kerala State will soon have a Legislative Assembly and they, I hope, won't refuse to have a Council like the Andhra State. I would go a step further 5 p.m. and say some of us here in this Council should be transplanted in the Legislative Council of Kerala. How can we ever forget the hon. Member Mr. Govinda Menon? His trenchant method of speaking and offering criticisms forced the Leader of our House to say things emphatically disputing his statements. Still we would always welcome Mr. Govinda Menon having a place in a Council like this there. We sincerely wish it.

We are here to offer criticisms boldly and say bluntly whatever we feel, though it may be unpleasant sometimes. As legislators, it is incumbent on us to perform our duty by our State, by our electorate, by our constituency and by our Welfare State, with such light and conviction as we have. So, on the question of land reforms, I felt strongly that our Government were doing the wrong thing. I have the highest regard and respect for our Revenue Minister. Still, I had to say things which were not pleasant to him. In that I was ably supported by the hon. Member Mr. Reddiar. I have no illwill against anybody; I know it is the best Government that we have, the best Ministry that we have. I have great respect for the Hon. Mr. Bhaktavatsalam

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and the Hon. Sri Subramaniam, though I differ from them in many matters. So also, though the Hon. Mr. Shetty has no belief in Ayurveda methods—he had very strong feelings against that system—yet I have no illwill against him. In spite of his feelings, he paid a visit to my dispensary and it was he that recommended that a sum of Rs. 2,500 should be given every year to that dispensary. He made a surprise visit—I do not question that; it is his right and as a Member of the Government, he ought not to grant sums to institutions which are not working satisfactorily—and he appreciated all the work done there; later on, he even presided over the Anniversary Day of the institution. I am saying all this not because he made a grant to the institution with which I am connected, but I am saying this as evidence of his fairness and honesty. Even though he did not appreciate the Ayurveda system, still when he found very good work being done in giving medical relief to the poor, he did not stint supporting it. I have always felt that Mr. Shetty is a fine gentleman, with a sense of honesty and integrity, and that he does things with conviction. We are sorry he is going away. In spite of various changes in the Ministries, Mr. Shetty has continued as a Minister. Of the two gentlemen who have thus continued, even the Hon. Sri Bhaktavatsalam had a short gap, but the Hon. Mr. Shetty had none. He was so much interested in medical matters that when our Rajaji chose Mr. Shetty, the latter immediately took over the medical portfolio. We wish him well and wish that when he becomes a Minister in the new State, he would take up the medical portfolio there. My only request to him is this. At least in the new Karnataka State, let him encourage Ayurveda. That is my personal wish and I now repeat it here.

Many useful and earnest Members of the Council are leaving us. We send them all our good wishes. With our good wishes, we send them the good wishes of the Chairman, the good wishes of the Leader of the House and the good wishes of the entire Council. All are good men in the Legislative Council. I pride myself on being a Member of this Council; all are sincere and true men and the good wishes of all of them will not go in vain. With the help of Providence, all these three States may prosper and they may give a good account of themselves and they may become a Welfare State in the whole of South India.

* SRI V. BHASHYAM AYYANGAR: Mr. Chairman, Sir, I wish to join in the offer of good wishes to the Members who are parting from us as from the 1st November next. I am one of those who do not very much like separation and division of South India. But I do not wish to enter on this occasion into any controversial topic. The States Reorganization Act has come and we have to implement it. Perhaps even this division is, in one sense, good. Because we know in ordinary experience that when brothers do not exactly agree with one another, for some reason or other, they divide, and this division is also one like that. Such division

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often leads to goodwill between them rather than quarrel. It may also lead to better relations. Even after this division, the parties can act together on important matters for their common good.

After the brilliant exposition by the hon. the Leader of the Opposition and of my hon. colleague Mr. Purushotham, I do not think many words are necessary from me. I endorse those good wishes to all our Members who are separating from us. The hon. Member Mr. Purushotham has scientifically referred to each one of the Members who are leaving us and has told us the part they have played and how they have helped in the proceedings of this House. I entirely agree with the remarks made by him. We are all sorry that we are losing the great assistance and advice which we have been getting from those Members. I am also sorry that we shall miss the presence of another Member, Sister Subbulakshmi. She is an outstanding social worker in Madras and it is unfortunate that her membership has had to be terminated. I am very sorry that we are losing her.

I must also refer, Sir, to the impending departure of His Excellency the Governor from this State. The hon. Member Sri Purushotham and our revered leader Sri Muhammad Usman have already referred to it. If I may be permitted to say so, I would say that he has set the pattern of how a Governor should act in a Democratic State. That has been exemplified by him in this State. He has been a friend of everybody. He has assisted all good causes. He has been very popular. Perhaps he has visited the largest number of places that any Governor has ever visited in this State and he knows more about this State than even the residents of this State themselves. We are indeed very sorry that he is leaving us and as the hon. Member Sri Muhammad Usman pointed out, the loss of Madras will be a gain of Bombay. I have no doubt that in Bombay he will be a successful Governor, as he has been here and that he will greatly help in removing the tension that has unfortunately sprung up in that State now. I hope the hon. Members who are separating from us will work for an atmosphere of goodwill between the States *inter se*. Luckily we have got a seed for it in the Zonal Council. The Zonal Council may be able to bring all the four States together so that all of them may work with accord and there may be no rivalry between these States, but co-operation and mutual help for the benefit of all. Speeches that have been made by the outgoing Members and the way in which they have contributed to the debates in this House have been referred to and I do not wish to go over the same ground. We convey all our best wishes to them in their new sphere and as the hon. Member Sri Balasubramanya Ayyar said, I hope they will become members of the legislative bodies of their respective States, and will use their best influence for the advancement not only of their States, but for promoting co-operation between the different States, so that we may all progress and the idea of a common India may be impressed upon all the four States. Separation of States does not mean separation of interests. After

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all, we are first and foremost Indians and then only we belong to any State. I join in the good wishes that have been conveyed to the outgoing Members.

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

The House then adjourned.

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

1. Notification issued with G.O. Ms. No. 2046, Agriculture, dated the 25th August 1956, amending rule 68 of the Madras Commercial Crops Markets Rules, 1948, regarding the receipts to be credited daily into Government treasury. [Laid on the table under section 18 (4) (c) of the Madras Commercial Crops Markets Act, 1933.]

2. Notification issued with G.O. Ms. No. 2407, Home, dated 27th August 1956, regarding remission of court-fees for applications, petitions and complaints under the Untouchability (Offences) Act, 1955. [Laid on the table under section 82 (2) of the Madras Court-fees and Suits Valuation Act, 1956.]

3. Notification issued with G.O. Ms. No. 2266, Home, dated 9th August 1956, regarding exemption of taxation on vehicles belonging to World Health Organization assigned to Tuberculosis Demonstration and Training Centre, Madras.

4. Notification issued with G.O. Ms. No. 1571, Home, dated 28th May 1956, amending rule 102 of the Madras Motor Vehicles Rules, 1940, regarding transport vehicles. [Laid on the table under section 133 (3) of the Motor Vehicles Act, 1939 (Central Act IV of 1939).]

5. The Madras Land Revenue (Additional Surcharge) Distribution Rules, 1956, issued with G.O. No. 1376, L.A., dated 21st September 1956. [Laid on the table of the House under section 6 (2) of the Madras Land Revenue (Additional Surcharge) Act, 1956.]

6. Notification issued with G.O. Ms. No. 3120, Public (Services), dated the 18th September 1956, regarding the inclusion within the Commission's purview of the temporary post of Statistician, Government Tuberculosis Demonstration and Training Centre, Government Tuberculosis Institute, Madras.

7. Notification issued with G.O. Ms. No. 2921, Home, dated 14th August 1956, regarding remission of court-fees on applications or petitions presented for the constitution of panchayats.

8. Notification issued with G.O. Ms. No. 2248, Home, dated 7th August 1956, regarding the remission of court-fees on petitions presented to the Block Development Officer under the Community Development Programme.

* Sent by post on the 18th October 1956.

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APPENDIX I.

[Vide answer to clauses (i) and (ii) (a) of starred question No. 77 asked by Sri A. J. Arunachalam at the meeting of the Legislative Council held on 23rd October 1956, page 5 supra.]

Statement showing the districtwar list of the number of licences issued up to March 1956 to Fair Price shops and number of licensees who had misused the rebate.

District.	Number of licences issued.	Number of licensees who had misused the rebate.
(1)	(2)	(3)
1 Tanjore	84	Nil.
2 Salem	91	3
3 Malabar	93	5
4 Coimbatore	62	14
5 Ramanathapuram.	33	7
6 Madurai	55	6
7 South Arcot	30	Nil.
8 North Arcot	81	3
9 Tirunelveli	140	32
10 Nilgiris	15	3
11 Madras	19	Nil.
12 Chingleput	50	Nil.
13 South Kanara	76	6
14 Tiruchirappalli ..	82	2
Total	911	81

APPENDIX II.

(Vide item IV on page 12 supra.)

L.A. BILL No. 26 OF 1956.

(As passed by the Assembly.)

A Bill further to amend the Madras Estates Land (Reduction of Rent) Act, 1947.

WHEREAS it is expedient further to amend the Madras Estates Land (Reduction of Rent) Act, 1947 (Madras Act XXX of 1947), 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 Land (Reduction of Rent) Amendment Act, 1956.

(2) Section 4 shall be deemed to have come into force on the 7th January 1948; and section 7 shall be deemed to have come into force on the 4th October 1954.

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2. *Insertion of new sections 3-A to 3-E in Madras Act XXX of 1947.*—After section 3 of the Madras Estates Land (Reduction of Rent) Act, 1947 (Madras Act XXX of 1947) (hereinafter referred to as the principal Act), the following sections shall be inserted, namely :—

“ 3-A. *Determination of the question whether any land in an estate is or is not ryoti land.*—(1) Notwithstanding anything contained in the Madras Estates Land Act, 1908 (Madras Act I of 1908); or any other law for the time being in force, if any question arises whether any land in a village is or is not ryoti land it shall be determined by the Collector.

“ *Explanation.*—Any land which has not been decided to be private land under the Madras Estates Land Act, 1908 (Madras Act I of 1908), shall, for all purposes of this Act, be deemed to be ryoti land ”.

(2) (a) Any person denying that any land in a village in respect of which an order under sub-section (2) of section 3 has been published is ryoti land may file an application before the Collector within whose jurisdiction the land is situate for his decision thereon.

(b) Any such application shall be filed within two months of the date of publication of the order under sub-section (2) of section 3, or the date on which the provisions of the Madras Estates Land (Reduction of Rent) Amendment Act, 1956, other than sections 4 and 7 thereof come into force, whichever is later :

Provided that the Collector may, within such further time not exceeding two months as he may, in his discretion allow, admit any application made after the period of two months aforesaid, if he is satisfied that the applicant had sufficient cause for not filing the application within that period.

(3) On receipt of such application, the Collector shall, after giving notice in the prescribed manner to the applicant and the landholder and if the applicant is the landholder, to the person in occupation of the land and after publishing the notice in the prescribed manner in the village, and after giving the parties who appear before him an opportunity to be heard and to adduce their evidence, give his decision on the application.

(4) (a) Against any such decision of the Collector an appeal shall lie to the Tribunal having jurisdiction over the village in which the land is situate within two months from the date of the decision :

Provided that the Tribunal may within such further time not exceeding two months as it may in its discretion allow, admit an appeal preferred after the period of two months aforesaid if it is satisfied that the appellant had sufficient cause for not preferring the appeal within that period.

(b) The decision of the Tribunal on the appeal shall be final and shall not be liable to be questioned in any Court of law.

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3-B. *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 three members; one of them (who shall be its Chairman) shall be a District Judge or an officer eligible to be appointed as a District Judge, another shall be a Subordinate Judge or an officer eligible to be appointed as a Subordinate Judge and the third shall be Revenue Divisional Officer or an officer eligible to be appointed as a Revenue Divisional Officer.

(3) Each Tribunal shall have such jurisdiction and over such villages or groups of villages 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.

3-C. *Disposal of pending applications and suits under Madras Act I of 1908.*—(1) Applications pending under section 183 of the Madras Estates Land Act, 1908 (Madras Act I of 1908), on the date on which the provisions of the Madras Estates Land (Reduction of Rent) Amendment Act, 1956, other than sections 4 and 7 thereof come into force shall be deemed to be applications filed under section 3-A of this Act and be disposed of accordingly.

(2) Suits instituted under the proviso to section 179 of the Madras Estates Land Act, 1908 (Madras Act I of 1908), and pending on the date on which the provisions of the Madras Estates Land (Reduction of Rent) Amendment Act, 1956, other than sections 4 and 7 thereof come into force shall stand transferred to the Tribunal having jurisdiction constituted under section 3-B of this Act and be dealt with by it as if they are appeals preferred under this Act.

3-D. *Presumption in respect of ryoti land.*—Any land in respect of which an application has not been filed within the time prescribed under clause (b) of sub-section (2) of section 3-A or in respect of which an application is not admitted under the proviso to that clause shall be deemed to be ryoti land.

3-E. *Modification, etc., of orders made under section 3 (2).*—(1) If the State Government are satisfied that in any order made by them under sub-section (2) of section 3, there is any error, including any clerical or arithmetical error or error arising from any accidental slip or omission, or that any such order is vitiated by any mistake, they may, by order published in the *Fort St. George Gazette*, correct such error or cancel such order, as the case may require; and the correction or cancellation shall, unless the State Government otherwise direct, be deemed to have taken effect from the commencement of the fasli year 1957.

(2) Any amount by way of rent which becomes payable in respect of any land in consequence of an order issued under

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sub-section (1) shall, if it is not paid before the commencement of the fasli year immediately succeeding that in which the order is issued, bear simple interest at six per cent per annum from such commencement up to the date of payment.

(3) Where the State Government issue an order under sub-section (1), they shall have power whether by the same or by a subsequent order, to make such supplemental, incidental and consequential orders as they may deem necessary or proper; and in particular any such order may, notwithstanding any law or contract to the contrary, provide for the extension of the period of limitation for the recovery of any rent."

3. *Amendment of section 4, Madras Act XXX of 1947.*—To section 4 of the principal Act, the following proviso shall be added, namely :—

"Provided that nothing contained in this section shall be deemed to affect in any way the operation of section 3-E."

4. *Substitution of new section for section 5 in Madras Act XXX of 1947.*—For section 5 of the principal Act, the following section shall be substituted, namely :—

"5. *State Government to make good income lost by religious, educational or charitable institutions.*—(1) Where, by reason of the foregoing provisions, the net income derived by any religious, educational or charitable institution from any estate or part of an estate belonging to it, in the fasli year 1357 or in any subsequent fasli year until the commencement of the fasli year in which the estate may finally be taken over by the State Government, becomes less than the net income which the institution would have derived in such fasli year if the rates of rent had not been reduced under this Act, the State Government shall pay the difference to the institution at the end of the fasli year in question.

(2) The net income derived in each of the fasli years beginning with the fasli year 1357 and the net income which the institution would have derived in each fasli year as aforesaid shall, for the purposes of sub-section (1), be determined by such authority, and in such manner, as may be laid down in the rules made by the State Government.

(3) In determining the net income in both the cases aforesaid, all amounts which accrued due to the institution concerned during the relevant fasli year shall be taken into account whether the amounts were actually collected or not."

• 5. *Amendment of section 8, Madras Act XXX of 1947.*—In section 8 of the principal Act, for clause (iii), the following clauses shall be substituted, namely :—

"(iii) any order made under section 3-E;

(iv) any determination of net income made under section 5, sub-section (2)."

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6. *Provision for adjustment of excess amount paid to religious, educational or charitable institutions.*—Where the amount paid to any religious, educational or charitable institution for the fasli year 1357 or any subsequent fasli year under sub-section (1) of section 5 of the principal Act is in excess of the amount payable to such institution under that sub-section as amended by this Act, then, notwithstanding anything contained in any law, contract or decree or order of Court to the contrary, the excess shall be adjusted towards the amount payable for any later fasli year, whether before or after the commencement of this Act, under sub-section (1) of section 5 of the principal Act as amended by this Act, or the tasdik allowance or additional compensation, if any, payable in respect of the estate or part thereof under the Madras Estates (Abolition and Conversion into Ryotwari) Act, 1948 (Madras Act XXVI of 1948) :

Provided that such excess amount paid to any religious, educational or charitable institution in respect of any zamindari or under-tenure estate held by it shall be adjusted towards the amount payable as advance compensation, if it had not been deposited with the Tribunal having jurisdiction constituted under section 8 of the Madras Estates (Abolition and Conversion into Ryotwari) Act, 1948 (Madras Act XXVI of 1948), or towards the interim payments payable in respect of the fasli years subsequent to the fasli year in which the estate is taken over :

Provided further that where the excess amount aforesaid cannot be adjusted by deduction in the manner laid down in the foregoing proviso, it shall be recoverable as if it were an arrear of land revenue.

7. *Omission of section 3, Madras Act XXVIII of 1954.*—Section 3 of the Madras Estates Land (Reduction of Rent) Amendment Act, 1954 (Madras Act XXVIII of 1954), shall be omitted.

THE MADRAS LEGISLATIVE COUNCIL.

Wednesday, the 24th 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.

Mineral and other resources in the Madras State

* 83 Q.—SRI V. V. RAMASWAMI: Will the Hon. the Minister for Agriculture be pleased to state—

(a) whether it is a fact that a committee was constituted by the Government of Madras in 1947 to report on the available mineral and other resources in the Madras State; and

(b) if so, to place a copy of the report on the table of the House?

THE HON. SRI M. BHAKTAVATSALAM: (a) Yes, Sir.

(b) Only a small number of copies of the Report of the Industrial Planning Committee, 1947, were printed for official use and for sale to the public. Sufficient number of copies of the Report are not readily available or being placed on the table of the House. A copy of the Report is, however, available in the Library of the Legislative Council for reference by the Member.

SRI V. V. RAMASWAMI: இது விஷயமாக ஜியலாஜிகல் ஸர்வே எடுப்பதற்கு நமது அரசாங்கத்தார் ஏதாவது திட்டம் வைத்திருக்கிறார்களா, ஏதாவது ஏற்பாடு செய்யப்பட்டிருக்கிறதா என்று அறிய விரும்புகிறேன்.

THE HON. SRI M. BHAKTAVATSALAM: மத்திய அரசாங்கத்தின் ஜியலாஜிகல் ஸர்வே இலாகாவின் ஆங்காங்கு ஸர்வே செய்துகொண்டிருக்கிறார்கள். ஆனால் இன்னும் முழுமையும் ஸர்வே செய்யும் நோக்கத்துடன், இந்த அரசாங்கமும் சில நிபுணர்களை நியமித்து பிரதேசமாக ஸர்வே செய்வதற்கு இப்போது ஏற்பாடு செய்யப்பட்டு வருகிறது.

SRI V. V. RAMASWAMI: சமீபத்தில் ராமநாதபுரம் ஜில்லாவில் சாத்தூரில் ஒரு ஆற்றில் எண்ணெய் ஊற்று கிடைத்திருப்பதாக பத்திரிகையில் பார்த்தேன். அது விஷயமாக அரசாங்கத்திற்கு ஏதாவது தகவல் உண்டா?

THE HON. SRI M. BHAKTAVATSALAM: அந்தத் தகவல் பற்றி எனக்கு நினைவு இல்லை. ஆனால் அதுபற்றி அரசாங்கத்திற்கும் தகவல் இல்லை.

House-building scheme for the washermen in the Second Five-Year Plan

* 84 Q.—SRI M. ETHIRAJULU: Will the Hon. the Minister for Agriculture be pleased to state whether any house-building scheme for the washermen in this State has been included in the Second Five-Year Plan?

THE HON. SRI M. BHAKTAVATSALAM: No, Sir.

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SRI M. ETHIRAJULU : ஆங்காங்கு குணிகளைக் கொண்டுபோய் சலவை செய்யும் சலவைத் தொழிலாளர்கள் மிகவும் ஏழைகள் என்பது அரசாங்கத்திற்குத் தெரியுமா, பொது மக்களின் குணிகளையெல்லாம் அவர்கள் தக்க பாதுகாப்பு இல்லாத இடங்களில் கொண்டுபோய் வைப்பதால் நிருகுகள் காரணமாக அவர்களுக்குப் பல கஷ்டங்கள் ஏற்படுகின்றன. இதனால் அவர்களுடைய பொருளாதாய நிலையும் உயர் முடியாமல் இருக்கிறது. ஆகவே சலவைத் தொழிலாளர்களுக்கு தக்க பாதுகாப்பு உள்ள இடங்களில் வீடுகள் கட்டிக்கொடுக்க வேண்டியது அவசியம். மற்றத் தொழிலாளர்களுக்கு வீடுகள் கட்டிக்கொடுப்பதுபோல் சர்க்கார் சலவைத் தொழிலாளர்களுக்கும் வீடுகள் கட்டிக்கொடுப்பதற்குத் திட்டம் வகுப்பார்களா என்று அறிய விரும்புகிறேன்.

THE HON. SRI M. BHAKTAVATSALAM : குறைந்த வகுமானம் உள்ளவர்களுக்கு வீடுகள் கட்டிக்கொடுக்கும் திட்டம் இப்போது அமலில் இருக்கிறது. கூட்டுறவு முறைகளிலும் வீடுகள் கட்டிக்கொடுக்கப்படுகின்றன. இந்தத் திட்டங்களில்கூட சலவைத் தொழிலாளர்களும் பயன்படலாம்.

SRI M. ETHIRAJULU : இப்போது வீடுகள் கட்டிக்கொடுக்கும் திட்டத்தில் தொழிலாளர்கள் 1/5 பங்கு தொகையைக் கொடுக்கவேண்டும் என்ற நிபந்தனை இருக்கிறது. அதை 1/6 பங்கு கொடுத்தால் போதும் என்று சர்க்கார் சட்டம் கொண்டுவருவார்களா?

THE HON. SRI M. BHAKTAVATSALAM : தொழிலாளர்களுக்கு வீடுகள் கட்டிக்கொடுக்கும் வசியத்தில் மத்திய அரசாங்கத்தின் உதவி இருக்கிறது. அதில் தொழிலாளர்களுக்கு சில சலுகைகள் கொடுக்கப்படுகின்றன. ஆனால் கிராமங்களிலுள்ள தொழிலாளர்களுக்கு அம்மாதிரி சலுகைகள் கிடையாது. இருந்தபோதிலும், குறைந்த வகுமானம் உள்ளவர்களுக்கு வீடுகள் கட்டிக்கொடுக்கும் திட்டத்தில் வேறு பல சலுகைகள் அளிக்கப்படுகின்றன. அந்தச் சலுகைகளை சலவைத் தொழிலாளர்கள் பயன்படுத்திக்கொள்ளலாம்.

SRI G. KRISHNAMOORTHY : In view of the fact that these washermen are rendering some special type of service to the society, will the Government consider their case as a special one and build houses for them to ensure protection of the clothes and preservation of the clothes in hygienic condition?

THE HON. SRI M. BHAKTAVATSALAM : If it is the interest of the washermen who perform a very useful task, there are others also who work like that. But, if it is the interest of the clothes and the owners of those clothes, then that is a different question.

SRI A. SUBRAMANYAM : வீடுகள் கட்டிக்கொள்வதற்கு கூட்டுறவுச் சங்கத்தில் இல்லாத தொழிலாளர்களும் தனி நபர்களும் பண உதவி கோரினால் அதைக் கொடுப்பதற்கு அரசாங்கம் முன் வருமா?

THE HON. SRI M. BHAKTAVATSALAM : கூட்டுறவு இயக்கத்தின் மூலம் இல்லாவிட்டாலும்கூட, கிராமங்களிலுள்ள ஏழைத் தொழிலாளர்களுக்கும் மற்றவர்களுக்கும் வீடுகள் கட்டிக்கொடுப்பதற்கு கிராம அபிவிருத்தித் திட்டங்களில் வகை செய்யப்பட்டிருக்கிறது. அதை அவர்கள் பயன்படுத்திக்கொள்ளலாம்.

Poultry farms in the State

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

(a) the number of poultry farms run by the Government in this State;

[24th October 1956]

(b) the number of fowls in each farm;

(c) the annual income received from these farms for the years 1954-55 and 1955-56; and

(d) the expenditure incurred on these farms during the years 1954-55 and 1955-56?

THE HON. SRI M. BHAKTAVATSALAM : (a) There are at present two Government Farms exclusively attending to poultry development in this State. One farm is at Madras and the other at Cannanore.

(b) The number of birds at the Poultry Research Station, Madras, and at the District Poultry Farm, Cannanore, as on 31st March 1956 was about 3,500 and 500 respectively.

(c) & (d) A statement^a is placed on the table of the House.

SRI M. ETHIRAJULU : இந்த ராஜ்யத்தில் இந்த மாதிரியான பண்ணைகள் இப்போது இல்லாத இடங்களில் இவைகளை அமைப்பதற்கு சர்க்கார் ஏதாவது திட்டமிட்டிருக்கிறதா என்று அறிய விரும்புகிறேன்.

THE HON. SRI M. BHAKTAVATSALAM : மற்றபடி ஆங்காங்கு பண்ணைகள் வைத்துக்கொள்வதற்கு சலுகைகள் அளிக்கப்பட்டு வருகின்றன.

SRI M. ETHIRAJULU : தனி நபர்கள் கோழிப்பண்ணை வைத்து நடத்தினால் அவர்களுக்கு அரசாங்கம் ஏதாவது உதவி கொடுக்குமா?

THE HON. SRI M. BHAKTAVATSALAM : அரசாங்கம் அவ்வாறும் உதவி அளித்துக் கொண்டுதான் வருகிறது.

S.S.L.C. Examination for teachers in elementary schools

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

(a) whether teachers in elementary schools are allowed to appear privately for the S.S.L.C. Examination;

(b) whether any rules have been framed therefor; and

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

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

(b) & (c) No rules have been framed for the purpose. However, under paragraph IX of the S.S.L.C. Scheme, all members of the teaching profession such as Higher Elementary Grade Trained Teachers' Certificate holders, Pandits, Munshis, Weaving Instructors, instructors in other crafts, Physical Training Instructors, Drawing Masters, Music Teachers, Manual Training Instructors and Commercial Instructors, who have been in service as whole-time teachers in recognized schools and have put in three years of service after acquiring the qualification prescribed for the posts under the Madras Educational Rules, are eligible to appear as private candidates for the S.S.L.C. Public Examination up to March 1959 (inclusive).

[24th October 1956]

SRI G. KRISHNAMOORTHY: May I know the reason why Government grant such permission year after year or for two years at a time and not grant it on a permanent basis by saying that they can appear for the examination if they have put in three years of service?

THE HON. SRI M. BHAKTAVATSALAM: Now the rules framed would hold good up to March 1959. It is the idea of Government that all those who could come under this category would be exhausted by 1959.

SRI G. KRISHNAMOORTHY: In view of the fact that teachers who are just in the third year of their service in a particular institution and who are to appear for the S.S.L.C. Examination privately are kept in suspense whether the Government would extend it for a further year or not, what harm is there in the Government saying that any teacher of this category who has put in three years' service, whole-time service, in a recognized institution may appear for the S.S.L.C. Examination provided he fulfils the conditions? Cannot this rule be made permanent instead of being extended from year to year?

THE HON. SRI M. BHAKTAVATSALAM: There is no idea to make the rule permanent.

SRI T. PURUSHOTHAM: Will the Government be pleased to bring this rule referred to by the Hon. Minister to the specific notice of the executive authorities of municipalities, including the Corporation of Madras, for strict adherence and observance and grant of facilities to elementary school teachers in their service, as there are instances in which the teachers have been denied such facilities?

THE HON. SRI M. BHAKTAVATSALAM: The hon. Member who has put the main question and the hon. Member who has put the supplementary question have served this purpose by their interpellations and I have no doubt that the authorities concerned would take necessary steps in the matter.

Single-teacher schools

11-10
a.m.

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

(a) the number of single-teacher schools (districtwise) opened and proposed to be opened in the course of this school year;

(b) the number of teachers (graduates and non-graduates) who have been and who are proposed to be trained under the short training schemes for staffing these schools; and

(c) the salary offered to such teachers?

