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MADRAS LEGISLATIVE COUNCIL DEBATES

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

22nd to 27th and 29th July 1957.

Volume XX (Nos. 1 to 7).

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PERSONNEL OF THE GOVERNMENT OF MADRAS

GOVERNOR OF MADRAS

SHRI A. J. JOHN.

MEMBERS OF THE COUNCIL OF MINISTERS.

- 1 THE HON. SRI K. KAMARAJ, *Chief Minister in charge of Public, Planning and Community Development (including Local Development Works, Women's Welfare, Community Projects and Rural Welfare).*
- 2 THE HON. SRI M. BHAKTAVATSALAM, *Minister in charge of Home including Courts and Prisons and Prohibition, Food and Agriculture (including Khadi and Village Industries and Hindu Religious Endowments), Railways, Posts and Telegraphs and Civil Aviation.*
- 3 THE HON. SRI C. SUBRAMANIAM, *Minister in charge of Finance, Education, Elections, Information and Law (including Legislature and Engineering College.)*
- 4 THE HON. SRI M. A. MANICKAVELU, *Minister in charge of Revenue and Public Health.*
- 5 THE HON. SRI R. VENKATARAMAN, *Minister in charge of Industries, Labour and Co-operation (including Housing, Commercial Taxes, and Nationalised Transport).*
- 6 THE HON. SRI P. KAKKAN, *Minister in charge of Public Works (excluding Electricity) and Harijan Welfare.*
- 7 THE HON. SRI V. RAMAIAH, *Minister in charge of Electricity, Transport (including Registration, Accommodation Control, Stationery and Printing and Government Press).*
- 8 THE HON. SRIMATHI LOURDHAMMAL SIMON, *Minister in charge of Local Administration and Fisheries.*

THE MADRAS LEGISLATIVE COUNCIL.

PRINCIPAL OFFICERS.

Chairman.

THE HON. DR. P. V. CHERIAN.

Deputy Chairman.

SRI A. M. ALLAPICHAJ.

Panel of Vice-Chairmen.

- 1 SRI K. BALASUBRAMANYA AYYAR,
- 2 SRI S. R. P. PONNUSWAMI CHETTIAR.
- 3 SRI T. S. SANKARANARAYANA PILLAI.
- 4 SRI T. P. SRINIVASAVARADAN.

Secretary to the Council.

SRI C. D. NATARAJAN, M.A., B.L.

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

Serial number and name of member.	Name and class of constituency.
1 Allapichai, A. M., B.A., B.L. . .	State Legislative Assembly.
2 Annamalai Pillai, N. . .	Do.
3 Arunachalam, A. J. . .	Do.
4 Balasubramanya Ayyar, K., B.A., B.L.	Madras Graduates.
5 Balasundaram, V. S. . .	State Legislative Assembly.
6 Bhashyam Ayyangar, V., B.A., B.L.	Nominated.
7 Chakkarai Chetty, V., B.A., B.L.	State Legislative Assembly.
8 Cherian, Dr. P. V., M.B. B.S., F.R.F.P.S. (Glas.), F.R.C.S. (Edin.), D.L.O., R.C.S. (Lond.) (<i>Chairman</i>).	Madras Graduates.
9 Chidambara Mudaliar, A. . .	Madurai-cum-Ramanathapuram-cum-Tirunelveli Local Authorities.
10 Clubwala Jadhav, Mary C. . .	Nominated.
11 Desikar, K. M. . .	South Arcot-cum-Tanjore-cum-Tiruchirappalli Local Authorities.
12 Devaraja Mudaliar, T. V. . .	Madras-cum-Chingleput-cum-North Arcot Local Authorities.
13 Ethirajalu, M. . .	State Legislative Assembly.
14 Gajapathy Nayagar, A., B.A., B.L.	Do.
15 Gurunandan Row, V., BAR.-AT-LAW.	Do.
16 Guruswami, Dr. M. R., M.D. . .	Nominated.
17 John Asirvatham, M.A., L.T. . .	Madras Teachers.
18 John, Dr. V. K., BAR.-AT-LAW.	Madras Graduates.
19 Jothi Vencatachellum. . .	Nominated.
20 Kalyanaraman, S. V. . .	South Arcot-cum-Tanjore-cum-Tiruchirappalli Local Authorities.
21 Krishnamoorthy, G. . .	Madras Teachers.
22 Krishnamoorthy, T. G., B.A. . .	State Legislative Assembly.
23 Lakshmanaswami Mudaliar, Dr. A., M.D., LL.D., D.S.O., D.C.L.	Madras Graduates.
24 Mahomed Usman, Dr. B.A. LL.D.	Nominated.
25 Manjubhashini, S. . .	Do.

Serial number and name of member.	Name and class of constituency.
26 Masilamani Chettiar, A. K. ..	Madras-cum-Chingleput-cum-North Arcot Local Authorities.
27 Mohamed Raza Khan	State Legislative Assembly.
28 Nallasenapathi Sarkarai Manradiar, N.	Do.
29 Narayanaswamy Pillai, T. M. M.A., B.L.	Do.
30 Palaniswamy Gounder, V. K, ..	Salem-cum-Coimbatore-cum-Nilgiris Local Authorities.
31 Perumalswami Reddi, C. ..	Madras-cum-Chingleput-cum-North Arcot Local Authorities.
32 Ponnuswamy Chettiar, S. R. P.	Salem-cum-Coimbatore-cum-Nilgiris Local Authorities.
33 Purushotham, T., B.A.	Madras-cum-Chingleput-cum-North Arcot Local Authorities.
34 Ramalingam Pillai, V.	Nominated.
35 Ramaswami, V. V.	State Legislative Assembly.
36 Ramaswami Reddiar, O. P. ..	Nominated.
37 Ranganathan, V. R., M.A. D. Litt.	Madras Teachers.
38 Sankaranarayana Pillai, T. S., B.A., B.L.	Madurai-cum-Ramanathapuram-cum-Tirunelveli Local Authorities.
39 Sivanandam, Dr. T. V., M.B. B.S.	Madras Graduates.
40 Sivasubramanya Nadar, S P., B.A., B.L.	Madurai-cum-Ramanathapuram-cum-Tirunelveli Local Authorities.
41 Somasundara Reddiar, A. ..	South Arcot-cum-Tanjore-cum-Tiruchirappalli Local Authorities.
42 Sreenivasan, Dr. A., M.R.C.P. (Lond.).	Madras Graduates.
43 Srinivasavaradan, T. P., B.A., L.T.	Madras Teachers.
44 Subramanyam, A.	State Legislative Assembly.
45 Subrahmanyam, B. V., B.A., B.L.	Do.
46 Subramania Karayalar, M. ..	Madurai-cum-Ramanathapuram-cum-Tirunelveli-cum-Kanyakumari Local Authorities.

Serial number and name of member.	Name and class of constituency.
47 Sudarsanam Naidu, M. V. ..	South Arcot-cum-Tanjore-cum-Tiruchirappalli Local Authorities.
48 Thiagaraja Reddiar, P.B.K.	Salem-cum-Coimbatore-cum-Nilgiris Local Authorities.
49 Venkataraman, R., (<i>Minister</i> <i>—Leader of the House</i>).	State Legislative Assembly.
50 Venugopal, S. N.	Salem-cum-Coimbatore-cum-Nilgiris Local Authorities.

THE MADRAS LEGISLATIVE COUNCIL.

THE TENTH SESSION OF THE LEGISLATIVE COUNCIL UNDER THE CONSTITUTION OF INDIA

Monday, the 22nd July 1957.

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

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

Basic Education Officers

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

(a) the number of Basic Education Officers in the State and the territorial jurisdiction and headquarters of each of these officers;

(b) the number of Basic schools in the State, districtwar; and

(c) whether the Government have considered the desirability of transferring the work relating to the inspection of Basic Schools to the District Educational Officers and with what result?

THE HON. SRI C. SUBRAMANIAM: (a) & (b) A statement ^a is placed on the table of the House.

(b) The Government have recently issued orders transferring to the control of the District Educational Officers the Basic schools and Basic Training schools situated within the respective jurisdiction of the officers. The posts of Basic Education Officers will cease to exist on the coming into force shortly of these orders.

SRI T. PURUSHOTHAM: Will the Hon. Minister tell us whether the scheme of redistribution of the jurisdiction of the District Educational Officers has been finalized and if so, when it will be given effect to?

THE HON. SRI C. SUBRAMANIAM: Yes, Sir, it has been finalized. When this scheme is given effect to, that also will take effect.

SRI T. PURUSHOTHAM: Will the Hon. Minister tell us the names of the districts that will have additional District Educational Officers under the new scheme?

THE HON. SRI C. SUBRAMANIAM: I am sorry I do not have that information with me just now but, on the whole, if I recollect correctly, there will be 21 Officers.

[22nd July 1957]

SRI T. PURUSHOTHAM: Have the Government considered the question of having separate District Educational Officers for Elementary Education and Secondary Education in each district?

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

SRI T. PURUSHOTHAM: May I know on what basis this redistribution has been ordered? What is the average number of secondary schools and elementary schools that will constitute the jurisdiction of each District Educational Officer?

THE HON. SRI C. SUBRAMANIAM: Mainly the number of secondary schools is taken into account.

SRI G. KRISHNAMOORTHY: May I know why there are only three post-basic schools when there are more than 1,800 ordinary basic schools?

THE HON. SRI C. SUBRAMANIAM: As far as post-basic education is concerned, I should say that it is still in the stage of experimentation. As far as basic school up to the Eighth year is concerned, we have accepted it also.

SRI G. KRISHNAMOORTHY: Is there any proposal to link this system of basic education with collegiate education?

THE HON. SRI C. SUBRAMANIAM: Even the secondary education stage has not yet been reached and, therefore, it is too soon to think about collegiate education.

SRI G. KRISHNAMOORTHY: How long will the Government take to convert the existing schools into basic schools?

THE HON. SRI C. SUBRAMANIAM: It may be completed before the end of the Third Five-Year Plan.

SRI K. BALASUBRAMANYA AYYAR: May I know why there is so much disparity in the number of schools in the districts and in the Madras City? I find that in the Madras City there are only 7 Basic schools but in one district there are 326 schools. Is there any plan under which this is done?

THE HON. SRI C. SUBRAMANIAM: As far as urban areas are concerned, we have not introduced basic education on an extensive scale. As a matter of fact, that is one of the complaints against the Government.

SRI MOHAMED RAZA KHAN: May I know whether the Government are satisfied with the working of these basic schools?

THE HON. SRI C. SUBRAMANIAM: Yes, Sir, we are satisfied with it.

SRI K. BALASUBRAMANYA AYYAR: Among the two Basic Education Officers, one has got the largest number of schools under his jurisdiction while the other has got a small number of

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schools under his jurisdiction. That means one officer will be overburdened with work while the other will not have so much work. Why is it so?

THE HON. SRI C. SUBRAMANIAM: We do take into account the area he has to cover but, unfortunately, one officer has got more basic schools under his jurisdiction. That system will go because the District Educational Officers will be in charge of basic education also.

SRI T. P. SRINIVASAVARADAN: Will the Government introduce some more crafts as the present difficulty is that the craft that is introduced in basic elementary schools in rural areas cannot be introduced in urban areas?

THE HON. SRI C. SUBRAMANIAM: Yes, Sir, we are considering it but orthodoxy in basic education is standing in the way.

SRI T. P. SRINIVASAVARADAN: Except spinning, no other craft is taught in the schools. May I know whether the introduction of any other craft has been considered?

THE HON. SRI C. SUBRAMANIAM: Now mainly spinning, weaving and agriculture are the crafts which are taught. If it has got to be more extensive and more useful, my own idea is that some more crafts should be taken up for teaching.

SRI V. V. RAMASWAMI: ஆதாரக் கல்வியிலே ஆர்த்தோடாக்விசில மாறுதல்களைச் செய்யத் தடங்கலாக இருக்கிறது என்று அமைச்சர் சொன்னார். ஆதாரக் கல்வி பயிலுகின்ற மாணவர்கள் தடையாக இருக்கிறார்களா? போதிக்கும் ஆசிரியர்கள் தடையாக இருக்கிறார்களா?

THE HON. SRI C. SUBRAMANIAM: இதற்கு யார் பொறுப்பு என்று நினைக்கிறார்களோ அவர்கள் தடையாக இருக்கிறார்கள்.

SRI MOHAMED RAZA KHAN: How is it that this system of basic education which was taken up for implementation by the predecessor of the present Minister for Education, some ten years ago, is still not so successful as it was expected to be?

THE HON. SRI C. SUBRAMANIAM: That only proves how it is difficult to make a change.

DR. V. K. JOHN: May I know whether there is this system of basic education in any other part of the world than India?

THE HON. SRI C. SUBRAMANIAM: Sir, basic education is, after all, a system by which instruction is given through activity. I am sure this is prevalent throughout the world.

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Basic Training School at Arani

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

(a) whether it is a fact that recently the people of Arani village in Ponneri taluk, Chingleput district, have sent a mahazar to the Government for opening a Basic Training School in that place; and

(b) if so, the action taken thereon?

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

(b) The request contained in the representation was considered and negated by Government.

SRI T. PURUSHOTHAM: As the area in question is a bilingual area, will the Government consider the desirability of opening a bilingual basic training school in that place as there is no provision for training in Telugu at present in our State, and as the Andhra State is not generally willing to take in any of our students there?

THE HON. SRI C. SUBRAMANIAM: We have opened a new section in Madras for training Telugu teachers.

SRI V. CHAKKARAI CHETTY: May I know from where this designation of 'backward classes'.

MR. CHAIRMAN: We have not come to that question yet.

SRI T. PURUSHOTHAM: May I know whether the teachers trained in other States are required to obtain the permission of the Director of Public Instruction before they are appointed in our State?

THE HON. SRI C. SUBRAMANIAM: I would like to have notice.

SRI T. PURUSHOTHAM: May I know whether the Government have taken note of the representations recently made to the Andhra Pradesh Chief Minister during his visit here, that the educational facilities for Telugu students have been curtailed or withdrawn and will the Hon. Minister tell us whether there is any room or justification for the representations made to the Andhra Pradesh Chief Minister?

THE HON. SRI C. SUBRAMANIAM: I missed it, but if such a statement has been made, I must say that it has absolutely no basis whatsoever. Every linguistic minority is being provided with all the necessary facilities.

SRI G. KRISHNAMOORTHY: May I know when the Training Schools will be converted into Basic Training Schools?

THE HON. SRI C. SUBRAMANIAM: Of course, this supplementary question pertains to the previous question. If the Hon. Chairman would permit me, I will answer it.

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MR. CHAIRMAN: I permit the Hon. Minister to answer it.

THE HON. SRI C. SUBRAMANIAM: All the training schools are to be converted into basic training schools. We have got a programme to convert them into basic training schools before the end of 1960.

Educational concessions to Backward Communities

* 23 Q.—SRI A. SUBRAMANYAM: Will the Hon. the Minister for Works be pleased to state—

(a) whether there is any proposal before the Government to classify certain Backward Communities as 'Most Backward Classes' so as to extend to them the educational concessions admissible to Scheduled Castes; and

(b) if so, the names of such Backward Communities?

THE HON. SRI P. KAKKAN: (a) & (b) The Government have issued orders classifying certain communities as "Most Backward" among the other Backward Classes and extending to them the educational concessions admissible to Scheduled Castes. A list^a of communities classified as "Most Backward" is placed on the table of the House.

SRI A. SUBRAMANYAM: தலைவர் அவர்களே, இப்போது கொடுத்திருக்கக்கூடிய ஜாபிதாவில் 58 பிற்பட்ட இனத்தவர்கள் "மிகவும் பிற்பட்டவர்களாகக்" கருதப்படுகிறார்கள். பிற்பட்ட இனத்தவர்களிடையே இன்னும் சில இனத்தவர்கள் இருக்கிறார்களே, குறிப்பாக தேவாங்கர், செங்குந்தர்கள், செளராஷ்டிரர்கள், சாலியர்கள் என்று சொல்லப்படுகிற மக்கள் நெசவுத் தொழிலிலேயே ஈடுபடுகிறவர்கள், மிகவும் பிற்போக்கானவர்கள். இவர்களையும் மிகவும் பிற்பட்ட இனத்தவர்களாகக் கருதுவார்களா?

THE HON. SRI P. KAKKAN: பிற்பட்ட இனத்தவர்களில் மிகவும் பிற்போக்கானவர்கள் யார் என்பதை ஆலோசனை செய்தே இவர்கள் ஜாபிதாவில் சேர்க்கப்பட்டிருக்கிறார்கள். இப்படி மேலும் மேலும் சேர்த்துக்கொண்டே போனால், அதற்கு முடிவு இருக்காது. இது இப்படியேதான் இருக்குமென்று நான் நினைக்கிறேன்.

SRI MOHAMED RAZA KHAN: May I know from the Hon. Minister whether the classification of "Most Backward Communities" is only confined to the Hindu community or whether it includes also the most backward classes in the Muslim and Christian communities?

THE HON. SRI P. KAKKAN: I think it is confined only to the Hindu community and does not extend to other communities.

SRI T. P. SRINIVASAVARADAN: Sir, the institutions cannot give fee concession to these additional backward communities unless they get the communication from the Director of

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Public Instruction. This I saw in the papers. Will the Government take immediate steps to see that this list is communicated to all the institutions so that they may grant concessions to these additional backward communities?

THE HON. SRI P. KAKKAN : Necessary action will be taken.

SRI MOHAMED RAZA KHAN : As there are many backward classes among the Hindus, even so there are many backward classes among the Muslims. If I were to bring them to the notice of the Government, will they include these backward classes also in the list of backward classes? Backwardness or forwardness is not confined to any one particular community. Unfortunately, most of us are backward.

THE HON. SRI P. KAKKAN : I know, Sir, that among the Muslims there is the Labbai community, which is a backward community, and so, it is included in the list of backward communities and not in the list of most backward communities.

SRI MOHAMED RAZA KHAN : Even in the Labbai community, there are certain sections which are very backward. Will there not be justification to include those sections of the Labbai community as the most backward?

THE HON. SRI P. KAKKAN : I am sorry, Sir, that the Backward Classes Commission did not recommend such communities for inclusion in the list.

SRI A. SUBRAMANYAM : தலைவர் அவர்களே, பிற்பட்ட இனத்தவர்களுக்கு உத்தியோகச் சலுகை வழங்குவதுபோல மிகவும் பிற்பட்ட வகுப்பினர்களுக்கு உத்தியோகச் சலுகையும், மருத்துவக் கல்லூரி, என்ஜினியரிங் கல்லூரி முதலியவைகளில் சலுகை காட்டவும் என்ன தடை இருக்க முடியும்? அப்படிச் செய்ய அரசாங்கம் முன்வருமா?

THE HON. SRI P. KAKKAN : தற்பொழுது கல்வி விஷயத்தில் மட்டும்தான் சலுகை இருக்கிறது. இதர விஷயங்களில் சலுகை கொடுக்க வேண்டுமானால், மத்திய அரசாங்கத்தின் அனுமதி பெற்றுத்தான் கொடுக்கவேண்டும்.

SRI A. M. ALLAPICHAJ : Sir, is it the policy of the Government to see that the Indian communities are divided into a large number of backward classes? How long will the Government follow this policy? If they do want to follow this policy, is there any time-limit up to which they will follow this policy?

THE HON. SRI P. KAKKAN : There is no time-limit. In the Constitution it is laid down that the backward classes have to be taken care of. So, they have to be taken care of.

SRI V. V. RAMASWAMI : சலுகை கொடுக்கிற விஷயத்திலே சர்க்கார் ஒரு பக்கத்தில் ஜாதியை ஒழிக்கவேண்டும் என்றும், சலுகை பெறும்போது ஜாதியைக் குறிப்பிடவேண்டும் என்றும் சொல்வது ஒன்றுக் கொன்று முரணாக இருக்கிறது. ஆகவே இதை ஒழிப்பதற்கு ஒரு குறிப்பிட்ட வருமானத்தை அடிப்படையாக வைத்துக்கொண்டு, அதற்குக் கீழ் வருமானமுள்ளவர்களுக்குச் சலுகை கொடுக்கவேண்டும் என்ற முடிவுக்கு அரசாங்கம் வருமா?

THE HON. SRI P. KAKKAN : அப்படிப்பட்ட ஆராய்ச்சி இப்பொழுது கிடையாது.

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SRI MOHAMED RAZA KHAN : Sir, the backward classes do not include certain categories among Labbais and Muslims. May I ask the Minister whether it is not possible to appoint another Commission known as 'The Most Backward Classes Commission' and include in the list such categories of men who should have been otherwise included? After all, this can be done.

SRI A. SUBRAMANYAM : தலைவர் அவர்களே, மிகவும் பிற்பட்ட இனத்தவர்களுக்கு உத்தியோகச் சலுகை வழங்க மத்திய அரசாங்கத்தைக் கேட்கவேண்டும் என்று கனம் அமைச்சர் அவர்கள் கூறினார்கள். பிற்பட்ட இனத்தவர்கள் கமிஷன் உத்தியோகம் வழங்கும் விஷயத்தில் அதிகாரம் ராஜ்ய அரசாங்கத்துக்கு இருப்பதாகக் குறிப்பிட்டிருக்கிறது. இந்தச் சலுகை விஷயத்தில் ராஜ்ய அரசாங்கம் செய்ய வேண்டியதைச் செய்யும் அல்லவா?

THE HON. SRI C. SUBRAMANIAM : The point for consideration is this. Under the Constitution, we can reserve seats either for selection to the various offices or for admission into the various educational institutions. We can make reservation for backward classes. There is no provision in the Constitution to have two compartments, viz., (1) backward classes and (2) most backward classes. If we make any further compartmentalisation, that will not be in accordance with the provisions of the Constitution. That is why the Hon. Minister mentioned that it was a question for the Government of India to consider and, if necessary, to amend the Constitution. As things stand at present, we are told that it would be unconstitutional to have separate reservation for the most backward classes.

SRI V. CHAKKARAI CHETTY : 'பாக்வர்ட்' வகுப்பினர் என்று சொல்வதை அந்த வகுப்பினர் ஒத்துக்கொள்கிறார்களா? அல்லது அவர்கள் மேல் இது சமத்தப்படுகிறதா?

THE HON. SRI C. SUBRAMANIAM : இப்பொழுது 'பாக்வர்ட்' கம்யூனிடி' என்று சொல்லிக்கொண்டு சலுகைகளைப் பெற மக்கள் போட்டி போட்டுக்கொண்டு வருகிறார்கள்.

SRI V. GURUNANDAN ROW : Does backwardness refer to educational backwardness or economic backwardness?

THE HON. SRI C. SUBRAMANIAM : Socially and educationally backward. That is the term used in the Constitution.

SRI A. SUBRAMANYAM : பிற்பட்ட இனத்தவர்களுக்குச் சலுகை கொடுக்கும்போது, "மோஸ்ட் பாக்வர்ட் கம்யூனிடிஸ்"-க்கும் சலுகை கொடுக்கவேண்டும் என்று சட்டத்தைத் திருத்தி அமைக்கும்படி நம்முடைய யோசனைகளையும் சிபாரிசுகளையும் மத்திய அரசாங்கத்திற்கு என் சொல்லக் கூடாது?

THE HON. SRI C. SUBRAMANIAM : அரசியல் சட்டத்தை நிறைவேற்றும்போது, இதைப்பற்றி அவர்கள் நினைக்கவில்லை. ஆகையால், அதற்கு அவர்களைத் தான் குறைகூறவேண்டும்.

SRI A. SUBRAMANYAM : இப்பொழுதாவது அவர்களுக்குத் தெரிவித்து அரசியல் சட்டத்தில் திருத்தம் செய்யவேண்டும் என்று நான் கேட்டுக்கொள்கிறேன்.

THE HON. SRI C. SUBRAMANIAM : It is only a suggestion, Sir.

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SRI T. PURUSHOTHAM : Sir, in view of the clarification by the Finance Minister, will the Government consider the question of issuing executive instructions that in the matter of appointments the most backward classes be given special consideration though there might not be reservation for them?

THE HON. SRI C. SUBRAMANIAM : I do not see the point made by the hon. Member. Backward classes have got to be considered for certain reservation. Within this, whether we can ask for special concessions to be given or special preference to be shown to the most backward classes, is the matter to which I made reference. I am told that it would not be possible now as the Constitution stands at present.

DR. V. K. JOHN : Out of the 58 communities listed as the most backward classes, may I know the number approximately of each of them? How many millions are there in each?

THE HON. SRI P. KAKKAN : A separate question may be put, Sir.

SRI M. ETHIRAJALU : “மோஸ்ட் பாக்வர்ட்” என்று 58 ‘கம்யூனிட்டிகள்’ குறிப்பிடப்பட்டிருக்கின்றன. ‘வன்னியகுல கூத்திரியர்’, ‘பள்ளி’, ‘படையாச்சி’ என்பவை எல்லாம் ஒரே வகுப்பைச் சேர்ந்தவர்தான். அதே போல் ‘மருத்துவன்’ என்றாலும் ‘நாவிதன்’ என்றாலும் ஒரே வகுப்பைச் சேர்ந்தவர்தான். அதேமாதிரி ‘வண்ணன்’ என்றாலும் ‘வாஷர்மன்’ என்றாலும் ஒரே வகுப்புதான். அப்படியிருந்தும் சலுகைகளைப் பெறக்கூடிய ‘பாரம்களில்’, ‘வாஷர்மன்’ என்று குறிப்பிட்டாலும் ‘வண்ணன்’ என்று குறிப்பிடவேண்டும் என்றிருக்கிறார்கள்.

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* NOMINATION OF A MEMBER TO THE BUSINESS ADVISORY COMMITTEE.

MR. CHAIRMAN : I have to announce to the House that under rule 164 (1) of the Madras Council Rules, I have nominated Sri V. S. Balasundaram, a Member of this House, who has been appointed as the Government Whip in the Madras Legislative Council, to be a Member of the Business Advisory Committee, in addition to the six members already nominated.

III.—GOVERNMENT BUSINESS.

PRESENTATION OF THE STATEMENT OF DEMANDS FOR GRANTS FOR EXCESS EXPENDITURE FOR THE YEAR 1953–54.

THE HON. SRI C. SUBRAMANIAM : Sir, I present the Statement of Demands for Grants for Excess Expenditure in the second half of the year 1953–54. The Andhra State was formed

PRESENTATION OF THE STATEMENT OF DEMANDS FOR GRANTS FOR 9 EXCESS EXPENDITURE FOR THE YEAR 1953–54.

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with effect from 1st October 1953. Having regard to the impending partition of the State, only a ‘Vote on Account’ was obtained earlier for the period 1st April to 30th September 1953. The expenditure in the Composite State for these six months was regularised by the Andhra State Act, 1953. The detailed Budget for the period from 1st October 1953 to 31st March 1954 was presented to the Legislature of the residuary State of Madras on the 14th December 1953.

The appropriations originally provided for in the Budget Estimates can never be expected to tally entirely with actuals, and excesses under some Grants are inevitable. The circumstances of 1953–54 were also exceptional on account of the partition of the State. The explanatory note appended to the statement gives the reasons for the excesses in each case. The Public Accounts Committee constituted for the year 1956–57, at its meetings held during October 1956, examined the reasons for the excesses and recommended that Demands for Grants to cover the excess expenditure over the final sanctioned appropriation under each Grant might be presented to the Legislative Assembly. The Report of the Public Accounts Committee was published in October 1956, and action for moving the Demands for Excess Grants could not be taken till now as the new Legislature was formed only after the General Elections in March 1957.

SRI A. M. ALLAPICHAI : With your permission, Sir, I wish to say that we have got our tea party to the Hon. Chairman at 6 o'clock, and I request my friends to be there at 5-30 itself, because there is a group photo also.

MR. CHAIRMAN : The House will now adjourn and meet again at 3 p.m. tomorrow.

The House then adjourned.

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

* 110. Short review of the activities of the Boiler Department for the first half-year of 1956–57 ending 30th September 1956.

* 111. Notification issued with G.O. Ms. No. 459, Food and Agriculture, dated the 13th February 1957, enforcing the provisions of the Madras Livestock Improvement Act, 1940 (except section 1 thereof which has already come into force) to the Kumbakonam firka in Tanjore district.

* 112. Notification issued with G.O. Ms. No. 460, Food and Agriculture, dated the 13th February 1957, enforcing the provisions of the Madras Livestock Improvement Act, 1940 (except section 1 thereof which has already come into force) to the Mayuram firka in Tanjore district.

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113. Notification issued with G.O. Ms. No. 1148, Home, dated the 26th April 1957, reducing the rate of tax payable under the Madras Motor Vehicles Taxation Act, 1931, in respect of the four luxury coaches belonging to the Southern Roadways (Private), Limited, Madurai. [Laid on the table of the House under section 11 (2) of the Madras Motor Vehicles Taxation Act, 1931 (Madras Act III of 1931).]

* 114. Notification issued with G.O. Ms. No. 1574, Industries, Labour and Co-operation, dated 30th April 1957, regarding amendments to rule 1 of both the Madras Partnership (Registration of Firms) Rules, 1932, and the Madras Partnership (Fees) Rules, 1932 made under sub-sections (1) and (2) of section 71 of the Indian Partnership Act, 1932 (Central Act IX of 1932), consequent on reorganization of States.

115. Notification issued with G.O. Ms. No. 1753, Food and Agriculture, dated the 5th June 1957, amending rule 59 of the Madras Commercial Crops Market Committees Financial Rules, 1953. [Laid on the table of the House under section 18 (4) (c) of the Madras Commercial Crops Markets Act, 1933 (Madras Act XX of 1933).]

* 116. Notification issued with G.O. Ms. No. 360, Agriculture (Food Production), dated the 30th August 1956 regarding amendment to clause 3 (d) of the Madras Land Utilisation Order, 1955.

* 117. Notification issued with G.O. No. 764, Local Administration, dated 11th May 1957, amending the rule relating to the strength of panchayats framed under the Madras Village Panchayats Act, 1950 (Madras Act X of 1950).

* 118. Notification issued with G.O. Ms. No. 765, Local Administration, dated 11th May 1957, amending the rules for the conduct of election of Presidents of Panchayats framed under the Madras Village Panchayats Act, 1950 (Madras Act X of 1950).

* 119. Balance-sheet of the Ramaraju Surgical Cotton Mills, Limited, Rajapalayam, for the year ended 30th September 1956.

120. Notification issued with G.O. Ms. No. 822, Home, dated 29th March 1957, amending the rate of taxes leviable under the Madras Motor Vehicles Taxation Act, 1931, consequent on the introduction of decimal system of coinage. [Laid on the table of the House under section 11 (2) of the Madras Motor Vehicles Taxation Act, 1931 (Madras Act III of 1931).]

* Sent by post on 16th July 1957.

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121. Notification issued with G.O. Ms. No. 1736, Food and Agriculture, dated 4th June 1957, amending rule 13 of the Madras Commercial Crops Markets Rules, 1948. [Laid on the table of the House under section 18 (4) (c) of the Madras Commercial Crops Markets Act, 1933 (Madras Act XX of 1933).]

* 122. Notification issued with G.O. No. 202, Local Administration, dated 6th February 1957, adding new rules 25-A, 25-B and 25-C regarding appeals to the rules relating to general establishment, appointment and punishment of officers and servants of panchayats framed under the Madras Village Panchayats Act, 1950 (Madras Act X of 1950).

* Sent by post on 19th July 1957.

[22nd July 1957]

APPENDIX I.

[Vide answer to clauses (a) and (b) of starred question No. 21 put by Sri T. Purushotham at the meeting of the Legislative Council held on 22nd July 1957, page 1 supra.]

(a) There are two Basic Education Officers in the State, one for the Coimbatore Circle, with headquarters at Coimbatore and the other for the Madurai Circle, with headquarters at Madurai. They have territorial jurisdiction over Revenue districts as shown below :—

Coimbatore Circle.

- 1 North Arcot.
- 2 Salem.
- 3 Tiruchirappalli (including Pudukkottai).
- 4 Coimbatore.
- 5 The Nilgiris.

Madras Circle.

- 1 Madras.
- 2 Chingleput.
- 3 South Arcot.
- 4 Tanjore.
- 5 Madurai.
- 6 Ramanathapuram and
- 7 Tirunelveli.

(b) Number of Basic Schools in the State, districtwise—

Name of district.	Number of		
	Post-Basic Schools.	Basic Schools.	Basic Training Schools.
1 North Arcot	..	163	5
2 Salem	..	62	3
3 Tiruchirappalli	..	41	4
4 Pudukkottai	..	5	1
5 Coimbatore	..	78	5
6 The Nilgiris	..	50	3
7 Madras	..	7	4
8 Chingleput	..	140	5
9 South Arcot	..	326	9
10 Tanjore	1	257	9
11 Madurai	2	358	14
12 Ramanathapuram	..	227	8
13 Tirunelveli	..	169	10
Total	3	1,833	80

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APPENDIX II.

[Vide answer to starred question No. 23 put by Sri A. Subramanyam at the meeting of the Legislative Council held on 22nd July 1957, page 5 supra.]

List of Most Backward Communities.

- | | |
|--|---|
| 1 Agnikula Kshatriya, Palli, Vanni-yakula Kshatriya. | 30 Modi Banda. |
| 2 Ambalakaran. | 31 Mond-Golla. |
| 3 Ambika. | 32 Mukhari. |
| 4 Andi Pandaram. | 33 Muttakkampatti. |
| 5 Bestha. | 34 Narikoravan. |
| 6 Bhandari. | 35 Navudian. |
| 7 Bhatraju. | 36 Nokkar |
| 8 Boya. | 37 Oddar, Odde, Vadde, Veddai, Vodde. |
| 9 Chatada, Chattada, Srivaishnava. | 38 Padayachi (Villayan Kuppan) (South Arcot and Salem districts). |
| 10 Dasari. | 39 Paravatharajakulam, Pattanvan, Sambadavar. |
| 11 Dommara. | 40 Parel Madivala. |
| 12 Eravallar. | 41 Picohigunta. |
| 13 Galada Konkani. | 42 Punnan Vettuva Goundar. |
| 14 Gramani, Shanani. | 43 Siviari (Coimbatore district.) |
| 15 Gudigara. | 44 Sozhia Chetty. |
| 16 Irulan. | 45 Telungu Patty Chetty |
| 17 Isaivellalar, Melakarar (Tanjore district). | 46 Thottai Naicken. |
| 18 Jambuvanodai. | 47 Thurpukapu. |
| 19 Jandara. | 48 Thondaman. |
| 20 Jogi. | 49 Valaian. |
| 21 Kongu Chettiar (Coimbatore district). | 50 Vathi. |
| 22 Koracha. | 51 Velakatalavan. |
| 23 Kulala. | 52 Vettikaran. |
| 24 Kunnuvar Mannadi. | 53 Vettuva Gounder. |
| 25 Kuruba, Kurumba. | 54 Vilkurup. |
| 26 Kuruhini Chetty. | 55 Yoggeeswara. |
| 27 Madugar, Medavar, Mahendra, Medara. | 56 Vannan. |
| 28 Mangala. | 57 Kusavans. |
| 29 Maruthuvar. | 58 Navithans. |

THE MADRAS LEGISLATIVE COUNCIL

Tuesday, the 23rd July 1957.