24th October 1956]

THE HON. SRI M. BHAKTAVATSALAM (on behalf of the Hon. the Minister for Finance and Education): (a) One hundred and twenty-five teachers have so far been allotted for appointment in single-teacher schools during 1956-57 in the following districts:—

Chingleput District Board	...	15
Tanjore	...	3
Tiruchirappalli	...	9
Coimbatore	...	30
Malabar	...	60
South Kanara	...	8
Total	...	125

The question of opening further schools this year will depend upon the further allotment of funds for the employment of teachers by the Government of India.

(b) One hundred and twenty-five.

(c) Untrained graduates.—Rs. 50 plus Rs. 22—Dearness Allowance.

Untrained undergraduates, Matriculates and S.S.L.Cs.—Rs. 40 plus Rs. 21—Dearness Allowance.

Secondary grade trained teachers.—Rs. 40—1½—55—2—75 plus Rs. 21—Dearness Allowance.

SRI G. KRISHNAMOORTHY: Sir, the original question was submitted by me as early as 1954, that is, two years back. As the figures wanted by me were in relation to that year, will the Hon. Minister just give me the figures for the previous years also?

THE HON. SRI M. BHAKTAVATSALAM: I am sorry, I do not have the figures with me.

SRI G. KRISHNAMOORTHY: In view of the fact that ordinarily raw S.S.L.C. candidates employed as single-teachers are given Rs. 40 as basic salary, will the Government consider the question of revising the present rule by which the raw S.S.L.C. holders in schools which are not single-teacher schools are paid only Rs. 18 and not Rs. 40?

THE HON. SRI M. BHAKTAVATSALAM: I do not think I can give that assurance to the hon. Member. I may tell him that this scheme has been taken up also as a means of providing employment to educated young men and Government do not propose to revise the scales at present.

SRI A. GAJAPATHY NAYAGAR: Have the Government any objection to the appointment of women as single teacher and if not, how many of them have been appointed?

[24th October 1956]

THE HON. SRI M. BHAKTAVATSALAM : There should be no objection. I believe there are women as single teachers, but I have no statistics.

SRI T. PURUSHOTHAM : Will the Hon. Minister enlighten us on whether under this arrangement, all villages with a population of 300 and above have been provided with elementary schools in our State?

THE HON. SRI M. BHAKTAVATSALAM : The hon. Member is aware of the number of villages that are yet to be provided for in this matter. Only we have made a start and we have 125 schools according to the figures I have. This Government have asked the Government of India to agree to provide the necessary allotment for 1,000 teachers with a view to cover all the school-less centres.

SRI T. P. SRINIVASAVARADAN : Is it a fact that most of these single-teacher schools are in charge of untrained men?

THE HON. SRI M. BHAKTAVATSALAM : Perhaps so. I do not know whether it is 'most of the schools' or 'some of the schools'.

SRI T. P. SRINIVASAVARADAN : Only trained persons should be employed in educational institutions. How is it that untrained men are put in charge of schools having 4th and 5th standards?

THE HON. SRI M. BHAKTAVATSALAM : The hon. Member is quite well aware of the shortage of trained personnel. Government cannot wait till the necessary trained personnel are made available, as they are anxious to cover the school-less centres.

SRI T. P. SRINIVASAVARADAN : Are Government aware that by employment of untrained men, the quality of education will go down and that there is also much wastage of money by employment of untrained teachers when actually the profession requires skilled men?

THE HON. SRI M. BHAKTAVATSALAM : Of course, Government would prefer trained teachers. However, Government do not think that the expenditure incurred on these single-teacher schools will be a waste.

SRI G. KRISHNAMOORTHY : May I know, Sir, why, when raw S.S.L.C.'s are taken as teachers, untrained S.S.L.C. teachers of experience in Pudukottai State are asked to undergo training?

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

SRI T. P. SRINIVASAVARADAN : Is it a fact that graduate teachers have left the profession within three or four months?

THE HON. SRI M. BHAKTAVATSALAM : Perhaps they have left on getting better employment.

[24th October 1956]

Eligibility of teachers of aided high schools deputed for National Cadet Corps Officers' training for compensatory leave.

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

(a) whether teachers of aided high schools in the State deputed by the management for National Cadet Corps Officers' Training Course during the summer vacation are eligible for compensatory leave in lieu of the summer vacation; and

(b) if so, the period of such compensatory leave?

THE HON. SRI M. BHAKTAVATSALAM (on behalf of the Hon. the Minister for Finance and Education) : (a) & (b) A copy of the instructions^a issued by the Government in this regard is laid on the table of the House.

SRI G. KRISHNAMOORTHY : Am I right in my presumption that a trainee who gets credit of such leave in respect of the period of training is eligible for the benefit of that leave when he takes a long leave immediately after that training?

THE HON. SRI M. BHAKTAVATSALAM : The hon. Member should have seen the paper laid on the table. If he wants further clarification, I would like to have notice.

SRI G. KRISHNAMOORTHY : Was any representation received from the staff of an Anglo-Indian school that the benefit of such leave as has been prescribed in the paper laid on the table has been denied to him?

THE HON. SRI M. BHAKTAVATSALAM : I have no information with me, Sir.

SRI G. KRISHNAMOORTHY : If the Government have received any representation, will they kindly order the grant of leave and salary during such leave?

THE HON. SRI M. BHAKTAVATSALAM : I want notice.

Awarding of certificates in 'Drawing' to students who appeared through National Arts Society, Kandanur.

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

(a) whether it is a fact that certificates have not been awarded so far to the students who appeared through the National Arts Society, Kandanur, Ramanathapuram district, for the Government Technical Examination in "Drawing" held in November 1954 and came out successful; and

(b) if so, the reasons therefor?

[24th October 1956]

THE HON. SRI M. BHAKTAVATSALAM (on behalf of the Hon. the Minister for Finance and Education): (a) & (b) The certificates of successful candidates have been distributed through the Collector of Ramanathapuram. The National Art Society, Kandanur, is not a recognised agency for distribution of certificates. If the candidates have not received the certificates, the presumption is that none of them have been successful.

SRI G. KRISHNAMOORTHY: Have the Government ascertained that the certificates not issued were in respect of candidates who were not successful?

THE HON. SRI M. BHAKTAVATSALAM: The certificates relate to those who were successful and they have been distributed.

SRI G. KRISHNAMOORTHY: As I have received representations that there has been correspondence with the Collector of Ramanathapuram and that there has been a lot of delay, have the Government any information whether the certificates in respect of the 1954 examination have at least been granted to these pupils?

THE HON. SRI M. BHAKTAVATSALAM: On an enquiry by the Collector of Ramanathapuram, it is found that the certificates received from the Secretary to the Commissioner for Government Technical Examinations have been distributed to the candidates concerned.

Electrification of Government Inspection Bungalows

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

(a) the steps taken by Government to electrify the Government Inspection Bungalows situated in places to which electricity has been extended; and

(b) whether the Government will be pleased to lay on the table of the House a districtwar list showing the number of such Inspection Bungalows yet to be electrified?

THE HON. SRI M. BHAKTAVATSALAM (on behalf of the Hon. the Minister for Public Works): (a) Owing to the high cost of labour and materials and the need for economy, sanction is at present accorded only to such electrification schemes as are imperatively essential and inescapable for carrying on the administration. In pursuance of the above policy, it has been ordered that provision of electrical installation for Inspection Bungalows be deferred till March 1957. However, Inspection Bungalows situated in the various parts of the districts are being electrified gradually, wherever electricity is available, with due regard to the importance of the place, frequency of occupation and other considerations.

(b) A list* is placed on the table of the House.

* Printed as Appendix III on pages 106-107 infra.

[24th October 1956]

SRI T. PURUSHOTHAM: Will the Government issue instructions to the Collectors to inspect the bungalows periodically and make the needed improvements and provide necessary amenities, as some of these bungalows are not kept properly?

THE HON. SRI M. BHAKTAVATSALAM: Sir, it is not necessary to issue fresh instructions. These matters are looked into by the officers concerned.

SRI T. PURUSHOTHAM: May I know whether the remarks made by visitors in the visitors' book kept in the Inspection Bungalows are taken note of by the P.W.D. authorities and whether the defects pointed out are rectified? If not, will Government issue necessary instructions in the matter?

THE HON. SRI M. BHAKTAVATSALAM: Yes, Sir. The remarks made by the tourists are being taken note of. But the defects that are pointed out such as want of electricity, are not immediately rectified.

SRI T. PURUSHOTHAM: May I respectfully bring to the notice of the Hon. Minister that in the Chingleput district the largest number of Inspection Bungalows are without electricity and will Government therefore take steps to provide them with electricity?

THE HON. SRI M. BHAKTAVATSALAM: Perhaps, Chingleput being very near Madras, the bungalows there are not resorted to by travellers and that is how they have escaped the notice of Government. Anyhow, the Government will look into that question.

Payment of travelling allowance to teachers of Nagapattinam taluk for district board election work

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

11-20
a.m.

(a) whether it is a fact that travelling allowance in respect of election work at the last district board elections in the Nanulam taluk has not been paid so far to the teachers of Nagapattinam taluk in Tanjore district; and

(b) if so, the reasons for the delay?

THE HON. SRI S. S. RAMASWAMY PADAYATCHI: (a) & (b) No travelling allowance bill of teachers of the Nagapattinam taluk is pending either with the Election Officers or with the President, District Board, Tanjore.

The travelling allowance bills of 39 teachers are reported to have not been received in spite of reminders issued.

[24th October 1956]

SRI G. KRISHNAMOORTHY: May I know when the travelling allowance in respect of teachers of Nagapattinam taluk was paid?

THE HON. SRI S. S. RAMASWAMY PADAYATCHI: Information about the exact date is not available, but the bill has been paid.

SRI G. KRISHNAMOORTHY: As I have got representations that in spite of bills being submitted, the teachers of Nagapattinam taluk have not got their travelling allowance in respect of the district board election work, can I get information from the Government whether bills were actually received or whether they were not received in proper condition or in the regular way in which they ought to have been submitted?

THE HON. SRI S. S. RAMASWAMY PADAYATCHI: The exact reason is not stated here. It seems the bill has not been sent by the teachers. Only 39 teachers out of 107 have not sent their bills.

SRI G. KRISHNAMOORTHY: Do the 39 teachers who are reported not to have sent their bills belong to the Nagapattinam taluk?

THE HON. SRI S. S. RAMASWAMY PADAYATCHI: I do not know about it. There may be some technical error in the bill.

MR. CHAIRMAN: Questions are over.

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

II.—ANNOUNCEMENTS BY THE HON. CHAIRMAN.

(1) MESSAGES FROM THE GOVERNOR.

MR. CHAIRMAN: I have to announce to the House that I have received the following messages, dated the 18th and 21st October 1956, from the Governor of Madras—

“(1) In pursuance of Article 207, clause 3, of the Constitution of India, I, Sri Prakasa, Governor of Madras, hereby recommend to the Madras Legislative Council the consideration of the Madras Estates (Abolition and Conversion into Ryotwari) (Amendment) Bill, 1956.

(2) In pursuance of Article 207, clause (3), of the Constitution of India, I, Sri Prakasa, Governor of Madras, hereby recommend to the Madras Legislative Council, the consideration of the Madras Registration of Practitioners of Integrated Medicine Bill, 1956.”

24th October 1956]

(2) MESSAGES FROM THE ASSEMBLY.

MR. CHAIRMAN: I have also to announce to the House that I have received the following messages, dated the 23rd 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 (Abolition and Conversion into Ryotwari) (Amendment) Bill, 1956 (L.A. Bill No. 30 of 1956), as passed by the Assembly on the 23rd October 1956 and signed by me for the concurrence of the Council; and

(2) In accordance with the rule 114 of the Madras Assembly Rules, I transmit a copy of the Madras Registration of Practitioners of Integrated Medicine Bill, 1956 (L.A. Bill No. 31 of 1956), as passed by the Assembly on the 23rd October 1956 and signed by me for the concurrence of the Council.”

III.—REQUEST FOR SUFFICIENT NOTICE OF BILLS TO BE MOVED IN THE COUNCIL

DR. A. LAKSHMANASWAMI MUDALIYAR: Mr. Chairman, Sir, may I appeal to you, on behalf of the Members sitting on this side of the House, that in respect of such Bills as the one on to-day's agenda, a reasonable opportunity should be given to the Members of this House to study these Bills, to study the amendments that have been moved in the Assembly and passed, and to see in what manner we can introduce amendments? This Bill, I understand, was passed yesterday by the Legislative Assembly. As a matter of fact, I got a copy of this Bill at 8 a.m. to-day and I find here that certain very important amendments have been passed by the Assembly. Those amendments relate to certain sections of the Act. I would read one amendment which is of fundamental importance and that is in respect of section 50 of the principal Act. It is stated, ‘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 . . .’

Now, Sir, this is not a Bill with just one line. It is a document of tremendous importance and proportions. I was present in the last Legislative Council when this Act was passed. For the first time, I see that the whole of this measure is going to be recast in a particular manner by the Government and as passed by the Assembly. I do not suggest for a moment that you, Sir, have not the discretion to waive notice. Once you have used your discretion, we accept it. But I would like to appeal to you, particularly because in my experience over the last eight or nine years, appeals to the Treasury Bench have had very little effect on such matters. Whatever may be the position and whatever may be the importance, the impression should not be given to the public that this Council is merely a stamping body which has nothing else to do but to register what has been passed by the Assembly. If discussion were to take place intelligently in this House, I beg to submit that we should have an opportunity to study the original Act, to see how the amendments fit in with

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the Act, to read some of the discussions on that subject and to know exactly what amendments we should give notice of. It is not an emergency legislation by any means and I certainly fail to see why the Government should have approached you, Sir, to waive the rule which insists that three days' notice should be given. I think it is bringing this House to a sort of position where it may reflect no credit for the Members of the House to participate in such a discussion. I stated that I fully respected your decision, but I do feel that on behalf of the Members I should make again one more appeal to you not to listen to the Treasury Benches under any circumstances, and if you stick to the three days' notice rule, the business of this House will be arranged properly.

May I say one thing more, Sir? You were present at the meeting of the Chairmen and the Speakers of the Legislative Councils and the Legislative Assemblies. I regret I had not that opportunity as I was away. But I understand that one of the important Presiding Officers said that the Council in that particular State had a right to amend and frequently amend the Bills and when it did amend, it went back to the Assembly and the Government did not take the particular thing so lightly and they did not plead that it should not be passed because there was delay in going to the Assembly. The object of having two Houses of the Legislature, now that the States Reorganization Act has emphasised the necessity for a Council, would be defeated unless you safeguard our interests and unless you secure for us that modicum, that minimum of liberty to express our opinion in the manner that is best for the proper consideration of legislative measures. I make this final appeal to you and I am sure that that appeal will be heeded hereafter.

Dr. V. K. JOHN : I strongly support it, Sir.

SRI K. BALASUBRAMANYA AYYAR : Sir, may I say one more thing? It has been stated very often that a particular Bill was before us one month in advance and that we would have had time to study it. Is it a reasonable way of asking our Members to study Bills? We have got other Bills. Bills are coming up everyday, and we study them. Because a Bill was published one month back in the Gazette, I could not go on reading it at that time with the possibility of all my endeavours being in vain. Therefore, it is not reasonable to say, 'Oh, the Bill was published one month back. Therefore, you had ample time to study it.' So many other Bills are also coming up. This Council has got comments to offer on a number of Bills. This morning I got a copy of this particular Bill. I tried my level best to give notice of amendments even at 11 o'clock. It is such a big Bill. The term 'darmila inamdar' occurs in this Bill. Most people may not know what it means because it is a Telugu term. I am one who has been honestly trying to do my best so far as Bills are concerned. At such short notice, it becomes impossible for us to discuss these matters intelligently.

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* THE HON. SRI M. A. MANICKAVELU : Mr. Chairman, Sir, I am really sorry to say that due to certain compelling circumstances this Bill was put on the agenda. It is not at all the intention of the Government either to inconvenience the hon. Members or to slight the House. This subject was discussed in the Business Advisory Committee of the Assembly. The Members said that the amendments, being more or less technical and necessitated by the experience gained in the working of the Act, should be pushed through quickly. As a matter of fact, the Bill was pushed through in the shortest possible time there. We thought the hon. Members here who were well-versed in legislative matters would have no difficulty in regard to this Bill. But now, since it has been represented to us, I have no objection to take it up to-morrow.

MR. CHAIRMAN : Will it satisfy the Leader of the Opposition if the Bill is taken up to-morrow?

Dr. A. LAKSHMANASWAMI MUDALIYAR : I am content with small mercies, but I cannot say that I am satisfied.

IV.—MOTION UNDER RULE 21 (3) OF THE COUNCIL RULES.

THE HON. SRI M. BHAKTAVATSALAM : Sir, under rule 21 (3) of the Council Rules, I move—

"That item II (1) in the list of business, namely, the Madras Estates (Abolition and Conversion into Ryotwari) (Amendment) Bill, 1956 (L.A. Bill No. 30 of 1956), be postponed and that the next item, namely, the Madras Registration of Practitioners of Integrated Medicine Bill, 1956 (L.A. Bill No. 31 of 1956), be taken up now."

MR. CHAIRMAN : The question is—

"That item II (1) in the list of business, namely, the Madras Estates (Abolition and Conversion into Ryotwari) (Amendment) Bill, 1956 (L.A. Bill No. 30 of 1956), be postponed and that the next item, namely, the Madras Registration of Practitioners of Integrated Medicine Bill, 1956 (L.A. Bill No. 31 of 1956), be taken up now."

The motion was put and carried.

V.—GOVERNMENT BILL.

THE MADRAS REGISTRATION OF PRACTITIONERS OF INTEGRATED MEDICINE BILL, 1956 (L.A. BILL NO. 31 OF 1956).

* THE HON. SRI A. B. SHETTY : Mr. Chairman, Sir, I move—

"That the Madras Registration of Practitioners of Integrated Medicine Bill*, 1956 (L.A. Bill No. 31 of 1956), as passed by the Legislative Assembly, be taken into consideration."

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Sir, you all know that at present, practitioners of indigenous medicine in this State are registered by the Central Board of Indigenous Medicine in accordance with the rules framed by the Government for the purpose. The practitioners and other persons interested in indigenous medicine had also expressed their dissatisfaction with the existing arrangement for their registration. It was considered not feasible to register medical practitioners of indigenous medicine in a separate part in the register maintained for practitioners of modern medicine by the Madras Medical Council. With a view to have a separate statutory provision, the Madras Registration of Practitioners of Indigenous Medicine Bill was published in the *Fort St. George Gazette*, dated 20th December 1954. That Bill provided only for the registration of practitioners of indigenous medicine who possessed a diploma—L.I.M. or G.C.I.M. The Bill did not provide for the recognition of their right to practise modern medicine. The Government subsequently decided not to introduce that Bill in the Legislature in its original form but to consult the G.C.I.M. and the L.I.M. Associations and to revise it in the light of their opinions. The College of Integrated Medicine in Madras trains students both in the modern and in the indigenous systems of medicine. In this State, G.C.I.Ms. and L.I.Ms. are eligible for appointment to institutions of modern medicine under local bodies and in the Community Project areas. Such persons employed in local fund and municipal dispensaries are authorized to conduct *post-mortem* examinations and to issue certificates. In practice, the G.C.I.Ms. and the L.I.Ms. are administering modern medicine. Further, there is no statutory provision recognizing the existing state of affairs. After examining the opinions of the G.C.I.M. and the L.I.M. Associations, the Government decided that this omission should be supplied and that the legislation should contain statutory recognition of the rights of persons possessing the diploma—G.C.I.M. or L.I.M.—and practising both indigenous and modern systems of medicine to grant certificates and to hold appointments. The present Bill gives effect to these.

The G.C.I.Ms. and L.I.Ms. have been agitating for a long time for statutory recognition of the rights already enjoyed by them. The legislation now proposed is more or less on the lines of Acts now in force in other States like Bombay and Travancore-Cochin. The Bill is a simple one and I request the House to accept it.

MR CHAIRMAN : Motion moved—

“That the Madras Registration of Practitioners of Integrated Medicine Bill, 1956 (L.A. Bill No. 31 of 1956), as passed by the Legislative Assembly, be taken into consideration.”

SRI K. BALASUBRAMANYA AYYAR : Sir, at the outset, I have to say that this is not a simple Bill. There are many questions which have to be discussed by us now and I would request hon. Members to get into a reminiscent mood. The Bill was published

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for the first time in 1954 in the Gazette. There is a fundamental difference between the Bill published in 1954 and the one before the House now. Not a word has been said by the Hon. Minister as regards the reasons why that Bill was dropped and why several changes have occurred in the Bill now before the House. Let me read the Preamble of the old Bill—

“Whereas it is expedient to provide for the registration of practitioners of indigenous medicine in the Ayurveda, Siddha and Unani systems in the State of Madras.”

What is the present Preamble? It is—

“Whereas it is expedient to provide for the registration of practitioners of integrated medicine in the State of Madras”. So, every word has been changed. The short title itself is changed; it is ‘The Madras Registration of Practitioners of Integrated Medicine Act, 1956’. A new term has been introduced by the Government of Madras, not known to medical practitioners, Ayurvedic practitioners, ‘integrated medicine’. The title is different. The Preamble is different. Now, Sir, let us not quarrel about words. The Deputy Chairman is looking at me and he may remark that I am quarrelling about words. Let us see now Schedule II to the old Bill. It mentions the qualifications to be possessed by those who want recognition and those qualifications are L.I.M. and G.C.I.M. diplomas granted by the Board of Examiners in Indigenous Medicine appointed by the Government of Madras and any other notified by the Government in the *Fort St. George Gazette*. The whole schedule has been omitted in the new Bill now before the House. Sir, the University of Madras has recognized several institutions which impart instruction in Ayurveda, Siddha and Unani systems of medicine and when we say ‘indigenous’ we refer to these three systems of medicine. The University has instituted a diploma course—D.I.M.—; at present, of course, there is no affiliation given and the moment affiliation is granted by the University, this also will be recognized by the State Legislatures in India. What has happened to these things? Nothing is mentioned about these in this Bill. The Hon. Minister said that the G.C.I.M. and the L.I.M. Associations had been consulted. I am very happy that the Government consulted at least these bodies and have done something for them. I am not on that point now. I ask, “Did the Government consult persons who are eminent practitioners of Ayurveda, Siddha and Unani, who have been recognized by the Central Board of Indigenous Medicine and whose names are there on their register and others who hold diplomas granted by the University of Madras? What have you got to do for them?” It is not right to omit them now from the purview of this Bill. In 1954, the Government said that they would include them; now that schedule is no longer there. I am not able to understand why the Hon. Minister did not say anything about this in his speech.

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There is another gentle reflection—why, a very real reflection—here. Modern medicine is said to mean modern scientific medicine including surgery and obstetrics. What about indigenous medicine? It only means one or all of the three systems of Ayurveda, Siddha and Unani. They would not use the word 'scientific' in respect of this. Are they of opinion that this system is absolutely unscientific? They have used the word, I would say very properly, in respect of modern medicine. But why omit it here? That is a sad commentary . . .

SRI A. M. ALLAPICHAJ: By oversight perhaps they have omitted.

SRI K. BALASUBRAMANYA AYYAR: They have no business to do things by oversight in a Bill of this kind. It has been passed by the Assembly.

SRI A. M. ALLAPICHAJ: Does the hon. Member think that the Government feel that our system is unscientific?

SRI K. BALASUBRAMANYA AYYAR: My submission is that it is a scientific oversight. (Laughter.)

SRI V. CHAKKARAI CHETTY: A sincere oversight.

SRI K. BALASUBRAMANYA AYYAR: Let me not quarrel very much about words.

Then, Sir, as regards registration, even they are persons who are qualified because they have passed the examinations conducted by the University, but they have been omitted. What if they are omitted, it might be asked. A person when registered becomes qualified to issue certificates and hold appointments. The privileges of Registered Medical Practitioners are:

"(1) A certificate required by law to be given by a medical practitioner shall be valid if it is signed by a registered practitioner.

(2) Except with the sanction of the Government, no one other than a registered practitioner shall be competent to hold any appointment as physician, surgeon or other medical officer in any hospital, dispensary, asylum, infirmary or lying-in-hospital of indigenous or integrated medicine, maintained or aided by the Government or a local authority or both and not supported entirely by voluntary contributions."

Government have introduced a difference between the two systems of medicine, namely, the indigenous system and the integrated system. What is to happen to those people who are qualified diploma-holders and are in charge of Ayurveda dispensaries? They won't be competent to hold appointments except with the sanction of the Government, because they won't be registered practitioners. The qualifications required for registration are not mentioned. Such a person will not be a registered practitioner, and if he is not a registered practitioner, he is not competent to hold appointments, except with the sanction of the Government, in any dispensary.

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Then there is this further qualification 'maintained or aided by the Government'. Many dispensaries may not be maintained by the Government but they may be aided by the Government. Unfortunately, I am connected with a dispensary which is aided by the Government. I have appointed Ayurvedic practitioners who hold diplomas. If this Bill is passed into law, they won't be competent to hold the appointments unless Government sanction their continuance. This is not at all right. That is a dispensary which is doing very good and effective work. I am happy the Hon. Minister visited it and helped us substantially. I am grateful to him for this. I expressed my gratitude for this more than once. Even yesterday I expressed my gratitude to him that such a dispensary should be aided by the Government. Now, no person other than a registered practitioner can hold his appointment in such a dispensary without the sanction of the Government. Because both the indigenous and integrated systems of medicine are referred to in the Bill. That institution will directly come under the particular clause of the Bill. This is a very serious thing.

Then, Sir, in the matter of issue of certificates, if a person in Government service or some other service had been treated by an Ayurvedic physician and he had been cured and he produces a certificate issued by him, why should not Government accept that certificate? This practically amounts to saying, 'If you are in Government service, you should not go to him.' I do not say, 'The Hon. Minister says that or the Government say that.' The Bill says that. The Bill says, 'Go and adopt some other method which I do not want to mention.' This is clearly unfair. That is why I say the Bill raises very difficult issues.

Lastly, I want to say something about the word 'integrated' medicine. The Government of Madras in the year 1925 under the leadership of the Raja of Panagal solemnly decided to have this institution for the encouragement of indigenous medicine. It was for long known as the School of Indigenous Medicine. Then it came to be known as the College of Indigenous Medicine. At the time when our respected and eminent Doctor Sri Guruswami Mudaliar was connected with it, it was called the College of Indigenous Medicine. But now it is called the College of Integrated Medicine. All right, let it be called the College of Integrated Medicine. But the whole medical world must first look into that question. It is a question of science. Nobody in Government authority, no person however highly placed can say that it is 'integrated medicine'. We in the University of Madras discussed it. A committee was appointed by the University. Our distinguished Vice-Chancellor was the Chairman of that Committee. There were many eminent Doctors on that Committee. If I remember aright, you Sir, were also on that Committee. All those medical men felt that there could be no question of integrated medicine. I am not stating anything incorrect. I am stating a thing which was solemnly mentioned at that meeting composed of eminent doctors, take

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Capt Srinivasamurthy and others. There were 33 members on that committee. There were Ayurvedic practitioners also on that Committee. They all come to this conclusion that there could be no question of integration of Ayurveda and modern systems of medicine. We cannot call this system an integrated system. People practising the Ayurveda system may also practise the modern system of medicine. So also people practising Homoeopathy may practise the modern system of medicine. But we cannot call it an integrated system of medicine. The integration, if it is to be done, must have the stamp of the medical world. It should come up for inspection before the medical world. It is a science which has to be accepted by the experts. Because the Government teach those two subjects, it does not become an integrated system. The word 'integrated' is unfortunately used here. It has also come into the Bill. That is why there is difficulty. So long as it is used only on platforms and in the Associations of G.C.I.M.'s and L.I.M.'s, it does not matter. But when it is a question of that being put into the Statute-book, we have no business to call it an 'integrated system of medicine', unless it is referred to eminent doctors and Ayurvedic physicians and they come to the conclusion that it is possible to combine the unscientific and the scientific systems together. How can we combine a scientific thing with an unscientific thing? If we do, it is most unscientific. We cannot combine superstition with science. Therefore, the system cannot be called an 'integrated system' simply because we teach two systems side by side. We may teach any number of subjects, biology, botany, etc. By that alone the system cannot become integrated. There are different branches of learning in the Universities such as humanities and the sciences. We cannot combine them and call the combination an integrated system. It is wrong to call it so and I protest against it and especially against the use of the word 'integrated' in this measure. I can understand the Government giving some instruction in modern medicine along with instruction in Ayurveda. What is now happening is something else. Two-thirds of the hours of instruction are devoted to modern medicine and only a third to the Ayurvedic system of medicine. Doctors are not satisfied with the instruction given in modern medicine during the two-thirds of the hours of instruction. They refuse to believe that a G.C.I.M. can be a competent allopathic doctor. I am a layman. I do not know anything about it. But that is what doctors have said. That is what I wish to submit to the Hon. the Revenue Minister though he is called by all as doctor—he has so much identified himself with them. (An hon. Member: You mean the Health Minister.) I am sorry. I refer to the Hon. the Health Minister. Both of us have frequent exchanges and by a slip I mentioned the Hon. the Revenue Minister instead of the Hon. the Health Minister. The Hon. the Minister for Health has taken great care so far as his department is concerned. I have nothing to say against him or his department. I have certainly something to say about the use of the word 'integrated medicine' and the

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system that we have evolved in the State during the past 20 years. Now, a system of medicine by which Ayurveda, Unani, Siddha and modern systems of medicine are combined together is sought to be evolved by such a beautiful blend called the 'integrated system'. I refuse to believe that this could be done. I would ask the experts to say whether they would accept this. This Council fortunately consists of eminent doctors. Dr. Srinivasan is not here now. There are two eminent doctors in this House. Including you, Sir, there are three. (An hon. Member: Dr. Sivanandam is here.)

HON MEMBERS: There are several eminent doctors here.

SRI K. BALASUBRAMANYA AYYAR: Yes. If you say that the word 'integrated' can be used, I will immediately accept it.

SRI T. PURUSHOTHAM: What about Dr. John?

SRI K. BALASUBRAMANYA AYYAR: With all respect to the hon. the Deputy Leader of the Opposition, I have to say he is not a Doctor of Medicine. At that rate, all of us here are doctors. Therefore, we may give instruction in both the systems, but we cannot have an integrated system of medicine. The word "integrated" is not quite fitting. These are all matters which prove my statement correct that this Bill is not a simple one, as stated by the Hon. Minister. 11-50 a.m.

DR. V. K. JOHN: Mr. Chairman, Sir, the hon. Member Mr. Balasubramanya Ayyar started with the statement that this was not a simple Bill and ended with the same statement and his criticisms also proved conclusively that this was not a simple Bill. I entirely agree with him. It is to be regretted that this House including myself had no time to study the Bill thoroughly and make any contribution, which we could otherwise have made if we had studied and understood the provisions. I understand that this Bill was passed yesterday in the Assembly. As papers say, it was in deference to the fact that this was the last piece of legislation introduced in the Legislature by the Hon. Mr. Shetty, that there was no discussion and no dispute about the Bill and so it was passed. But we have a duty to perform. It is our duty to offer constructive criticisms. It is very much to be regretted that the Hon. Mr. Shetty, who has earned a high reputation for knowledge of subjects which he deals with as Minister and who has also a very high reputation that he is not conceited and likes to listen and learn from remarks and criticism from whatever quarters they may come, should have been urged to rush this Bill through this House without giving sufficient time for us to study and assist the Government with our suggestions.

On a cursory perusal—I had no time to study the Bill, as it was given to me only at 9-30 a.m.—I find that this Bill is evidently of one or two matters which the Government are anxious to do. There is no sufficient explanation at all why a Bill which was published in December 1954 was delayed for two years.

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Let us look at certain provisions of this Bill. The Government are anxious whenever they bring in any measure to have all the powers for themselves. They appear to be afraid of Courts and so they provide that Courts should not have jurisdiction.

Now, let us take the constitution of the Board that is provided for in clause 3. The Board is given wide powers. Six members of this Board are to be nominated by the Government. I do not know why the Government should be anxious to nominate a substantial number of the members of this Board. We will go further and see the proviso which reads—

“Provided that pending the preparation of registers, the Government may nominate to the first Board members referred to in clauses (a), (b) and (c) above, out of persons who are eligible for registration in the respective registers and such persons shall hold office for such period as the Government may, by notification, appoint.”

Sir, they provide for 4 members to be elected and then they take away the election of 9 members by nominating all members of the Board in the first instance. Well, the Government will nominate, for what period? For any period they like, not for six months or one year, but for any period they like. I have never heard of a piece of legislation which gives indefinite powers to the Government. Can they not limit the period within which the registers should be prepared? The idea is to grab power and control. Government want everything to be under their control. That is all. Clause 3 is an example of the control which the Government are anxious to have. This is wrong. They should have fixed the period within which the registers should be got ready and the members elected. Otherwise, I am quite sure, for years together there will be no election at all. Under this Bill, they will have a Board completely constituted by the Government, with members exclusively nominated by the Government. I say this is very wrong.

Again, let us take clause 4. In sub-clause (3), it is said—

“Notwithstanding anything contained in sub-section (2) of section 4 of the Madras Medical Registration Act, 1914 (Madras Act IV of 1914), all registered practitioners shall be competent to hold any appointment as physician, surgeon or other medical officer in institutions of modern medicine or as Medical Officer of Health, which are open to registered practitioners as defined in the Madras Medical Registration Act, 1914 (Madras Act IV of 1914) and subject to such conditions as may be prescribed.”

In fact, Sir, Government may patronize anyone and appoint anybody as surgeon in any hospital. It is not correct and proper for legislators in the Assembly and in the Council to be parties to the passing of clause 4, sub-clause (3). It simply gives room for favouritism. This is too dangerous a provision in the Bill.

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Why should Government want to appoint anybody and take protection under sub-clause (3) of clause 4? They can appoint a nominee of theirs.

We then pass on to clause 8. This clause says—

“Every person who possesses the diploma of Licentiate in Integrated Medicine or the diploma of Graduate of the College of Integrated Medicine granted by the Board of Examiners in Integrated Medicine shall, on payment of a fee of fifteen rupees and on furnishing to the Registrar proof of his qualification for registration, be entitled to have his name registered in the register.” I do not know why they want this Rs. 15?

Then, Sir, I pass on to clause 12. I must say that this House must take very serious notice of clause 12 of this Bill. It says—^{12 noon.}

“No act done in the exercise of any power conferred by or under this Act on the Government or the Board or the Registrar shall be questioned in any Civil Court.” Why should it not be questioned in any Civil Court, Sir? Suppose they did something wrong. A Civil Court may decide that something wrong has been done. Why are the Government afraid of the Courts of Law? Are Courts of Law institutions which will give wrong decisions? The Courts of Law help the Government. The Government must always take the attitude that in matters of doubt or difficulty, they must go to the Courts of Law and get their decisions. Now, they prevent everybody from going to a Court of Law. The Government may do something absolutely illegal. But still they say, “You cannot go to the Court of Law.” They may do something arbitrary, illegal or discriminatory. But I am sure that Article 226 of the Constitution of India confers power on the High Court to go into any matter in spite of a provision in an Act taking away the jurisdiction of the Court. But I am on the point that this kind of legislation providing for exclusion of the jurisdiction of Courts, based entirely on distrust of Courts of Law, does not do credit either to the Government or to a House of the Legislature. Why should we distrust the Courts? The Courts are the institutions through which the democratic institutions of this country should grow. They are the institutions on which democracy must depend. Therefore, why should the Government bring in in every piece of legislation a provision that whatever they do, however wrong, arbitrary, illegal, unjust and inequitable their action may be, the Court of Law should not take cognizance of it? It is a very wrong thing and I must very strongly, as strongly as I possibly can, protest against this clause and clauses like this in every Bill that is being brought in. I regret very much that the Hon. Sri A. B. Shetty, who has earned perhaps the highest reputation as a Minister and who is an ornament to any Cabinet, should be responsible for piloting this Bill, which is the last Bill brought by him, and in which this clause is introduced.

Clause 12 is followed by clause 13. The heading of clause 13 is ‘Control by Government’. The Government are not satisfied

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with the control introduced in the earlier clauses of the Bill. They want one specific clause under the heading 'Control by Government'. This is because what is in the mind of the draftsman all the time is exclusion of jurisdiction of Courts. The feeling has throbbed so much in him that he put a heading 'Control by Government'. He could not avoid putting it because throughout the time he has been drafting this Bill, he has been moved by the idea that he must provide for control by Government. Sir, this idea, when drafting any piece of legislation, to provide for control by the Government is entirely wrong. We want to see that the Government are not very much in evidence in the eyes of the public by providing for control by them. No good Government will be in evidence very much as far as the normal life of the people is concerned.

I would only refer to one more thing. I regret very much that this Bill introduced by the Hon. Sri A. B. Shetty, should make a provision in clause 15, sub-clause (5), making a discrimination against this House. Sub-clause (5) of clause 15 says—

"All rules made under this Act shall, as soon as possible after they are made, be placed on the table of both the Houses of the Legislature . . ."

Formerly, they would provide for placing the rules on the table of the Assembly alone. Now they would be placed on the table of this House also. The sub-clause goes on—

"and shall be subject to such modifications whether by way of repeal or amendment as the Legislative Assembly may make within fourteen days on which the Legislative Assembly actually sits either in the same session or in more than one session."

Why should the Legislative Council be forgotten in this connection? Is this House not competent to suggest alterations and amendments? It is very discriminatory. This House is asked to pass this Bill. It was passed yesterday in the other House and it has been brought in here to-day. I am sure it will be passed in this House also. But I ask the Government what is the idea behind sub-clause (5) of clause 15 in discriminating against the Legislative Council as compared with the Assembly. Are the Government prejudiced if we suggest some changes or amendments to the rules that they may frame? There is a provision that they should be laid on the table of this House also. It is not a slip. It is a deliberate discrimination against this House for no reason whatsoever. We would have been very pleased indeed if provision had not been made for placing the rules on the table of this House as well. But provision has been made for that purpose and how is it that they are preventing the Legislative Council from suggesting any alteration or amendment? I regret very much that this Government should provide for this discrimination. I do not want to say anything more about it. I must say that I am unable to say anything more because there has been no time for us to study this Bill and discuss it among ourselves,

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I mean the Members of the Opposition, and then to give constructive criticisms and assist the Government thereby. I suggest to the Hon. Minister that if he is so pleased, he might agree to have the discussion of the Bill clause by clause to-morrow so that we may bring in some amendments after further consideration. If he does not agree to it, I can take it that the intention of the Government is to see that Bills are passed through this House without providing sufficient opportunity for criticism and for bringing in amendments. I protest not once or twice but many many times, and say that if this House is to function usefully, we must have sufficient time to study the Bills and bring in amendments. I am sorry, I must say, that we were not given sufficient time and I am unable to offer any more criticism or suggestions in regard to this measure.

DR. A. LAKSHMANASWAMI MUDALIYAR: Mr. Chairman, Sir, it is with great hesitation that I rise to-day to speak on this Bill. As a matter of fact, Sir, it is my fault that I did not peruse this Bill when it was published in the *Fort St. George Gazette*. I am not going into the details nor am I offering any excuse. But when I saw a short account of the Bill in the papers, I decided that I should not participate in the discussion on this Bill for two reasons. Firstly, whatever we may say, once a Bill is passed by the Assembly, we may say practically in every instance within my knowledge for nearly ten years, we have just to do the i's and dash the t's and say hallelujah for the measure. The second reason is that at present, in the atmosphere that prevails in our country, with all the emotion that is brought to bear upon questions which are discussed in a hot and difficult atmosphere, and with an amount of prejudice that will be created against anybody who gives even reasonable suggestions, the possibility of not being misrepresented and misunderstood is very remote. It would serve no purpose to offer suggestions; as I said, I felt perhaps that I need not take up the time of the House by offering suggestions. But, Sir, the speeches of my hon. Friend Mr. Balasubramanya Ayyar and the hon. the Deputy Leader of the Opposition forced me to say a few words as my silence would certainly be misinterpreted in quarters where I should not like it to be misinterpreted.

Let me, at the outset, say that I stand for all privileges that can reasonably be given to those who have been trained in the College of Integrated Medicine. I do not want young men to suffer any difficulties. At the same time, I am bound to say that there are certain limitations which we cannot afford to forget. The hon. Member Mr. Balasubramanya Ayyar referred to the discussion that took place—I would not say 'discussion' but a series of discussions in the University over a long period of time to which representatives of all the systems of medicine, including several Professors, were invited. Sir, as a result of that discussion, it was decided that if a person was to have a knowledge of our ancient systems of medicine and if a person likewise was to have

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a knowledge of modern medicine—I do not use this term in any dignified sense—the only way in which a reasonable compromise could be arrived at was by prescribing for them a fairly high standard of proficiency in both these systems. I went further during a discussion that took place in the old Legislative Council—I think, Sir, you were probably present on that occasion—and suggested that the only way in which we could improve the ancient systems of medicine, the only way in which we could integrate the ancient systems of medicine with modern medicine, was by requiring those trained in modern medicine to take a full course of training in the ancient systems of medicine and those trained in the ancient systems of medicine to undergo a full course of training in modern medicine and surgery. I can think of no compromise whatever in this matter in respect of fundamentals. There are different systems of medicine in different countries. In Great Britain, for instance, there are different systems of medicine. Our friends who speak of Homoeopathy do not realise what Homoeopathy is. No one can practise Homoeopathy in Great Britain if he has not already acquired what is known as a basic qualification in modern medicine. Once you have acquired a basic qualification in modern medicine, you can practise any system of medicine. I do not suggest such a thing here. But I do say that 'integrated medicine' is something which neither the practitioners of the indigenous systems of medicine nor practitioners of modern medicine are able to understand. I certainly do not understand it. All I can say now is, I made the suggestion that those persons who had taken a degree in modern medicine could be given even a Doctorate in Medicine, if they underwent training in the indigenous systems or any of the ancient systems of medicine for a period of, say, two or three years. I suggested this because such men would be knowing both the systems of medicine. We give Doctorate in Medicine to Graduates in Modern Medicine if they specialise in any particular branch of Medicine. When such is the case, a person who has studied modern medicine and who is also qualified in the other system can legitimately be taken to be better equipped. Therefore, I for one would have no objection to suggesting to the University or to any appropriate body to give a higher degree like M.D. to those who are qualified in both the systems of medicine. It seems to me that there is every need on this occasion for studying this question without emotion and without harping on the theme too much that our ancient systems should be preserved. If we really want to preserve our ancient systems of medicine, if we really want to develop them, if we really want to promote an integrated system of medicine, then we cannot do it unless the person is fully competent in both the systems of medicine. It is only then possible to bring about the evolution of an integrated system of medicine in our State. Let us not look at the question from the point of view of legal disabilities alone. What will be the effect of this Bill when passed into law? It will be that only those students who are being

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trained in a particular institution will be eligible for registration. Nobody else will be registered. As my hon. Friend Mr. Balasubramanya Ayyar has very rightly pointed out, there are people who are fully qualified in the ancient systems of medicine who hold University diplomas and others and who have so far been recognised practitioners of medicine. They will not come within the purview of this Bill. I think this is a serious matter which requires full consideration at the hands of the Government.

With regard to the very Graduates in Integrated Medicine, there are provisions in this Bill which give such wide powers to the Government that I am unable to understand how they will effectively utilise them. Government and power politics always go together. There is no use of hiding that fact. If the Government come forward with this Bill, there is power politics behind. There is enough of power politics in the Central Government to make the whole system of medicine—whatever that system may be—chaotic and make it end in a fiasco. That will be, I need not say, to the detriment of the people. But I am not on that subject now. I would refer to a clause referred to by the Deputy Leader of the Opposition—Clause 4 (3). It reads:

“Notwithstanding anything contained in sub-section (2) of section 4 of the Madras Medical Registration Act, 1914 (Madras Act IV of 1914), all registered practitioners shall be competent to hold any appointment as physician, surgeon or other Medical Officer in institutions of modern medicine or as Medical Officer of Health, which are open to registered practitioners as defined in the Madras Medical Registration Act, 1914 (Madras Act IV of 1914), and subject to such conditions as may be prescribed.” I may tell you, Sir, that persons registered under the Madras Medical Registration Act are not competent to hold certain appointments, especially in teaching institutions. We cannot make a man Professor of Oto-Rhino-Laryngology unless he has been trained and awarded a diploma in that particular branch. There is no possibility of a surgeon being appointed as such unless he holds a post-graduate degree in surgery. Let me say the Universities themselves, which are subject to much condemnation nowadays, are not masters of the situation as they have to abide by those decisions that have been reached by the Indian Medical Council, which is a statutory body vested with certain definite powers. The Indian Medical Council has laid it down that only those who possess certain qualifications can teach. Now, this particular clause in this Bill authorises anyone to be appointed as physician, surgeon, obstetrician, gynaecologist or, as I said, Oto-rhino-laryngologist in a teaching institution. I know my respected Friend, the Hon. Mr. A. B. Shetty will never condescend to do such a thing. No one has done more for modern medicine and for the teaching institutions than he has done in spite of financial difficulties which he has had to face. Now, the language used here is 'what the Government may prescribe', and not what the Indian Medical Council may prescribe or any of the advisers to

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the Government may recommend. It seems to me that this will be a field wherein a great deal of agitation can be encouraged by those people who are registered under this particular Act. They may well claim that the Act entitles them to such a treatment and they will bring pressure on the Government to yield to their demand which may not be in the best interests of those who are to be trained and the patients who are to be treated. At a time when the whole field of medical education is in the crucible and many reforms are being suggested, it seems to me that it would be best for the Government to consult those authorities that have some little capacity to advise them on the subject and to suggest to them what can be done. It is not that we want to put any obstacles in the way of those Graduates. Not at all. But there are certain limitations which have to be realised by the Government. I do believe that this Bill will be one which will be copied by many other States. I would appeal to all Governments; if they want to encourage any particular system, let them encourage it. Leave the modern system of medicine alone. It will take care of itself. We do not want encouragement. Many colleges of modern medicine have been opened. People are paying rupees 5,000 to get admission to those colleges. Unborn children are being registered for future vacancies in those colleges. When that is the state of affairs with regard to colleges of modern medicine, if our principles and policies are given the go-by, we can do nothing. But reason and a certain amount of fairness dictate that we should adopt a wise policy. It cannot be the policy which the popular demand claims it ought to be. Unless, therefore, the Government are prepared to take a stand in such matters and look into them from a far-ahead point of view, I think the future of medical education is not very bright.

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Sir, I have been one of those who have been feeling that the future of education itself is bleak, that the future of professional education is more bleak, and that the future of medical education is something on which I have no vista of any pleasant thoughts of the future. We are facing difficulties even now. We are not able to get qualified teachers for our medical colleges satisfying the minimum conditions laid down by the Board. Year after year we have been appealing to the Government. I have myself sent an appeal to the Chief Minister with copies to all Ministers. I have been promised that that would be considered. It is over a year since it was sent and we are waiting patiently, waiting Micaewber-like with hope ever springing in our hearts, and believing that something may be done. I do not know when it is going to be done. That is the position with regard to the so-called modern system of medicine. The very colleges which the Government have started are not in a position to satisfy the minimum requirements of the University in regard to staff. They may have buildings; they may have equipment. Even that is very limited. We have been crying for air-conditioned theatres for certain cases, because surgical operations to-day are not what they were in my

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younger days. You will perhaps be surprised to know that our surgeons have to perform the most delicate of operations which will take five to six hours. People outside think that it is a luxury of the surgeons. We know that it is a necessity of the patient who has got to stay in that room. I cannot explain the technicalities so well here. There is such a thing as water balance. If the patient perspires and loses all the water, there is no method of resuscitating him as easily as we ought to. That cry is in the wilderness. I can point to many other things. But I do realise the financial difficulties of the Government. Yet, I do feel that in these matters, we should not be lagging so far behind the other advanced countries. The medical men that we are producing are some of the finest. I can say that in spite of all these drawbacks. But they have not been given what they ought to be given. But I am not on that point now.

All that I would plead is this. I am not going to say anything about this Bill. I am not certainly going to vote against this Bill. Whether I vote or not is immaterial. But I do feel that a great deal of consideration yet remains to be given to the whole system of medicine. Whether you call it modern or ancient or whatever it be, we are not to-day doing what we ought to if we are really keen on encouraging the ancient systems of medicine. I am sorry to have to say that. I say it not to kill the ancient systems of medicine. I am most anxious that something should be done to show their worth and something should come out of the efforts we put in but that cannot come by passing this Bill.

SRI O. P. RAMASWAMI REDDIAR: கனம் தலைவர் அவர்களே, இப்போது நாட்டு வைத்திய முறை, நவீன (மாடர்ன்) வைத்திய முறை, ஆசிரிய இணை முறைகளிலும் சிகிச்சை செய்வதற்கு ஏற்பாடு செய்யப்பட்டு வருகிறது. அதற்கான மசோதாவும் இப்போது சபையில் கொண்டுவரப்பட்டிருக்கிறது. நான் மருத்துவக்கல்யாண ரொம்பத் தெரிந்தவன் அல்ல. நமது நாட்டில் கொண்டுதொட்டு இருக்கலாம் வைத்திய முறைகள் அவ்விதம் செய்யப்படுகின்றன. “அலோபதி” முறை இப்போது நாட்டில் அதிகமாக வளர்ந்துகொண்டு வருகிறது. ஆனால் நம் நாட்டிலுள்ள 90 சதவிகித எழை மக்கள் பழைய முறைகளைத்தான், ஏழ்மையினாலோ அல்லது மற்ற வசதிக் குறைவினாலோ, கையாண்டு வருகிறார்கள். இந்த முறைகளைக் கையாண்டும் மருத்துவர்கள் கிராமங்களில் அதிகமாக இருக்கிறார்கள். அங்கங்கு அந்த முறையில் பயிற்சியும் கொடுக்கப்படுகிறது. பயிற்சி பெற்றவர்கள் மக்களுக்கு நன்றாக வைத்தியம் செய்துகொண்டும் வருகிறார்கள். ஆயுர்வேத, யூனனி முறைகளில் தலைமுறை தலைமுறையாக சில குடும்பங்களில் பயிற்சியளிக்கப்படுகிறது. அவர்களும் தங்கள் தந்தை தெரிந்த வகையிலும்—எவ்வளவு தூரம் தெரிந்துகொள்ள வேண்டுமோ அவ்வளவு தூரம் தெரிந்துகொள்ளாவிட்டாலும்—தங்களால் முடிந்தவகையிலும் வியாதினைத் தீர்த்துவருகிறார்கள். ஆயுர்வேத, யூனனி, சித்த முறைகளுக்கு கல்லூரிய் பாடத்தில் அதிகப் பங்கு ஒதுக்குவது சரியல்ல என்ற அபிப்பிராயம் கனம் ஸ்ரீ ஷெட்டர் அவர்களுக்கு. பொப் நாட்களாவே உண்டு. நான் முதன் முறையாக இரந்த போதே அநேக நாட்கள் எனக்கும் அவருக்கும் இது விஷயமாக சச்சை நடந்தது. அதை இப்போது நான் அவருக்கு ஸாபகமட்கிறேன். இப்போதுள்ள ஏற்பாட்டை அவர் பிரவாதத்துடன் செய்கிறார் என்று நான் எடுத்துக்கொள்கிறேன். தற்போது பலவிதமாக இருக்கும் முறையை அபிவிருத்தி செய்வதற்கு அரசாங்கம் ஏற்பாடு செய்யவேண்டும்,

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பலவீனமாக உள்ள முறை இன்னும் கீழே போகக்கூடியவாறு ஏற்பாடு செய்வது அரசாங்கத்திற்கு அழகு அல்ல. பெரியவரான டாக்டர் குருஸ்வாமி முதலியார் அவர்களுக்கு இன்ன முறைகளும் தெரியும். அவர் நவீன முறை அபிவிருத்தியடைவதற்கும், பழைய முறைகள் அபிவிருத்தியடைவதற்கும் பாடுபடுகிறார். ஆகவே அவரைப் போன்ற அனுபவமுள்ள பெரியவர்கள் இந்த விஷயத்தில் என்ன செய்கிறார்கள் என்பதையும் அரசாங்கத்தார் கவனிக்கவேண்டும் என்று நான் நினைக்கிறேன். இந்த சந்தர்ப்பத்தில் அவர் பேசாமல் இருப்பது தவறு, அவர் அவசியம் பேசவேண்டும். அவருக்கு ரொம்ப நாட்களாக பழைய முறைகளில் நம்பிக்கை உண்டு. அவர் நவீன முறையில் practice செய்தாலும் கூட பழைய முறைகளையும் ஒங்கச் செய்வதற்காகத் தொண்டு செய்து வருகிறார்கள். நன்பர் ஸ்ரீ ஷெட்டி அவர்கள் பெரியவர்களும் அனுபவஸ்தர்களும் என்ன சொல்கிறார்கள் என்பதை அறிந்து தகுந்தபடி ஏற்பாடு செய்ய வேண்டுமென்று திரும்பவும் அவரை மன்றாடிக் கேட்டுக் கொள்கிறேன். “இந்த ராஜ்யத்தை விட்டுச் செல்லப்போகிறோம், ராஜ்யத்தை விட்டுச் செல்லப்போது அனேகருக்குச் செய்யவேண்டிய கடமையை செய்யாமல் செல்வது தவறு” என்ற நல்லெண்ணத்துடன் அவர் இந்த மசோதாவை அவசரமாகக் கொண்டுவந்திருக்கிறார். நல்லெண்ணத்துடன் அவர் மசோதாவைக் கொண்டுவந்திருந்தாலும் ஒரு துறைக்கு நல்லது செய்யப்போது மற்றத் துறைகளுக்குக் கெடுதல் செய்யக்கூடாது. எந்தத் துறைக்கு அதிகமாகச் செலவுகள் கொடுக்கப்பட்டு வருகின்றனவோ, எந்தத் துறையில் அதிகமாகப் பணம் விரயம் செய்யப்படுகிறதோ, அந்தத் துறைக்கே மேலும் செலவிரயம் செய்து கொடுப்பது கூடாது. ஆகையால் மற்ற துறையிலும் அதாவது பழைய வைத்திய முறைகளுக்கும் அதிகச் செலவுகள் கொடுக்க வேண்டும்.

பழைய வைத்திய முறைகளில், தனி நபர்கள் நடத்திவரும் ஸ்தாபனங்களிலும், டிப்ளோமா வாங்கிய பலர் இருக்கிறார்கள். அவர்களுக்கும் நியாயம் வழங்கவேண்டும்.

மசோதா சரியாகத் தயாரிக்கப்படவில்லை. மசோதாவை எடுத்துக் கொண்டு திரும்பவும் கீழ் சபைக்குச் சென்றால் சர்ச்சைக்கு இடமிருக்குமோ என்று கனம் மந்திரி அவர்கள் பயப்படுவதுபோல், அவர்களிடம் பேசிய திலிருந்து, எனக்குத் தெரிகிறது. கீழ் சபையிலுள்ளவர்கள் மசோதாவை நன்றாகப் படித்துப் பார்த்துவிட்டு அதை நிறைவேற்றியதாகத் தெரியவில்லை. அங்கே இது ஒரு நிமிஷத்தில் நிறைவேற்றப்பட்டிருக்கிறது. நானும் மசோதாவை சரியாகப் படித்துப் பார்க்க முடியவில்லை; காலையில் தான் எனக்கு மசோதா கிடைத்தது. அதை மேலெழுந்த வாரியாகப் படித்துப் பார்த்தேன். நான் சபைக்கு வந்த பிறகுதான் அதை நன்றாகப் படித்தேன்.

தொன்றுதொட்டு வந்த வைத்திய முறைகளை அபிவிருத்தியடையச் செய்யவேண்டும் என்பது தான் என்னுடைய அபிப்பிராயம். புதிய முறைகளையும் அபிவிருத்தி செய்ய வேண்டியது தான். சித்த முறைகளைப் படிக்க வேண்டுமென்றால் சித்தர்களின் ஞால்களைப் படிக்கவேண்டும். ஆயுர்வேத முறையைப் படிக்க வேண்டுமென்றால், அந்த சான் திரங்கையும் ஸ்லோகங்களையும் படிக்கவேண்டும். யானை முறையைத் தெரிந்துகொள்ள வேண்டுமென்றால் உருதுவில் அதைத் தெரிந்துகொள்ளவேண்டும். எல்லா முறைகளையும் தெரிந்தகொண்டவர்கள் மிகக்குறைவு. எல்லா முறைகளையும் மாணவர்களுக்குக் கற்றுக்கொடுப்பதற்கு அரசாங்கம் நல்ல ஏற்பாடுகளைச் செய்யவில்லை. அரசாங்கமும் அதற்கு பாடுபடவில்லை, தனி நபர்களும் பாடுபடவில்லை. உதோ patchup work-தான் நடந்திருக்கிறது.