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.

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

I.—CONDOLENCE RESOLUTION ON THE DEATH OF DR. P. VARADARAJULU NAIDU, A FORMER MEMBER OF THE MADRAS LEGISLATIVE COUNCIL.

MR. CHAIRMAN : It is my most melancholy duty to inform the hon. Members of the Council of the death of Dr. P. Varadarajulu Naidu, a former Member of the Madras Legislative Council, at 1-30 a.m. to-day.

Dr. P. Varadarajulu Naidu was a Member of the Madras Legislative Council from August 1951 to April 1952. In 1952 he was elected to the Madras Legislative Assembly and he continued to be an active and prominent Member thereof till the dissolution of the Assembly on the 31st March 1957. He was in the forefront of the public life of the country in general and our State in particular for about 40 years, and played a very great part in the freedom movement. A nationalist to the core, he identified himself with all national causes and worked with zeal and fervour not only for the political liberation of the motherland but also for the economic emancipation of the people. He was greatly interested in the cause of handloom weavers and he worked for the development of small-scale and cottage industries. In the early days of the freedom movement, he roused the masses by his eloquent oratory and led them in many a campaign. He also edited a Tamil Daily and distinguished himself as a journalist. In the later years, he was regarded as one of our elder statesmen and his wise counsel was very much valued. He was hale and hearty till the other day and his sudden death has come as a great shock to all of us. The void in the social and political life of the country created by his death is hard to fill.

I now move the Condolence Resolution—

“ This House places on record its deep sense of sorrow at the demise of Dr. P. Varadarajulu Naidu, a former Member of the Madras Legislative Council, and conveys its profound sympathy to the members of the bereaved family.”

As is the convention in our House, I will request the Leader of the House to say a few words, and then Dr. John, Deputy Leader of the Opposition, in the absence of the Leader of the Opposition, will speak.

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THE HON. SRI R. VENKATARAMAN : Sir, I rise to associate the Government with the sentiments which you have been pleased to express just now. Dr. Naidu had been with us in every sphere of activity. He was one of the gallant fighters in the cause of freedom. He associated himself with causes which were of very great national importance. He was a friend of labour throughout the country (Sri V. Chakkarai Chetty : And Tamil Nad). He was a friend of labour and Tamil Nad and to the end of his days, he took very keen interest in the lot of the handloom weavers. We have suffered a great loss in his demise, and may his soul rest in peace!

DR. V. K. JOHN : Mr. Chairman, Sir, may I associate myself with the sentiments you expressed and the tributes you paid to the late Dr. Naidu? I could claim the privilege of his friendship for many, many years. Apart from the fact that he was a public man well known to everybody, he was a very sincere friend, and there is nothing which he would not do for a friend. I knew him more as a friend than as a public man. His death is a personal loss to me. I do not think that anybody has surpassed him in patriotism. His suffering and sacrifice, and his service to the country were very great indeed. I am quite sure that not only this generation but generations yet unborn will cherish his memory and emulate his example as a public worker.

MR. CHAIRMAN : I request the hon. Members to stand in silence for a few minutes and pass the Condolence Resolution.

The Resolution was passed *nem. con.*, all the Members standing in silence for a few minutes.

MR. CHAIRMAN : I shall convey the Resolution to the members of the bereaved family.

As a mark of respect to the late Dr. P. Varadaraju Naidu, I now adjourn the House till 3-15 p.m.

The House then adjourned to meet again at 3-15 p.m.

(The House re-assembled at 3-15 p.m.).

II.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

Industrial Estates

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

(a) the number of Industrial Estates proposed to be started under the Second Five-Year Plan in this State; and

(b) the stage at which the proposal stands at present?

THE HON. SRI R. VENKATARAMAN : (a) The Government are establishing three Industrial Estates at Guindy, Virudhunagar

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and Erode, and propose to establish five small Industrial Estates at Tirunelveli, Madurai, Tiruchirappalli, Coimbatore and Marthandam (Kanyakumari district).

(b) The sites for the establishment of the Industrial Estates at Guindy, Virudhunagar and Erode have been acquired and taken over by the Industries Department. Out of the 90 factory units proposed in the Guindy Estate, construction of 20 factory buildings is in full swing and is expected to be completed by August 1957. Out of the 44 units proposed for the Virudhunagar Estate, construction of buildings for 9 units was started in February 1957 and is expected to be completed by September 1957. Out of the 12 factory units proposed for the Erode Estate, construction of buildings for two C type single units was commenced in March 1957. Pending sanction of financial assistance from the Government of India, the scheme for the establishment of the five small Industrial Estates has not yet been sanctioned by this Government. However, a site measuring 21.43 acres in Narasinganallur village in Tirunelveli taluk has been acquired for the establishment of the Industrial Colony at Tirunelveli. The site selected for the location of the Industrial Colony at Madurai, being Government land, was ordered to be transferred to the Industries Department in April 1957.

SRI V. V. RAMASWAMI : மூன்று தொழில் நிலையங்களிலும் தொழில் ஆரம்பிப்பதற்குத் தொழிலில் ஈடுபட்டுள்ளவர்களிடமிருந்து மனுக்கள் வந்திருக்கின்றனவா? அப்படி தொழில் ஆரம்பிப்பதற்கு ஏதாவது காலவரையறை இருக்கிறதா?

THE HON. SRI R. VENKATARAMAN : மனுக்கள் வந்திருக்கின்றன. கட்டிடம் கட்டி முடிந்தவுடன் அவர்களுக்கு 'அல்லட்' செய்யப்படும். அப்பறம் அவர்கள் தொழில் ஆரம்பிக்கலாம்.

SRI K. BALASUBRAMANYA AYYAR : இவர்களுக்குக் குடி தண்ணீர் வசதி, போக்குவரத்து வசதி முதலியவை செய்து கொடுக்கப்படுமா?

THE HON. SRI R. VENKATARAMAN : குடி தண்ணீர் வசதிமட்டும் அல்ல. 'எலக்டிரிசிட்டி', 'கம்பிரஸ்டர்' மற்றும் 'இண்டஸ்ட்ரியல் எஸ்டேட்டுகளில்' உபயோகிக்கப்படும் சாதனங்கள் எல்லாம் கொடுக்கப்படும்.

SRI K. BALASUBRAMANYA AYYAR : இவர்கள் மற்றத் தொழிற்சாலைகளுடன் ஒப்பிட்டுப் பார்த்துக் கஷ்டப்படுவார்கள்.

SRI V. V. RAMASWAMI : நமது ராஜ்யத்தில் தொழில் அபிவிருத்தி செய்வதற்கும், உற்பத்தியைப் பெருக்குவதற்கும் இந்தத் தொழிலில் அனுபவம் உள்ளவர்களைப் பெறுவதற்கு இந்த அரசாங்கம் ஏதாவது நடவடிக்கை எடுத்திருக்கிறதா என்று அறிய விரும்புகிறேன்.

THE HON. SRI R. VENKATARAMAN : 'இண்டஸ்ட்ரியல் டெவலப்மெண்ட் கௌன்ஸில்' என்று ராஜ்யத்திற்கு ஒன்று நிறுவியிருக்கின்றது. அதன்மூலம் தொழில்களை விஸ்தரிக்க ஏற்பாடு செய்ய முடியும்.

SRI MOHAMED RAZA KHAN : May I know whether the Industries Department merely allot the site or undertake the construction in respect of factories, provide electricity to them, and do other things?

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THE HON. SRI R. VENKATARAMAN: They provide every facility for running a workshop—electricity, water-supply, compressed air and other requirements.

Transfer certificates of pupils leaving aided higher elementary schools

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

(a) the time-limit within which transfer certificates applied for by parents or guardians of pupils leaving aided higher elementary schools should be issued by the concerned schools;

(b) whether any case of delay of over a year in the issue of such a certificate has been brought to the notice of the Government; and

(c) if so, the action proposed to be taken by the Government to avoid such delays?

THE HON. SRI C. SUBRAMANIAM: (a) Transfer certificates are not issued to pupils in elementary schools. But record sheets are issued as and when the parents or guardians apply for them.

(b) Two cases.

(c) There is provision in the existing rule to take action against the Headmasters if they fail to issue the certificate immediately.

Fair price shops

* 26 Q.—SRI MOHAMED RAZA KHAN: Will the Hon. the Minister for Home be pleased to state whether it is a fact that the Government have issued or proposed to issue instructions to the dealers of fair price shops to issue 25 per cent of wheat and 75 per cent of rice towards the quota of each consumer?

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

SRI T. PURUSHOTHAM: Would it not be desirable to have an admixture of wheat and rice in our menu so that we may eventually evolve a national diet acceptable to the North and the South?

THE HON. SRI M. BHAKTAVATSALAM: The Government feel that there should be no compulsion in this matter. But, Sir, the Collectors have been instructed to arrange to have stocks of wheat in addition to rice in the fair price shops so that wheat also might be sold to people over and above the rice that is sold, at fair price, viz., Re. 0-9-6 per Madras measure.

SRI V. V. RAMASWAMI: நமது ராஜ்யத்திற்குத் தேவையான ரவை, ராவு, கோதுமை முதலியவைகளை இறக்குமதி செய்ய அரசாங்கம் என்ன நடவடிக்கை எடுத்துக்கொண்டிருக்கிறது?

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THE HON. SRI M. BHAKTAVATSALAM: போதிய கோதுமை இங்கே கிடைக்க ஏற்பாடு செய்யப்பட்டிருக்கிறது. அந்தக் கோதுமை பிளவர் மில்களுக்கும் கிடைக்கின்றது. அதைக்கொண்டு ஸொஜ்ஜி, ஆட்டா செய்து கொள்ளலாம். அதோடு பம்பாய் நகரத்திலிருந்து ஆட்டா, ஸொஜ்ஜி போன்ற மாவுகளை இங்கே இறக்குமதி செய்ய மத்திய அரசாங்கம் அனுமதித்திருக்கிறது. அதுவும் நமது தேவையைப் பூர்த்தி செய்யும்.

SRI T. PURUSHOTHAM: May I know what steps have been taken to popularize wheat preparations in our State?

3-20 p.m.

THE HON. SRI M. BHAKTAVATSALAM: The hon. Member will remember the various propaganda measures that were undertaken to popularize wheat within the State. Perhaps, since rice was in plenty and there was no scarcity of rice, people on account of their natural habits have given up wheat-eating and taken more to rice-eating.

SRI A. M. ALLAPICHAJ: When a thing is good, does it need propaganda?

THE HON. SRI M. BHAKTAVATSALAM: Even for good things, propaganda is necessary.

SRI MOHAMED RAZA KHAN: Is there any proposal to close the fair price shops as the Government feel that the position of rice in the State is very satisfactory?

THE HON. SRI M. BHAKTAVATSALAM: There is no such proposal, Sir. But, no doubt, the number of fair price shops has been reduced. However, there are about 971 fair price shops now. There is no proposal at present to close the fair price shops.

SRI V. V. RAMASWAMI: தேவையான முழு கோதுமையை இறக்குமதி செய்ய மாவு மில்களுக்கு அனுமதி கொடுத்திருப்பது போல, வியாபாரிகளுக்கும் மொத்தமாக இறக்குமதி செய்ய அனுமதி கிடைக்குமா?

THE HON. SRI M. BHAKTAVATSALAM: இங்கே வேண்டிய அளவு கோதுமை கிடைக்கச் செய்யவேண்டும் என்பது மத்திய சர்க்கார் நோக்கம். ஆகவே, வியாபாரிகள் இறக்குமதி செய்யப் பிரியப்பட்டால் அவர்களும் இதில் கவனம் செலுத்தலாம்.

DR. V. K. JOHN: In running these fair price shops, have the Government incurred any loss and if so, how much?

THE HON. SRI M. BHAKTAVATSALAM: The Government of India subsidise in the case of fair price shops where rice is sold at Re. 0-11-6 while the market rate is Re. 0-13-0, Re. 0-14-0, Re. 0-15-0 and so on. The difference is the subsidy that is given by the Government of India.

DR. V. K. JOHN: Are the Government buying rice at higher prices and selling the same at lower prices?

THE HON. SRI M. BHAKTAVATSALAM: Yes, Sir, as rice is also imported into this country and mostly on account of the imported rice which is distributed to the fair price shops.

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DR. V. K. JOHN : Do the Madras Government contribute nothing towards this subsidy?

THE HON. SRI M. BHAKTAVATSALAM : In the matter of subsidy, it is the Government of India that have undertaken the entire responsibility.

SRI MOHAMED RAZA KHAN : Is it not a fact that the rice sold in many of the fair price shops is of an inferior quality, that people are, therefore, not purchasing the same and that, therefore, the Government are contemplating the closing down of certain shops in the City of Madras?

THE HON. SRI M. BHAKTAVATSALAM : The hon. Member is not at all correct. The rice supplied there may not be of first class quality. Still, there is more and more demand for opening more and more fair price shops not only in the mufassal but in the City also. Just half an hour ago, there was a representation to me that fair price shops should be opened in Choolai and other places.

SRI A. GAJAPATHY NAYAGAR : அரிசிப் பற்றாக்குறை இருப்பதால் அரசியலார் கோதுமையைக் கட்டாயம் சாப்பிடவேண்டுமென்று திட்டம் செய்வார்களா?

THE HON. SRI M. BHAKTAVATSALAM : கோதுமை சாப்பிடுவது நலம்; பற்றாக்குறையை சமாளிக்கலாம். எதிலும் நிர்பந்தம் செய்வது நலம் அல்ல.

DR. V. K. JOHN : Why do not the Government supply first class rice to these fair price shops?

THE HON. SRI M. BHAKTAVATSALAM : The Government are aware that people are not so rich as the hon. the Deputy Leader of the Opposition to go in for first class rice and, therefore, they issue only second class rice to these fair price shops.

SRI MOHAMED RAZA KHAN : Sir, it may be that representations have come to the Hon. Minister from places like Choolai. But, the fact remains that these fair price shops remain open from morning till evening. Still, the stocks of rice remain unsold as no one turns up at the shops to purchase the rice sold there. Is the Hon. Minister aware of this position?

THE HON. SRI M. BHAKTAVATSALAM : The hon. Member is not at all correct. There are queues waiting for this rice and people are not able to get the rice in time in these fair price shops. We have also to ration the distribution of rice or the sale of rice in these shops so that it may reach all people who are in need of it.

SRI T. PURUSHOTHAM : Have not the Government carried out research on the nutritive value of wheat? Have they published the results of this research for public information?

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THE HON. SRI M. BHAKTAVATSALAM : Yes, Sir, the nutritive section of the Public Health Department has been undertaking so many researches and there is no doubt about the nutritive value of wheat.

SRI MOHAMED RAZA KHAN : While I admit the fact that on certain occasions good rice is being supplied to these fair price shops, big stocks of inferior quality rice remain unsold for a long time as people are not willing to buy the inferior quality rice. Is that not a fact?

THE HON. SRI M. BHAKTAVATSALAM : I am afraid the hon. Member is not fully informed. Except what the hon. Member says here, I have never heard of complaints that bad rice is sold in these shops. I may tell the hon. Member that bad rice is not sold there.

SRI M. ETHIRAJALU : Fair price shops-ல் விற்கக்கூடிய அரிசியை மற்றவர்கள் வாங்கிப் பொது மக்களுக்கு Black-market-ல் விற்பதை சர்க்கார் கண்டுபிடித்துத் தக்க நடவடிக்கை எடுப்பார்களா?

THE HON. SRI M. BHAKTAVATSALAM : Whenever cases of abuse are brought to the notice of the Government—and I have no doubt that they may be very rare—action will be taken in the matter.

MR. CHAIRMAN : Questions are over.

III.—ADJOURNMENT MOTION RE-ADMISSION TO CERTAIN COLLEGES.

MR. CHAIRMAN : Under rule 42 of the Madras Council Rules, I have received notice of an adjournment motion from the hon. Member Sri Mohamed Raza Khan. The motion is—

“ That under rule 42 of the Madras Legislative Council Rules, the business of the House be adjourned to discuss a definite matter of urgent public importance, namely, the unsatisfactory manner in which selection of students is made in the Presidency College, Professional Colleges, Queen Mary's College and Arts College and with particular reference to Muslim students.”

Though the motion given notice of by the Member raises a definite matter of public importance, it cannot be said that it is urgent inasmuch as admissions to the colleges for the year 1957-58 are almost complete. Further, the Member can raise the matter when he speaks on the Appropriation Bill. I therefore, rule the motion out of order.

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IV.—GOVERNMENT BILL.

(1) THE PAYMENT OF WAGES (MADRAS AMENDMENT) BILL, 1957.

* THE HON. SRI R. VENKATARAMAN : Mr. Chairman, I beg to introduce the Payment of Wages (Madras Amendment) Bill, 1957^a, and move—

“ That the Bill be taken into consideration.”

Under section 7 (2) (d) of the Payment of Wages Act, 1936 (Central Act IV of 1936) deduction for house accommodation can be made only when the accommodation is supplied by the employer. One of the resolutions adopted at the conference of the Housing Ministers held at Simla in June 1955 was that the Payment of Wages Act should be suitably amended to enable the State Governments to recover the rent directly from the wages of the workers concerned when they provided housing accommodation for the workers. Under the Subsidised Industrial Housing Scheme, the Government of Madras are building colonies at Sembium and Erukenchery for industrial workers and the houses will be ready shortly for allotment to the workers. It has, therefore, become urgently necessary to amend section 7 (2) of the Payment of Wages Act, 1936, with a view to authorise the employer to make deductions from the wages of workers on behalf of the State Government, or a Statutory Housing Board or such other agency as the State Government may notify, for house accommodation provided by such authorities.