இந்த ராஜ்யத்தை விட்டுப் பிரிவின அவசரத்தில் ஏதோ ஒரு நன்மையைச் செய்ய வேண்டுமென்பதற்காக இப்படி மசோதாவைக் கொண்டுவந்தால் ஒரு துறையில் நன்மை செய்தாலும் மற்ற துறையில் கெடுதல் ஏற்படும் என்பதை கனம் ஸ்ரீ ஷெட்டி அவர்கள் மறுக்க முடியாது என்று நினைக்கிறேன்.

[Sri O. P. Ramaswami Reddiar]

கிறேன். நன்மையைச் செய்யும்போது தகுந்த முறையில் செய்ய வேண்டும். இப்போது எல்லாவற்றிற்கும் கிளர்ச்சிகள் கிளம்புகின்றன. நாட்டு வைத்திய முறையிலும் நாம் தவறான ஏற்பாட்டைச் செய்தால் கிளர்ச்சிகள் வரும். தெரிந்துகொண்டே கிளர்ச்சி வரும்படி செய்தால் நாம் அதற்கு ஒத்தாசை செய்வதாக ஆகும். ஆகவே நடைமுறையில் நல்ல அனுபவமுள்ள பெரியவர்கள் சொல்வதைக் கவனித்து அரசாங்கம் தகுந்த ஏற்பாடுகளைச் செய்ய வேண்டுமென்று கேட்டுக்கொள்ளுகிறேன். நான் அதிகம் பேச வேண்டுமென்று நினைக்கவில்லை. இத்துடன் என்னுடைய வார்த்தையை முடித்துக்கொள்கிறேன்.

* SRI T. PURUSHOTHAM: Sir, when the hon. Member Sri Balasubramanya Ayyar started the opposition to this Bill, I thought he had radical objections to the spirit of the Bill. But he has only referred to certain changes made in the original 1954 Bill. His objection would appear to be to the renaming of the College as College of 'Integrated' Medicine. I think that this is not the occasion to discuss the details of the instruction imparted in this College or the reorganisation of the College on the lines suggested by the hon. the Leader of the Opposition. The general points raised by the hon. the Leader of the Opposition would, I believe, be taken note of by Government and the working of the system of integrated medicine introduced by Government would be studied further and whatever improvements are necessary would, I am sure, be effected in due course. I am glad that the Hon. Minister has come forward with this measure. Hon. Members would remember that I raised sometime ago the question of registration of G.C.I.M.'s and L.I.M.'s and that the Hon. Mr. Shetty assured us that a Bill for separate registration of medical practitioners under these systems would be introduced soon. (Dr. V. K. John: When was it done?) Just a few months back. True to his word, the Hon. Mr. Shetty has come forward with this Bill and I must congratulate him on this, his parting gift to our State before laying down office as Minister of Public Health in this State.

The hon. Member Sri Balasubramanya Ayyar said yesterday that the Hon. Mr. Shetty was not quite favourable to the indigenous systems of medicine and that charge was repeated to-day by the ex-Chief Minister, Sri Omandur Ramaswami Reddiar. But I believe the Hon. Mr. Shetty has done something tangible to improve the College of Integrated Medicine. I had also occasion to refer to this question during the discussion on supplementary estimates during the last sitting of the Council. Some important schemes of development of the College were put forward by him and all of them were sanctioned. The scheme of integrated courses in this college is certainly welcome. The hon. the Leader of the Opposition too has not objected to it, but he said that fuller training should be imparted and I believe whatever improvements are necessary should be discussed further and the courses revised in good time. When we have introduced the integrated course, it is imperative that a provision should be made for the appointment of these registered practitioners as physicians, surgeons, etc., in

12-30
p.m.

[Sri T. Purushotham] [24th October 1956]

all institutions as provided for in clause 7 of the Bill to which exception has been taken by the hon. the Leader of the Opposition. I believe this provision should be welcomed in view of the dearth of medical officers and health officers. When we really give them training in modern scientific medicine in this college including surgery, obstetrics, etc., I do not see any reason why these people trained in this college should not be appointed as medical officers in all institutions and even as Health Officers.

I should congratulate the Hon. Minister on having brought forward this measure. Madras State is a pioneer in several ways. In the matter of development of indigenous systems of medicine, and in the establishment of the College of Indigenous Medicine, etc., Madras has done something unique thanks to the efforts of the late Raja of Panagal as Chief Minister. This was also referred to by the hon. Member Sri Balasubramanya Ayyar.

Sir, just this morning I was refreshing myself with the Report of the Committee on Indigenous Medicine of which my hon. Friend Sir Muhammad Usman was the Chairman. Registration of medical practitioners of these systems was referred to significantly in that Report and I am glad that the Government have come forward with this Bill and provided for statutory recognition of the medical practitioners of these indigenous systems. I, therefore, welcome this Bill and once again recall how deeply we are grateful to the Hon. Mr. Shetty for this excellent piece of legislation in the cause of development of indigenous systems of medicine and I am sure hon. Members will wholeheartedly support this measure.

12-40
p.m. * SRI A. GAJAPATHY NAYAGAR: Mr. Chairman, Sir, as you are aware, there are two classes of persons, one learned in law and the other learned in medicine; here both have offered criticisms. I can understand the anxiety of the hon. Member Sri Balasubramanya Ayyar because he is a learned man in law. So is my hon. Friend Dr. Lakshmanaswami Mudaliyar who is learned in medicine. When I study this Bill, I find that three systems of medicine are mentioned—the Ayurveda, the Siddha and the Unani systems. They are well-known as indigenous systems; but they are not called here so. I would very much like the name to be given as scientific systems. In fact, nothing exists without science. So, if we call them scientific systems, I can understand far better. But India is a country where there are not only three systems. There are others as the allopathic and the homoeopathic systems also. Homoeopathy is a thing, Sir, which cannot be disregarded. I must bring to your notice that when my daughter was suffering from a boil, I called in an allopathic doctor. He said 'I will come to-morrow and cut it down.' But there was my friend nearby who said, 'I am a homoeopath. Please give me a chance to cure the boil'. I consented. He put some white powder in water and drenching it with a cotton piece, he put it on the boil. In three days, Sir, the boil disappeared. Now, I

[24th October 1956] [Sri A. Gajapathy Nayagar]

ask, Sir, why this homoeopathic treatment should be left out. There are the Ayurveda, the Siddha and the Unani systems which the Government have surely tolerated but have not helped in any way. I am well aware, Sir, of the step-motherly treatment given by this Government to the indigenous systems of medicine. They simply have no belief in these system of medicine. Now, what do they mean by 'integrated system of medicine'? I understand that persons learning Ayurveda, Siddha or Unani system of medicine should also get a basic knowledge of modern medicine. But why should the Government think it necessary that they must be imparted 2/3rd knowledge in modern medicine and only 1/3rd in indigenous medicine? This kind of teaching will not promote the growth of indigenous medicine. These three systems are different from one another. The real need may be that there must be knowledge of the fundamentals of science and medicine, and before we allow persons to practise the Ayurveda, the Siddha or the Unani system, they must get basic education in respect of medicine. So far, the Government have not come forward to give them such help in this direction. But thanks to the Hon. Sri Shetty, who is a great believer in modern medicine, a start is made. Our difficulty is that our people are still superstitious. They believe anything and everything. They believe in a quack. A big doctor may come and he may fail to give immediate cure. Then, the patient goes to a quack and finds himself in a worse position. Therefore, there must be some kind of control. It is only for that purpose that there should be registration of these practitioners so that there may be control over them and the quack doctors may not interfere freely with the lives and liberties of people. I, therefore, welcome the control in the interests of the people.

Finally, I should say that this Bill does not go the whole way. It should at least prepare to put the Ayurveda, Siddha and Unani systems on an equal footing with Allopathy. If that is not possible and if it is only going to give some small mercies, I do not think that this measure would be wholeheartedly welcomed. I take it that the Government are *bona fide* in trying to see that all the systems are put on a par with each other.

I find that there is a provision whereby the medical practitioners are brought under the control of the Government. In fact, a learned profession like that of medicine must be left to itself. Yet, there must be some kind of control to see that there is no abuse of privilege. Therefore, I welcome this measure in the sense that there will be a genuine attempt to put all the systems on a certain basis by imparting some knowledge of modern medicine to the practitioners of indigenous medicine so that the practitioners may be equal in knowledge and strength.

* SRI MAHOMED USMAN: Mr. Chairman, Sir, while I welcome this Bill for the registration of practitioners of Indian medicine, I have got one grave doubt which I would like the Hon.

[Sri Mahomed Usman] [24th October 1956]

Minister to clear. A Graduate in the integrated system of medicine is, after all, a diploma-holder whereas an M.B., B.S. is a university degree-holder. I welcome the registration of the products of the College of Integrated Medicine. But as regards appointments, suppose we appoint one who is a Graduate in the integrated system of medicine as a Medical Officer and we put under him an M.B., B.S., as an Assistant Medical Officer. Then, will there not be friction between them? How are the Government going to solve that problem? There will always be friction when there are two people of different categories and when we make one of them the Head and the other the Assistant. How are the Government going to avoid this friction?

* SRI S. NARSAPAYA: Mr. Chairman, this Bill seems to have evoked an amount of criticism which may not be quite necessary if we confine ourselves merely to the ambit of the Bill. It may not be out of place to offer suggestions and criticisms about the satisfactory or unsatisfactory nature of the integrated or indigenous system of medicine, but it is certainly not a ground for opposing the Bill in any manner or trying to put off the same. Now, we have got to see what exactly is the purpose of this Bill and what this Bill attempts to do. You know, Sir, that for the last over a decade there have been a number of practitioners, holding L.I.M. and G.C.I.M. degrees who have been very well up in the profession, in some cases even better than the Graduates in Modern Medicine, but who have not been recognized. They have not been given any power or privilege and for the last over ten years, they have been agitating and making representations to see that they are given some sort of recognition. Therefore, this Bill is long overdue and all that the Bill now attempts to do is to give them some sort of recognition. The hon. Member Sri Balasubramanya Ayyar said that there were other persons of the same category—not L.I.M.'s or G.C.I.M.'s—to whom diplomas had been given by the University and that they also must be taken within the ambit of the Bill. Certainly, they ought to be taken within the ambit of the Bill. But that is no reason for opposing the present Bill. We are giving rights and privileges to a certain section of practitioners. There may be other sections of practitioners also. It is perfectly open to the hon. Member Sri Balasubramanya Ayyar either to bring in a non-official Bill or to bring in an amendment at a later stage to this Bill. These are the particular persons for whose benefit this Bill is now introduced. They have waited for long and there is absolutely no ground for putting off the question of giving them a certain amount of privilege and recognition.

The hon. the Deputy Leader of the Opposition had a lot to say about the control vested in the Government through this Bill and about the restrictions imposed in giving recognition. But something is better than nothing. I do not think any of the G.C.I.M.'s or L.I.M.'s to whom this Bill gives a certain privilege would come forward and oppose this Bill or suggest that this

24th October 1956] [Sri S. Narsapaya]

Bill must be put off because the recognition given is hedged in with a certain amount of control. I am sure none of them would support the arguments of the hon. the Deputy Leader of the Opposition. They would only think that something is better than nothing. At present, medical certificate for three days' rest even given by these people is not recognized by the Court. What this Bill seeks to do is to give some recognition to them. If various technical objections are raised and this Bill is postponed, it will sit very hard upon those people and not upon anybody else. Therefore, I humbly request this House to give its unanimous support to this Bill so that though all the powers and privileges to which the G.C.I.M.'s and L.I.M.'s are entitled may not be given to them, they may be given some recognition. It is in that spirit that I request this House to give its unanimous support to this Bill.

* THE HON. SRI A. B. SHETTY: Mr. Chairman, Sir, this Bill has met with a different reception in this House from the one it had in the other House. I may tell hon. Members that this Bill was sent to the Central Ministry of Health which scrutinised it and gave it its approval. What, after all, does this Bill aim at? It gives only statutory recognition to the rights and privileges which the L.I.M.'s and the G.C.I.M.'s are to-day enjoying. Nothing more and nothing less. I do not understand the reason for any opposition, for all this heat and fire. My friend, Mr. Balasubramanya Ayyar's attitude, I know very well. He is for *shuddha ayurveda* and I respect his convictions and opinions. This Bill is meant for people who are receiving education and training in both the systems of medicine. We cannot include in this Bill those people who have not received any training in modern medicine. If we do it, it will make the Bill meaningless and purposeless. I, therefore, feel quite sure of my ground. This Bill has been brought in for a particular purpose, for, as I said, giving statutory recognition to what the L.I.M.'s and the G.C.I.M.'s are already having.

The hon. Member Mr. Balasubramanya Ayyar was very much opposed to the idea of integrated medicine. It is true that there is difficulty in integrating indigenous and modern systems of medicine. But this is not a term which has been used for the first time now. The Usman Committee recommended that the L.I.M.'s should be given a working knowledge of modern medicine. As a matter of fact, two-thirds of the time was devoted to instruction in modern medicine and the remaining one-third to instruction in indigenous medicine. When the school was made a college and the G.C.I.M. course was introduced, we simply adopted the same ratio. Then, some reference was made to Dr. Guruswami Mudaliar. He has done very good work, very honest and very devoted work for this institution. We have always acted on his advice. Whatever was done in this College was done with his approval. Nobody can say that Dr. Guruswami is wanting in sympathy for the indigenous systems of Medicine.

[Sri A. B. Shetty] [24th October 1956]

My revered Friend, Mr. O. P. Ramaswami Reddiar—he is not here now—said certain things about me. He said that I was rather obstinate and that I stuck to my views and that things were done in my own way. Nothing was done against his will and wish. Against the wishes of the Chief Minister, it was not possible to do anything. (Laughter.) He wanted a particular physician from Tanjore to be brought here. I said: 'Let us know what diseases he has treated and with what results'. He said, 'No; many people have told me about him and his work.' He was brought here. He was made Professor of Ophthalmology, a very big title. But no patients would go to him; no students would go to him. Whatever medicine he had was all a secret. That is one thing with our pandits and indigenous physicians. (Laughter.) If they have found any good remedy as a result of experience, then it is kept strictly confidential. That secret is to be imparted to the son or disciple of the pandit at the time of his death and very often he dies without giving the secret to anyone. With this sort of thing, how can indigenous medicine progress? In no country in the world to-day, they are adopting the indigenous system as national system of medicine. Every country including old China has taken to modern medicine. You know what has happened in Trivandrum. Students went on a strike. They wanted more of modern medicine to be taught. They are all looking up to the College of Integrated Medicine in Madras. Mysore students have been on strike for the last two months saying: 'We want our teaching and training to be upgraded'. Hon. Members of this House should be proud of the College of Integrated Medicine. (Hear, hear.) It has become an example and a model to the whole country. And when we are seeking to recognize the rights and privileges of these men which are already there, why this opposition? I do not understand.

Mr. Gajapathy Nayagar referred to homœopathy and explained how a boil or abscess that could not be cured by modern medicine could be treated by homœopathy. I challenge the statement. Let his homœopathic practitioner try his system on any patient. We are prepared to allow him to do it in the General Hospital. Homœopathy has lost ground in the West. What is homœopathy? Is it indigenous? Is it scientific? It is only persons who have been fully trained in modern scientific medicine that are allowed to practise homœopathy in western countries. (Interruption by Sri A. Gajapathy Nayagar.) Please wait. I am not yielding.

I am very thankful to hon. Members, Mr. Purushotham and Mr. Narsapaya, for striking the right note. They have understood what is right. I am thankful to others also who have not spoken. (Laughter.) There was a lot of canvassing and Members were persuaded to speak. My friend was very busy and I do not understand his anxiety to make people who are not inclined to speak, speak.

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SRI K. BALASUBRAMANYA AYYAR: You are saying a thing which has not happened. Therefore, I am not affected. I need not have asked anybody to speak.

SRI T. PURUSHOTHAM: He did not mean you.

* THE HON. SRI A. B. SHETTY: If it is so, I withdraw. He asked what about persons, Class B practitioners, who had been registered by the Central Board of Indigenous Medicine. They will continue, Sir, to be employed in rural dispensaries as now. No harm is intended for them. Their rights will not be affected. But we cannot have them in hospitals and dispensaries of modern medicine under local bodies.

Sir, no Bill is perfect or final and there may be defects and faults in it. If it requires modifications, it can be done in course of time, not just at this stage. So, I would beg of the Members who oppose this Bill to give their sympathetic consideration and to allow this to be passed.

SRI MAHOMED USMAN: The Hon. Minister has not answered my question. Will not friction develop if the head of an institution is a practitioner of Modern Medicine and his subordinate, a different system?

* THE HON. SRI A. B. SHETTY: There is no ground for such fear. The Indigenous as well as Modern sections are under the administrative control of the Director of Medical Services. This unified control has removed all conflict and no such conflict has so far arisen.

MR. CHAIRMAN: The question is—

“That the Madras Registration of Practitioners of Integrated Medicine Bill, 1956 (L.A. Bill No. 31 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.

MR. CHAIRMAN: The motion is—

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

DR. V. K. JOHN: I wish to make a suggestion. We want to suggest more amendments in the light of the criticisms that have been made during the course of the discussion on the general principles of the Bill. The clause by clause consideration may be held over till tomorrow.

MR. CHAIRMAN: We are badly pressed for time. We are meeting again in the afternoon at 3 p.m. and we will sit till 4.30 p.m. I am afraid, with three more Bills to be considered, it will not be possible to take it up tomorrow.

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HON. MEMBERS: We will continue and finish it now.

SRI K. BALASUBRAMANYA AYYAR: The Hon. the Minister for Public Health thinks that this will not affect the diploma-holders of the University and the other people registered under class 'B'. When I went through the provisions of the Bill, I got the impression that it might in certain cases affect them. If the Hon. Minister thinks that this will not affect them and gives an assurance that they will not be affected by this Bill, I will not move my amendments. All these amendments were given notice of with that apprehension in my mind. I felt a little difficulty in respect of clause 4 (2). Others I leave out of account. If that clause will not affect a hospital of indigenous medicine, I will not move my amendments.

THE HON. SRI A. B. SHETTY: There is absolutely no such intention to curtail the rights which the B class particulars are now enjoying.

SRI K. BALASUBRAMANYA AYYAR: I do not want to move the amendments given notice of by me. If there is this assurance, I leave it at that. If I move them and if they are negative in result, it would do them more harm than good.

MR. CHAIRMAN: The hon. Member is not moving any of his amendments?

SRI K. BALASUBRAMANYA AYYAR: No, Sir, I am not moving.

Clauses 2 to 15 were put and carried.

Clause 1 and the Preamble were put and carried.

THE HON. SRI A. B. SHETTY: I am very thankful to the hon. Member for not moving the amendments in the light of the assurance I have given. I move—

"That the Madras Registration of Practitioners of Integrated Medicine Bill, 1956 (L.A. Bill No. 31 of 1956), as passed by the Legislative Assembly, be passed."

MR. CHAIRMAN: Motion moved—

"That the Madras Registration of Practitioners of Integrated Medicine Bill, 1956 (L.A. Bill No. 31 of 1956), as passed by the Legislative Assembly, be passed."

SRI K. BALASUBRAMANYA AYYAR: Let me say a word, Sir. I am very thankful to the Hon. the Minister for Health for clearing the position because when I read the Bill, I was in a little confusion. I would request him to give a similar status to people who hold diplomas granted by the Universities. I am connected with an institution manned by such people and doing good work in the matter of giving medical relief to the poor people

[24th October 1956] [Sri K. Balasubramanya Ayyar]

of our country. People in such dispensaries must have some status, and such status as they deserve ought to be given them. Therefore, I for one would be very thankful if the Hon. Minister would leave a word with his successor to bring in a similar legislation recognising the status of those people.

* SRI V. V. RAMASWAMI: கனம் தலைவர் அவர்களே, இந்த மசோதாவைக் கொண்டுவந்திருப்பதன் அடிப்படை நோக்கம், எஸ். ஐ. எம்., ஜி. லி. ஐ. எம். பட்டம் பெற்றிருப்பவர்கள் ஏற்கனவே அனுபவித்துக்கொண்டிருக்கும் உரிமைகளையும் சலுகைகளையும் சட்டபூர்வமாக்குவது என்று விளக்கம் கூறப்பட்டிருக்கிறது. அப்படியானால் இந்த மசோதாவை எல்லோரும் வரவேற்க வேண்டியதுதான். அதை சட்டமாக நிறைவேற்றுவதற்கு எல்லோருக்கும் திருப்திதான். ஆனால், எங்களுக்கு இருக்கும் ஒரு ஜயப்பாட்டை விளக்க விரும்புகிறேன். College of Integrated Medicine-ல் 2/3 பாகம் நவீன (Modern) வைத்திய முறையிலும், 1/3 பாகம் பழைய நாட்டுவைத்திய முறையிலும் பாடம் கற்பிக்கப்படும் என்று சொல்லுகிறார்கள். நாட்டு வைத்திய முறைக்கு ஒதுக்கப்பட்ட 1/3 பாகமும் நாளடைவில் கைவிடப்பட்டுவிடுமோ என்ற ஜயப்பாடு எங்களுக்கு இருக்கிறது. நவீனவைத்திய முறைகள் எவ்வளவு தூரம் அபிவிருத்தியடைந்திருந்தபோதிலும் நமது நாட்டில் 90 சதவிகித மக்கள் பழைய யூனானி, ஆயுர்வேத, சித்த வைத்திய முறைகளைத் தான் கையாண்டு வருகிறார்கள். அனேக குடும்பங்களில், பரம்பரையாக, தொன்றுதொட்டு கையாளப்பட்டு வருகிற முறைகளினால்தான் வியாதிகள் குணப்படுத்தப்பட்டு வருகின்றனவே தவிர, எல்லோராலும் நவீனமுறைகள் தான் கையாளப்படுகின்றன என்று சொல்லமுடியாது. நவீனமுறையில் குணமடையாத பல வியாதிகள் நாட்டு வைத்தியமுறையில் குணமடைகின்றன. எஸ். ஐ. எம்., ஜி. லி. ஐ. எம். பட்டம் பெற்றவர்களுக்கு இப்போது படிப்படியாக சரியான அந்தஸ்தைக் கொடுப்பதற்கு அரசாங்கம் முன்வந்திருப்பதைப் போலவே, நாட்டு வைத்தியமுறைகளையும் சாஸ்திரீக (Scientific) வைத்திய முறைகளாக குறிப்பிட்டு அவைகளையும் அபிவிருத்தியடையச் செய்வதற்கு அரசாங்கம் தகுந்த நடவடிக்கையை எடுக்கவேண்டுமென்று மக்கள் எதிர்பார்க்கிறார்கள் என்பதைத் தெரிவித்துக்கொண்டு இந்த மசோதாவை நான் ஆதரிக்கிறேன்.

* SRI MAHOMED USMAN: Sir, as the Chairman of the Committee on the Indian systems of medicine appointed by the Madras Government in 1921 whose report was accepted in 1923 by the Panagal Ministry recommending that there should be an integrated system of medicine, both modern and ancient. I feel it is a matter for congratulation that to-day my esteemed and hon. Friend Sri Shetty has brought in this Bill and it is about to become law. I have great pleasure in offering our most grateful thanks to him for all that he has done to improve the Indian systems of medicine and as he is leaving us shortly, he is giving us the most precious gift, a legislation to provide for the registration of practitioners of integrated medicine. I once again thank him and congratulate him on the excellent Bill that he has brought before this House.

MR. CHAIRMAN: The question is—

"That the Madras Registration of Practitioners of Integrated Medicine Bill, 1956 (L.A. Bill No. 31 of 1956), as passed by the Legislative Assembly, be passed."

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

[Sri T. M. Narayanaswamy Pillai] [24th October 1956]

States which have become reduced in size, and which should be looked upon now as under-developed and under-privileged in the whole of India. Nothing deserves our appreciation so much as the policy which the Five-Year Plan has adumbrated, for helping the under-privileged and the under-developed persons; so also the under-developed and under-privileged States should be helped.

It is very sad that Madras which played such a brilliant and dominant role in the past should have shrunk to such a small size. It has lost the position of supremacy. Still when we remember the policy of the Government of India, we hope everything will turn out to be for the good. I think the tomorrow which we are going to create will be one of unrivalled glory in consonance with the glorious past. I bid farewell to all our departing Members.

1-20
p.m.

* SRI T. S. SANKARANARAYANA PILLAI: Mr. Chairman, Sir, I wish to associate myself with the sentiments expressed by the hon. the Leader of the Opposition and several of my hon. Friends. We are meeting here to-day. I think, on a historic occasion, on the eve of an important. I may well call it, an epoch-making event. Within a week from now, we know that the map of India will be re-drawn, obliterating boundaries of States as we know them at present, and showing entirely new alignments representing the proposed set-up on a linguistic basis. This scheme of things having been accepted by the Indian Parliament, we have, of course, to accept it in good spirit whatever one may think of it in one's own heart. As the hon. Member Sri Balasubramanya Ayyar said yesterday, our friends on the West Coast are getting a State of their own, because they clamoured for it and they thought that Aikya Kerala was a boon worth striving for. But, whatever that may be, we are concerned here with the human element involved in the process. Parting is always sad and it is heartening to think that we are parting as good friends without rancour in our hearts and with abundance of goodwill towards one another.

As a result of this new arrangement, we know that our very popular Governor, His Excellency Shri Sri Prakasa, is relinquishing his post. All of us know that he has got considerable charm and dignity and has an unerring understanding and grasp of his responsibilities and duties as the constitutional Head of the State. We know that he is going to Bombay as Governor and let us all hope and pray that his pre-eminent qualities of head and heart will enable him to iron out differences in that troublesome area and bring order out of chaos which seems to be prevailing there.

Then, our popular Minister, the Hon. Sri A. B. Shetty, who has endeared himself to one and all by his unfailing courtesy and kindness and who has administered his portfolio with exceptional skill and ability, is also going away. I hope and let us all hope that a seat will be found for him in the Mysore Cabinet because he will be an asset anywhere.

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Going along with the Hon. Minister Sri A. B. Shetty is my hon. Friend Sri Narasapaya whose contributions to the debates in this Council have always been lucid and illuminating. It is a matter for gratification that as and when he leaves this Council, he enters the Mysore Legislative Council as Member. Therefore, it is only a matter of transfer from one place to another, involving though it does, a change of environment and place.

Then, there is my friend Sri Govinda Menon. Many hon. Members have paid handsome tributes to him and described him as a zealous fighter. I agree with them fully and add that he is not only a zealous fighter but an indefatigable fighter and a hero of hundred battles and a doughty champion of many causes lost and won. You know, Sir, he used to take immense delight in sabre-rattling like the British in the Eastern Mediterranean. He is also going away. Unfortunately for him, there is no Legislature in Travancore-Cochin State to receive him with open arms.

Then, there is my hon. Friend Sri Ummer Koya, young, enthusiastic and always cheerful, which is a quality of philosophers. He used to delight us with his sonorous eloquence. He is also going away.

Then, there is my hon. Friend, Sri K. Gopalan, calm, quiet, and dignified. He is every inch a gentleman. He is also going away.

Then, there is my hon. Friend Sister Subbulakshmi, a lady of great experience and a selfless worker. It is unfortunate that in this process her membership should have been terminated. So, so many of our best friends, a galaxy of talents, are leaving us and this Council as well as the Legislative Assembly will be the poorer for it. I wish them all success and prosperity and many years of useful service in the State of their own choice because they are only going to their own States, States for which they have prayed, for which they have been fighting and agitating for decades past.

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

The House then rose.

(After lunch—3 p.m.)

VII.—PROCEDURE REGARDING CIRCULATION OF BILLS TO THE MEMBERS OF THE COUNCIL.

MR. CHAIRMAN: The hon. Member Mr. T. Purushotham wanted to say something about circulation of Bills to Members.

* SRI T. PURUSHOTHAM: Mr. Chairman, Sir, yesterday I wanted to raise the question of procedure with regard to the circulation of Bills to the Members of the Council. I thank you now for permitting me to refer to that matter. An important issue was raised on this question by the hon. Member Mr. K. Balasubramanya Ayyar yesterday. When Bills are published in the

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Fort St. George Gazette in the first instance, they are printed with the Statement of Objects and Reasons. But when the Bills are circulated to Members in the form in which they are passed by the Legislative Assembly—two such Bills came up before the House to-day—they do not contain the Statement of Objects and Reasons. Of course, this is a technical issue as was pointed out by the hon. Member Mr. Balasubramanya Ayyar. I should like to suggest for your consideration, Sir, that all Bills, when they are introduced in the Legislative Assembly might be circulated simultaneously to the Members of this House as well so that we may have the Bills complete with the Statement of Objects and Reasons before us. Usually, this is not done. But to-day we have received one Bill in the form in which it was introduced in the Assembly. If this practice is followed regularly in all cases I think we will have an opportunity of following the changes in the Bill, if any, made in the other House, in respect of Bills introduced there. I submit this for your consideration, as you assured us yesterday that the procedure to be followed with regard to this matter would be considered on a question raised by Mr. Balasubramanya Ayyar.

MR. CHAIRMAN : This will be done in future. All Bills will be circulated to Members in the form in which they are introduced in the other House, i.e., with the Statement of Objects and Reasons and also in the form in which they are passed by the Assembly—if any amendments are moved and accepted—together with the Reports of Select Committees also, if any.

VL—VALEDICTORY SPEECHES ON THE EVE OF REORGANISATION OF STATES—cont.

SRI N. ANNAMALAI PILLAI : சேர்மன் ஸார், இன்று நம் முன்னே வைக்கப்பட்டிருக்கும் பிரிவு உபசாரத் தீர்மானத்தைப்பற்றி சில வார்த்தைகள் சொல்ல விரும்புகிறேன். அநேக நாட்களாக ஒன்றுகூடி வாழ்ந்த நாம் இன்று பிரிந்துபோகிற ஒரு கட்டத்திற்கு வந்திருக்கிறோம். இதைப்பற்றி சிந்திக்கிறபோது உண்மையாக மனதிலே சஞ்சலம்தான் ஏற்படுகிறது. “கூடிப் பிரியேல்” என்று ஒளவையார் சொன்னார். ஒருதரம் உறவு கொண்டாயுய் பிறகு பிரிவது மிகவும் கஷ்டமானது. ஆகவே “கூடிப் பிரியேல்” என்று ஒளவையார் சொன்னார்.

அநேக வருஷங்களாக அடிமைப்பட்டுக் கிடந்த இந்த நாட்டை சுதந்திர நாடாகச் செய்வதற்காக பல தலைவர்கள் பல வகைகளில் சேவை செய்தார்கள். அந்தப் போராட்டத்தில் நாம் பல கஷ்டங்களை அடைந்தோம். கடைசியாக மகாத்மா காந்தியடிகள் தலைமையில் இந்த நாடு சுதந்திரம் அடைந்தது. சுதந்திரம் அடைவதற்கு மகாத்மா காந்தியடிகள் பல வழிகளை வகுத்துக் கொடுத்தார்கள். “அந்தத் திட்டங்களை யெல்லாம் நாம் நிறைவேற்றிவிட்டால் ஆங்கிலேயர்கள் இந்த நாட்டை விட்டுப் போய் விடுவார்கள். நம்முடைய அடிமைச் சங்கிலி அறுந்துவிடும். நாம் சுதந்திர புருஷர்களாக வாழ்வதுடன் சுக வாழ்வை நோக்கிச் செல்வதற்கு வசதியும் சௌகரியமும் ஏற்பட்டுவிடும்” என்று மகாத்மா காந்தியடிகள் சொன்னார்கள். அவர் கூறியதைப் பின்பற்றி இந்த தேசம் பூராவும் நடந்தது. ஆங்கிலேயர்கள் இந்த நாட்டை விட்டுப் போய்விட்டார்கள். ஆனால் மகாத்மா காந்தியடிகள் வகுத்துக்கொடுத்த தீர்மானத்தின்படி இன்னும் சம்பூர்ணமாக நிறைவேறவில்லை. அவை நிறை

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வேறாமல் இருக்கிறபோதே, அவைகளை ஆரம்பித்து செயலாற்றிக் கொண்டிருந்தபோதே, ஆங்கிலேயர்கள் போய்விட்டார்கள். மகாத்மா காந்தியடிகள் வகுத்துக்கொடுத்த தீர்மானத்தின்படி பூர்ணமாக நிறைவேற்றி வெற்றிபெறவேண்டும். அவைகளை நிறைவேற்றுவதால் தான் நமக்கு சக்தி ஏற்பட வேண்டியிருக்கிறது. மகாத்மா காந்தியடிகள், “நான் கொடுத்திருக்கும் 22 தீர்மானத்தின்படி நிறைவேற்றிவிட்டால் ஆங்கிலேயர்கள் இந்த நாட்டை விட்டுத் தாங்களாகப் போய்விடுவார்கள். நாட்டில் சுபட்சம் ஏற்படும். நாம் சுக சௌகரியங்களுடனும் வாழ்வோம்” என்று சொன்னார்கள். அவர் கூறியதைப் பின்பற்றி நடந்தோம். தொண்டு செய்தோம். ஆனால் ஆரம்பிக்கப்பட்ட வேலையைத் தொடர்ச்சியாகச் செய்துகொண்டிருக்கும்போது இப்போது நாம் சில இடங்களில் சங்கடப்பட்டுவருகிறோம். அவர் கொடுத்த திட்டங்களில் பாஷா வாரி ராஜ்ய அமைப்பு என்பது ஒரு திட்டம். சுதந்திரம் கிடைத்தவுடன் ராஜ்யங்களை பாஷாவாரியாகப் பிரித்துவிடுவோம் என்று அவர் அறிவித்தார். அதை நாம் ஒப்புக்கொண்டோம். காந்தியடிகள் பல திட்டங்களைக் கொடுத்தார்கள். கடற் அபிவிருத்தி, மதுவிலக்கு, தீண்டாமை, ஹிந்து-மஸ்லிம் ஒற்றுமை, பெண்கள் முன்னேற்றம், தாய் பாஷையை வளர்ப்பது ஆகிய பல திட்டங்களை அவர் கொடுத்தார். அவைகளில் பாஷாவாரி ராஜ்ய அமைப்பும் ஒன்று. பாஷாவாரியாக ராஜ்யங்களைப் பிரிக்க வேண்டிய சந்தர்ப்பம் இப்போது வந்துவிட்டது.

பாஷாவாரியாக ராஜ்யங்களைப் பிரிக்கும்போது நமக்கு சில சஞ்சலம் உண்டாக ஏற்படுகின்றன. நம்மை விட்டுச் செல்லும் கேரள, கர்னாடக, நண்பர்களுடைய பிரிவு நமக்கு சஞ்சலத்தைக் கொடுக்கிறது. சில பேர்கள் இந்தப் பிரிவை ஒரு சந்தோஷமான உபசாரம் என்று நினைக்கிறார்கள்; *farewell* என்று சொல்லுகிறார்கள். நான் சொல்வதென்ன : “சந்தோஷமான உபசாரம் இல்லை. இதுவரை நம்முடன் இருந்தவர்கள் இன்மேல் தனித்து இருக்க வேண்டியிருக்கிறதே என்று நாம் கவலையுறுகிறோம்.” எனது நண்பர் ஸ்ரீ கோவிந்த மேனன் அவர்கள் கொஞ்ச நேரத்திற்கு முன்பு உண்மையாகவே ரொம்ப வேதனைப்பட்டார்கள். “நாங்கள் தனித்துப் போகிறோம், நல்ல வார்த்தை சொல்லி எங்களை நீங்கள் வாழ்த்தி அனுப்பங்கள்” என்று அவர் என்னிடம் சொன்னார். பிரிந்துபோவதால் அவர் உண்மையாகவே வேதனைப்பட்டு இருக்கிறார் என்று நான் நினைக்கிறேன். வாஸ்தவம் தான். குடும்பத்தில் தகப்பனுக்கும் பிள்ளைக்கும் தகராறு ஏற்பட்டால் பிள்ளை சில சமயங்களில் வெகு கோபமாகப் பேசுவார். அதன் பிறகு தந்தையோடு போராடி தன் பங்கைப் பிரித்துக்கொள்ளவும் துணிந்துவிடுவார். சொத்தைப் பிரித்துக்கொடுக்கும்போது தகப்பனுக்கும் மனக்கஷ்டமாக இருக்கும். ஆனால் தகப்பனும் கோபமாகப் பேசி சொத்தைப் பிரித்து விடுகிறான். ஆனால் பிரிந்துவிடும் நேரத்தில் அவன் கண்களில் நீர் பெருகாமல் இருப்பதில்லை. “பிரிந்துவிடுகிறோம்” என்று இருவரும் சஞ்சலத்தில் ஆழ்ந்துவிடுகிறார்கள். அதே மாதிரித்தான் இப்போது இங்குள்ள கேரளர்களும், கன்னடியர்களும், தமிழர்களும் இருக்கிறார்கள். இப்படியானாலும் நாம் பிரிவது என்று முடிவெடுத்திருக்கிறோம். அந்த முடிவை நிறைவேற்றும்போது நமக்கு சஞ்சலங்களும் இன்னல்களும் ஏற்படலாம். அவைகளுக்குப் பயந்தால் பிரயோசனமில்லை. மகாத்மா காந்தியடிகள் சொன்ன தீர்மான வேலைகளை நிறைவேற்றும்போது அநேக ஏன்பங்கள் ஏற்பட்டன. எத்தனைபோல பேர்கள் உயிரையே இழக்க நேர்ந்தது. அவற்றையெல்லாம் சமீபத்துக்கொண்டுதான் நாம் மேலே சென்றோம். வெற்றியும் கண்டோம். அதே மாதிரி இப்போது பிரிந்து போகிற மலையாளிகளும், கன்னடியர்களும், தமிழர்களும் வெற்றிகண்டு சந்தோஷமாக வாழும் காலம் எதிரில் இருந்துகொண்டிருக்கிறது.

மலையாளம் ஒரு மேட்டுப்பிரதேசம். மலைப்பிரதேசம். “வேழங்கள் உடைத்த சேர நாடு” என்று ஒரு பெரியவர் பாடினார். யானைகளுடையது சேர நாடு. “யானைகள் வாழக்கூடிய கரடுகளை நாங்கள் வைத்துக் கொண்டிருக்கிறோம்” என்று பொதுவாக மூன்று பேர்களும், அதர்வது

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மலையாளிகள், கன்னடியர்கள், தமிழர்கள் ஆகிய மூன்று பேர்களுக்கும் நிமிர்ந்து நின்று பேசுவதேதாம். அந்தக்காலம் மாறி யானே இருக்கும் காடுகளையெல்லாம் மலையாளிகளிடத்தில் விட்டுவிடுகிறோமே என்று தமிழர்களாகிய நாங்கள் தயங்குகிறோம். கலங்குகிறோம். இதை இல்லை என்று யாரும் மறுத்துவிட முடியாது. எங்களுக்கு அதனால் லாபம் இருந்ததோ இல்லையோ, “நாங்கள் யானைகளை வைத்தா வாழக்கூடிய சக்தியையுடைய பெரும் குடும்பத்தி” இருக்கிறோம்” என்ற பெருமை எங்களுக்கு இருந்தது. அந்தப் பெருமையை இப்போது குடும்பத்தின் ஒரு பின்னையிடத்தில் ஒப்படைத்துவிட்டு தமிழர்களாகிய நாங்கள் அந்தப் பெருமையை இழக்கும்படியான நிலைமை ஏற்பட்டிருக்கிறது. ஆனாலும், பிரிந்த பிறகு, மலையாளிகள் கபிச்சமராகவும், சந்தேகமராகவும் வாழ்வென்றமென்றும், அவர்களுக்கு வெற்றி ஏற்பட வேண்டுமென்றும் மனப்பூர்வமாக ஆணை வளைப் பிரார்த்தித்து ஆசீர்வதிக்கிறோம். (குரல்கள்) கனம் அங்கத்தினர் ஸ்ரீ புரேஷோத்தம மருகையார் அவர்கள் “பிரிந்தபோதானால் என்ன? அவர்கள் நம்மவர்கள் தானே? நம் பக்கத்தில் தானே இருக்கிறார்கள்? அவர்கள் நம்முடைய சகோதரர்கள் தானே?” என்று கூறுகிறார்கள். சகோதரர்களாக இருந்தாலும் இவ் சகோதரர்கள் பிரிந்த பிறகு அவர்களிடையே வெறுப்பு ஏற்படுவது உண்டு. சில குடும்பங்களில் தகப்பனும், பிள்ளையும் பிரிந்த பிறகு அவர்களிடையே பொருமைமையும் தாபமும், வெறுப்பும் ஏற்படும் காட்சிகளை நாம் எவ்வளவோ இடங்களில் பார்த்திருக்கிறோம். அப்படிப்பட்ட நிலைமை ஏற்படாமல் அவர்கள் சந்தேகமராக வாழவேண்டுமென்று ஆசீர்வதிப்பதான், நாமும் நன்றாக வாழ்வதற்கும் நம்முடைய மனத்தெற்றத்திற்கும் அவர்கள் எல்லாவித உதவிகளும் செய்வதற்கு முயற்சிக்க வேண்டுமென்றும், அவர்களை இந்த சமயத்தில் நான் கேட்டுக்கொள்கிறேன். “எல்லா யானைகளும், எல்லா சிங்கங்களும், எல்லா காடுகளும், எல்லா பொக்கிஷங்களும் எங்கனிடம் வந்து விட்டன. உங்களை மீண்டும் ஒன்றும் கிடையாது. நீங்கள் வதோ பள்ளத்தாக்கில் வாழ்கிற பேர்வழிகள். எங்கேயாவது தாலியங்களை உற்பத்தி செய்து சாப்பிடுவதைத்தவிர உங்களுக்கு வேறு என்ன வழி இருக்கிறது?” என்று அவர்கள் சொல்லிவிட்டால் நம்முடைய கௌரவத்திற்கும், கண்ணியத்திற்கும் பாங்கம் ஏற்படாதவாறு நமக்கு ஒத்தாசை செய்துகொண்டிருக்க வேண்டுமென்று அவர்களை நான் கேட்டுக்கொள்கிறேன்.

மலையாளப் பிரதேசம் உயர்ந்த பிரதேசம். சதாசகலமும் மழை பெய்து கொண்டிருக்கும் பிரதேசம். “சாதலாவும் கொங்குதாடு” என்று ஒரு கவிஞர் பாடியிருக்கிறார். சதாசகலமும் மேகத்தை தலைமேல் வைத்துக் கொண்டிருக்கும் பிரதேசம் அது. அப்படிப்பட்ட பிரதேசமாக இருக்கும் மலையாளமானது, இவ் இந்தியாவில் அளக்கமுடியாத அளவுக்கும் காஷ்மீரைப் போன்ற தென் இந்தியாவில் காஷ்மீரமாக அளங்கவேண்டுமென்று ஆண்டவனைப் பிரார்த்திக்கிறேன். அந்த நிலைமையை மலையாளிகள் நிச்சயமாக அண்டவார்கள் என்று நம்புகிறேன். தனித்துப்போவதனால், அங்கேயுள்ள நீர்வளம் நிலவளத்தை சரியானபடி பக்குவப்படுத்தி உயர்ந்த நிலைக்குக் கொண்டுவருவதற்கு எல்லா வழிகளையும் கையாளவதற்கு தங்கள் மனதில் தோன்றிய யோசனைகளையெல்லாம் சொல்வதற்குப் நிறைவேற்றுவதற்கும் அவர்களுக்கும் வசதி ஏற்படுகிறது. மத்திய அரசாங்கத்தார் பொதுவாக எந்த எந்தப் பிரதேசங்கள் என்ன குன்றியிருக்கின்றனவோ, கஷ்டப்படுகின்றனவோ, அவைகளில் கஷ்டங்களை நிவர்த்தி செய்வதற்கு தகுந்த உதவிகளை அளிக்கப்படுகிறார்கள். மலையாளிகளும், கன்னடியர்களும், தமிழர்கள் பிரதேசங்களுக்குத் தேவையானவற்றை அவ்வப்போது தெரிவித்து அவைகளை அடைவதே வேண்டி மென்றும், அதே சமயத்தில் தமிழர்களின் உதவி அவர்களுக்குத் தேவையாக இருந்தால், அதை நாங்கள் மனப்பூர்வமாக அவர்களுக்குக் கொடுப்போம் என்றும் தெரிவித்துக்கொள்கிறேன்.

3-201 இப்போது மலையாளிகளைப் பிரிவினாலும் கன்னடியர்களைப் பிரிவினாலும் எப்படிப்பட்ட ஆட்களையெல்லாம் நாம் இழந்துவிடுகிறோம் என்ற துக்கம் நமக்கு ஏற்படுகிறது. இப்போது நமது மந்திரிசபையில் நமது

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மதிப்பிற்குரிய தலைவர் கனம் ஸ்ரீ வ. பி. ஷெட்டி அவர்கள் இருக்கிறார்கள். அவர் ரொம்ப உற்சாகமான மனிதர். சிறித்த முகத்துடன் அவர் எப்போதும் இளமையாகவே காணப்படுகிறார். எனக்கு ஒரு பாடம் ரூபகம் வருகிறது. ஒரு பக்தன் பகவானைப் பார்த்துச் சொன்னான்: “குன்றம் எறிந்த திரைகலைச் சூழ்ந்த . . . பெரும்படையாய், என்றும் இளையா!” அதாவது என்றும் இளையவனாகவே இருக்கும் ஆண்டவனே என்று பாடினான். அத்துடன் அவன் நிற்கவில்லை. ஆண்டவன் அழகாக இருப்பதாகவும் அவன் பாடினான். “ . . . என்றும் இளையா; அழகையா;” என்று பாடினான். அதேமாதிரி கனம் ஸ்ரீ ஷெட்டி அவர்கள் நல்ல உருவ அமைப்பு, கட்டுக்கோப்பான உடலமைப்பு, நல்ல படிப்பு, எல்லாம் பெற்று, அதற்குத் தகுந்தமாதிரி நம்முடைய மந்திரிசபையில் இடம் பெற்றிருக்கிறார்கள். நம்முடைய மந்திரிசபையில் அவருக்கு இடமில்லை என்று சொல்லமுடியாதபடி எல்லாத் திறமையும் பெற்றிருக்கிறார். அவரிடத்தில் தமிழர்கள் தங்கள் உள்ளத்தைக் கொள்ளை கொடுத்திருந்தார்கள். அவர் நம்மை விட்டுப் பிரியும்போது நமக்கு மிகுந்த துக்கம் ஏற்படுகிறது. “ஒரு நாள் மருவிய சரசலையை நினைந்து பலநாள் மருகிலையோ என் நெஞ்சமே” என்று பாடினார் ஒரு நாடகக் கவிஞர். அப்படியிருக்குமாறு, இவ்வளவு நாட்கள் நம்முடன் பழகிய நல்ல குணங்களுள்ள ஸ்ரீ ஷெட்டியை விட்டுப் பிரிவது நமக்கு மிகவும் கஷ்டமாக இருக்கிறது.

மேலும், கீழ் சட்டசபைத் தலைவர் கனம் ஸ்ரீ கோபால் மேனன் அவர்களும் நம்மை விட்டுப் பிரிகிறார்கள். அவர் ரொம்ப உயரிய மனிதர். நல்ல குணம் படைத்தவர். அவர் இப்போது நமது கீழ் சபையை நடத்தி வருகிறார். அவர் இன்னும் பல வருஷங்கள் நம்முடன் இருந்து நமக்குத் தம் யோசனைகளையும் புத்திமதிகளையும் கொடுத்துத் தர முடியாதபடி இப்போது பாஷாவாரி ராஜ்ய அமைப்பு ஏற்பட்டுவிட்டது.

மேலும், நம்மை விட்டுப் பிரியும் நண்பர் ஸ்ரீ கோவிந்த மேனன் அவர்கள் இந்த சபையில் இருக்கும்போதும், கீழ் சபையில் இருக்கும்போதும் தம் கடமையை உணர்ந்து சொல்லவேண்டியதை நன்றாக எடுத்துச் சொல்வார்கள். குற்றம் குறைகளை எடுத்துச்சொல்லும் மனிதர்கள் இல்லையானால் எந்த அரசும் தானாகவே கெட்டுவிடும் என்று ஒருவர் பாடியிருக்கிறார். ஸ்ரீ கோவிந்த மேனன் அவர்கள் அரசாங்கத்திலுள்ள குற்றம் குறைகளை அவ்வப்போது நன்றாக எடுத்துக் கூறி வந்தார்கள்.

மேலும், நமது சுவர்னர் அவர்களையும் நாம் இப்போது பிரிய வேண்டியிருக்கிறது. அவர் மிக நல்ல மனிதர். அவர் இருந்தாற்போலிருந்து திடீரென்று நம்மிடம் வந்து இப்போது திடீரென்று நம்மைவிட்டுச் செல்கிறார். “காணாமல் கண்டெடுத்த மாணிக்கமே கண்வளராய்” என்று கண்ணனைக் குறித்துப் பாடிய ஸ்ரீ பராஞ்சு தேசிகர் கூறுகிறார். அந்த மாதிரி ஸ்ரீ ஸ்ரீபிரகாசா நம்மிடம் திடீரென்று வந்தார். இதுவரையில் சுவர்னர்களாக இருந்தவர்கள் எப்படி நடந்துகொண்டார்கள் என்பதை கிஞ்சித்தும் கவனிக்காமல் அவர் ரொம்ப நல்லமாதிரியாக நடந்து கொண்டார். அவர் ரொம்ப சாதகமானவர். அவர் எவ்வளவு வாழ்க்கை நடத்தினார். அவர் எல்லா ஜனங்களோடும் கலந்து உறவாடினார். தமிழர்கள், மலையாளிகள், கன்னடியர்கள் ஆகிய எல்லா மக்களின் அன்பையும் ஆதரவையும் பெற்றுவிட்டு இப்போது நம்மை விட்டு அவர் பிரியும் போது நமக்குக் கஷ்டமாக இருக்கிறது. இப்பேர்ப்பட்ட நல்ல மனிதர்களை யெல்லாம் நம் ராஜ்யத்தை விட்டு அனுப்பிவிடும்படியான நிலைமை ஏற்பட்டிருக்கிறது.

மேலும், இந்தச் சபையிலிருக்கும் நமது கனம் ரணபர்சன் ஸ்ரீ உமர் கோயாவும், ஸ்ரீ கோபாலனும் நம்மை விட்டுப் பிரிகிறார்கள். அவர்கள் ரொம்ப இளஞர்கள். இந்தப் பெரியவர்களுடைய சபையில் ரொம்ப இளைஞர்களாக இருப்பவர்கள் அவர்கள்தான். இந்த மேகசபையில் ரொம்ப வயது வந்தவர்கள் எல்லாம் இருக்கிறார்கள். என்னை விட அதிக

[Sri N. Annamalai Pillai] [24th October 1956]

வயதானவர்கள் கூட இங்கே இருக்கிறார்கள் என்று நினைக்கிறேன். நாம் ரொம்ப வயதானவர்களாக இருந்தாலும் இனம் பிராயத்தினாலும் இந்த சபையில் வைத்துக்கொண்டிருக்கிறோம். “நங்களும் ஒரு காலத்தில் வாடிபெயர்வதாக இருந்தவர்கள் தானே?” என்று நமக்கு ஞாபகப்படுத்துவது போல் அவர்கள் நம்மிடையே இருக்கிறார்கள். அவர்கள் இப்போது நம்மை விட்டுப்பிரியுங்கள். அவர்கள் இந்த சபையில் நல்ல யோசனைகளைச் சொல்லிவந்தார்கள். அவர்கள் வருங்காலத்தில் உயர்ந்த பதவியை அடைய வேண்டுமென்று ஆண்டவனைப் பிரார்த்திக்கிறேன்.

எப்படியானாலும், பிரிந்துபோவதானது வருத்தமானதுதான். நமது கன்னட, மலையாள நண்பர்களின் பிரிவு நமக்குப் பெரிய நஷ்டத்தைக் கொடுக்கிறது. அந்த நஷ்டத்தை எந்தவிதத்திலும் ஈடு செய்ய முடியாது. நம்மை விட்டுப்பிரியும் கன்னடியர்களும், மலையாளிகளும் சீரும் சிறப்பும் பெற்று சுபிட்சமாகவும் சந்தோஷமாகவும் வாழவேண்டுமென்றும், உலக மக்கள் முன்னே அவர்கள் உயர்ந்த நிலையை அடைய வேண்டுமென்றும், தென் இந்தியாவின் காஷ்மீரம் என்று சொல்லும் படியான மலையாளமும் கன்னடமும் விளங்கவேண்டுமென்றும் என் இஷ்ட தெய்வமாகிய முருகனைப் பிரார்த்தித்துக்கொண்டு என்னுடைய வார்த்தையை முடித்துக்கொள்கிறேன்.

SRI T. G. KRISHNAMOORTHY: Mr. Chairman, it is indeed with a very heavy heart that I rise to bid farewell to our departing friends who won't be in our midst after the 1st November. What ought not to have happened has happened and I am really very sorry for what has happened. Mr. Chairman, the supreme achievement of nationalism in our country was to knit together the different peoples of India, knit them together under one common loyalty and under one common leadership, the different people born in the different regions of our country, speaking different languages, with different traditions and cultures. All that is threatened to be shattered by the linguistic fanaticism that was let loose in our country. Of course, the Congress it was that originated that idea. But later on also it was the Congress that had to recant it. But it was too late.

Now, who was it that insisted that this linguistic fanaticism should be carried to this logical extreme? It was certainly not the pandits of the different languages; it was quite immaterial to them for prosecuting their scholarly studies, whether they were in a uni-lingual State or in a multi-lingual State. This bogey was raised by the political charlatans and they have had their day. It was a European author who remarked that India had achieved independence and was well set on her way to progress. Comparing India and China, he observed they were two lamp posts and said that India has become the ship of State whose voyage is viewed by the liberal part of the world with mixed interest, relief and hope. Thus the whole world is watching the democratic experiment of India. For the successful fruition of that democratic experiment of India, impregnable unity is absolutely necessary. The same author observes that national unity there was under the British Raj and that after independence, it was on a federal basis. That might have accentuated tendencies of division but these were countered by all-India unity of the Congress Party. That is what

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Godwin in his 'Spotlight on Asia' says. It was the Congress organization that knit together the country and got it into one united whole. The result of its democratic experiment is being watched by the whole world. Now, this malady of linguism has sprung up. But we have to derive solace from the fact that just as in the case of individuals, in the case of nations also, an occasional crisis is for their spiritual health and if such crises do not happen at one time, worse may happen later on. Therefore, this upheaval is good for the spiritual betterment of our country. On the whole, the picture is not gloomy. There is a silver lining in the cloud. As Gandhiji observed in his historic speech, 'in the midst of darkness, light persists; in the midst of untruth, truth persists and in the midst of death, life persists'. So also our political atmosphere which is darkened by the cloud of linguism, is also clearing. No less a person than our Chief Minister Sri K. Kamaraj Nadar emphatically stated in Kurnool sometime ago that since the Congress organization was now wedded to the principle of multi-lingual States, the day of splitting up the States would end and that the day when they would unite again was not far off. The day is surely to come when we will all join together. We will certainly be meeting once again. So, I am going to bid farewell to my friends of Karnataka and Kerala not in the way in which the previous speakers did, but in the exemplary Tamil statement. My impression is, only Tamil has wonderful expression for bidding farewell to people. “போய்விட்டு வருகிறேன்”, they would say, and we would say “போய்விட்டு வாருங்கள்”. So, I am going to tell my friends, “போய்விட்டு வாருங்கள்”. The penicillin of national fervour will surely cure this temporary malady and people will see sense and join together once again. That day is not far off.