It is also necessary to introduce a new provision in the Payment of Wages Act (section 11-A) to empower the State Government to direct the employer, by general or special order, to make deductions from the wages of employees and to remit the amounts so deducted in such manner as may be specified in the order.

Sir, I have now briefly indicated the objects and features of this legislation amending the Payment of Wages Act in its application to the Madras State. I commend the motion for the acceptance of the House.

MR. CHAIRMAN : Motion moved—

“ That the Payment of Wages (Madras Amendment) Bill, 1957, be taken into consideration.”

* DR. V. K. JOHN : Mr. Chairman, in my opinion, this is a good amendment which the Hon. Minister has brought forward. But, I take this opportunity to bring to the notice of the Government the absolute necessity for having a plan for housing the labourers. I would suggest that the bonus or at least a major portion or a substantial portion of the bonus which almost all companies are paying to their labourers may be set apart for housing the labourers. I hope the Government will consider this question and

^a Published on pages 1-2 of Part IV-A of the *Fort St. George Gazette*, dated the 10th April 1957.

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if they are satisfied, they must come forward to introduce an amendment to the effect that the bonus should not be paid in cash, but should be utilised for constructing houses for the labourers. By doing so the Government will be doing a great service to the labourers and other employees.

* THE HON. SRI R. VENKATARAMAN : Sir, we have schemes for housing industrial workers under the Industrial Housing Scheme. The suggestion which the hon. the Deputy Leader of the Opposition has made was once considered with catastrophic results. During the War, a suggestion was made that a part of the bonus should be invested in War Bonds and National Savings Certificates. But it was resisted by labour with such force that it had to be withdrawn. So, it is not desirable that legislation should be introduced for this purpose. But I have every sympathy for the principle, which the hon. the Deputy Leader of the Opposition has enunciated, that we should try to induce the workers to invest a part of their bonus in the Subsidised Industrial Housing Scheme. I may also take this opportunity to state that until recently the workers had to contribute 25 per cent in order to build their houses under the Industrial Co-operative Housing Scheme. Now, under the amended rules, the Government of India are prepared to give a subsidy of 30 per cent and a loan of 60 per cent. If the workers will contribute the balance of 10 per cent, they can have houses of their own. The suggestion to invest a part of their bonus in the building of houses, made by the hon. the Deputy Leader of the Opposition is worth consideration by the workers. 3-30 p.m.

MR. CHAIRMAN : The question is—

“ That the Payment of Wages (Madras Amendment) Bill, 1957, be taken into consideration.”

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

Clauses 2, 3 and 1 were put and carried.

The Preamble was put and carried.

* THE HON. SRI R. VENKATARAMAN : Sir, I move—

“ That the Payment of Wages (Madras Amendment) Bill, 1957, be passed.”

MR. CHAIRMAN : Motion moved—

“ That the Payment of Wages (Madras Amendment) Bill, 1957 be passed.”

DR. V. K. JOHN : Sir, having heard the Hon. the Leader of the House, may I repeat that the Government should very seriously take into consideration my suggestion that either the whole of the bonus or a substantial part thereof should be utilised for the construction of houses for industrial workers? If a labour leader like the Hon. Sri R. Venkataraman with all his reputation could express his opinion strongly to the workers, I am sure other labour leaders

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also will support him and this will enable the Government to pass the required legislation to the effect that a substantial portion of the bonus should be utilised for providing houses for industrial labourers. Such a measure will greatly benefit the workers.

Mr. CHAIRMAN : The question is—

“That the Payment of Wages (Madras Amendment) Bill, 1957, be passed.”

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

(2) THE MADRAS ELECTRICITY UNDERTAKINGS (ACQUISITION) AMENDMENT BILL, 1957 (L.A. BILL NO. 2 OF 1957).

* THE HON. SRI V. RAMAIAH : Mr. Chairman, Sir, I beg to move—

“That the Madras Electricity Undertakings (Acquisition) Amendment Bill, 1957 * (L.A. Bill No. 2 of 1957), as passed by the Legislative Assembly, be taken into consideration.”

Sir, in pursuance of the policy of the Government to nationalise the electric supply business in the State, the Madras Electricity Supply Undertakings (Acquisition) Act, 1949, was enacted. As the Supreme Court later declared the Act void on account of certain procedural defect in the passing of the Act, the Madras Electricity Undertakings (Acquisition) Act, 1954, was enacted. It has been considered that the title and the preamble to the Act of 1954, as they now stand, may be held to vest the Government with powers in regard to the acquisition of all types of electrical undertakings, though the Act was not intended to apply to electrical undertakings other than those engaged in supplying electric power. The Act was not also meant to apply to electricity supply undertakings owned by the State Electricity Board. Besides, the existing provision in section 5 (3) (ix) (a) of the 1954 Act has given room for the impression that in cases where the licence specifies the rate of solatium payable in the event of compulsory acquisition of the undertaking, the licensee should be paid solatium at the rate mentioned in the licence in respect of all the assets falling under section 5 (3) (i) to (iv) of the 1954 Act. The intention is that in such cases the licensee should be paid solatium at the rate mentioned in the licence only on the value of the assets falling under section 5 (3) (i) and (iv) of the Act, at the rate of 10 per cent on the value of assets referred to in section 5 (3) (ii) of the Act, and at 5 per cent on the value mentioned in section 5 (3) (iii). The Bill seeks to make the intentions more clear. This opportunity is taken to introduce a minor amendment to section 7 also.

With these words, Sir, I move—

“That the Bill be taken into consideration.”

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MR. CHAIRMAN : Motion moved—

“That the Madras Electricity Undertakings (Acquisition) Amendment Bill, 1957 (L.A. Bill No. 2 of 1957), as passed by the Legislative Assembly, be taken into consideration.”

The Bill is now before the House for discussion.

SRI K. BALASUBRAMANYA AYYAR : Mr. Chairman, Sir, it is stated that this Bill has been brought forward to amend the Madras Electricity Undertakings (Acquisition) Act, 1954, because the title and the preamble to the Act of 1954 as they now stand may be held to vest the Government with powers to acquire all types of electrical undertakings. But, I consider that the amendment is not necessary. Somehow, the Government seem to have thought that, by way of abundant caution, this amendment should be introduced. The Preamble to the 1954 Act says—

“Whereas it is expedient in the public interests that the business and service of the generation and supply of electricity be carried on by the State of Madras to the complete exclusion of all other persons inclusive of citizens and local authorities;

And whertas it is necessary for the said purpose to provide for the acquisition of undertakings in the State of Madras supplying electricity;”

The Preamble is very clear and I do not know who raised the point that there was need to bring forward this Bill to make clear the intention of the Government in the preamble and title of the 1954 Act, namely, that the Government intend that they should have powers to acquire only electricity supply undertakings and not all types of electrical undertakings. It seems to be due to some ingenuity or extra care on the part of our officers. I consider this amendment quite unnecessary. But there may be need for this Bill with reference to the other amendments. If the Government still consider that this Bill is necessary with a view to make clear the intention of the Government in the Preamble of the 1954 Act, I have no objection.

In the 1954 Act, section 1 reads as follows—

“This Act may be called the Madras Electricity Undertakings (Acquisition) Act, 1954.”

In the present Bill, it has been amended as follows :—

“This Act may be called the Madras Electricity Supply Undertakings (Acquisition) Act, 1954.”

Only the word ‘supply’ is put in in addition. The original preamble and the title are very clear and there is no need to waste our energy in amending the same.

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In this connection, I wish to refer to one other matter. When the 1954 Act was passed, there was some doubt whether our Legislature could pass it. According to the reasoning of the Supreme Court, we will not be satisfying the provisions of Article 31 (2) of the Constitution if we merely provide for payment of compensation for things acquired. There must also be an entry in the State List or the Concurrent List giving powers to the State to legislate with reference to subjects mentioned therein. When the Act of 1954 was passed, there was no entry similar to entry 42 now found in the Concurrent List. The present entry 42 gives the Government power with regard to acquisition and requisitioning of property. When the 1954 Act was passed, the entry as it stood was not very clear. Anyhow, this is a matter for the various Electrical Undertakings which have been acquired to take up. I am not interested in taking up all those matters.

The Bill deals with the principle of nationalisation which is a very important thing and which is necessary for this State. We should accept the principle behind the Bill. That was the reason why we supported the 1954 Act also when it was brought forward before this House.

THE HON. SRI C. SUBRAMANIAM : Sir, before the hon. the Deputy Leader of the Opposition speaks, I would like to explain why this amendment to the Preamble became necessary or why this Bill has been brought forward in this House. I entirely agree with the hon. Member Mr. Balasubramanya Ayyar that this amendment is absolutely unnecessary. The Preamble, as it stands, is quite understandable and, in my view, is in accordance with the provisions of the Act also. Also it is only the provisions in the Act that are applicable and not what we say in the Preamble. Even though we might say stupid things in the Preamble, what we have got to look into is the very provisions of the Act. But, unfortunately, some Law Officer of the Government of India thought that the Preamble was not in conformity with the provisions of the Act. Therefore, the Law Ministry raised an objection that the Preamble was not in accordance with the provisions of the Act and that it should be amended, in spite of our pointing out that that was all right. As a matter of fact, later on the Andhra Legislature passed an Act completely in conformity with what we have now, with the concurrence of the Government of India. We pointed this out to the Government of India but they still stuck to their point. Even though it is a stupid one, we thought that since it was not worth-while to carry on the dispute and since it would not hurt anybody, we could as well take the step of having this amendment. That is how this Amending Bill has come before this House.

* DR. V. K. JOHN : Mr. Chairman, Sir, the House must be very much obliged to the Hon. the Minister for Finance for telling us why this Amending Bill was introduced and passed in the other House and also brought forward in this House and is ultimately to be passed in this House also. The other day while speaking on

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the Budget, I vehemently protested against the interference of the Government of India in all matters. They interfere in the administration of the State and keep the State and the Ministers in the present position—I would not say ‘disrespectable position’. To-day, I find that a Law Officer or some Secretary of the Government of India is dissatisfied with the way we drafted the Bill in 1954, and we have yielded to their Secretariat on account of the interference of the Government of India. We have not yielded to them after having been satisfied that the Government of India are right in respect of that matter. We are satisfied that the Government of India are wrong but still we are yielding to them. Sir, I must enter a most emphatic protest against the way in which the Government of India are interfering even in these matters. They ought not to do it. We have got our own Law Officers. We have got our own Secretariat. We have also got the Drafting Section. We have got learned Ministers and eminent lawyers who can pronounce on these matters. As my hon. Friend Mr. Balasubramanya Ayyar has pointed out, this is a distinction without a difference. We cannot understand that all. Nevertheless, the time of this House and the time of the other House has been taken up because some persons in Delhi stupidly thought that our drafting of the Bill was wrong and that it required amendment. Why should we accept it? We must protest against it and we must not yield to it. Let it be known to the public how the Government of India are interfering even in small matters.

THE HON. SRI R. VENKATARAMAN : May I just tell the hon. the Deputy Leader of the Opposition that this item is in the Concurrent List and that, therefore, the Government of India have every reason to express their opinion on this question?

* DR. V. K. JOHN : They can give their opinion but they cannot give a direction particularly when they are wrong. We must protest vehemently against this wrong dictation. I would even call it stupid direction.

MR. CHAIRMAN : The hon. Member should not say so.

* DR. V. K. JOHN : I, therefore, suggest to the Government that they should not yield to these dictations hereafter but must assert themselves and should not take up the time of this House or the other House like this.

Sir, when the Bill was passed in 1954, I pointed out that it was not properly drafted. Speaking at length on that occasion, I also stated that since the Bill was an important one, it should go before a Select Committee. But the Government did not think it right to send it to a Select Committee. Now, we see that mistakes have been made and it is no credit to the Government of Madras to take dictations from the Secretariat in Delhi. As a result of rushing through the legislation without referring it to a Select Committee, we have made mistakes. Let us avoid these

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mistakes hereafter. Drafting is very difficult and all important Bills must go before a Select Committee. The Government did not do so in this particular case and now they have brought forward this Amending Bill. I very strongly suggest to the Government that this ought not to be repeated. This is a confession of the failure of the Government to draft their Bills properly and let there be no more confessions of this kind hereafter. Therefore, I suggest once again that all important Bills should be sent first to a Select Committee and then passed by the House. Let us not yield to the dictation of the Government of India even on a matter in which we are satisfied that they are wrong.

SRI A. M. ALLAPICHAJ : Does the hon. Member want a Select Committee consisting of lawyers?

* DR. V. K. JOHN : I hope the Government here are quite competent to draft Bills in a legal manner. Lawyers and, for that matter, anybody may make suggestions and the Government will certainly consider whether weight should be given to them. There are also persons in the Madras Secretariat who can draft better than the persons in the Secretariat of the Government of India.

When I spoke on that Bill, I quoted the decision of the Supreme Court and also the relevant provisions of the Constitution and said that it was not within the jurisdiction of the Legislature to pass such a legislation. Of course, the matter has not been taken to a Court of Law but I feel that there is a risk in it. I do not know whether the Government have come to the conclusion that there is no risk at all. But I would suggest to the Government to consider whether this Amending Bill is also within the jurisdiction of this Legislature. I do not say that I am absolutely right but as a lawyer, I feel that that matter has to be examined. I want to know whether the Government have examined the points I raised in this House when the Act was passed in 1954.

THE HON. SRI C. SUBRAMANIAM : I am sure the concerned parties would have read the speech of the hon. Member. Still, nobody has gone to the Court so far.

* SRI V. GURUNANDAN ROW : Mr. Chairman, Sir, I would like to take this opportunity to say a few words. Now, the Hon. the Minister for Finance admitted that this Amending Bill was absolutely unnecessary and that it had been brought forward for the simple reason that some Law Officer of the Government of India pointed out that an amendment was necessary.

In this connexion, I want to say that necessary amendments to this Act are not being brought forward and that only unnecessary amendments are being brought in. The reason why I say that is this. An important amendment is very necessary from the point of view of the running of the nationalized industry.

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[Sri V. Gurunandan Row]

Hon. Members will find that the Act does not contain a single clause seeking to protect the workmen or the other employees in respect of their previous service conditions. As a matter of fact, every Nationalization Bill introduced by the Centre, e.g., the State Bank of India Bill, the Life Insurance Corporation of India Bill and others—contained and the respective Acts contain even now provisions for safeguarding the rights of the employees under the private undertakings taken over by the Government so that nothing prejudicial to the interests of the employees could be done after nationalization. But, as far as the electricity employees are concerned, such a provision is conspicuously absent in this Act. The position of these employees is not at all definite. What has happened now? Many employees have come over from the private undertakings to serve in the nationalized undertakings. Are they treated as Government servants or not? The difficulty is this. If they are workmen, they cannot be treated as Government servants. Now, the Government have formed an Electricity Board. They do not know whether those who are to serve under the Board should be treated as full-fledged Government servants or not. For example, there are educational concessions enjoyed by the Government servants now. When these persons go to the Board, I understand, they will cease to be Government servants. What will happen to the educational concessions then? Will they get these in the same fashion as they were getting before? They are left in a state of insecurity. The same thing is there in the case of the clerical personnel now transferred. They do not know whether they will be entitled to pension in the new set-up. Such a state of insecurity is undesirable. I would like the Government to give an assurance that whatever facilities or rights these men were enjoying under the Government would continue under the Board. Otherwise, it would be impossible for the employees to carry on their work.

* THE HON. SRI V. RAMAIAH : Sir, after my Hon. Colleague's explanation with regard to the Preamble and the short title of the Bill, I do not think there is much for me to say. But the hon. the Deputy Leader of the Opposition took the opportunity to harp on the Centre's directive and to point out that we were obeying it. It has already been pointed out that the item is in the Concurrent List. Furthermore, the present amendment is intended merely to bring out the intention of the Act clearly and I would request the Deputy Leader of the Opposition not to be carried away by things like 'Centre's directive' and so on.

DR. V. K. JOHN : May I take it that the Hon. Minister agrees with the Centre's recommendation about an amendment to make things clear?

THE HON. SRI C. SUBRAMANIAM : That is what they say.

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DR. V. K. JOHN : Does the Hon. the Minister for Electricity differ from the opinion of the Finance Minister?

THE HON. SRI R. VENKATARAMAN : Are even statements of fact disallowed?

* THE HON. SRI V. RAMAIAH : Then about Mr. Gurunandan Row's remarks. As far as this Bill is concerned, he has no grievance. His only grievance is that certain other amendments that he considers very necessary are not brought in. We all definitely know that the matters on which he wants an assurance do not come within the purview of this Bill and I am not here to give any assurance on those points.

MR. CHAIRMAN : The question is—

“ That the Madras Electricity Undertakings (Acquisition) Amendment Bill, 1957 (L.A. Bill No. 2 of 1957), 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 5 were put and carried.

Clause 1 was put and carried.

The Preamble was put and carried.

* THE HON. SRI V. RAMAIAH : Sir, I move—

“ That the Madras Electricity Undertakings (Acquisition) Amendment Bill, 1957 (L.A. Bill No. 2 of 1957), as passed by the Legislative Assembly, be passed.”

MR. CHAIRMAN : The question is—

“ That the Madras Electricity Undertakings (Acquisition) Amendment Bill, 1957 (L.A. Bill No. 2 of 1957), 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 3 p.m. to-morrow.

The House then adjourned.

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

* 123. Notification issued with G.O. Press No. 2018, Revenue, dated the 14th May 1957, regarding the rules framed under the Madras Inams (Assessment) Act, 1956 (Madras Act XL of 1956). [Laid on the table of the House under section 10 (3) of the Madras Inams (Assessment) Act, 1956 (Madras Act XL of 1956).]

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* 124. Notification issued in G.O. Ms. No. 1496, Home, dated the 31st May 1957, regarding exemption to car bearing serial No. A. 57 T. 143065 imported for personal use of Miss Virginia Ford assigned to work in Madras area under the Technical Co-operation Mission to India, from payment of tax leviable under the Madras Motor Vehicles Taxation Act, 1931 (Madras Act III of 1931) [Laid on the table of the House under section 11 (2) of the Madras Motor Vehicles Taxation Act, 1931 (Madras Act III of 1931).]

† 125. G.O. No. 525, Industries, Labour and Co-operation, dated the 3rd May 1957, regarding the review of the activities of the National Employment Organization during the period from the 1st November 1956 to 31st March 1957.

* Laid on the Table of the House on 22nd July 1957.

† Sent by post on 19th July 1957.

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APPENDIX.

[Vide item IV (2) on page 24 supra.]

L.A. BILL No. 2 OF 1957.

(As passed by the Assembly.)

A Bill to amend the Madras Electricity Undertakings (Acquisition) Act, 1954.

WHEREAS it is expedient to amend the Madras Electricity Undertakings (Acquisition) Act, 1954 (Madras Act XXIX of 1954), for the purposes hereinafter appearing;

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

1. *Short title and commencement.*—(1) This Act may be called the Madras Electricity Undertakings (Acquisition) Amendment Act, 1957.

(2) It shall be deemed to have come into force on the 13th October 1954.

2. *Amendment of the preamble to Madras Act XXIX of 1954.*—In the Madras Electricity Undertakings (Acquisition) Act, 1954 (Madras Act XXIX of 1954) (hereinafter referred to as the principal Act), for the preamble, the following preamble shall be substituted, namely :—

“ WHEREAS it is expedient to provide for the acquisition of undertakings other than those belonging to and under the control of the State Electricity Board constituted under section 5 of the Electricity (Supply) Act, 1948 (Central Act LIV of 1948), in the State of Madras engaged in the business of supplying electricity to the public;

BE it enacted in the Fifth Year of the Republic of India as follows :—”.

3. *Amendment of section 1, Madras Act XXIX of 1954.*—In section 1 of the principal Act, for sub-section (1), the following sub-section shall be substituted, namely :—

“ (1) This Act may be called the Madras Electricity Supply Undertakings (Acquisition) Act, 1954.”

4. *Amendment of section 5, Madras Act XXIX of 1954.*—In section 5 (3) of the principal Act, in clause (ix), for sub-clause (a), the following sub-clause shall be substituted, namely :—

“ (a) in case the licensee is a person licensed under Part II of the Electricity Act, at the rate of ten per cent on the value referred to in sub-clause (ii), at the rate of five per cent on the value referred to in sub-clause (iii) and at the rate specified in the licence

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in respect of compulsory purchase, or where no rate is specified in the licence, at fifteen per cent on the values referred to in sub-clauses (i) and (iv).”.

5. *Amendment of section 7, Madras Act XXIX of 1954.*—In section 7 of the principal Act—

(i) in sub-section (1), for the words “ or any other person ”, the words “ or any other individual ” shall be substituted;

(ii) in sub-section (4), for the words “ another person ”, the words “ another individual ” shall be substituted.

THE MADRAS LEGISLATIVE COUNCIL.

Wednesday, the 24th July 1957.

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

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

Withdrawal of multi-point sales tax.

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

(a) whether on 5th April 1957 a memorandum was presented to him on behalf of the Tamilnad Varthagar Kazhagam for the withdrawal of multi-point sales tax; and

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

THE HON. SRI R. VENKATARAMAN: (a) No, Sir, this memorandum appears to have been presented to the Chief Minister.

(b) A single-point sales tax has been introduced in respect of certain commodities with effect from 1st April 1957. The question of extending the single-point tax to other commodities can be considered only after getting experience in the working of the single-point tax in respect of the commodities to which it has been applied. No action was, therefore, considered necessary on the representation of the Kazhagam.

Mr. Chairman, Sir, I desire to add that the whole question is now under examination by Dr. P. S. Lokanathan, the expert appointed by the Government of Madras.

SRI V. V. RAMASWAMI : டாக்டர் ஸோகநாதன் அவர்களுடைய விசாரணை முடிவாகி சிபாரிசுகள் வந்தவுடன், அவை இந்த அரசாங்கத்தைக் கட்டுப்படுத்துமா? அந்த விசாரணையின் முடிவை எவ்வளவு தூரம் அமுலுக்குக் கொண்டுவர இந்த அரசாங்கம் இணங்கும் என்பதைத் தெரிந்துகொள்ள விரும்புகிறேன்.

THE HON. SRI R. VENKATARAMAN : கட்டுப்படுத்துவதாக இருந்தால், அது சிபாரிசாக இருக்க முடியாது. ஒரு பொருளாதார நிபுணரை நாம் நியமித்தால், அவருடைய அபிப்பிராயங்களுக்கு நல்ல மதிப்புக் கொடுக்கவேண்டியது சர்க்காருடைய கடமையாகும்.

SRI V. CHAKKARAI CHETTY : சென்னையில் விற்பனை வ. போடுவது அரசாங்க பொக்கிஷத்திற்குப் பணம் சேகரிப்பதற்காகவா, அல்லது வேறு ஏதாவதும் பொருளாதாரக் காரணம் உண்டா?

Is there any other economic reason besides bringing in money to the Government coffers? Is there any justification for the multi-point sales tax?

THE HON. SRI R. VENKATARAMAN : It is for revenue purposes.

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DR. A. LAKSHMANASWAMI MUDALIAR: Will the Government be pleased to place that report for the consideration of the House before they take official action on the matter?

THE HON. SRI R. VENKATARAMAN: This is in the nature of an advice to the Government and I do not know whether Dr. Lokanathan will submit a report. The instructions to the economic expert are that he should study the whole question and advise the Government. Therefore, it is too early for me to say whether the report would be placed on the table of the House.

SRI MOHAMED RAZA KHAN: Is it true that this body, the Tamilnad Varthagar Kazhagam, apart from its demand that a single-point tax should be introduced instead of multi-point tax, has also represented to the Government that the rate of 1-9/16 per cent of sales tax should be rounded off to 2 per cent as at present it is difficult and cumbersome and as the change suggested will save them from mathematical worries?

THE HON. SRI R. VENKATARAMAN: Sir, I do not have the memorandum of the Kazhagam before me. I would require notice to answer that question.

SRI V. V. RAMASWAMI: அரசாங்கம், டாக்டர் லோகநாதன் அவர்களை இது சம்பந்தமாக ஆலோசனை கூற நியமித்தபோது, ஒரு முனை விற்பனை வரிதான் இருக்கவேண்டும், அல்லது பல முனை வரிதான் இருக்கவேண்டும் என்று அவர்களுடைய அபிப்பிராயத்தைச் சொல்லி அந்தப்படி விசாரணை நடத்தவேண்டும் என்று சொல்லியிருக்கிறார்களா என்பதை அறிய விரும்புகிறேன்.

THE HON. SRI R. VENKATARAMAN: இல்லவே இல்லை.

DR. V. K. JOHN: May I know when the Government expect his investigation to be completed?

THE HON. SRI R. VENKATARAMAN: Dr. Lokanathan will be hearing witnesses and evidence during the course of August and he is expected to conclude his work by the end of September.

Transfer of elementary school teachers.

* 28 Q.—**SRI G. KRISHNAMOORTHY:** Will the Hon. the Minister for Finance be pleased to state the rules in force prescribing the area within which elementary school teachers can be transferred?

THE HON. SRI C. SUBRAMANIAM: District Board Elementary School teachers may be transferred within the District Board area.

No rule has been made regarding transfer of teachers in aided elementary schools. But teachers in Mission managements and other plural school managements may be transferred from one school to another under the same management by the managements concerned.

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SRI G. KRISHNAMOORTHY: As this is a long-standing grievance of thousands of district board teachers, will the Government kindly instruct the district boards not to effect any transfer except under a mutual agreement between teachers or at least restrict the transfer to the particular taluk in which the teacher is employed?

THE HON. SRI C. SUBRAMANIAM: Sir, transfers are generally made in consultation with District Educational Officers. I do not think indiscriminate transfers are permitted but I do agree that in spite of these safeguards, there are some discriminatory transfers. The Government will always take care to see that this is restricted.

SRI T. P. SRINIVASAVARADAN: May I bring to the notice of the Government that lady teachers find it difficult when they are transferred because they are unable to get quarters at the place of transfer? As a matter of fact, this is one of the points raised at the last Educational Conference. They do not object to this transfer as they know that certain conditions necessitate it. But they—both male and female teachers—want that the district boards should provide them with quarters when they are transferred to a new place. My second request is that once in three years, this transfer should take place.

THE HON. SRI C. SUBRAMANIAM: That is not a question.

SRI T. PURUSHOTHAM: While effecting these transfers, do the Local Bodies strictly observe the wholesome rule that husband and wife should be kept together and not transferred to separate places?

THE HON. SRI C. SUBRAMANIAM: Generally that rule is observed.

DR. V. K. JOHN: Will the Government frame rules for the guidance of Local Bodies in regard to transfer?

THE HON. SRI C. SUBRAMANIAM: I do not think that any rules have been framed.

SRI A. SUBRAMANYAM: ராஜ்யத்திலுள்ள உபாத்தியாயர்களுக்கு நாம் கொடுக்கக்கூடிய சம்பளம் மிகவும் குறைவாக இருப்பதால், அவர்களை வெகு தூரத்திற்கு மாற்றினால், வயது வந்த தாய் தந்தையர்களை அவர்கள் காப்பாற்றுவதற்கும் பிள்ளைகளுக்கு நல்ல படிப்பு வசதிகளைச் செய்து கொடுப்பதற்கும் கஷ்டப்படுகிறார்கள். அதனால் அவர்களுடைய சௌகரியப்படி அவர்கள் மாற்றப்படுவார்களா என்பதை அறிய விரும்புகிறேன்.

THE HON. SRI C. SUBRAMANIAM: When the transfer is necessitated, the District Board President who knows local conditions, I am sure, will take all these into consideration and then order transfer. After all, they are also elected people and they are also responsible people and I hope they will take into consideration all these human elements also.

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DR. V. K. JOHN : In view of these complaints, may I suggest that the Government should frame rules for the guidance of Local Bodies in regard to transfer?

THE HON. SRI C. SUBRAMANIAM : Whether District Boards should exist or not is under consideration and therefore, I do not think it will be worthwhile now to frame rules.

SRI V. V. RAMASWAMI : உபாத்தியாயர்கள் ஒரு இடத்தில் குறைந்த பட்சம் இவ்வளவு ஆண்டுகள் இருக்கவேண்டும், அதற்கு முன்னதாக மாற்றக்கூடாது என்று ஏதாகிலும் விதிகள் இருக்கின்றனவா? மாற்று வதற்கு முன் சம்பந்தப்பட்ட கல்வி அதிகாரிகளைக் கலந்துகொள்வார்களா? அதற்கு ஏதாவது விதி இருக்கிறதா என்பதை அறிய விரும்புகிறேன்.

THE HON. SRI C. SUBRAMANIAM : ஜில்லா கல்வி அதிகாரிகளைக் கலந்துகொண்டுதான் டிரான்ஸ்பர் செய்யவேண்டும் என்று விதி இருக்கிறது. ஆனால் சில சமயங்களில் பின்னால் கேட்டுக்கொள்ளலாம் என்று டிரான்ஸ்பர் பண்ணலாம் என்றும் இருக்கிறது என்பதை நான் ஒப்புக்கொள்கிறேன்.

SRI T. P. SRINIVASAVARADAN : Has it been brought to the notice of the Government that in certain cases transfer is resorted to as a sort of punishment?

THE HON. SRI C. SUBRAMANIAM : In some cases it may be necessary to transfer a particular person as a sort of punishment also.

Elementary schools in Tholasampatti.

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

(a) the number of elementary schools in Tholasampatti, Omalur taluk, Salem district;

(b) whether any representation was made by Tholasampatti Panchayat to the Government in April 1957 for opening a Higher Elementary School at Tholasampatti; and

(c) whether the Government have any proposal to start a High School in Tholasampatti, Omalur taluk?

THE HON. SRI C. SUBRAMANIAM : (a) There is only one District Board Elementary School in Tholasampatti.

(b) No representation from the Tholasampatti Panchayat for the opening of Higher Elementary School at Tholasampatti was received by the District Educational Officer, Salem, or Inspector of Local Boards, Madras, or by Government.

(c) There is no proposal.

SRI A. GAJAPATHY NAYAGAR : தொலசம்பட்டிக்கு அருகாமையில் ஏதாவது உயர் நிலைப் பள்ளிகள் இருக்கின்றனவா?

THE HON. SRI C. SUBRAMANIAM : நோட்டீஸ் வேண்டும்.

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SRI A. GAJAPATHY NAYAGAR : தொலசம்பட்டியில் உயர் நிலைப் பள்ளி இல்லாத காரணத்தால் வெகு தூரம் போகவேண்டியதாக இருக்கிறது என்று மாணவர்கள் குறை சொல்லுகிறார்கள். அதனால் தொலசம்பட்டியிலோ அல்லது அதற்கு அருகாமையிலோ ஒரு ஹைஸ்கூலை வைக்க அரசாங்கம் ஏற்பாடு செய்யுமா?

THE HON. SRI C. SUBRAMANIAM : இப்பொழுது அங்கே லொயர் எலிமெண்டரி ஸ்கூல்தான் இருக்கிறது. ஹையர் எலிமெண்டரி ஸ்கூல் ஒன்று வைக்கவேண்டும் என்ற விஷயம் 1956-57-ல் கவனிக்கப்பட்டது. அங்கு போதிய கட்டிட வசதி இல்லாததால், அங்கு ஆரம்பிக்கப்படவில்லை. 1957-58-ல் கட்டிட வசதி இருக்குமானால், ஹையர் எலிமெண்டரி ஸ்கூல் ஆரம்பிக்கும் விஷயம் கவனிக்கப்படும்.

SRI V. V. RAMASWAMI : புதியதாக ஹைஸ்கூலைத் திறப்பதாக இருந்தால், அது அரசாங்கத்தாலாவது அல்லது ஜில்லா போர்டினாவது திறக்கப்படுமா? அதற்கு ஏதாவது ஒரு முறை அரசாங்கத்தால் வகுத்துக் கொடுக்கப்பட்டிருக்கிறதா? கனம் அமைச்சர் அவர்கள் அபிப்பிராயப்பட்டால் பதில் சொல்லலாம்.

THE HON. SRI C. SUBRAMANIAM : சர்க்கார் சாதாரணமாக உயர் நிலைப் பள்ளிகளை ஆரம்பிப்பது கிடையாது. தனிப்பட்டவர்களோ அல்லது ஜில்லா போர்டோ அல்லது முனிசிபாலிட்டியோதான் ஆரம்பிக்க வேண்டும். அதற்குப் பிறகுதான் வேண்டிய வசதிகள் செய்து கொடுக்கப்படும். இப்பொழுது ஜில்லா போர்டுக்குப் போதுமான பண வசதி இல்லாத காரணத்தால் எங்கேயாவது ஹைஸ்கூல் ஆரம்பிக்கவேண்டும் என்று சொன்னால், அங்கே இருக்கக்கூடியவர்கள் மூன்று வருஷங்களுக்கு ஏற்படக்கூடிய செலவைக் கட்டவேண்டும். கட்டிடம் கட்டுவதற்கு முப்பது ஆயிரம் ரூபாய் கொடுக்கத் தயாராக இருக்கவேண்டும். அதற்காக இடம் கொடுப்பதற்குத் தயாராக இருந்தால், ஜில்லா போர்டு ஒரு இடத்தில் இந்த உயர்நிலைப் பள்ளியை ஆரம்பிப்பதற்கு அனுமதி கொடுக்கப்படும். அதோடு பக்கத்தில் ஐந்தாறு மைல்களுக்குள் பள்ளிக்கூடம் இருந்தால், அப்படித் திறப்பது அவசியமா என்பதைப் பரிசீலனை செய்து அதன் பிறகு அனுமதி கொடுக்கப்படும்.

SRI MOHAMED RAZA KHAN : In view of the fact that the cost of construction has gone up considerably and in order to give incentive to persons to build high schools, will the Government revise the capital grant which they are giving to them as it is not in proportion to the present-day cost of construction?

THE HON. SRI C. SUBRAMANIAM : I do not think that further incentive is necessary. As a matter of fact, even now many schools are being started by private managements. The question of the revision of the Grant-in-aid Code is under the consideration of the Government.

SRI G. KRISHNAMOORTHY : Sir, in view of the fact that the syllabuses both in the higher elementary school and in the middle school are going to be identical in the near future, do the Government encourage the starting of higher elementary schools further?

THE HON. SRI C. SUBRAMANIAM : We cannot stop the progress. After all, we can change the syllabus and make the course uniform. But in any event the upgrading of schools is also necessary.

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DR. V. K. JOHN : May I take it that our Government have no idea to take over schools as in Travancore?

THE HON. SRI C. SUBRAMANIAM : I think the hon. Member may advise us whether it would be worthwhile, knowing the conditions in Travancore. I am sure he is having an eye on what is happening in Travancore also. After studying it, if he gives his advice, we shall certainly consider it.

SRI V. V. RAMASWAMI : டாக்டர் ஜான் திருவனந்தபுரத்துக்குப் போகப்போகிறாரா? (கிரிப்பு).