I think the Hon. Sri A. B. Shetty is a septuagenarian. He consistently refuses to disclose his age. My request to him is that from his experience gained as the Minister for Health, he should be scrupulously careful about maintaining his health, live well and come back to us once again as the Minister for Health. He will come back. He should come back.

Regarding my friend Sri Govinda Menon, I know he has got a will to live and I am not afraid that he will croak. He may come back to us. But when he does come back, I think he will be more malleable and less cantankerous and more fraternizing with all of us.

Regarding our young friends, they are very young and their future is before them. Mr. Chairman, Sir, it is with a heavy heart that I bid them farewell. But I have got that hope that we will all come together once again into one State when this malady will have passed off and we will all live happily in the comity of nations as Indians first, Indians next and Indians last. Thank you, Sir.

[24th October 1956]

* SRI T. P. SRINIVASAVARADAN : Mr. Chairman, Sir, on this occasion my heart is full of feelings and I find it difficult to express my feelings of sorrow at the departure of the Members from Malabar and South Kanara. I am the youngest Member of this Council and I cannot claim any intimate acquaintance with the Members here. But I have had occasion to see how Members from Malabar and South Kanara contribute to the discussions that take place in the Council. I have had a glimpse of Sri Govinda Menon's mental alertness, his force of attack and also vigour. To-day I have seen the Hon. Minister Sri A. B. Shetty piloting a Bill. He was all sweetness and reasonable and persuasive in his language. The hon. Member Sri K. Balasubramanya Ayyar did not spare him for the way in which the Bill was introduced, but he spoke very calmly. That should be the attitude of any Minister whenever any controversy takes place. I am not here to give any advice. But I have seen, though not as a Member but as a visitor, Ministers losing patience and controversy being endless. To-day we are losing these two people. I have not had the occasion to hear other Members. Of course, in supporting the Bill Sri Narasapaya gave, luckily for me, a glimpse of the vigour with which he could lend support to any measure. I am sincerely sorry that we are losing all these people. The previous speaker has put it very nicely.

I am not at all happy over this distribution of States on a linguistic basis. I am sure that in the years to come no question will be decided on the basis of language. If we are going to decide any issue on the basis of language, I am afraid we will all be torn to pieces. The hon. Member Sri K. Balasubramanya Ayyar yesterday emphasized that for the sake of administrative convenience this reorganization had been made. If that is so, I am sure that no tension over border areas could arise; everything would cease. But what do we find? Recently I travelled to Bombay, Ahmedabad, Sourashtra and other places. We find that still there is that bitterness among the people about the distribution of States on a linguistic basis and that it has not yet died down. Therefore, my request to the Members who leave us and to those who are here is that they should din into the ears of the public that this distribution of States has been made for administrative convenience and that the sooner it is redistributed on a more relevant basis the better. That is how I feel.

I have spoken only about two. I do not know much about Sri Ummer Koya. I have not heard him speak. We are losing sister R. S. Subbulakshmi. I have known her for the past 30 years. She and I are on a school committee. She is very much interested in education and also in social service. Of course, when it comes to the necessity of singling out, someone has to go out and unfortunately it has so happened that she is to go out because we cannot have more than a particular strength. We are really losing sister R. S. Subbulakshmi.

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No doubt these Members leave us. Of course, there would be several occasions in this Council when we would recall to our minds how Sri Govinda Menon would have tackled the problem and how Sri A. B. Shetty would have piloted a Bill. We cannot forget the contributions they have made on important occasions when similar problems arise in future. Naturally we would then feel how their presence would have been helpful to us in solving certain problems. They are going away. We wish them God-speed. They are all ambassadors of goodwill.

I will now come to another point. I should like to point out that during the last few years, somehow or other, the student population has been dragged in for redress of political grievances. I am very, very particular about it. In 1917 we were all very jubilant. Students were also jubilant. But to-day in 1956 are we so jubilant when these States are reorganized? I would like to put that question plainly. We may think that the Andhras are jubilant and that the South Kanara people are jubilant. I do not know whether they are so jubilant now as they were in 1947. As the previous speaker has pointed out, the redistribution of States was all the work of a few people. There is no use of now resisting the whole thing because that has been decided once and for all. My connexion with the two districts of South Kanara and Malabar has been long. I have been connected with them for the last 30 years. I belong to the teachers' organization and I used to go to these places every year either to preside over a conference or to address or to hear them address. The teachers of South Kanara and Malabar said, 'Now that the separation has come, will you kindly see that a federation of educational associations of South India is started so that we can come together once in a year and our cultural ties can be continued.' We are taking the necessary steps in that direction. Yesterday the Leader of the Opposition was kind enough to bring to our notice one thing. That was the Vice-Chancellors' meeting at Visakhapatnam. Of course, they were meeting frequently but the recent meeting has a special significance. If the Vice-Chancellors of the different Universities in South India can meet and concert measures to have a uniform educational policy, I should ask in all seriousness the Members, 'Is it impossible for the Members of the various Legislatures of the Travancore-Cochin State, Mysore State, Madras State and Andhra State to meet together and iron out their differences whenever differences arise?' We need not drag in the student population or the teaching community in these matters. I am very very particular about this because we are going to hand over the administration of this country to the students of to-day. If the students of to-day do not come under any kind of discipline and if they are exploited by the political parties, do you think that the future is safe? I do not envisage such a thing. On the other hand, I feel, when I find these students going out of the colleges and schools on flimsy grounds led by politicians belonging to various

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parties, that our future is not bright. I desire Sri Govinda Menon and others—I am not saying that they are leading the students or any such thing—who are ambassadors of goodwill to see that hereafter the student population is not dragged in in these matters. Let them go and see that differences are settled by meeting not at the Cabinet level, not at the Ministers' level, but by the Members coming together and discussing things. As has been remarked, we are all citizens of India first. We are not citizens of any particular State alone. Though our language may be the language of the State, we do not say that we are citizens of that State alone and that we do not belong to the whole of India. We are citizens of India. If we bear that in mind, I am quite sure that the prosperity of the country will be ensured. As I said, if the students are left to pursue their studies for which they are intended, I am quite sure that the future is safe. I wish the Members from Malabar and South Kanara all prosperity, the best of luck and as the previous speaker aptly quoted the Tamil version 'Poivittu va' (போய்விட்டுவா) we would welcome them all with open arms to this State. I am quite sure they would also welcome us to their State when we go over there. There should be mutual goodwill between us.

On this occasion, I should like to say that the contributions made by the Malayalee and the Kannada people in the field of education are very, very great. Besides a number of them being Ministers, there were a number of Vice-Chancellors and educationists, great educationists. I should like to point out that language should not be a bar to getting eminent educationists from Malabar and South Kanara; nor should it be a bar for the Travancore-Cochin State and the Mysore State to getting eminent educationists from Tamil Nad. There should be this mutual transfer for the benefit of all the States.

Lastly, I should like to convey once again, on behalf of the teachers whom I represent, our sincere good wishes to the Members that come from Malabar and South Kanara.

* **SRI A. SUBRAMANYAM:** கனம் தலைவர் அவர்களே, நம்முடைய பாரத நாட்டில் இப்போதுள்ள ராஜ்யங்களில் பிரிவினை நிலை காரணமாக நம்முடைய சென்னை ராஜ்யத்திலிருந்து கர்னாடகப் பகுதி களும், மலையாளப் பகுதிகளும் பிரியும்படியான ஒரு நிலைமை ஏற்பட் டிருக்கிறது. இது ஒரு விதத்தில் நியாயமாக இருந்தாலும் கூட என் னுமைய நண்பர் ஸ்ரீமான் அண்ணாமலை பிள்ளை சொன்னது போல் கூடிப் பிரிவது மிகவும் கஷ்டமாக இருக்கிறது. “கூடிப் பிரியேல்” என்று ஒளவையார் கூறியதை அழகாக ஸ்ரீ அண்ணாமலை பிள்ளை இந்த சந்தர்ப் பத்தில் குறிப்பிட்டார். அதேபோல நாம் நீண்ட நாட்களாகக் கூடியிருந்த வர்கள் என்பது மறுக்கமுடியாதது. சரித்திரத்திலும் கூட, நம் சம்பிரதாயத்திலும் கூட, சேர, சோழ, பாண்டியர்கள் என்றுதான் நம்மைப்பற்றி குறிப்பிடுவது வழக்கம். அதேபோல சேர நாடும் நம் முன் கூடியிருந்ததை நாம் மறந்துவிட முடியாது. இந்தமாதிரியாகப் பிரியும்படியான ஒரு நிலை ஏற்பட்டதற்கு என்ன காரணம்? இது அவசியமா என்று பார்க்கிறபோது இது அவசியம்தான் என்பதை எல்லோரும் ஒப்புக்கொள்கிறார்கள். ராஜ்யங்கள் இப்படிப் பிரிவதற்குக் காரணம் மொழிவாரி ராஜ்யங்கள் ஏற்பட வேண்டியிருப்பதுதான். மொழிவாரி

24th October 1956] [Sri A. Subramanyam]

ராஜ்யங்கள் ஏற்படுவதனால் அரசாங்கத்தாரின் நடவடிக்கைகளை பாமர மக் களும், பாமர மக்களின் கருத்தை அரசாங்கத்தாரும் உள்ளது உள்ள படியே புரிந்துகொள்ள முடிகிறது. ஆனால், இந்த நிலைமை எப்போதும் இப்படியே இருக்க வேண்டிய அவசியம் இல்லை. ஏனெனில், தேசம் குறிப்பிட்ட அளவுக்கு முன்னேற்றமடைய வேண்டும். அதாவது, கீழே இருப்பவர்கள் ஸ்தலம் உயரவேண்டும். “எல்லோரும் ஒன்று, ஒன்றே குலம்.” “எல்லோரும் இந்நாட்டு மன்னர்” என்று பாரதியார் பாடி யிருக்கிறார்.

இவற்றையெல்லாம் பார்க்கும்போது நாம் எல்லோரையும் முன்னேற்ற மடையச் செய்யவேண்டியிருக்கிறது. நாடு பூராவும் உயரச் செய்யவேண்டி இருக்கிறது. முழுவதையும் முன்னேற்றமடையச் செய்ய விரும்பும் போது, தேசத்தை சிறு சிறு பகுதிகளாகப் பிரித்து சீர்திருத்தம் செய்தால் சலபமாக இருக்கும். ஒரு பெரிய கூடத்தை பெருக்க வேண்டுமென்றால் கஷ்டமாக இருக்கும். அதே கூடத்தை சிறு சிறு துண்டுகளாகப் பிரித்து பலர் சுத்தம் செய்தால் சீக்கிரம் சுத்தம் செய்ய முடியும். ஆகவே மொழி வாரியாக ராஜ்யங்கள் பிரிந்தால் நாடு சீக்கிரம் முன்னேற்றம் அடையும். நாடு முழுவதிலும் மக்களுக்கு நல்ல படிப்பும், நல்லொழுக்கமும் சீக்கிரம் வரும். ஆகவே மொழிவாரியாக ராஜ்யங்கள் பிரிவது நல்லது.

பாஷாவாரியாக ராஜ்யங்கள் பிரிந்த பிறகும் கூட, அந்த அந்த ராஜ்யங் களுக்கு கஷ்டத்தை வைக்கவேண்டுமென்று இந்திய சர்க்கார் விரும்ப வில்லை. அந்த அந்த ராஜ்யங்களுக்குத் தக்கவாறு, அவைகளின் பொருளாதாரத்தை சரிக்கட்டுவதற்கு அவைகளோடு சேர்ந்தாற்போல் உள்ள சிறு சிறு தாலாகாக்களும் அவைகளோடு சேர்த்துக் கொடுக்கப் பட்டிருக்கின்றன. சில தாலாகாக்களைத் தமிழ் நாட்டுடன் சேர்ப்பதற்காக புதிதாகச் சேர்க்கப்பட்டிருக்கின்றன. காடுகள் இல்லாத பகுதிகளுக்குக் காடுகளையும் கொஞ்சம் கொடுக்கலாம் என்ற எண்ணத்தில் காடுகள் இல்லாத ராஜ்யங்களுக்குக் காடுகள் உள்ள சேர்த்தாற்போலுள்ள பகுதிகள் கொடுக்கப்பட்டிருக்கின்றன. இவற்றையெல்லாம் பார்க்கும் போது சேர, சோழ, பாண்டியர்கள் என்று வழங்கப்படும் நாம் எல்லோ ரும் சபிட்சமாக வாழ்வதற்காக எல்லா ஏற்பாடுகளும் செய்யப்பட்டிருக் கின்றன என்பது தெரிகிறது. எதிர்பாராதவிதமாக ஆந்திரர்கள் பல ஆண்டுகளுக்கு முன்பே நம்மைவிட்டுப் பிரிந்து போய் விட்டார்கள். இந்நதாலும் நாம் எல்லோரும் ஒரு தாயின் வயிற்றுப் பிள்ளைகள் என் பதில் சந்தேகமில்லை. இப்போது தமிழர், கன்னடியர், மலையாளத்தவர் ஆகிய இந்த மூன்று பிள்ளைகளையும் தனித் தனியாக மூன்று திக்குகளு க்கு அந்த அந்த திக்குகளுக்குச் சென்று நல்ல காரியங்களைச் செய்வதற் காக நமது தாயார் அனுப்பிவைக்கிறார். நல்ல நிலையில் நம்மை நம் தாயார் அனுப்பிவைக்கிறார்கள், நம்மை நன்றாகப் பக்குவப்படுத்தி அனுப்பிவைக்கிறார்கள்; படிக்காத நிலையில் அல்ல, பொருளாதாரம் இல்லாத நிலைமையில் அல்ல; நல்ல வசதிகளோடு, நல்ல பந்தோபஸ் தோடு நம்மை நம் தாயார் அனுப்பிவைக்கிறார்கள். ஆகவே மூன்று பிள்ளைகளும் அந்த அந்த இடங்களுக்குச் சென்று தங்கள் காரியங்களை நன்றாக நிறைவேற்றி வைக்கவேண்டும். அதை விட்டுவிட்டு, சண்டை செய்யும் பங்களிகளைப் போல் சண்டை போட்டுக்கொண்டிருக்கக்கூடாது. நாம் காரியங்களை நல்லபடி நிறைவேற்றினால், என்றென்றும் ஒன்றுபட்டு சபிட்சமாக இருப்போம் என்பதில் சந்தேகமே இல்லை.

இந்த ராஜ்யம் பிரிந்த பிறகு, தமிழ் நாட்டிலுள்ள பிற்பட்ட இனத்தவர் கள் எல்லோரும் உடனடியாக நல்ல நிலைமைக்கு வருவதற்கு ஒரு சர்க்கார்ப் ஏற்பாடு என்று நான் கருதுகிறேன். அதே போல் இப்போது இக்கேயுள்ள மலையாளிகளும் கன்னடியர்களும் நம்மை விட்டுப் பிரிந்த பிறகு அவர்களுடைய ராஜ்யத்திலுள்ள பிற்பட்ட இனத்தவர்களும் முன் னேற்றம் அடைவதற்காக அவர்கள் சேவை செய்யவேண்டும். இனி தமிழ் நாட்டில் தமிழ் ஆட்சி மொழியாக இருக்கவேண்டும். அதே போன்று கன்னட ராஜ்யத்திலும் மலையாள ராஜ்யத்திலும் அவரவர்களுடைய

[Sri A. Subramanyam] [24th October 1956]

பாஷையே ஆட்சி மொழியாக இருக்கவேண்டும். நாம் தமிழ் நாட்டில் பிறந்தோம், தமிழ் நமது தாய்ப் பாஷை. அதைக் கற்றுக் கொண்டு அதை நன்றாக வளர்க்கவேண்டியது தான். ஆனாலும் நாம் இந்தியர்களாக இருப்பதால், இந்தியாவுக்கு உரிய ஒரு பொது பாஷையே, அதாவது ஹிந்தியை, கற்றுக்கொள்ளவேண்டும். ஹிந்தியை நாம் எல்லோரும் கற்றுக்கொள்வதற்கு முன்பாக 20 வருடங்களுக்கான பிடிக்கும். ஹிந்தியை பழைக்காமலாகப் புறக்கிட்டு விடாது. நாம் ஹிந்தியைக் கற்றுக்கொள்வதற்கு நல்ல சந்தர்ப்பங்களை அளிக்கவேண்டும், அதற்கு ஆவன செய்யவேண்டும். 20 வருடங்களுக்குப் பிறகு, எல்லா ராஜ்யங்களிலும் ஒரே பொது பாஷை பேசப்படும்போது, அதாவது ஹிந்தி பாஷை பேசப்படும்போது, சட்டசபையில் ஹிந்தியில் பேசினாலும், தமிழில் பேசினாலும் புரிந்து கொள்ளமுடியும். அந்தக் காலத்தில் எல்லோரும் ஒன்றுபடும்படியான நிலை ஏற்படும் : எல்லோரும், இந்தியர்கள், பாரதத் தாயின் பிள்ளைகள். பாரத தேசத்தைச் சேர்ந்தவர்கள் என்ற உணர்ச்சி நாடு பூராவும் ஏற்பட்டுவிடும். அந்தக் காலத்தை நாம் எதிர் பார்ப்போம். ஆகவே இப்போது பிரிந்து போனாலும் கூட, “கூடிப் பிரி யேல்” என்பதற்குக் காலம் பிரிந்தே இருக்காமல் மறுபடியும் சேருவதற்கு சந்தர்ப்பம் இருக்கிறது. இந்த ராஜ்யத்தில் பல சீர்திருத்தங்களைச் செய்வதற்காகவும், தமிழ் பாஷையின் சிறப்பை மக்களுக்கு நன்றாக எடுத்துக்காட்டுவதற்காகவும், தமிழில் பல்விதமான அச்சுநிகர நிரலாகக் காரியங்களைச் செய்வதற்காகவும், அச்சுநிகரத்தில் நடவடிக்கைகளை மக்கள் நன்றாகப் புரிந்துகொள்ளவதற்காக தமிழில் அச்சுநிகரத்திற்காகவும், தமிழில் பல சட்டங்களை இயற்றுவதற்காகவும் இப்போது தமிழ் பெரும் ராஜ்யம் பிரிகிறது. இந்த நாம் வரவேற்கவேண்டும். இதன் மத்தியில் தமிழ் நாடு என்று இப்போதே அந்த ராஜ்யத்திற்குப் பெயரிடவில்லையே என்று சிலர் சொல்கிறார்கள். தமிழ் நாடு என்று இப்போதே பெயரிடவேண்டிய அவசியம் இல்லை. பெயர் தானாகவே தமிழ் நாடு என்று மருபப் போகிறது, மருவித் தான் ஆக வேண்டும். மலையாளமும் கன்னடமும் போன பிறகு, இந்த ராஜ்யத்தில் தமிழிலேயே அரசாங்க உத்தரவுகள் போடப்படும் போதும், தமிழிலேயே எல்லா புத்தகங்களும் அச்சடிக்கப்படும் போதும், இவ்வளவு யாவரும் பேசும் பாஷை தமிழாக இருக்கும் போதும், இது செல்லுபடி நாடாகவா இருக்கப்போகிறது? அல்லது வேறொரு நாடாகவா இருக்கப்போகிறது? இல்லை, தமிழ் நாடாகத் தான் இருக்கப்போகிறது. ஆகவே நம் ராஜ்யத்திற்கு தமிழ் நாடு என்று பெயரிடுவதற்கு காலம் வரும்; அப்போது தமிழ் நாடு என்று பெயரிடுவதற்கு மத்திய அரசாங்கத்தாரும் ஒத்துக்கொள்வார்கள். “யானை வரும் பின்னே, மணியோசை வரும் முன்னே” என்பது போல தமிழ் நாடு என்று பெயரிடப் படுவதற்கு முன்பாக இந்த ராஜ்யம் இப்போது பிரிகிறது. இது ஒரு நல்ல சகுனம்.

3-50 நம்மை விட்டுப் பிரிந்துசெல்லும் கனம் மந்திரி ஸ்ரீ ஏ. பி. ஷெட்டி.
p.m. அவர்கள் நம்முடன் மிகவும் நன்றாகப் பழகியவர்கள். சிறையில் நாங்கள் எல்லோரும் ஒன்றாகப் பழகிவந்தவர்கள்; சட்டசபையில் நன்றாகப் பழகினோம். நன்பர் ஸ்ரீ கோவிந்தமேனாண்டனும் சிறையில் இருந்தபோது நான் நன்றாகப் பழகினேன். இவர்களைப் பிரிவது நமக்கு வருத்தத்தைக் கொடுக்கிறது. இருந்தாலும், நான் முன்பு சொன்ன மாதிரி, பாஷா வாரியாக ராஜ்யங்கள் பிரிய வேண்டியிருப்பதால், அவாவர்கள் அந்த அந்த ராஜ்யங்களுக்குச் சென்று, தங்கள் சக்தியையும் குணங்களையும் திறமையையும் எடுத்துக்காட்டுவதற்காகத் தான் பிரிந்து செல்கிறோம் என்பதை உணர்ந்து அந்த அந்த ராஜ்யங்களை நல்ல நிலைமைக்குக் கொண்டுவந்ததற்குப் பிறகு, இந்த நாட்டுக்குரிய பொது பாஷையை நாம் நன்றாகக் கற்றுக்கொண்டதும் நாம் ஒன்றுபடக்கூடிய நிலைமை ஏற்படலாம். அப்போது நாம் மறுபடியும் சந்திக்கலாம். ஆகவே நாம் வேறு விதமாகப் பிரிகிறோம் என்று நினைக்க வேண்டாம்.

நம்முடைய நண்பர்களான ஸ்ரீ நரசம்பையாவும், ஸ்ரீ உமர் கோயாவும் மற்றும் எத்தனையோ பேர்களும் வெகு காலமாக இந்த சபையில்

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உற்சாகத்துடன் நம்முடன் இருந்தார்கள். அதே போன்று இனிமேலும் உற்சாகமாக இருந்து நாட்டுக்குச் சேவை செய்யவேண்டுமென்று அவர்கள் கேட்டுக்கொள்கிறேன். நாமும் அவர்களை மறக்க முடியாது. அவர்களும் நம்மை மறக்க முடியாது. மலையாளிகள் நம்மை விட்டுப் பிரிகிறார்கள். மலையாளிகள் எல்லோரும் நம்மை விட்டுப் பிரிந்து போய் விட்டார்கள் என்று நாம் நினைக்க வேண்டாம். நமது சேர்மன் அவர்கள் நம்முடனேயே இருக்கப்போகிறார்கள். “பெருங்காய் டப்பி வாசனை” போல மலையாளிகள் எல்லோரும் நம்மை விட்டுப் பிரியும்போது, சேர்மன் அவர்களை நம்மிடம் விட்டுச் செல்கிறார்கள். மலையாளிகள் யாரும் நம்மை விட்டுப் போகவேண்டுமென்று நாம் சொல்லவில்லை. பாஷா வாரி ராஜ்யங்கள் ஏற்படவேண்டிய அவசியம் இருப்பதால், அவர்கள் பிரிய வேண்டியிருக்கிறது. தமிழ் ராஜ்யத்தில் மலையாளிகளோ கன்னடியர்களோ இருந்தால் ஒருவர் சொல்வது ஒருவருக்குப் புரியாது. தமிழ் தெரியாத ஒரு மந்திரி சட்டசபையில் தமிழில் கேட்கப்படும் கேள்விக்குப் பதில் சொல்லும்போது, கேள்வியின் அர்த்தத்தை மறந்துருவரிடம் அவர் கேட்டுக்கொண்டு ஆங்கிலத்தில் பதில் சொல்வதைவிட, தமிழிலேயே பதில் சொன்னால் நன்றாக இருக்கும். சட்ட சபையில் தமிழில் கேட்கப்படும் கேள்விக்கு, தமிழ் தெரிந்த மந்திரி உடனே அதைப் புரிந்து கொண்டு உணர்ச்சியோடு தமிழில் பதில் சொன்னால், அது மிகவும் பொருத்தமாக இருக்கும். ஆகவே பாஷாவாரியாக ராஜ்யங்கள் பிரிவதில் தவறு இல்லை; இதை சந்தேகமாக நாம் வரவேற்கவேண்டும்.

மேலும், மேன்மை தங்கிய கவர்னரவர்கள் நம்மை விட்டுப் பிரிந்து செல்கிறார்கள். அவர் பிரிவதைப் பற்றியும் நாம் சமாதானம் கொள்வோம். அவர் தற்போது நம்மை விட்டுப் பிரிந்து போனாலும்கூட மறந்துரு முறை இந்த ராஜ்யத்திற்கு வரலாம். அவர் திரும்பவும் வர வேண்டியவர் தான். வரத் தகுதி பெற்றவர் தான், வரக் கூடியவர் தான். வரக் கூடாதவர் இல்லை. அவர் நம்மோடு நன்றாகப் பழகி விட்டுப் பிரிந்து செல்வதால் நமக்குக் கொஞ்சம் வருத்தம் ஏற்படுகிறது. அவருக்கு நமது வாழ்த்துகளும் ஆசீர்வாதங்களும் உரித்தானது என்பதில் சந்தேகமில்லை.

எல்லோரையும் ஆசீர்வதிக்க வேண்டுமென்று கடவுளைப் பிரார்த்திக்கின்றேன். எல்லோரும் ஆங்காங்கே அவாவர்களுடைய பாஷையில் தேர்ச்சியடைந்த பிறகு, இந்தியாவுக்கு உரிய பொதுப் பாஷையையும் கற்றுக் கொண்ட பிறகு நாம் மறுபடியும் சேரவேண்டிய நிலை ஏற்படவேண்டுமென்று கடவுளைப் பிரார்த்திக்கிறேன். தங்களுக்கு எனது வணக்கத்தை தெரிவித்துக்கொண்டு, தங்களுக்கும் பரிபூர்ணமாக ஆசீர்வாதம் புரிய வேண்டுமென்று மறுமுறையும் கடவுளைப் பிரார்த்தித்துக்கொண்டு என் னுடைய வார்த்தையை முடித்துக்கொள்கிறேன்.

DR. V. K. JOHN: Mr. Chairman, Sir, I sincerely associate myself with the tribute paid to the parting Members, the sentiments expressed by hon. Members and the good wishes extended to them. In a very eloquent speech, the hon. Member Mr. T. G. Krishnamurthi expressed the hope that this departure would be only temporary and that the parting Members would come back to us soon. I share in that hope although to some hon. Members of this House, that hope would appear to be a forlorn hope. I am sure that when linguistic fanaticism dies down—and it will die down in a shorter time than we expect—this Madras State, which was once a very great State will come back to its old greatness, size and usefulness and will comprise within itself the whole of what are going to be the Kerala and Mysore States and perhaps Andhra also. I hope that before long this situation will arise and that we shall have bigger Houses of Legislature here wherein the Members who are now going away

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will take their seats. I hope, Sir, as I said, this departure is temporary. Politics is a game and a gamble and one who gets into politics—it is only a hobby for me—must always realise that one has to be inside the Legislature for some time and cease to be a Member of the Legislature at another time. They are all in the game and I do not think Members who will be out for a short period will feel very much disappointed. I am, however, happy that one of the Members of this House, Mr. Narsapaya is going to sit in the Mysore Legislative Council. I personally think that when the States Reorganization Act was being passed, the Government should have made provision for the continuance of the sitting Members of the House to the end of their term and not send them away in the middle. In fact, many times, we have expressed the opinion in this Council that the strength of the Council should not be reduced. The strength of the Assembly hereafter will be about 205 and the Constitution (Seventh Amendment) Act provides for a maximum of one-third of the strength of the Assembly being the strength of the Council. We are not even one-fourth of the strength of the Assembly. We will be only 48 as against 205 in the Assembly. I hope the authorities concerned will perhaps amend the States Reorganisation Act in such a way as to provide that the strength of the Council is at least one-fourth of the strength of the Assembly, if not, one-third. Now, five of the members of this House are going away and there is no provision for three of them in any other Legislature for the time being. But let me express the hope that all of them will go to fill some other place in our public life. Having watched the proceedings of this House all these years, I feel quite satisfied that in any House of Legislature they can find a prominent place. In fact, their going away is not so much a loss to them as a loss to this Council. They have made a great contribution to the debates in this House and I must particularly mention here the contribution made by a Member on this side of the House—Mr. Govinda Menon. It may be that certain of his criticisms have not been popular. But I can say this from my experience. I have heard him many times in this House and I have found him to be a fearless critic of Governmental measures. He has expressed his opinion in a manner which is creditable to a Member of the Opposition. Sir, without an opposition a legislative House cannot function satisfactorily. If everybody is a 'yes-man' and nobody criticises, nobody opposes Government measures—of course, we must criticise only the measures and not men, in my opinion—then the House would be done. The hon. Member Sri Govinda Menon has enlivened the proceedings of the House by his fearless criticisms—by his strong criticisms. I must say. The strong language he used in his criticisms and his eloquence enlivened the proceedings of this House. We would be sorry—at any rate, Members on this side of the House would be sorry—that he would not be here for some time. As I said, it is my hope that he will come back to this very place before very long.