SRI T. PURUSHOTHAM : In view of the conditions that are prescribed for the opening of new schools by the District Boards even in poorer localities, will the Government reconsider and relax these rules at least in the case of the poorer and backward localities where the people cannot afford to provide buildings, etc., for the location of the new schools?

THE HON. SRI C. SUBRAMANIAM : I may inform the hon Member that in spite of these conditions, there is great pressure for the opening of more and more schools. As a matter of fact, we are unable to grant sanction to as many schools as the people want, after satisfying the conditions.

SRI A. M. ALLAPICHAJ : Sir, is it not the policy of the Government to see that every child is in course of time given education? If that were so, and if that should be the policy, somehow or other the Government will have to face the difficulty. Is that not the view of the Government?

THE HON. SRI C. SUBRAMANIAM : In that case we have to give priority to the first eight years of schooling. We have not yet satisfied that condition. Therefore, the secondary schools will get only the second priority.

SRI A. SUBRAMANYAM : தலைவர் அவர்களே, கனம் நிதி அமைச்சர் அவர்கள் கூறிய மாதிரி, கட்டிட வசதியும், முன் பணம் கட்டும் வசதியும் ஏற்படுத்திக்கொண்டு, ஏராளமான பிள்ளைகள் வாசிப்பதற்குத் தகுந்த எண்ணிக்கையையும் பொது ஜனங்கள் ஏற்படுத்திக் கொடுத்து, சேலம் ஜில்லாவைச் சேர்ந்த பாப்பாரப்பட்டியில் ஒரு உயர் நிலைப் பாடசாலை வேண்டுமென்று கேட்டுக்கொண்டிருந்தும், தாமதப்படுகிறது. அப்படி அங்கு ஏற்படாமல் தடைப்படுவதற்குக் காரணம் என்ன?

THE HON. SRI C. SUBRAMANIAM : சில இடங்களில் பணத்தைக் கட்டிவிடுகிறார்கள், ஆனால், புதிய வகுப்புகள் ஆரம்பிப்பதற்குப் போதுமான இடம் இல்லாமலிருக்கிறது. போதுமான இடம் இருக்கிறதா இல்லையா என்று விசாரணை செய்துதான் இந்த அனுமதி கொடுக்க வேண்டியிருக்கிறது.

SRI T. P. SRINIVASAVARADAN : Sir, are the Government aware that in many of the newly started schools, there is no adequate staff? They have to employ untrained people, and in some schools for months together there are no teachers.

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THE HON. SRI C. SUBRAMANIAM : That is another difficulty. We can get even money and buildings. But it is more difficult to get trained people to man all the schools.

SRI A. SUBRAMANYAM : தலைவர் அவர்களே, கனம் அமைச்சர் அவர்கள் கூறிய மாதிரி இட வசதி, பண வசதி முதலிய எல்லா வசதிகளும் இருக்கின்றன என்று பல விவாதிப்பவர்கள் அரசியலாருக்கு அனுப்பி வைத்தும், இது சம்பந்தமாக என்ன நடவடிக்கை எடுத்துக் கொள்ளப்பட்டிருக்கிறது என்பதை கனம் அமைச்சர் அவர்கள் தெரிவிப்பாரா?

THE HON. SRI C. SUBRAMANIAM : We are going too far away from the main question, Sir.

MR. CHAIRMAN : Questions are over.

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

II.—ANNOUNCEMENT BY THE HON. CHAIRMAN RE DECISION OF THE BUSINESS ADVISORY COMMITTEE.

MR. CHAIRMAN : I have to report to the House that at a meeting of the Business Advisory Committee held at 2-45 p.m. today, the following programme of business has been decided :—

Thursday, the 25th	10-30 a.m. . .	Discussion on the Demands for Grants for excess expenditure in the year 1953-54.
Friday, the 26th	3 p.m. . .	Consideration and passing of Appropriation Bills.
Saturday, the 27th	3 p.m. . .	Consideration of Government Bills passed by the Assembly on the 25th and 27th July 1957.
Monday, the 29th	July 1957.	

III.—GOVERNMENT BILLS.

(1) THE MADRAS PAYMENT OF SALARIES AND REMOVAL OF DISQUALIFICATIONS (AMENDMENT) BILL, 1957* (L.A. BILL NO. 3 OF 1957).

THE HON. SRI C. SUBRAMANIAM : Sir, I beg to move—

“ That the Madras Payment of Salaries and Removal of Disqualifications (Amendment) Bill, 1957* (L.A. Bill No. 3 of 1957), as passed by the Legislative Assembly, be taken into consideration.”

Sir, this is a very simple measure. We are advised by the Government of India that enrolment in the Auxiliary Air Force or the Air Defence Reserve raised under the Reserve and Auxiliary Air Forces Act, 1952 (Central Act LXII of 1952), amounts to holding an ‘ office of profit ’. Therefore, it would disqualify hon. Members of the Legislature from participating in this defence scheme.

[Sri C. Subramaniam] [24th July 1957]

In order to enable any hon. Member to get himself or herself enrolled in the Defence Forces, this measure is brought forward.

MR. CHAIRMAN : The question is—

“ That the Madras Payment of Salaries and Removal of Disqualifications (Amendment) Bill, 1957 (L.A. Bill No. 3 of 1957), as passed by the Legislative Assembly, be taken into consideration.”

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

Clause 2 was put and carried.

Clause 1 was put and carried.

The Preamble was put and carried.

THE HON. SRI C. SUBRAMANIAM : Sir, I move—

“ That the Madras Payment of Salaries and Removal of Disqualifications (Amendment) Bill, 1957 (L.A. Bill No. 3 of 1957), as passed by the Legislative Assembly, be passed.”

MR. CHAIRMAN : The question is—

“ That the Madras Payment of Salaries and Removal of Disqualifications (Amendment) Bill, 1957 (L.A. Bill No. 3 of 1957), as passed by the Legislative Assembly, be passed.”

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

(2) THE MADRAS SALES OF MOTOR SPIRIT TAXATION (AMENDMENT)
BILL, 1957 (L.A. BILL NO. 4 OF 1957).

THE HON. SRI R. VENKATARAMAN : Sir, I beg to move—

“ That the Madras Sales of Motor Spirit Taxation (Amendment) Bill, 1957^a (L.A. Bill No. 4 of 1957), as passed by the Legislative Assembly, be taken into consideration.”

Under section 6 of the Madras Sales of Motor Spirit Taxation Act, 1939 (Madras Act VI of 1939), a retail dealer has to send, along with his monthly returns, a receipt from a Government treasury for the amount of the tax due from him. In the case of payments made under the Madras General Sales Tax Act, 1939 (Madras Act IX of 1939), and the Madras Entertainments Tax Act, 1939 (Madras Act X of 1939), there are provisions in the rules made under those Acts for accepting cheques drawn in favour of departmental officers. There are also other methods of paying tax such

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as by demand draft or crossed postal order. It is, therefore, proposed to provide in the Madras Sales of Motor Spirit Taxation Act, 1939, that the tax may be paid by the assessee in such manner as may be prescribed by rules. The Bill seeks to achieve this object.

I request the House to accept this Bill.

MR. CHAIRMAN : Motion moved—

“ That the Madras Sales of Motor Spirit Taxation (Amendment) Bill, 1957 (L.A. Bill No. 4 of 1957), as passed by the Legislative Assembly, be taken into consideration.”

The motion is before the House for discussion.

DR. V. K. JOHN : The Bill has to be supported.

MR. CHAIRMAN : The question is—

“ That the Madras Sales of Motor Spirit Taxation (Amendment) Bill, 1957 (L.A. Bill No. 4 of 1957), 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 and 1 were put and carried.

The Preamble was put and carried.

* THE HON. SRI R. VENKATARAMAN : Sir, I move—

“ That the Madras Sales of Motor Spirit Taxation (Amendment) Bill, 1957 (L.A. Bill No. 4 of 1957), as passed by the Legislative Assembly, be passed.”

MR. CHAIRMAN : Motion moved—

“ That the Madras Sales of Motor Spirit Taxation (Amendment) Bill, 1957 (L.A. Bill No. 4 of 1957), as passed by the Legislative Assembly, be passed.”

SRI MOHAMED RAZA KHAN : Sir, while supporting the measure, I want to bring to the notice of the Leader of the House, who is in charge of this Bill, one factor. It is an instance in point where a good suggestion made by the Opposition has not been accepted by the Government. If that suggestion had been accepted by the Government, this Bill would not have become necessary. Some time last year, I think, the Leader of the Opposition made that suggestion. Apart from the discussion whether we should have a single-point or multi-point levy on other commodities, as far as kerosene and petrol are concerned, they are sold by two or three companies in the Madras State. Therefore, instead of collecting the tax from the retail dealers (it is quite possible that payments are delayed or sometimes there may even be default in payment), it will be much better if it is collected at the source itself, particularly when there are only two or three companies in the State. This would greatly reduce the work of the staff. Apart

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from this, I feel, as was stated by the Leader of the Opposition, the Government need not have a huge staff to collect this tax throughout the State. If the suggestion made by the Leader of the Opposition had been accepted by the Government earlier, there would not have been any need for this Bill at all. There will be reduction in staff. However, I support the Bill and hope that the Hon. Minister will bear in mind the points made by me.

* DR. A. LAKSHMANASWAMI MUDALIAR: Sir, I would like to commend the suggestion that I ventured to make on a former occasion. If the sales tax is to prove of real use to all of us and if there is to be no sort of complaint from the dealers, the best thing would be to see that wherever it is possible, it is levied at one point only. For the collection of sales tax, it would be better to levy the tax at one point, because dealers will not have to incur the expenditure on keeping accounts and engaging a clerk to maintain accounts and also will not come into conflict, sometimes through faults or otherwise, with the Sales Tax Officers. Particularly in the case of kerosene and petrol, we know that no dealer can possibly get at it except through one source. Therefore, the possibility to collect the tax is more and there will be no default. Also, the revenues of the State will be only increasing and not diminishing. I would, therefore, request the Government to consider this suggestion when they think of framing further rules later on.

* THE HON. SRI R. VENKATARAMAN: Mr. Chairman, earlier in the day, I stated that Dr. P. S. Lokanathan was examining the question of rationalizing the tax structure in respect of sales tax. The suggestions of the hon. the Leader of the Opposition will be forwarded to him for consideration.

DR. V. K. JOHN: But the Government frame the rules.

* THE HON. SRI R. VENKATARAMAN: Yes; we are suggesting to the Economic Expert that he might examine all rules and advise the Government on this matter, and the Government will defer action until they receive the opinion of the Expert appointed.

MR. CHAIRMAN: The question is—

“That the Madras Sales of Motor Spirit Taxation (Amendment) Bill, 1957 (L.A. Bill No. 4 of 1957), as passed by the Legislative Assembly, be passed.”

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

IV.—GOVERNMENT MOTION.

AMENDMENT TO SCHEDULE IV OF THE MADRAS DISTRICT MUNICIPALITIES ACT, 1920 (MADRAS ACT V OF 1920).

THE HON. SRI C. SUBRAMANIAM: Sir, I move—

“Whereas the Government of Madras have directed that, with effect from the school-year 1955-56, all poor pupils (whose parents' or guardians' annual gross income does not exceed

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Rs. 1,200) be exempted from the payment of school fees in elementary and secondary schools up to and inclusive of Form III and that the fee income lost by the managements of schools be made good to them in full from the State Funds;

And whereas it is considered that the remission of school fees which may be granted under rule 51 in Schedule IV to the Madras District Municipalities Act, 1920 (Madras Act V of 1920), should be restricted to cases of poor pupils studying in Forms IV, V and VI in secondary schools under municipal councils;

And whereas a motion to this effect was carried in the Assembly on the 27th June 1957;

Now, therefore, in pursuance of section 305-A of the Madras District Municipalities Act, 1920 (Madras Act V of 1920), this Council hereby approves the following draft rule, proposed to be made by the Governor of Madras under section 305, sub-section (1), of the said Act for amending Schedule IV to the said Act:—

Draft Rule.

In Schedule IV to the said Act, for the second proviso to sub-rule (1) of rule 51, the following proviso shall be substituted, namely:—

‘Provided further that the Council may remit the whole or part of the fees of poor pupils in its secondary school or schools, in accordance with the provisions contained in rule 32 of the Grant-in-Aid Code.’ ”

MR. CHAIRMAN: Motion moved—

“Whereas the Government of Madras have directed that, with effect from the school-year 1955-56, all poor pupils (whose parents' or guardians' annual gross income does not exceed rupees 1,200) be exempted from the payment of school fees in elementary and secondary schools up to and inclusive of Form III and that the fee income lost by the managements of schools be made good to them in full from the State Funds;

And whereas it is considered that the remission of school fees which may be granted under rule 51 in Schedule IV to the Madras District Municipalities Act, 1920 (Madras Act V of 1920), should be restricted to cases of poor pupils studying in Forms IV, V and VI in secondary schools under municipal councils;

And whereas a motion to this effect was carried in the Assembly on the 27th June 1957;

Now, therefore, in pursuance of section 305-A of the Madras District Municipalities Act, 1920 (Madras Act V of 1920), this

[Mr. Chairman] [24th July 1957]

Council hereby approves the following draft rule, proposed to be made by the Governor of Madras under section 305, sub-section (1), of the said Act for amending Schedule IV to the said Act :—

Draft Rule.

In Schedule IV to the said Act, for the second proviso to sub-rule (1) of rule 51, the following proviso shall be substituted, namely :—

‘ Provided further that the Council may remit the whole or part of the fees of poor pupils in its secondary school or schools, in accordance with the provisions contained in rule 32 of the Grant-in-Aid Code.’ ”

SRI G. KRISHNAMOORTHY : Mr. Chairman, Sir, I would like to have enlightenment from the Hon. the Minister for Education on one point. By bringing in this rule, are the Government expanding the scope of the concessions that are awardable by the Municipal Council or narrowing it down? Of course, under the existing rules, the Municipal Council has got the power of spending about ten per cent of the total fees that would be collected within the municipal area towards the award of concessions. Now that the concessions have been awarded in respect of Forms I to III and now that the Government are bound to compensate the Municipality as in the case of aided managements, the concessions can be freely distributed among the pupils of Forms IV to VI also. But I am unable to understand exactly the implications of the present draft rule—whether it is for expanding or narrowing the scope of the existing concessions.

SRI K. BALASUBRAMANYA AYYAR : Mr. Chairman, Sir, as I understand the motion, the Government have brought in this rule because they have decided to exempt from the payment of school fees, elementary and secondary schools pupils of parents or guardians whose income is less than Rs. 1,200 per annum. But, unfortunately, I find a difficulty here. Is the present rule to replace the existing rules? If it is to replace the existing rules, that is one thing. There are two provisos to existing rule 51, viz. :—

“ Provided that if the Council is satisfied that the parent or guardian of any child, resident in the municipality, is by reason of poverty unable to pay for the elementary education of such child, it may remit the whole or part of the fees, but it shall not compel the parent or guardian of such child in consideration of the said relief to send such child to any particular municipal school.”

“ Provided further that the council may, in any secondary school, in accordance with a scheme framed by it and approved by the Director of Public Instruction, remit the whole or part of the fees of poor pupils, subject to the condition that the fee income thus forgone shall not exceed 10 per cent of the total fees realizable from all pupils of the school at the rates determined by the State Government.”

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THE HON. SRI C. SUBRAMANIAM : The second proviso will be replaced by the present draft rule.

SRI K. BALASUBRAMANYA AYYAR : That is not clear. That is the difficulty. The draft rule says “. . . in its secondary schools ” whereas in the existing second proviso, the words “ any secondary school ” appear. The Government must have said in the existing proviso “ any secondary school maintained by the council ”. They must make these things clear. Then, what about the condition mentioned in the existing second proviso that the fee income forgone shall not exceed ten per cent of the total fee realizable? If the same condition exists even after amending the proviso . . .

THE HON. SRI C. SUBRAMANIAM : The second proviso goes in full, and the draft proviso now before the House will come in its place.

SRI K. BALASUBRAMANYA AYYAR : Then, will it apply to aided schools or to only those maintained by municipal councils?

THE HON. SRI C. SUBRAMANIAM : Other schools are governed by the Grant-in-Aid Code. This will apply to municipal schools.

SRI T. P. SRINIVASAVARADAN : Sir, the managements are permitted to grant fee concession up to 10 per cent of the fee income at standard rates. If this is granted, only one half is compensated by the Government and the other half is borne by the managements. I suppose that applies here also. My point is whether it applies where the Government pay compensation under rule 32 of the Grant-in-Aid Code. The decision of the Government is that the fee income lost by the managements of schools be made good to them in full from the State Funds. Are they going to reimburse this also because the scholarships given to the managements are ‘ merit ’ scholarships on the basis of the results at a competitive examination held for the purpose? That is the clarification that I want.

SRI MOHAMED RAZA KHAN : Sir, I would like to know whether this rule will apply to district board schools also or whether there is another set of rules for them. Then, there is another thing. Who are competent to issue certificates of poverty? I find that parents find it very difficult to secure these certificates.

THE HON. SRI C. SUBRAMANIAM : Sir, I suppose there are no other speakers. I am sorry I did not explain the scope of the motion at the beginning because I thought that it was a simple-enough motion. Under the District Municipalities Act, under rule 51, Schedule IV, the Municipalities are empowered to grant school-fee concessions in respect of poor children up to 10 per cent of the fee income. That applied to students studying in Forms I to VI. In respect of the poor students in Forms I to III, we have already stated that they need not pay any fee. Therefore, this enabling provision to grant scholarship in respect of students studying in

[Sri C. Subramaniam] [24th July 1957]

Forms I to III up to 10 per cent of the fee income is redundant because of the fact that all poor students studying in these Forms need not pay the fees. That is why I have removed it. So, with reference to Forms IV, V and VI only, they should have the enabling provision. That is the effect of my motion and there is nothing more. I am not doing anything else except removing this redundancy in view of the fact that we have made provision for free education for all poor students even in municipal schools in Forms I to III. If we have the 10 per cent rule, it may look odd especially when all the poor students are entitled to full fee concession in respect of Forms I to III. All other things are not relevant for the purpose of this amendment.