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Then, Sir, about the Hon. Mr. Shetty, I am glad he is not here now. Perhaps it may be embarrassing to him if he were here when we pay tributes and encomiums to him. He has in my opinion been an exceptionally good Minister. He was chosen as Minister, I think, in the year 1947 by the first Congress Ministry. Subsequently, we had four Chief Ministers and every one of them took the Hon. Mr. Shetty in the Cabinet. If somebody were to write the biography of the Hon. Mr. Shetty, I am quite sure he will start by saying that the Hon. Mr. Shetty is the personification of patience, of sincerity, of honesty, of humility and of sweetness. In fact, the crown placed on his head as the Minister, as a Member of the Cabinet has sat so light upon him as a feather and he has been a most popular Member of the Cabinet. We are indeed very sorry that he should go away on account of the reorganization of States. But I feel assured that he will not cease to be a Minister. He will, I am sure, be taken in the Cabinet to be formed in the Karnataka State on the 1st of November.

Sir, I must take this opportunity to suggest ways and means of bringing the Members of the Legislature—at least in South India—together. It is of great importance to South India that Members of the Legislature in Andhra, Mysore, Kerala and Madras should occasionally come together and know each other. Some arrangement must be made for some retreat, conference, or other mode of bringing these Members together on a few occasions in the year. We might go to Andhra, Mysore or Kerala and they might come here and thus we might get to know each other. Speaking on this, I regret to say that there is no such provision even of meeting Members of the Madras Legislature, the Assembly and the Council. Many of the Members of the Council—I would even say most of the Members of the Council—do not know the Members of the Assembly and most of the Members of the Assembly do not know the Members of the Council. Unfortunately we have not devised some method which would bring these people together. Recently, the Ministers gave dinners and entertainments and on those occasions Members met each other. Such occasions are very rare. I would suggest to you, Sir, the Ministers and the Members of this House that we must definitely find out some means of bringing together socially Members of the Legislature in Madras, both the Assembly and the Council. Even in this very same House there are Members who do not know each other. We do not come together. I remember when I was the Leader of the Opposition in the pre-Constitution Council in every session we used to meet in my house, the Members of the Opposition, twice or thrice to discuss various Bills which came up before the House. I might incidentally say that in those days there was no instance of a Bill which came up before the House in the morning being discussed either in the same morning or evening. We had sufficient time to study the Bill. We met together, knew each other, and discussed the merits of the Bill.

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Even that, I do not think, is now possible because we do not get the Bill in time and our Party cannot meet even in our room to discuss these Bills. It is only when we meet together that we can know each other. I would, therefore, suggest that opportunities should be given to the Members of this House to come together, know each other socially and officially. It will be a great benefit if we understand each other, like each other and contribute one to the other. The interests of the State are advanced by the Members meeting together. I take this opportunity, when we are bidding farewell to the Members who are going away, to make the suggestion that at least Members in this House must be given opportunities to meet each other, to meet the Ministers so that there may be closer and better understanding between the Members. I go further and say that we must have opportunities of meeting Members of the Assembly also. I would go still further and say that Members of the Legislature in Madras must meet Members of the Legislature in other States. This would give us the opportunity of seeing our friends who are now going away as Members of their respective Legislatures.

Sir, let me express the hope sincerely and fervently that a day will come soon when the Madras State will regain its great status and importance which it occupied in the eyes of India and in the eyes of the world and not continue in its present form, a shrunken and a very small State. It is a pity when people are agitating for settlement of border disputes between Andhra, Madras, Mysore and Kerala, these very people who wish and are anxious that Madras should be a bigger State and should have a few more taluks added to it, do not seem to be anxious that the French Settlement, with a majority of the people speaking Tamil language, should come and join Madras State. I do not find there is much agitation for that. I do not see why the French Settlement which is predominantly a Tamil area should not be integrated with Madras State. Why should not these protagonists of linguistic States direct their attention to this instead of fighting for taluks?

SRI T. PURUSHOTHAM: Are the people of that area willing to come into this State?

DR. V. K. JOHN: We cannot take public opinion in these matters. The people of that area may be persuaded one day to oppose it and on another day to welcome it.

What I am suggesting to these protagonists of linguism is that they should direct their attention not so much to the settlement of the border between Kerala and Madras States or Madras State and Andhra, or Madras and Mysore, but to the integration of the Tamil areas in the French Settlements with the Madras State. Sir, as I have settled down in Madras, I am anxious that this State should not lose its importance. Actually, if you look

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at the map of India as evidenced by the States Reorganization Act, you will find that the one State which has suffered most in importance, in area, in population, in revenues, and in status is the Madras State. Every other State has got something more. Madras has lost something which, I hope, will certainly come back. It has lost something which certainly is a matter for regret. Even now it has an important High Court and the High Court will lose certainly its great importance. We will never get big lawyers and big judges. Every other Court is citing the Madras decisions with great respect. But, unfortunately, hereafter we will find the Madras High Court will be a very small one. So also in the case of businessmen, professional men, all of them will lose their importance. To-day what importance do we attach to Ministers from a small State like the Travance-Cochin State or Mysore? All these days, the Madras Ministers had greater reputation and greater pull with the Centre, because they were Ministers of a big State. What will be the status of our Ministers hereafter? We must also see that Madras has its honoured place of importance as compared with the other States and also with other parts of the world. I am, therefore, hoping that the linguistic fanaticism the basis on which reorganization of States has been erected will soon die down and that the Parliament will find it possible to pass another measure integrating many States, in South India into one, so that our Ministers, our High Courts, our Institutions and our professional people, all will regain their greater status. With that hope, I sit down after giving my best wishes to friends and expressing the hope that they will come back to this Legislature soon.

* THE HON. SRI A. B. SHETTY: Mr. Chairman, Sir, the Malabar and South Kanara Members are very grateful indeed for the kind sentiments and good wishes expressed from all sides of this House. All of us like praise and flowers. This is one of those touches of Nature that make the whole world. The occasion brings to the mind many forgotten incidents and the heart many an old emotion. It reminds one of the parliamentarians we had in this House, men like Dr. C. R. Reddy, Satyamurthy, Srinivasa Sastri, and Mr. Ramaswami Mudaliar who is happily with us now. They were towering personalities. Their interpellations and their speeches kept the Treasury Benches on their toes and all officers on good behaviour.

Rajaji was incomparable as the Chief Minister for his intellectual brilliance and wise statesmanship. When after a debate he got up to reply, it was an occasion to listen to him, to a masterly performance.

The present Leader of the Opposition, Dr. Mudaliyar, maintained the best traditions of the past by the magnitude of his mind and plenitude of his utterance. His friendly advice, wise guidance and valuable co-operation have always been given to the Government at many Committees and Conferences. He is a

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notable figure not only in this House, but he has played a very important role in All-India Conferences and in International gatherings. He has brought honour and glory to his country.

In the Opposition, we have many friends like Mr. Govinda Menon. One great English statesman was called an 'old ginger'. Mr. Govinda Menon is not an old ginger, but still he has ginger gloriously hot in his mouth. Sometimes, we get tired of each other's company; the House becomes dull; the benches become thin. On such occasions, he puts fresh life and vigour into the proceedings of this House. There is a good deal of sound sense mixed with pep in his speech. I like him immensely. (Laughter.)

I have always respected and admired our grand old friend, Sri Usman, for his sense of duty and the sobriety of his utterance. When he was the Home Member in the old Council, he was so good and nice to us who were sitting in Opposition that many of his Demands were carried even without the hundred rupees cut.

On this side of the House, my hon. Friend Mr. Purushotham is one of the whole-time politicians, ever vigilant, ever active not only in this House but also outside; he is doing many things for his constituency. I do not see the hon. Member Dr. John. For him, the Government are always in the wrong, as the weather is always wrong in England. But after making devastating criticism, he would immediately sit down and beam with smiles. When, after a vehement criticism, Mr. Satyamurthy used to sit and laugh and speak cordially, it was Justice Sadasiva Ayyar who used to say, 'This is something which I cannot understand; we speak what we feel. How these politicians forget so soon . . .'. (The Hon. Sri C. Subramaniam: Lawyers forget it sooner! (Mr. Govinda Menon: They have to.) That is a good compliment to lawyers.

The hon. Member Mr. Balasubramanya Ayyar makes very useful contributions to the debates; he is the worthy son of an eminent father. Yesterday, he seems to have said, while complimenting me, that I should have more sympathy for Ayurveda. I have all sympathy for Ayurveda. But I want Ayurveda to move with the times and not remain where it is. That is all the difference between himself and myself.

The Hon. the Leader of the House, my esteemed Colleague, Mr. Bhaktavatsalam is a veteran administrator. He can deal with all situations with tact and ability. His energy is boundless. In spite of incessant tours and the large volume of files and papers—he has the largest number of departments and he will get more very soon, I think—he has to look into, he keeps his temper cool, cool as cucumber, in the midst of hot criticisms. (Laughter.) I wish I could have his temper.

Now, you, Sir, Mr. Chairman, sitting at the head of this House, have held many positions with great distinction; you were the Principal of the Medical College, then Surgeon-General

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—the post was then called Surgeon-General. I had always thought you were a very clever person (laughter), a very tactful person. I do not believe in astrology or palmistry, but I think there is something in physiognomy. Reading from your face, Sir (laughter), firmness tempered by kindness I see is imprinted there. You have taken to legislative work rather late in life and you are doing very well indeed. You are discharging your duties with firmness, fairness and good temper and you are worthily filling your august office.

I must say something about the officers in our administrative departments. The success and reputation of the Government depend upon the officers in our administrative departments—their efficiency, integrity, tact and considerate behaviour towards the public. The Secretariat is the pivot in our administrative set-up. It has earned a very good name for the efficiency of its service personnel and the excellence of its organization and methods of work. Mr. Paul Appleby in his survey of public administration in India in 1953 said that in his judgment the Government of India was one of the dozen or so advanced Governments in the world. The State is now shouldering many new duties in the economic and social sphere. Our Officers are discharging their new and immensely vital tasks with success.

The non-gazetted officers and all people in the lower ranks of the service are waiting for the announcement which the Government will make shortly about the enhancement in their dearness allowance. It is not a matter which I can divulge at present; yet I expect this generous act will certainly be conducive to their being a loyal, contented and devoted class of servants. I take this occasion to pay my tribute to the good and honest work which the Officers in all Departments, high as well as low, are rendering to this State.

The discoveries made and the inventions adopted in recent times have brought about a continual increase in the speed of travel and transport and in the ease and swiftness with which messages are transmitted, the world has shrunk and become knit together. We have to think, feel and act internationally. States, once separate, social and economic systems formerly remote from one another, now jostle each other. In India this reorganization of States is creating barriers between one area and another. Passions and controversies have been roused; ugly scenes have been enacted. The forces of separation threaten to become a danger to the unity of the nation. We must take care to see that such a disaster does not happen. The appeal of the Prime Minister that India must pull together as a united nation is very important in the interests of the future of this country and in view of the present world situation. I trust, Sir, that this Council of elder statesmen will give the right lead to the people in this matter. (Cheers.)

4.20
p.m.

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

The House then adjourned.

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

^a1. Appropriation Accounts, 1954-55 and the Audit Report, 1956 of the Government of Madras.

^b2. Bills passed by the Assembly and received therefrom in the Council—

(a) The Madras Estates (Abolition and Conversion into Ryotwari) Amendment Bill, 1956 (L.A. Bill No. 30 of 1956).

(b) The Madras Registration of Practitioners of Integrated Medicine Bill, 1956 (L.A. Bill No. 31 of 1956).

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APPENDIX I.

[Vide answer to clauses (c) and (d) of starred question No. 85 asked by Sri M. Ethirajulu at the meeting of the Legislative Council held on 24th October 1956, page 47 supra.]

Statement showing the receipts and expenditure on Government Poultry Farms in Madras State during 1954-55 and 1955-56.

Name of farm.	Receipts.			Expenditure.		
	1954-55.			1955-56.		
(1)	(2)			(3)		
	RS.	A.	P.	RS.	A.	P.
1 Poultry Research Station, Madras.	4,276	7	0	4,920	9	0
2 District Poultry Farm, Cannanore.	2,744	11	9	2,793	14	3
				3,501	13	3
				9,808		0

APPENDIX II.

[Vide answers to starred question No. 88 asked by Sri G. Krishnamoorthi at the meeting of the Legislative Council held on 24th October 1956, page 51 supra.]

G.O. Ms. No. 2247, Education, dated 25th September 1952.

[National Cadet Corps—Junior Division—Training of National Cadet Corps Officers deputed from schools under private management—Period of vacation and holidays foregone—Treatment—Orders passed.]

READ—The following paper :—

From the Director of Public Instruction, dated 17th December 1951, No. 581 N.C.C./50.

Order—No. 2247, Education, dated 25th September 1952.

The Government approve the proposal of the Director of Public Instruction that the National Cadet Corps Officers of the Junior Division troops raised in schools under private management should be allowed credit for leave with full pay for half the period of vacation or holidays foregone by them on account of their deputation for National Cadet Corps training, if the period of training is longer than 15 days. In cases where period of training is for 15 days or less, National Cadet Corps Officers deputed from schools under private management should be treated as having been on duty as other officers deputed from Government schools and from schools under local bodies,

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APPENDIX III.

[Vide answer to starred question No. 90 asked by Sri T. Purushotham at the meeting of the Legislative Council held on 24th October 1956, page 52 supra.]

List showing the number of Inspection Bungalows in the districts which have not yet been electrified, though electricity has been extended to the area.

TIRUCHIRAPPALLI DISTRICT.

- 1 Inspection Bungalow at Pattavathalai.
- 2 Do. Grand Anicut.

TANJORE DISTRICT.

- 1 Inspection Bungalow at Papanasam.
- 2 Do. Peralam.
- 3 Do. Kodavasal.
- 4 Do. Koradicheri.
- 5 Do. Muthupet.
- 6 Do. Talanayar.
- 7 Do. Saliyanganalam.
- 8 Do. Koopachikottai.
- 9 Do. Coleroon.
- 10 Do. Sakikottai.

MADURAI DISTRICT.

- 1 Inspection Bungalow at Veerapandi.
- 2 Do. Gudalur.
- 3 Do. Gangavaripatti.

COIMBATORE DISTRICT.

- 1 Inspection Bungalow at Manupatti.
- 2 Do. Madathukulam.
- 3 Do. Kottur.

NORTH ARCOT DISTRICT.

- 1 Inspection Bungalow at Arkonam.
- 2 Do. Minnal.
- 3 Do. Poiney Anicut.

SOUTH ARCOT DISTRICT.

- 1 Inspection Bungalow at Puduchatram.

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CHINGLEPUT DISTRICT.

- 1 Inspection Bungalow at Poonamallee.
- 2 Do. Tiruporur.
- 3 Do. Tirupatchur.
- 4 Do. Chingleput.
- 5 Do. Tirukalikundram.
- 6 Do. Sriperumbudur.
- 7 Do. Karunguzhi.
- 8 Do. Uttiramerur.
- 9 Do. Chembarambakkam.
- 10 Do. Red Hills.
- 11 Do. Vallur.
- 12 Do. Cholavaram.
- 13 Do. Baluchetty.
- 14 Do. Melpa lavoor.
- 15 Travellers' Bungalow at Guduvancheri.
- 16 Do. Karunguli.

MALABAR DISTRICT.

- 1 Inspection Bungalow at Malappuram.
- 2 Do. Ponnani.
- 3 Do. Marantoddy.
- 4 Do. Meppadi.
- 5 Do. Kuthuparamba.

RAMANATHAPURAM DISTRICT.

- 1 Travellers' Bungalow at Palayampatti.
- 2 Do. Kariampatti.

THE NILGIRIS DISTRICT.

- 1 Inspection Bungalow at Naduvattam.
- 2 Do. Cherambadi.

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APPENDIX IV.

[Vide item V on page 57 supra.]

L.A. BILL No. 31 OF 1956.

(As passed by the Assembly.)

A Bill to provide for the registration of practitioners of integrated medicine in the State of Madras.

WHEREAS it is expedient to provide for the registration of practitioners of integrated medicine in the State of Madras;

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

1. *Short title and extent.*—(1) This Act may be called the Madras Registration of Practitioners of Integrated Medicine Act, 1956.

(2) It extends to the whole of the State of Madras.

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

(a) “ Board ” means the Board of Integrated Medicine, Madras, constituted under this Act;

(b) “ Government ” means the State Government;

(c) “ indigenous medicine ” means one or all of the three systems of medicine, that is, Ayurveda, Siddha and Unani systems of medicine;

(d) “ integrated medicine ” means a conjoint study, training and practice in indigenous medicine and modern medicine;

(e) “ modern medicine ” means modern scientific medicine including surgery and obstetrics;

(f) “ practitioner ” means a practitioner of integrated medicine;

(g) “ register ” means the register of practitioners maintained under this Act;

(h) “ registered practitioner ” means a practitioner whose name is for the time being entered in the register.

3. *Constitution of Board.*—(1) The Government shall, by notification, constitute a Board to be called “ The Board of Integrated Medicine, Madras ”.

(2) The Board shall be a body corporate, shall have perpetual succession and a common seal and shall, by the said name, sue and be sued.

(3) The Board shall consist of—

(a) four members elected from among themselves by the registered practitioners holding the diploma of Graduate of the College of Integrated Medicine granted by the Board of Examiners in Integrated Medicine;

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(b) four members elected from among themselves by the registered practitioners holding the diploma of Licentiate in Integrated Medicine granted by the Board of Examiners in Integrated Medicine;

(c) one member elected from among themselves by such members of the staff of the College of Integrated Medicine as are registered practitioners;

(d) six members nominated by the Government:

Provided that pending the preparation of registers, the Government may nominate to the first Board members referred to in clauses (a), (b) and (c) above out of persons who are eligible for registration in the respective registers, and such persons shall hold office for such period as the Government may, by notification, appoint.

(4) In the event of the requisite number of members not being elected under any of the clauses (a), (b) and (c) of sub-section (3), the Government may fill up the vacancies by nominating the required number of registered practitioners. Every practitioner so nominated shall be deemed to be a member duly elected.

(5) Nominations under sub-section (4), or clause (d) of sub-section (3) shall be so made as to give, as far as possible, proper representation to the different systems of integrated medicine.

(6) The President of the Board shall be elected by the members of the Board from among themselves in the prescribed manner:

Provided that for a period of four years from the date of the constitution of the Board under this Act, the President shall be a person nominated by the Government and if he is not already a member of the Board, shall be *ex-officio* member of the Board in addition to the members specified in sub-section (3);

Provided further that the President so nominated shall not be removed from office except by or under the orders of the Government.

4. *Privileges of Registered Medical Practitioners.*—(1) Notwithstanding anything to the contrary contained in any enactment, rule, by-law or any other provision of law—

(a) a certificate required by law to be given by a medical practitioner shall be valid if it is signed by a registered practitioner; and

(b) the expression “ legally qualified medical practitioner ” or “ duly qualified medical practitioner ” or any word or expression importing reference to a person recognized by law as a medical practitioner or as a member of the medical profession shall, in all Acts of the Legislature of the State of Madras and in all Central Acts in their application to the State of Madras in so

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far as such Acts relate to any of the matters specified in List II or List III in the Seventh Schedule to the Constitution, be deemed to include a registered practitioner.

(2) Except with the sanction of the Government, no one other than a registered practitioner shall be competent to hold any appointment as physician, surgeon or other medical officer in any hospital, dispensary, asylum, infirmary or lying-in-hospital of indigenous or integrated medicine, maintained or aided by the Government or a local authority or both and not supported entirely by voluntary contributions.

(3) Notwithstanding anything contained in sub-section (2) of section 4 of the Madras Medical Registration Act, 1914 (Madras Act IV of 1914), all registered practitioners shall be competent to hold any appointment as physician, surgeon or other medical officer in institutions of modern medicine or as Medical Officer of Health, which are open to registered practitioners as defined in the Madras Medical Registration Act, 1914 (Madras Act IV of 1914), and subject to such conditions as may be prescribed.

5. *Acts of Board, etc., not invalid by reason of defect in constitution, etc.*—(1) No act of the Board or of any person acting as President or member of the Board shall be deemed to be invalid by reason only of any defect in the constitution of the Board or on the ground that the President or member of the Board was not entitled to hold or continue in such office by reason of any disqualification or by reason of any irregularity or illegality in his nomination or election, or by reason of such act having been done during the period of any vacancy in the office of President or member of the Board.

(2) Every meeting of the Board the minutes of the proceedings at which have been signed as laid down in the rules and by-laws made under section 15 shall be deemed to have been duly convened and to be free from all defects and irregularity.

6. *Registrar and other officers.*—(1) The Board shall appoint a Registrar who shall act as Secretary of the Board and who shall also act as treasurer unless the Board appoints another person as treasurer.

(2) The Board may also appoint such other officers and servants as it may deem necessary for the purposes of this Act.

(3) The Registrar or any other officer or servant appointed under this section shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code (Central Act XLV of 1860).

7. *Register.*—(1) It shall be the duty of the Registrar to keep a register of registered practitioners and, from time to time, to revise the register and publish it in the prescribed manner.

(2) The register shall be deemed to be a public document within the meaning of the Indian Evidence Act, 1872 (Central Act I of 1872).

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(3) The name of any registered practitioner who is dead or whose name is directed to be removed from the register under section 10 shall be removed from the register. For this purpose, information regarding the death of registered practitioners shall be furnished to the Registrar by such officers, in such form and in such manner, as may be prescribed.

8. *Registration.*—Every person who possesses the diploma of Licentiate in Integrated Medicine, or the diploma of Graduate of the College of Integrated Medicine, granted by the Board of Examiners in Integrated Medicine, shall, on payment of a fee of fifteen rupees and on furnishing to the Registrar proof of his qualification for registration, be entitled to have his name registered in the register:

Provided that the Board may refuse to permit the registration of any person who has been convicted of any offence which, in the opinion of the Board, implies a defect of character disentitling him to be registered or who, after an inquiry at which opportunity has been given to the candidate to be heard in person or by pleader, has been held by the Board to have been guilty of professional misconduct.

9. *Entry of additional qualifications in the register.*—A registered practitioner shall, on payment of a fee of rupees five, be entitled to have entered in the register any further diplomas or degrees in Integrated Medicine which he may obtain.

10. *Alteration of register by Board.*—(1) The Board may, if it sees fit and after giving due notice to the person concerned and inquiring into his objections, if any, order that any entry in the register, which shall be proved to the satisfaction of the Board to have been fraudulently or incorrectly made or brought about, be cancelled or amended.

(2) (i) The Board may direct the removal altogether or for a specified period from the register of the name of any registered practitioner for the same reasons for which registration may be refused by the Board under section 8 and the proviso thereto shall apply to any inquiry under this section:

Provided that the name of a registered practitioner shall not be removed from the register on the ground of his association in any professional respect with a qualified practitioner of any other system of medicine or with an unregistered practitioner if such unregistered practitioner—

(a) possesses the qualifications necessary for being registered as a registered practitioner; and

(b) is not a person whose name the Board has refused to register under the proviso to section 8 or whose name the Board has removed from the register under this sub-section.

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Explanation.—The expression "qualified practitioner" shall, for the purpose of this proviso, mean a practitioner qualified under rules made by the Government in this behalf.

(ii) The Board may also direct that any name so removed shall be restored.

(3) Nothing in sub-section (2) shall relieve a registered practitioner of any obligations or code of ethics which may be imposed upon registered practitioners generally by the Board.

(4) Any registered practitioner may make an application to the Board for the deletion of his name from the register and the Board may, on such application and subject to such rules as may be made by the Government, direct such deletion. Any such practitioner may apply for fresh registration under section 8.

11. *Diploma of Indigenous Medicine deemed to be equivalent to Diploma of Integrated Medicine.*—Any person who possesses the diploma of Licentiate in Indigenous Medicine, or the diploma of Graduate of the College of Indigenous Medicine granted by the Board of Examiners in Indigenous Medicine shall be deemed to possess the diploma of Licentiate in Integrated Medicine or, as the case may be, the diploma of Graduate of the College of Integrated Medicine granted by the Board of Examiners in Integrated Medicine for all the purposes of this Act.

12. *Jurisdiction of Civil Courts.*—No act done in the exercise of any power conferred by or under this Act on the Government or the Board or the Registrar shall be questioned in any Civil Court.

13. *Control by Government.*—If at any time it shall appear to the Government that the Board has neglected to exercise or has exceeded or abused any power conferred upon it under this Act, or has neglected to perform any duty imposed upon it by this Act, the Government may notify the particulars of such neglect, excess or abuse to the Board and, if the Board fails to remedy such neglect, excess or abuse, within such time as may be fixed by the Government in this behalf, the Government may, for the purpose of remedying such neglect, excess or abuse, cause any or all of the powers and duties of the Board to be exercised and performed by such agency and for such period as the Government may think fit.

14. *Penalty for falsely pretending to be a registered practitioner.*—Every person who falsely pretends to be a registered practitioner, whether any person is actually deceived by such pretence or not, shall, on conviction, be liable to be punished with fine which may extend to three hundred rupees.

15. *Power to make rules or by-laws.*—(1) The Government may make rules for the purpose of carrying out the provisions of this Act.

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

- (a) for the qualifications of the members of the Board;
- (b) for the election of members to the Board;
- (c) for the term of office of the elected and nominated members of the Board;
- (d) for the circumstances in which a member of the Board shall be deemed to have vacated his seat;
- (e) for the procedure to be followed for filling up a vacancy when the seat of any member of the Board becomes vacant;
- (f) for the election of the President of the Board or of any other person presiding over the Board and the term of office of the President;
- (g) for the procedure at meetings of the Board;
- (h) for the institution, hearing and disposal of appeals, for the authorities competent to hold inquiries and hear appeals and the procedure to be followed in such inquiries;
- (i) for the compilation and publication of the register;
- (j) for the disposal of the fees received under this Act;
- (k) for all matters expressly required or allowed by this Act to be prescribed.

(3) The Board may, with the previous sanction of the Government, make by-laws—

- (a) for the convening of meetings of the Board;
- (b) for the conduct of business at such meetings;
- (c) for the appointment and control and the fixation of pay and allowances of the officers and servants referred to in section 6.

(4) The power to make rules under this Act shall be subject to the condition of previous publication.

(5) All rules made under this Act shall, as soon as possible after they are made, be placed on the table of both the Houses of the Legislature and shall be subject to such modifications whether by way of repeal or amendment as the Legislative Assembly may make within fourteen days on which the Legislative Assembly actually sits either in the same session or in more than one session.

MEMORANDUM REGARDING DELEGATION OF LEGISLATIVE POWERS.

Clause 4 (3) of the Bill empowers the Government to prescribe conditions subject to which a registered practitioner may hold appointment as physician, surgeon, or other medical officer in institutions of modern medicine or as Medical Officer of Health.

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Clause 15 of the Bill empowers the Government to make rules to carry out the purposes of the legislation, such as, the qualifications of members of the Board, the term of office of the elected and nominated members of the Board, the procedure at the meeting of the Board, the compilation and publication of the register of practitioners, etc., and empowers the Board to make by-laws, subject to the previous sanction of the Government for the conduct of business at the meetings of the Board, etc.

The powers delegated are of a normal and not of an exceptional character.

FINANCIAL MEMORANDUM.

The Bill provides for the constitution of a Board of Integrated Medicine, with the necessary staff. The Board will derive income by way of registration fees. The expenditure is not likely to exceed its income. It may perhaps be necessary to sanction temporary advances from State Funds to meet any unforeseen expenses. It is not possible to specify at this stage the exact amount that may have to be expended on account of the functioning of the Board.

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?

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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.

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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., $\frac{1}{3}$ th of the total vacation salary?

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

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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;

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(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— 11-10 a.m.

(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?

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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. ALLAPICHAJ: 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.)

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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. ALLAPICHAJ: 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.

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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 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.

* Printed as Appendix II on pages 156-157 infra.

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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 விதிதங்கள் திருத்தியமைக்கப்படுமா?

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

SRI M. ETHIRAJULU: அங்கிருந்து எடுத்துக்கொள்ளப்படும் குமாஸ்தாக்களுக்கும் அதே மாதிரி விதிதத்தில் 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 B255 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, inspect the manufacturing concerns in drugs in this State and take random samples and forward them to the Government Analyst (Drugs) for analysis. If samples are reported to be not of standard quality, action is taken against the manufacturers.

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(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?

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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 Gov-^{11-20 a.m.}ernment aware that there is extensive misuse of these drugs at the dealers' end and that very often pure drugs are not available at all?

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?

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THE HON. SRI S. S. RAMASWAMI PADAYATCHI: (a) A statement* 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

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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,

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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).

11-30 a.m. * 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.

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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

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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

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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

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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.

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 Tippu 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

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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

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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."

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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,

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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.

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

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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

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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—I.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’.”

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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,

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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.

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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

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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

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(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 ”.

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.

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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.

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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

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seems 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.”

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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

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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.

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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.

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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

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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

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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.

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

1 p.m. " 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 nava paisa, etc. We are now seeking to convert the surcharge which is in annas into so many nava 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 nava 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

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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.

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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.

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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.	1
Sub-Regional Employment Officers.	5	Nil.	
Employment Liaison Officer	.. 1	Nil.	
Assistant Employment Officers.	17	District Employment Officer, South Arcot.	1

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24
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2
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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.	Dutty.	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
				1953-54.					
				1954-55.					
				1955-56.					

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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,

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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.

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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.

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(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.

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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

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(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."

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(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.

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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 44. 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 designatae* 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.”.

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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.”;

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(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

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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

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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.

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(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.

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"(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 motu*, 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 amendments 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.

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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.

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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.

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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

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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,

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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.

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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;

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(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 naye 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.

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
some years ago to attend a Labour Conference, I got up to speak a.m.
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 முக்கியத்துவம் பெறக்கூடிய நவம்பர் 1-ம் தேதியன்று நாட்டு மக்கள் வெகு நாட்களாக விரும்பிக் கொண்டிருந்த மொழிவழி ராஜ்யங்கள் அமைக்கப்பட்டுவதால், பல ஆண்டுகளாக நம்மிடையே இருந்து ஒரே அரசினதும் வாழ்ந்து பல காரியங்களில் நம்முடன் ஒத்துழைத்த பல அன்பர்கள் நம்மை விட்டுப் பிரியும் தருவாயில் இருக்கிறார்கள். இப்பொழுது, நம்மை விட்டுப் பிரியும் நண்பர்கள் ஒவ்வொருவரையும் குறித்துச் சிந்திக்கும்போதும்,

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

நாம் எல்லோரும் ஒருமையுடையோடு ஒத்துழைத்தால் ராஜ்யம் எவ்வளவு சுருக்கமாக இருந்தாலும்கூட அது தன் நிறைவுபெற்று சபிட்சமாக இருக்கும். நாம் எல்லோரும் ஒன்றுபட்டு உழைத்து நமது ராஜ்யத்தின் வளத்தைப் பெருக்கிக்கொண்டோமானால் உணர்ப் பொருள்களுக்கும் இதர பொருள்களுக்கும் மற்ற ராஜ்யங்களை எதிர்பார்க்காமல் இருக்க முடியுமென்று சொல்லிக்கொள்ள விரும்புகிறேன். பொதுஜனங்களின் தலைவர்கள் என்று சொல்லக்கூடியவர்கள் பொறுப்பிலுள்ள தலைவர்கள் எல்லோரும் இந்த உணர்ந்து செயலாற்றவேண்டும். வாப்போகும் தேர்தலிலும் மற்றச் சமயங்களிலும் அரசியல் நிலை எப்படியிருந்தாலும் கூட, பொதுவாக மக்களிடத்தில் அமைதியை நிலைப்படுத்துவது அவர்கள் எல்லோரும் இதை உணர்ந்து செயலாற்றவேண்டும். வாப்போகும் ஒருமையுடையோடு செயலாற்றினால் நம் குறைகள் எல்லாம் சீக்கிரமே நிவர்த்தியாகி நம் ராஜ்யம் தன்னிறைவு பெற்ற நாடாக ஆகமுடியும்.

11-20
a.m.

இறுதியாக, பிரிந்து போகிற நம் நண்பர்களுக்குக் கூறுகிறேன் : நீங்கள் கோரிய ராஜ்யங்களை நீங்கள் பெற்றுக்கொண்டீர்கள். உங்கள் கோரிக்கைகளை நிறைவேற்றிக்கொண்டுவதற்குப் பாடுபட்டபோது நாங்கள் உங்களுக்குக் குறுக்கே நின்றுகொண்டிருந்தோம் என்பதைத் தெரிவித்துக்கொள்கிறேன். நீங்கள் கேட்டதை வாங்கிக்கொண்டீர்கள். இது வரையிலும் சென்னை ராஜ்யத்தில் இருந்த போது உங்கள் பிரதேசங்களில் என்ன என்ன காரியங்கள் செய்யப்பட்ட வேண்டுமோ அவைகளை நிறைவேற்றிக் கொண்டீர்கள். உங்கள் பிரதேசங்கள் வளப்படுத்தப்படாமல் இருந்தால், உங்கள் பகுதிகளிலுள்ள குறைகள் இந்த சர்க்காரால் சரியாகத் தீர்க்கப்படாமலிருக்கும் பகுதிகள். நாங்கள் வேண்டுமென்றே அல்லது உங்கள் மீது வெறுப்புக்கொண்டோ அல்லவோ செய்ததாகக் கூறத் வேண்டாம். குற்றம் குறைவாயினாலும் மறந்து விடுங்கள். உங்கள் பிரதேசங்களை இனிமேல் நீங்களே கவனித்துக்கொள்வதற்கு வாய்ப்பு ஏற்பட்டிருப்பதால், உங்கள் சொந்த ராஜ்யத்திற்குச் சென்று நீங்கள் வேண்டிய காரியங்களைச் செய்கொள்ளலாம். உங்கள் பிரதேசங்கள் வளம்பெற வேண்டுமென்று நாங்கள் வாழ்க்கிறோம், 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 கொண்டிருந்திருப்பதால் கோன்றிய போதிலும் உண்மையில் அவர்கள் நம்மிடம் நல்லெண்ணெய் கொண்டிருக்கிறார்கள் என்பதைத் தெரிந்துகொண்டோம். இரண்டு நாட்களுக்கு முன்பு நமது சபையின் முதல்வர் நான் கேட்ட ஒரு கேள்விக்கு பதிலளிக்கும்போது, ஆந்திர நாட்டிலிருக்கும் கோதாவரி, கிருஷ்ணா, ஆகிய ஜீவ நதிகளின் தண்ணீரை இந்த ராஜ்யத்திற்குத் தென் பெண்ணையாற்றின் வரை கொண்டுவருவதில் அங்குள்ள அமைச்சரவை எவ்வளவு நல்லெண்ணெய்த் தோடு இருக்கிறார்கள் என்பதை நமக்கு எடுத்துச் சொன்னார்கள். ஆகவே சென்ற காலத்தில் நடந்தவைகளை மறந்துவிட்டால் வருங்காலத்தில் எல்லா ராஜ்யங்களுக்கும் நன்மை ஏற்படும் என்பதை அரசியல் தலைவர்கள் நன்கு உணர்வார்கள். பிரிந்துசெல்லும் மலையாளிகளுக்கும், கன்னடியர்களுக்கும் ஒத்தாசை செய்வதற்கு நாம் தயாராக இருக்கிறோம் என்பதையும் அவர்களும் நம் ராஜ்யத்திற்கு ஒத்தாசை செய்வதற்குத் தயங்க 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 எக்காரணத்தாலோ மைசூரைச் சேர்க்கவில்லை. அந்த ராஜ்யத்தையும் இந்த சபையில் சேர்த்திருந்தால் மிகவும் நன்றாக இருந்திருக்கும்; ஏனென்றால் 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 ஒருமையுடையோடு 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 காலத்திலிருந்து அவரை நான் நன்கு அறிவேன். அவரை இந்த சபையிலும் அந்த (கீழ்) சபையிலும் வெளியில் பல விருந்து சமயங்களிலும் பலர் நன்றாகப் பாராட்டியிருக்கிறார்கள். அவரை நான் மிகவும் பாராட்டுகிறேன்.

கனம் நண்பர் ஸ்ரீ கோவிந்த மேனன் அவர்களும் நம்மை விட்டுப் பிரிகிறார்கள். அந்தப்பக்கத்திலுள்ள ஸ்ரீ உமர் கோயா சபையில் எவ்வளவு நயமாகவும் இனிமையாகவும் பேசி காரியத்தை சாதிக்கிறார்களோ அதற்கு நேர்மாறாக ஸ்ரீ கோவிந்த மேனன் காரசாரமாக பேசுவார். அவர் கேரளாவிற்குச் 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 1950]

*** SRI M. ETHIRAJULU :** கனம் தலைவர் அவர்களே, நம்முடன் சுமார் நான்கு வருஷங்களாக இருந்துவந்த மலையாள, கன்னட நண்பர்கள் எல்லாம் இப்போது நம்மை விட்டுப் பிரிந்து அவர்களுடைய தாயகத்துக்குச் செல்கிறார்கள். தங்களுடைய தாயகத்துக்குப் போக வேண்டுமென்ற அவாவுடன் அவர்கள் வெகு நாட்களாகக் கேட்டு வந்த கோரிக்கை நிறைவேறி இப்போது அவர்கள் நம்மைவிட்டுப் பிரிந்து சந்தோஷமாகச் செல்கிறார்கள். ஆனாலும் அவர்கள் நம்மை விட்டுப் பிரிவதைப் பற்றி நினைக்கும்போது விசனிக்க வேண்டியிருக்கிறது. அவர்கள் நம்மிடையே இருந்த காலத்தில், அவர்களில் சிலர் எதிர்க்கட்சியிலிருந்தாலும் 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 சுமார் 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. பாஷாவாழியாக ராஜ்யங்கள் பிரிந்த பிறகு இதுவரை நம்முடனிருந்த சகோதரர்கள் இப்போல் ஆயிரக்கணக்கிற்கு இதுவரை நம்முடனிருந்த சகோதரர்கள் இப்போல் ஆயிரக்கணக்கிற்கு அப்பால் இருந்தாலும், குடும்பங்களில் பிரிந்த சகோதரர்கள் குடும்ப விசேஷங்கள் நடக்கும்போது திரும்ப ஒன்றுசூடுவது போல, நாமும் ராஜ்ய காரியங்கள் நடக்கும் சமயம் ஒருவருக்கொருவர் உரையாடுவதற்கான சந்தர்ப்பங்களை ஏற்படுத்திக்கொள்ளவேண்டும் என்பது தான் என்னுடைய கோரிக்கை. அதற்கு சர்க்கார் சில வழிகளைக் கையாள்வதற்கான யோசனைகளைச் சொல்ல விரும்புகிறேன். அந்த வழிகளை சர்க்கார் கையாள்வார்கள் என்று நம்புகிறேன். நம்மிடையே, நம் ராஜ்யங்களிடையே, பல சிக்கல்கள் இருந்து வருகின்றன. நாம் அடிக்கடி சந்திப்பதற்கான உபாயங்களைக் கையாள்வதற்கு காரணத்தால் தான் 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 எனக்குத்திகிறேன். 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 “திறமையாய்ந்த சென்னை சட்டசபையிலிருந்து வந்தவர்” என்பதை அறிவறித்தத்தான் செய்யும். காரணம், மற்ற ராஜ்யங்களிலுள்ள அமைச்சர் குழுக்கள் சென்னை ராஜ்ய அமைச்சர் குழுவைப்போன்று திறமையாய்ந்தவை 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 திறமையாய்ந்த அமைச்சர்கள் வேறு எந்த ராஜ்யத்திலும் இல்லை. நமது சட்டசபையில் எப்போர்ப்பட்ட கேள்விகள் கேட்டாலும் அமைச்சர்கள் ready reckoner-ஐப் போல் உடனே பதிலளிக்கிறார்கள். அவ்வளவு திறமையாய்ந்த அமைச்சர்களைக்கொண்டது சென்னை அமைச்சர் குழு. இந்தியாவில் வேறு எந்த ராஜ்யத்திலும் சென்னை ராஜ்யத்திலுள்ளதைப்போன்று அமைச்சரவை இருக்கமுடியாது என்பது என்னுடைய அபிப்பிராயம். ஆகவே நல்ல கைதேர்ந்த அமைச்சர்கள் இருக்கும் ராஜ்யத்திலிருந்து ஸ்ரீ கோவிந்த மேனன் அவர்கள் கேரள நாட்டிற்குச் செல்கிறார்கள். அதுவே 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 டணியாற்றியிருக்கிறார். அவர்கள் பிரிவதும் நமக்கு மனக் கஷ்டத்தைத் தருகிறது. அவர்களுக்கும் எனது வந்தனத்தைத் தெரிவித்துக்கொள்ளுகிறேன்.

கனம் ஸ்ரீ எ. பி. ஷெட்டி அவர்களும் நம்மை விட்டுப் பிரிகிறார்கள். அவர் பல ஆண்டுகளாக இங்கே அமைச்சராக இருந்திருக்கிறார். அவரிடம் எப்போதாவது சென்று, எதைப்பற்றியாவது கேட்டால் அப்போதெல்லாம் சிரித்த முகத்துடன் பேசுவார். அவர் கருகடுத்த முகத்தைப் பான் பார்த்ததில்லை. வெளியிலும் சரி, சபையிலும் சரி அவர் புன் சிரிப்புடனேயே காணப்படுவார். அப்பேர்ப்பட்ட ஒரு அமைச்சர் நம்மை விட்டுப் பிரிந்து செல்லும்போது ரொம்பவும் கவலிப்படைவோடியிருக்கிறது. அவருக்கும் எனது வந்தனத்தை தெரிவித்துக்கொள்ளுகிறேன்.

கனம் நண்பர் ஸ்ரீ கோபாலனும் மற்றும் பல நண்பர்களும் பிரிந்து செல்லுகிறார்கள், கீழ் 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 காங்கிரஸ் மெம்பிடம் அவர்களுக்குத் தெரிவித்திருந்தும், அவர்களுடைய கடமையைத் தவறாது செய்தார்கள். அவர்கள் எல்லோரும் அப்படி தவறாது எனக்கு தங்கள் வோட்டுகளைப் போட்டபோது அதைப் பார்த்தவர்கள் எல்லாம், கேட்டவர் களெல்லாம் ஆச்சரியப்பட்டார்கள். அப்பேர்ப்பட்ட நண்பர்கள் சட்ட சபை யிலிருந்து பிரிகிறார்கள். அவர்களுக்கு நாம் சொல்லுவதெல்லாம் இது தான்! "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 என்பதில் ஐயப்படவேண்டாம். ஸ்ரீ வி. வி. ராமசாமி அவர்கள் இந்த அரசாங்கம் உத்தியோகங்களில் மலையாளிகளுக்கு இடம் கொடுப்பது சம்பந்தமாக ஒரு கேள்வி கேட்டபோது கனம் அமைச்சர் ஸ்ரீ பக்தவத்சலம் அவர்கள் தமிழர்கள் பரந்த 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 முன்வருவேண்டும். 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 செல்லவும் 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. சலைவத் தொழிலாளர்களுக்காக சைதாப்பேட்டை ஆற்றங்கரையில் தம் சொந்தச் செல்லல் 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 இதேசெத்தின் 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. முக்கியமாக சலைவத் 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 வரும்படி 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 Narasayana, 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 Ummar 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. ALLAPICHAI: 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,

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'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 day. 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 Narasapaya, 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 Koya 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

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12 noon. Nad must be stopped. By naming Madras as Tamil Nad, we shall 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. According 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 is represents the learned professions of Law and Medicine 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 relating 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 philosophy, 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

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26th October 1956] been saying that for a very long time. Was that after Independence? 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 philosophies 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 committing. 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 farewell? 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. Lakshmanaswami Mudaliyar: Why say "was"?) I am sorry, Sir. He is such a lovable man and he will continue to be lovable. As my

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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 organization 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

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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 பாஜ்யத்திலிருந்து மலையாளிகளும் கன்னடியர்களும் பிரியப் போகிறார்கள். இந்த சபையிலுள்ள மலையாள, கன்னட அங்கத்தினர்களுக்கு மற்ற அங்கத்தினர்கள் வந்தனம் தெரிவித்திருக்கிறார்கள். பிரியும் அங்கத்தினர்களுக்கு வந்தனத்தைத் தெரிவித்துக் கொள்வதற்கு எனக்கு வாய்ப்பு அளித்ததற்காக முதலில் சபைத் தலைவர் அவர்களுக்கு நன்றியை தெரிவித்துக்கொள்கிறேன்.

இப்போது ஏற்படும் பாஜ்யப் பிரிவினையை நான் கொஞ்சம் விளக்க விரும்புகிறேன். ஒரு தாயார் இருக்கிறாள் என்று வைத்துக்கொள்வோம். அந்தத் தாயாருக்கு ஒரு பிள்ளை இருக்கிறது. அந்தப் பிள்ளை பெரிய வளாக வளர்ந்த பிறகு தாயாரை விட்டுப் பிரிகிறது. "தோளுக்கு மிஞ்சினால் தோழன்" என்று சொல்வார்கள், தோளுக்கு மிஞ்சி வளர்ந்தவுடன்

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

பிள்ளை பிரிசிறுன். அதே மாதிரி மலையாளமும், கன்னடமும் தமிழ் நாட்டில் தோளுக்கு மிகுவிட்ட நிலையை அடைந்திருக்கின்றன. ஆகவே மலையாளமும் கன்னடமும் பிரிசிறுது.

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 வருஷக் களுக்கு முன் நடந்த ஒரு விஷயத்தைச் சொல்ல விரும்புகிறேன். அந்தக் காலத்தில் தமிழ் நாட்டில் கோப்பெருஞ்சோழன் என்ற அரசன் ஆண்டு வந்தான். அவன் சகல கலைகளையும் கல்வியையும் பயின்று தேர்ச்சி பெற்று புகழுடன் வாழ்ந்துவந்தான். அவன் காசிமா நகரத்தில் காசி ராஜன் சபையிலிருந்த பிசிராந்தையார் என்ற புலவருடன் நட்புக் கொண்டான். இருவரும் நண்பர்களாக வாழ்ந்து வந்தார்கள். ஒரு சமயம் கோப்பெருஞ்சோழன் 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 கோப்பெருஞ்சோழன் பிசிராந்தையார் கட்டாயம் வருவார் என்ற நம்பிக்கையைத் தெரிவித்தான். அதேபோல் மாலைப்பொழுதிற்குள் பிசிராந்தையார் அங்கே ஓடாடியும் வந்து கோப்பெருஞ்சோழனைக் கட்டியிணைத்துக் கொண்டார். அவர்கள் ஒருயிரும் ஈருலுமாக இருந்து வந்தார்கள். அதேபோல் தமிழர்களும் மற்றவர்களும் பிரிந்தாலும் ஒருயிரும் ஈருலுமாக இருப்போம் என்று கொள்ளவேண்டும். தமிழர்களுக்கும் மலையாளிகளுக்கும் அதிக வித்தியாசமில்லை. ஒற்றல் உண்டு வாழ்வெல்லாம். தமிழுக்கும் மலையாளத்திற்கும் அவ்வளவாக வித்தியாசம் தெரிவித்தல்லை. மூக்கைப் பிடித்துக்கொண்டு தமிழைப் பேசினால் அதவே மலையாளம் என்று ராஜாஜி சொன்னார். “ஒற்றல் உண்டு வாழ்வெல்லாம்” என்ற முதமொழிக் 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 மாட்டானே. அவன் சூதாடினாலும் திருந்திவிடுவான்” என்றுதான் சொல்கிறாள். தாயாரிடத்தில் சகிப்புத் தன்மை இருக்கிறது. பிள்ளை கொலை வழக்கில் சம்பந்தப் பட்டிருக்கிறான் என்று யாராவது சொன்னால் அப்போதும், அதை அவள் மறுத்துவிட்டாலும், அவளை 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 வேறென்றும் 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.

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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

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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 Kanarese. 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.

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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 19 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 Waza 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

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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

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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 regime 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

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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

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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

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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 Peermede 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. Vascode Gama, the Portuguese man, landed in Calicut. He was followed by the Dutch, the

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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—Vascode 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. Chubwala 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

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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 role 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

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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 lot 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

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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.

110 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 2½ years I have been associated with the

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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 அனுகூலங்களும் 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 சகஜம்தான். ஆனால் அவர்களுடைய சில புதல்வர்கள் “நாம் பிரிந்து இருந்தால் நம்முடைய பங்கு சொத்தை அபிவிருத்தி செய்துகொண்டு நாம் இன்னும் செனகரியமாகவும் சபிட்சமாகவும் வாழலாமே” என்று எண்ணுவதும் சகஜம்தான். இதேபோல தேசம் ஒன்றாக இருந்தாலும் சில அனுகூலங்களும் பிரதிகூலங்களும் இருக்கின்றன; பிரிந்து இருந்தாலும் சில அனுகூலங்களும் 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 எதோ ஒருவிதமாகப் பிரித்துக்கொண்டுவிட்டார்கள். வீட்டுப் பெண்கள் சொத்தைப் பிரித்துக்கொண்டபோது சண்டை ஏற்பட்டது. பெண்கள் எப்போதும் தாங்கள் உபயோகித்த சிறிய பொருள்களையும் பிரமாதுமாக நினைப்பார்கள். சின்னப் பொருள்களுக்காக சண்டை போட்டுக்கொள்வார்கள். வீட்டில் உபயோகிக்கப்படும் கற்சட்டிகளுக்காக பெரிய சண்டை போட்டுக்கொள்வார்கள். அதே மாதிரி கல் சட்டிகளை பிரித்துக்கொண்டபோது 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 கொண்டுவந்து எவையுங்கள். நாங்கள் பிரித்துத் தருகிறோம்” என்று சொன்னார்கள். அதன் படியே எல்லாக் கற்சட்டிகளையும் முற்றத்தில் கொண்டுவந்து எவத்தவுடன் தடியை எடுத்துக்கொண்டு வந்து அந்தக் கற்சட்டிகளையெல்லாம் உடைத்து விட்டு, “புதிதாக கற்சட்டிகளை வாங்கிக்கொள்ளுங்கள்” என்று சொன்னார்கள்.

தேசத்தில் இப்போது பல தலைவர்கள் புத்திசாலிகளாக இருக்கிறார்கள். தேசத்தில் இப்போது ஸோனல் கவுன்சில்களை அமைக்கப் போகிறார்கள். பிரிவின்கள் 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 இவ்விய சகோதரனின் மனைவி நினைத்தால் அது சகஜம்தான். இந்தியா தேசம், முழுவதும் ஒற்றுமையாக இருப்பது ஒரு விதத்தில் அனுகூலமானதுதான். தேசம் பல ராஜ்யங்களாகப் பிரிவதிலும் சில அனுகூலங்கள் 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 பண்பாடுகளை உளர்ப்பதோடு இந்தியா ஒரு தேசம் என்பதை ஞாபகத்தில் வைத்துக்கொண்டிருக்கவேண்டும். அதை ஞாபகத்தில் வைத்துக்கொண்டு பலவிதமாகப் பிரிவதும் நல்லது தான். குறுகிய மனப்பான்மையோடு இல்லாமல் நாம் எல்லோரும் ஒரு தேச மக்கள் என்ற பரந்த மனப்பான்மையோடு இருக்க வேண்டியது மகவும் அவசியமாகும்.

அடுத்தபடியாக, இந்த 4½ வருஷங்களாக இந்த சபையில் நான் மெம்பராக இருந்திருக்கிறேன். எனக்கு ஒரு காலத்தில் அரசியல்பற்றி ஒன்றுமே தெரியாது. காரணம், அரசியல் விஷயமாக எனக்கு ஒரு அசிரத்தை இருந்ததுதான். இந்த 4½ வருஷங்களாக இந்த சபையில் நான் மெம்பராக இருந்ததால் அதே விஷயங்களைத் தெரிந்து கொள்வதற்கு எனக்கு வாய்ப்புக் கிடைத்தது, அதற்காக கணம் பொருந்திய கவர்னர் அவர்களுக்கு என் மனமார்ந்த வந்தனத்தைத் தெரிவித்துக் கொள்கிறேன். என்னுடைய விண்ணப்பத்தின் விளைவாகவே நான் இந்த சபையிலிருந்து இப்போது விலகிக்கொள்கிறேன் என்பதை கணம் அங்கத்தினர்களுக்குத் தெரிவித்துக்கொள்ள விரும்புகிறேன். இன்று வருஷங்களுக்கு முன்பே இந்த சபையிலிருந்து விலகிக்கொள்ள வேண்டுமென்ற எண்ணம் எனக்கு இருந்தது. அதை கவர்னர் அவர்களுக்குத் தெரிவித்தேன். அதை மனதில் வைத்துக்கொண்டு கவர்னர் அவர்கள் என்னை சபையிலிருந்து பிரிகுடப்படி சொல்லியிருப்பது மிகவும் உசிதமானது. இதுவரையிலும் என்னிடம் எவ்வளவோ அன்புடன் நடந்துகொண்டதற்கும் என்னைப்பற்றிப் புகழ்ச்சியாகப் பேசியதற்கும் சபையிலுள்ள கணம் அங்கத்தினர்கள் எல்லோருக்கும் என்னுடைய மனமார்ந்த வந்தனத்தைத் தெரிவித்துக்கொள்கிறேன்.

நம்மிடமிருந்து பிரியும் மலையாள சகோதரர்களும், கன்னட சகோதரர்களும் அவரவர்களுடைய ராஜ்யங்களுக்குச் சென்ற பிறகு அவரவர்களுடைய ராஜ்யங்களை முன்னுக்குக் கொண்டுவரவதற்கும் அவர்களுடைய சகோதர சகோதரிகளின் சேஷமதிற்கும் பாடுபட வேண்டுமென்று அவர்களை நான் கேட்டுக்கொள்கிறேன். அதோடு கூட ராஜ்யங்களுக்கு ராஜ்யம் பரஸ்பர 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 ஒற்றுமையுடனும் சுபிட்சத்துடனும் இருப்பதற்கு வேண்டிய அறிவையும், ஆற்றலையும், சக்தியையும் கொடுக்கவேண்டுமென்று ஆண்டவனை வேண்டிக்கொள்கிறேன். இதுவரையில் எனக்கு கவுன்சிலில் இடம் கொடுத்த சகோதரர்கள், அன்பர்கள் எல்லோருக்கும் என்னுடைய மனமார்ந்த வந்தனத்தைத் தெரிவித்துக்கொண்டு இத்தடன் 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

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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. 1.20 p.m.

Sir, I should congratulate hon. Members who will be leaving 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,

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‘வாடுரை’ 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

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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 kept 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 1-40
anywhere, our great Prime Minister chooses Shri Sri Prakasa to p.m.
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

[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 broad 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
F.M.

[26th October 1956]

III—PAPERS LAID ON THE TABLE OF THE HOUSE.

*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.

†2. Main Report of the Second Five-Year Plan, 1956 published by the Planning Commission, Government of India.

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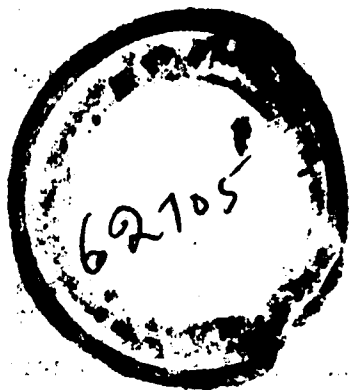
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