Various other points were raised, such as who were entitled to grant this Poverty Certificate. This question has now been particularly raised. Last year, we passed an order saying that all persons who had been elected to the District Boards, the Municipalities, the Assembly or the Parliament could grant the Poverty Certificate. But, in the working of it, we found that there was no use of those certificates. People who seek election think, "Can we not give this certificate to a person? Why should we worry whether he is poor or rich?" So much so, these Poverty Certificates were only in name. They were obtained by all sorts of persons. Last year, even when the order was issued, it was definitely stated that that arrangement might be tried only for that year as an experimental measure. So, it was mentioned even last year that it would apply to that year only and not to the subsequent years. Now, having had the experience of that arrangement last year, I thought that it was not necessary to extend that this year also. That is the difficulty which has arisen.

SRI T. P. SRINIVASAVARADAN : We have not yet received that order.

THE HON. SRI C. SUBRAMANIAM : No order is necessary. I enlarged the scope of the order for that particular year only. If the hon. Member reads the order which was issued last year, he will find that the expansion referred to therein applied to that particular year only. We have not further extended it. That means the original order stands. Now, we have issued a further order which, I am sure, the educational institutions will be receiving, enabling a few other persons who are outside this category of controversy to issue these Poverty Certificates.

SRI A. M. ALLAPICHAI : Now, the M.L.As. cannot issue this Poverty Certificate. Is that the position?

DR. V. K. JOHN : May I know whether it is not a reflection on the candidates?

(SRI M. ETHIRAJALU rose . . .)

MR. CHAIRMAN : When the Hon. Minister has replied, there can be no more speeches.

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THE HON. SRI C. SUBRAMANIAM : The hon. Member can speak during the third reading stage.

MR. CHAIRMAN : There is no third reading for this Motion.

THE HON. SRI C. SUBRAMANIAM : I am sorry, Sir.

* SRI M. ETHIRAJALU : கனம் சபாநாயகர் அவர்களே, இப்போது, இந்த செர்டிபிகேட்டை வாங்குவதற்கு, முதலில் கணக்குப்பிள்ளையிடம் ஒரு செர்டிபிகேட் வாங்கியபிறகு அதைத் தாசில்தாரிடம் கொண்டு போனால், ரெவின்யூ இன்ஸ்பெக்டரிடம் கையெழுத்து வாங்கி வந்தால் தான், தான் செர்டிபிகேட் கொடுக்க முடியும் என்று அவர் சொல்கிறார். இப்போது போடப்பட்டுள்ள உத்தரவுப்படி நகரசபைச் சேர்மனிடமோ, ஜில்லா போர்டு பிரெஸிடெண்டிடமோ, பஞ்சாயத்து பேரர்டு பிரெஸிடெண்டிடமோ செர்டிபிகேட் வாங்கவேண்டுமென்றால், முன்பு ஏற்பட்டதை விட அதிகமான கஷ்டம் ஏற்படும் என்பதில் சந்தேகமில்லை. ஆகவே, இந்தக் கஷ்டத்தைத் தவிர்ப்பதற்காக, நடுத்தரமான ஒரு உத்தரவு போடுவதை சர்க்கார் கவனிப்பார்களா என்று அறிய விரும்புகிறேன்.

THE HON. SRI C. SUBRAMANIAM : சர்க்கார் அதை அடுத்த வருஷம் கவனிக்கும்.

* SRI A. M. ALLAPICHAI : Sir, under the previous rule, some of us have been giving these certificates. When a boy, particularly when a really poor boy comes to us, we have to help him. As a matter of fact, we have also, to a very great extent, applied our mind. No doubt, there may have been somewhere something. (Laughter.) Sometimes, out of some faith that a certain student was poor, some M.L.A. might have given the certificate . . . (The Hon. Sri C. Subramaniam : Only to oblige somebody!) Yes, only to oblige somebody. There are bona fide cases. I think it is not fair to take away that small right or privilege or whatever it may be called. Of course, the Government's object is not to cast any reflection upon anybody. I know it. Why not we send a circular or some such thing to our friends? As a matter of fact, this arrangement has been very helpful to the poor students as otherwise they have to go to a Revenue Officer or some other official to get the certificate which is very difficult indeed . . .

MR. CHAIRMAN : There can be no more discussion on this.

THE HON. SRI C. SUBRAMANIAM : I may tell the hon. Member that this is neither a privilege nor a right. This is only an embarrassment to many Members. When a person, especially when a person known to the Member approaches him for the certificate, it is very difficult to say, 'No.' Only to remove this embarrassment and to help the legislators, we have not extended that order for this year.

MR. CHAIRMAN : We must stick to some procedure. When the Hon. Minister's reply is over, there cannot be a discussion on the subject. Out of leniency, I allowed one or two speeches. The hon. Members should not take too much advantage of it.

[Mr. Chairman]

[24th July 1957]

The question is—

“Whereas the Government of Madras have directed that, with effect from the school-year 1955-56, all poor pupils (whose parents' or guardians' annual gross income does not exceed Rs. 1,200) be exempted from the payment of school fees in elementary and secondary schools up to and inclusive of Form III and that the fee income lost by the managements of schools be made good to them in full from the State Funds;

And whereas it is considered that the remission of school fees which may be granted under rule 51 in Schedule IV to the Madras District Municipalities Act, 1920 (Madras Act V of 1920), should be restricted to cases of poor pupils studying in Forms IV, V and VI in secondary schools under municipal councils;

And whereas a motion to this effect was carried in the Assembly on the 27th June 1957;

Now, therefore, in pursuance of section 305-A of the Madras District Municipalities Act, 1920 (Madras Act V of 1920), this Council hereby approves the following draft rule, proposed to be made by the Governor of Madras under section 305, sub-section (1) of the said Act for amending Schedule IV to the said Act:—

Draft Rule.

In Schedule IV to the said Act, for the second proviso to sub-rule (1) of rule 51, the following proviso shall be substituted, namely:—

‘Provided further that the council may remit the whole or part of the fees of poor pupils in its secondary school or schools, in accordance with the provisions contained in rule 32 of the Grant-in-Aid Code.’ ”

The motion was put and carried.

MR. CHAIRMAN: The House will now adjourn and meet again at 10-30 a.m. tomorrow.

The House then adjourned.

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APPENDIX I.

[Vide item III (1) on page 4 supra.]

L.A. BILL No. 3 OF 1957.

(As passed by the Assembly.)

A Bill further to amend the Madras Payment of Salaries and Removal of Disqualifications Act, 1951.

WHEREAS it is expedient further to amend the Madras Payment of Salaries and Removal of Disqualifications Act, 1951 (Madras Act XX of 1951), for the purpose hereinafter appearing;

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

1. *Short title.*—This Act may be called the Madras Payment of Salaries and Removal of Disqualifications (Amendment) Act, 1957.

2. *Amendment of section 11, Madras Act XX of 1951.*—In section 11 of the Madras Payment of Salaries and Removal of Disqualifications Act, 1951 (Madras Act XX of 1951), after the words, figures and brackets “or in the Territorial Army under the provisions of the Territorial Army Act, 1948 (Central Act LVI of 1948)”, the words, figures and brackets “or in the Air Defence Reserve or the Auxiliary Air Force raised and maintained under the Reserve and Auxiliary Air Forces Act, 1952 (Central Act LXII of 1952)” shall be inserted.

APPENDIX II.

[Vide item III (2) on page 42 supra.]

L.A. BILL No. 4 OF 1957.

(As passed by the Assembly.)

A Bill further to amend the Madras Sales of Motor Spirit Taxation Act, 1939.

WHEREAS it is expedient further to amend the Madras Sales of Motor Spirit Taxation Act, 1939 (Madras Act VI of 1939), for the purposes hereinafter appearing;

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

1. *Short title.*—This Act may be called the Madras Sales of Motor Spirit Taxation (Amendment) Act, 1957.

2. *Amendment of section 6, Madras Act VI of 1939.*—In section 6 of the Madras Sales of Motor Spirit Taxation Act, 1939 (Madras Act VI of 1939) (hereinafter referred to as the principal Act).

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(i) for the marginal note, the following shall be substituted, namely :—

“Payment of tax along with return.”;

(ii) for the words “furnish a receipt from a Government treasury for”, the words “pay in such manner as may be prescribed” shall be substituted.

3. *Amendment of section 10, Madras Act VI of 1939.*—In section 10, clause (c), of the principal Act, for the words “fails to submit a receipt for the full amount of the tax due”, the words “fails to pay the full amount of the tax due in the manner prescribed” shall be substituted.

THE MADRAS LEGISLATIVE COUNCIL

Thursday, the 25th July 1957.

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

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

Cadre-strength of teachers in elementary schools.

* 30 Q.—SRI G. KRISHNAMOORTHY : Will the Hon. the Chief Minister be pleased to state—

(a) the basis on which the cadre-strength of each category of teachers in elementary schools under the local boards is fixed;

(b) whether the cadre-strength is periodically reviewed and refixed; and

(c) if so, at what intervals?

THE HON. SRI M. BHAKTAVATSALAM (on behalf of the Hon. the Chief Minister) : (a) The cadre-strength of each category of teachers in elementary schools under the local boards is fixed on the basis of the strength of pupils in each class and the qualifications of teachers for handling the classes. Ordinarily, one teacher is to be appointed for every 35 pupils in average attendance. Detailed rules have been framed in this regard.

(b) No, Sir. The cadre-strength will be varying year after year on the basis of enrolment of pupils.

(c) Does not arise.

SRI G. KRISHNAMOORTHY : Are the Government aware of the fact, Sir, that many higher grade teachers who have since qualified themselves as secondary grade teachers are made to remain in the higher grade post itself drawing a lesser salary much to the detriment of their prospects?

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

SRI G. KRISHNAMOORTHY : Sir, in view of the fact that the Government are giving impetus to the teachers by giving them permission to appear for the S.S.L.C. examination and qualify themselves further, will the Government see that the number of higher grade posts in schools under local bodies is reduced and that they are converted into secondary grade posts though they might have fixed higher grade posts as sufficient for these schools?

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

[25th July 1957]

New Railway Projects under the Second Five-Year Plan.

* 31 Q.—SRI V. V. RAMASWAMI: Will the Hon. the Minister for Home be pleased to state with reference to the answer to starred Legislative Council Question No. 230 answered on 17th March 1955 the new railway projects taken up for work in this State under the Second Five-Year Plan?

THE HON. SRI M. BHAKTAVATSALAM: None of the new railway projects already included in the Second Five-Year Plan relate to Madras State. This Government have, however, urged the Government of India to give high priority for the construction of the following six lines:—

- (1) Salem-Bangalore.
- (2) Theni-Gudalur.
- (3) Manamadurai-Virudunagar (via) Aruppukottai.
- (4) Chinnasalem-Chingleput.
- (5) Salem-Karur.
- (6) Tirunelveli-Cape Comorin.

The need for electrification of the Madras-Arkonam line has also been pressed.

SRI T. PURUSHOTHAM: What about the electrification of the Tambaram-Chingleput line, Sir?

THE HON. SRI M. BHAKTAVATSALAM: That has already been sanctioned and it is already being pursued.

SRI V. V. RAMASWAMI: சில லயன்களைப் புதிதாகக் கட்டாயம் எடுத்துக்கொள்ளவேண்டுமென்று மத்திய சர்க்காருக்கு நமது சர்க்கார் சிபார்சு செய்திருப்பதாகக் கனம் அமைச்சர் அவர்கள் சொன்னார்கள். அதற்கு மத்திய அரசாங்கத்திலிருந்து முடிவாகப் பதில் வந்திருக்கிறதா? அது இப்போது என்ன நிலைமையில் இருக்கிறது?

THE HON. SRI M. BHAKTAVATSALAM: இன்னமும் மத்திய சர்க்காரிடமிருந்து முடிவாகப் பதில் வரவில்லை. ஆனால், ஒரு மாதத்திற்கு முன்பு அமைச்சர்கள் மகாநாட்டில் ரயில்வே அமைச்சருடன் இது பற்றிப் பேசியபோது இன்னும் பொருள் வசதி அதிகமாகப் பெறுவதற்கு முயற்சி செய்து கொண்டிருக்கிறோம், அதைப் பெற்றால் சில புதிய லயன்களை எடுத்துக்கொள்ளலாம் என்று சொன்னார்கள். அந்த நிலைமையில்தான் இருக்கிறது.

SRI JOHN ASIRVATHAM: The construction of the Tirunelveli-Cape Comorin railway has been in the air for the past 25 years. May I know why it is not given top priority in the Second Five-Year Plan?

THE HON. SRI M. BHAKTAVATSALAM: Several other lines have been in the air for a much longer period than 25 years. The question of resources is the main thing that stands as an impediment against taking up these new lines.

SRI V. V. RAMASWAMI: நிதி வசதி தாராளமாக ஏற்பட்ட பிறகு, புது லயன்கள் எடுத்துக்கொள்ளப்படும் என்று சொல்லப்பட்டது. அப்படி வந்தால் புதிய திட்டங்களை உத்தேசித்து மாணுமதுரை லயனும், நெய் வேலித் திட்டத்தை உத்தேசித்து ரேலம் லயனும் உடனடியாக அமுலாக்கப் படுமா?

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THE HON. SRI M. BHAKTAVATSALAM: முன்பு பதினேழு ரயில்வே லயன்கள் சிபார்சு செய்திருந்தோம். அதற்குப் பிற்பாடு எல்லாவற்றையும் உத்தேசித்து ஆறு லயன்களை எடுத்துக்கொள்ளவேண்டுமென்று வற்புறுத்தியிருக்கிறோம். நான் வாசித்த முறையில் அவற்றுக்குள்ள முக்கியத்துவம் வரிசையாகக் கொடுக்கப்பட்டிருக்கிறது என்று தெரிவித்துக் கொள்ளுகிறேன்.

DR. A. LAKSHMANASWAMI MUDALIAR: May I know what is the total amount set apart in the Second Five-Year Plan for expansion of railways in the whole of India and what share South India gets out of that?

THE HON. SRI M. BHAKTAVATSALAM: I am sorry, Sir, I do not have that information with me. But I may tell the hon. the Leader of the Opposition that practically there are no proposals with the Government of India to take up new lines in any of the States except lines which are required in connection with certain major projects.

(The hon. Member Sri Mohamed Raza Khan was seen rising from the third block to put a supplementary question.)

MR. CHAIRMAN: The hon. Member is not in his seat. I now allow him to speak from where he is as a special case.

SRI MOHAMED RAZA KHAN: Is it not a fact, Sir, that even the railway lines dismantled during the war, somewhere in the year 1942, in spite of persistent demands and agitation by the people who have been affected by that, have not yet been restored and what representations have the Madras Government made to the Central Government in this matter?

THE HON. SRI M. BHAKTAVATSALAM: Sir, the hon. Member is not correct when he says that even the dismantled lines have not yet been restored. Some of them have been restored. Regarding Salem-Bangalore line, a very high priority has been given. This is also appreciated by the Government of India and supported by the Karnataka Government. This covers one other dismantled line which has not been restored.

SRI MOHAMED RAZA KHAN: The Tirupattur-Krishnagiri line which was dismantled as early as 1942 is yet to be restored.

THE HON. SRI M. BHAKTAVATSALAM: The entire line has been taken into consideration and finally Government have come to the view that the Salem-Bangalore line would be the best remedy.

Decimal system of coinage.

* 32 Q.—SRI V. V. RAMASWAMI: Will the Hon. the Minister for Finance be pleased to state whether the State Government was consulted by the Central Government as to their view in regard to the introduction of the decimal system of coinage and, if so, the opinion expressed by this Government?

[25th July 1957]

THE HON. SRI M. BHAKTAVATSALAM (on behalf of the Hon. the Minister for Finance): The Government of India consulted the State Government regarding the date of introduction of the decimal system of coinage. This Government suggested that the introduction of the decimal system might be put off till October 1957, but the Government of India felt that postponement would only add to the difficulties of implementing the scheme, and, therefore, sought the close co-operation of the State Government in achieving a smooth introduction of the new coins from the 1st April 1957 itself.

SRI V. CHAKKARAI CHETTY: இது அநியாயப் பைசாவா? நியாயப் பைசாவா? இந்தப் பைசாவின் கதி என்ன? (சிரிப்பு.)

THE HON. SRI M. BHAKTAVATSALAM: இது அநியாயப் பைசாவும் இல்லை, நியாயப் பைசாவும் இல்லை. நயா பைசா. இப்போது ஆங்காங்கு வழங்கப்பட்டிருக்கிறது.

SRI V. V. RAMASWAMI: புதிய காசுகள் வந்ததால் பலவித சங்கடங்கள் ஏற்பட்டிருக்கின்றன. அரசாங்கத்திற்கும் கூட அத்தகைய சங்கடம் ஏற்பட்டிருப்பதாகத் தெரிகிறது. பழைய காசுகளை உடனடியாக வாபஸ் பெற்று புதிய காசுகளை வழங்க துரிதமாக நடவடிக்கை எடுக்கும்படி மத்திய அரசாங்கத்தை இந்த அரசாங்கம் வற்புறுத்துமா?

THE HON. SRI M. BHAKTAVATSALAM: இதுபற்றி கவனிக்கப்பட்டு வருகிறது. அத்தகைய ஏற்பாடுகள் செய்யப்பட்டு வருகின்றன. இந்தச் சங்கடங்கள் எல்லாம் நாளைடைவில் தீர்ந்துவிடும்.

SRI T. PURUSHOTHAM: Sir, in view of the scarcity of the new coins, will the Government ensure sufficient supply of these so that they may be available to the people whenever there is demand?

THE HON. SRI M. BHAKTAVATSALAM: Government are looking into that matter.

DR. A. LAKSHMANASWAMI MUDALIAR: Would the Government be pleased to reiterate their position with regard to the metric system so that many of the illiterate persons may first get accustomed to this naye paise system before they are forced to adopt the metric system as well?

THE HON. SRI M. BHAKTAVATSALAM: Yes, Sir. Wide publicity has been given to the new system by demonstration of simple slides in schools, community blocks and other areas, even in advance of the introduction.

DR. A. SREENIVASAN: Sir, are the Government aware of the fact that merchants are taking undue advantage of the decimal system of coinage and even now insist upon the people that old coins should be given to make them part with the provisions?

SRI T. PURUSHOTHAM: Wherever it is more advantageous to them.

THE HON. SRI M. BHAKTAVATSALAM: Sir, I have no information whether merchants are insisting on payment in old coins. Perhaps there are a few cases of abuse where people take advantage of the introduction of new coins.

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DR. A. SREENIVASAN: May I invite the attention of the Government and the Hon. Minister to the fact that kerosene is being sold at Rs. 5-8-0 a gallon though it ought to be sold at Rs. 5-2-0 and that even after the removal of tax on kerosene, the merchants insist on payment of the higher rate?

MR. CHAIRMAN: What connection has that question got with the main question?

THE HON. SRI M. BHAKTAVATSALAM: If the hon. Member puts a separate question, that matter may be looked into.

SRI V. V. RAMASWAMI: மெட்ரிக் முறையை முடிவாக எப்போது அமுலுக்குக் கொண்டு வரலாம் என்பதாக இந்த சர்க்கார் சிபார்சு செய்தது? அதைப்பற்றி மத்திய அரசாங்கத்தார் என்ன எழுதினார்கள்?

THE HON. SRI M. BHAKTAVATSALAM: இதற்கு 1946-ம் வருஷத்திலேயே ஒரு பில் தயாரிக்கப்பட்டது. அப்போது இருந்த அரசாங்கத்தினர் அதை அமுல் செய்வதை ஏற்றுக்கொள்ளவில்லை. பாகிஸ்தான் பிரிவினை இருந்தது. நான் சற்று முன்பு பதில் சொன்னபடி. அக்டோபர் மாதத்திலிருந்து கொண்டுவரலாம் என்று இந்த அரசாங்கம் யோசனை செய்தது. மற்ற எல்லா விஷயங்களையும் கவனித்து, எப்ரல் மாதத்திலிருந்து தான் கொண்டு வரலாம் என முடிவு செய்யப்பட்டிருக்கிறது.

SRI MOHAMED RAZA KHAN: Though originally the Government of Madras might have requested the Government of India to keep the introduction of decimal system of coinage in abeyance, it has really been a boon to the State Exchequer because of the increase in sales tax and increase in bus fares, and, therefore, the Madras Government should welcome it.

THE HON. SRI M. BHAKTAVATSALAM: Sir, there was no idea of keeping this in abeyance. Only this Government suggested that it might be given effect to from 1st October. The Government of India thought that it would be better to bring it into effect from 1st April. If there are advantages in this, there may be disadvantages also.

SRI JOHN ASIRVATHAM: May I know whether the children in schools should give up the study of the present tables and take to the study of naye paise tables?

THE HON. SRI M. BHAKTAVATSALAM: Yes, that will have to be taken up.

MR. CHAIRMAN: We are going away from the track of the main question. Supplementaries should be based on the main question.

SRI V. CHAKKARAI CHETTY: Should authors of books on mathematics modify the lessons in accordance with this change?

THE HON. SRI M. BHAKTAVATSALAM: They are, of course, expected to do so.

MR. CHAIRMAN: Questions are over.

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

II.—GOVERNMENT BUSINESS.

GENERAL DISCUSSION ON THE STATEMENT OF DEMANDS FOR EXCESS EXPENDITURE FOR THE YEAR 1953-54.

MR. CHAIRMAN: We will now have general discussion on the Statement of Demands for Excess Expenditure for the year 1953-54. Hon. Members will please confine their observations strictly to the items referred to in the paper circulated to them. Extraneous matter should not be brought in during this discussion.

10.40
a.m.

SRI K. BALASUBRAMANYA AYYAR: Sir, the Statement of Demands for Grants for Excess Expenditure in the second half of the year 1953-54 has been presented to us. This comes under Article 205 of the Constitution. It refers to a 'financial year' and not 'the current financial year' and I am fully aware of it. Still, that it should have been presented to the Legislature after three years is a little unreasonable. Even for the Public Accounts Committee, it has taken 2½ years to examine these things and they have done so only in October 1956 while the expenditure relates to 1953-54. Now, we are in July 1957 and the Government have come forward before the Legislature with this statement for approval. It seems to be rather unreasonable delay. The Public Accounts Committee could have sat much earlier and scrutinised these accounts. Also, the reason for the excess expenditure could have been checked much earlier and Demands could have been brought forward at least last year, if not earlier.

One of the chief things in which much excess has occurred is paper. It is a very interesting reading. It was the period of partition of Andhra from Madras—I am fully aware of it—and at that time this excess has occurred. But still, the explanation is not quite convincing especially because of these facts. The original Demand was for Rs. 12 lakhs odd—I am taking especially the stationery purchased in India as that is the chief item and the excess has occurred much under that head. The original grant for stationery purchased in India was Rs. 12 lakhs: then there was a supplementary Demand for about Rs. 6 lakhs, but the excess is shown as Rs. 18 lakhs, bringing the total to Rs. 29.67 lakhs. Thus the excess is about Rs. 11 lakhs. It seems to be highly excessive. Why there was such a big excess is not known. One thing I can imagine is this. During the time of partition, perhaps we had less of stationery than Andhra. That may be one of the reasons. But here, there is also another factor, namely, that appropriations in relation to partition have not yet been finished, though it is four years now since the partition took place. I find in the Budget Memorandum that it is being stated still that the appropriations have not been finished between the two States. That is also not very satisfactory. But so far as Stationery is concerned, I have to state that it is a department full of loopholes. It is one of the

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treacherous sections, either in the Universities, Public Institutions, Banks or any other office and I have always found that so far as stationery is concerned, it is very difficult to have a proper estimate, to get proper tenders and to have proper checking; further, the quality of materials supplied is also not according to the tender. More than that, it will be one quality mentioned in the invoice and quite another quality actually supplied. There are different qualities and it is very difficult to check them. We have also to consider the fluctuations in prices and other such things. Therefore, checks and close checks are absolutely necessary in that particular Demand and checks should be much more than what they are now. Of course, it is no reflection either on the Heads of Departments concerned or on the Hon. Ministers. But what I am saying is that there should be persons, either the Superintendent of Stationery and Stores or other officers, whose main work should be strictly to watch the progress of expenditure on this item. This department is full of rat holes. I must say that. Therefore, it is—of course, I do not know certainly whether something like that has occurred nor do I suggest that it has occurred—that I say that this excess is unusual and highly excessive. No explanation has been given for this. The only explanation given is that this could not be foreseen earlier and provided for. I do not think that it would be a sufficient answer for so much of excess, especially when it is about Rs. 11 lakhs and when there has been a supplementary Demand for Rs. 6 lakhs. That is the chief thing.

About other things, I am not saying anything. But this one thing calls for further explanation. More care should be taken by the Departments concerned especially about the estimates for stationery, actual materials supplied, the quantity and quality of stationery supplied, etc.

* SRI T. PURUSHOTHAM: Sir, in offering my remarks on the Statement of Demands for Grants for Excess Expenditure for the second half-year 1953-54, I wish to endorse the remarks made by the hon. Member Sri Balasubramanya Ayyar. The Government have admitted in their explanation that the actual expenditure on stationery proved to be as high as Rs. 29.67 lakhs. As stated by my hon. Friend, the reason advanced is that the expenditure could not be foreseen. While we may agree that it is, as stated, 'unforeseen', yet, we should know what the facts of the case are, what the actual circumstances were, in what unforeseen emergency the Superintendent of Stationery or the Superintendent of the Government Press had to incur such a large excess expenditure. This has not been stated. I should like the Hon. the Finance Minister to tell us what were the special circumstances under which there was need to go in for such a large stock of paper and stationery. Were there elections or printing of electoral rolls or any other special circumstances? This is a matter which needs a thorough explanation in this House. I should also like to ask whether the Superintendent of the Government Press obtained the sanction of Government before incurring such heavy

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expenditure. He might have ordered these things earlier and, being an 'unforeseen' item, he should have at least intimated the Government and obtained their permission before this extra supply of paper and stationery was actually paid for. He should have reported to the Government soon after order was placed and if so, even at the time when a supplementary Demand for Rs. 6 lakhs was made in March 1954, this amount could have been included in it. How there was an expenditure of such a large sum as nearly Rs. 12 lakhs would require very careful examination and I am sure the Hon. the Finance Minister, who is fortunately in our midst now, will make these matters clear for the information of this Hon. House.

Then, Sir, speaking about pensions, we find that an excess expenditure of Rs. 6.56 lakhs odd has been incurred on payment of pensions to Madras Government pensioners. Again, there is the item of nearly Rs. 26,000 under Commutation of Pensions. This is said to be due to larger payments towards the commuted value of pensions than anticipated. May I know whether the rates of the commuted value of pension were revised to justify this excess expenditure? These commutation rates were fixed during pre-war days and the Government pensioners had been agitating that these rates should be revised. Has there been a revision of the rates or is it because a larger number of cases were there? This has not been stated. Also the pensioners have been representing that they might be permitted to commute one half of their pension. Was this concession granted to them? Is this excess expenditure due to the revision of the rates regarding commutation or due to a larger number of cases or other concessions given?

I should also like to point out, in this connexion, that the commuted value of pensions is based on the further span of ten years of the pensioners' life, and when the pensioners outlive this period of ten years, it would seem justifiable that the original full pension should be restored to the pensioners. In these days of old-age pensions and when this policy has been accepted in another State, I feel that the liberalisation of the Pension Commutation Rules for our Government servants should receive the sympathetic consideration of the Government. I would request the Hon. Minister not only to bear these points in mind for further examination, but also to tell us the policy of the Government that has been followed which has resulted in the excess expenditure—whether this was due, as I stated, to any revision of the rates of commuted value of pensions; if not, whether it was due to a larger number of commutation cases during the year in question. I hope, Sir, the Hon. the Finance Minister will give us a clear picture about these matters.

* SRI A. GAJAPATHY NAYAGAR : கனம் மன்றத் தலைவர் அவர்களே, (Excess Expenditure) அதிகச் செலவு ரூ. 22 லட்சம் என்று கொடுத்திருப்பது கொஞ்சம் திருக்கிடச்செய்கிறது. ஏனெனில் Excess Expenditure செய்யலாம். இது ரூ. 22 லட்சமானால் இது Excess

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expenditure என்று சொல்லமுடியாது. Excessive Expenditure என்று தான் சொல்லவேண்டும். (Dr. V. K. John : extraordinary expenditure.)

ஒன்று சொல்ல விரும்புகிறேன். இவ்வளவு அதிகச்செலவு ஆனதற்குக் காரணம் சர்க்கார் பிரஸ்ஸுக்கு அதிகவேலை வந்தது. அவர்களால் வேலை செய்ய முடியாமல் மற்ற அச்சுக்கூடங்களில் கொடுத்து வேலை செய்திருக்கிறார்கள். அதனாலே ரூ. 12 லட்சம் Excess Expenditure என்றால், என்னால் புரிந்துகொள்ள முடியவில்லை. “எவ்வளவு சதவிகித வேலை சர்க்கார் பிரஸ்ஸில் செய்யப்பட்டது? மற்ற அச்சுக்கூடங்களுக்குக் கொடுத்தது எவ்வளவு சதவிகிதம்?” என்பதைப்பற்றி சர்க்கார் அச்சுக்கூட அதிகாரிகளை விசாரிக்கவேண்டும். (THE HON SRI C. SUBRAMANIAM : பிரஸ்ஸின் செலவு இல்லை. Stationery and Printing செலவு) அதைத்தான் நான் சொல்கிறேன். மற்ற அச்சுக்கூடங்களுக்கு இவர்கள் பேப்பர்கள் கொடுத்து அச்சிடச் சொல்கிறார்கள். ஆகவே Stationery செலவு அதிகமாக இவர்கள் யாருக்கு எந்த வேலைக்காக பேப்பர்கள் கொடுத்தார்கள், எவ்வளவு சதவிகித வேலை கொடுத்தார்கள் என்பதை விசாரிக்கவேண்டுமென்று சொல்லிக் கொண்டு என் பேச்சை இத்துடன் முடித்துக்கொள்கிறேன்.

10-50
a.m.

SRI MOHAMED RAZA KHAN : Mr. Chairman, Sir, I really feel, with the little experience I have had as Member of the Public Accounts Committee, that I have to speak in appreciation of the very good work done by the Public Accounts Committee and about the check they are having on the expenditure. No doubt, the scrutiny made by the Public Accounts Committee might relate to the previous year's expenditure. But the fact remains that proper guidance is given with regard to incurring of expenditure in the future so that the Departments may be very careful while spending money. I will be failing in my duty if I do not express my appreciation of the very helpful attitude of the Hon. the Minister in charge of Finance, who is very zealous to see that not a pie is wasted. In case there is any wastage, the Hon. the Minister for Finance takes steps to see that such wastage is avoided in the future. I have also to say that in addition to the Finance Department, the Accountant-General and his staff and the Legislature Office are taking special care to see that all irregularities are brought to the notice of the Public Accounts Committee.

My hon. Friend Sri K. Balasubramanya Ayyar has pointed out that we are only in the stage of scrutinising the accounts of 1953-54. No doubt, the time-lag—two to three years—is too much. But, if we take an overall picture of the time that is necessary for correspondence between one department and another and to get all the information required for scrutiny, the time-lag cannot be considered to be too much. I understand that the Department is doing its best to finish the scrutiny of the accounts of 1954-55 and 1955-56 so that we may have only one year's accounts pending scrutiny in the future. I am sure, with more zeal on the part of the departments concerned, the scrutiny of the previous years' accounts will be completed so much so that we can take up last year's accounts for scrutiny this year.

With regard to the excess expenditure of Rs. 13 lakhs and odd, the introductory Memorandum to the Statement of Demands for Grants for Excess Expenditure points to the fact that because

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of the partition of the State and of certain other factors there have been certain cases of excess expenditure. Even the Hon. the Minister for Finance knows that a three per cent excess expenditure by the Department is allowed usually. The Departments have also got the right to surrender up to three per cent of the Grants made to them. Taking an overall picture, three per cent excess expenditure or surrender of grant is not a big thing if we take into account the difficulties that confront the officials.

With regard to the various items mentioned in the Statement of Excess Expenditure, there is not much to say. Pointed attention of the Hon. the Minister for Finance has been drawn to a few facts by other hon. Members and I hope the Hon. the Minister for Finance will reply to them.

The hon. Member Mr. T. Purushotham spoke about the difficulties of pensioners. If it is relevant, I may also add a word here about them. Apart from the several points which he has raised, there are very good points to show that they deserve the sympathetic consideration of the Hon. the Minister for Finance. Sometimes it happens that an official after putting in 30 or 35 years of service, suddenly dies immediately after retirement or just before retirement, and that his family is left in a very deplorable condition. Though it may mean additional expenditure for the Government, I feel that the Minister should have powers in such extraordinary circumstances, particularly when an official dies after putting in 30 or 35 years of service and even does not get the first month's pension, to do something by way of financial help to his family. Really if his family is in an affluent position, then it does not matter. But if it is otherwise, then his family deserves the consideration of the Hon. the Minister for Finance.

* SRI V. GURUNANDAN ROW : Mr. Chairman, Sir, I find that there has been delay in bringing forward before the Legislature items of excess expenditure for approval. The items of expenditure relate to the accounts of 1953-54, and I submit that they cannot be regularised by the new Legislature. They should have been brought forward before the old Legislature, i.e., before its dissolution, in 1956.

THE HON. SRI C. SUBRAMANIAM : Why?

* SRI V. GURUNANDAN ROW : I shall explain the position, Sir. According to Article 204 (3) of the Constitution, 'subject to the provisions of Articles 205 and 206, no money shall be withdrawn from the Consolidated Fund of the State except under appropriation made by law passed in accordance with the provisions of this article.' According to Article 205 (1) (b), 'if any money has been spent on any service during a financial year in excess of the amount for that service and for that year, the Governor shall cause to be laid before the House or the Houses of the Legislature of the State another statement showing the estimated amount of that expenditure or cause to be presented to the Legislative Assembly of the State a demand for such excess

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as the case may be.' What I mean is that the Government after spending from the Consolidated Fund of the State cannot simply say, 'We will keep quiet without regularising it for ten years.' There should be a reasonable time-limit within which such expenditure must be regularised, because it has been provided in the above Articles that if any excess expenditure has been incurred, a Demand for such excess expenditure should be brought before the Legislature for its approval. According to me, those provisions have not been complied with. If the Government spend the money from the Consolidated Fund of the State, without the sanction of the Legislature, there must be a time-limit within which such expenditure should be regularised. I ask, 'Is there no time-limit fixed?' Why should there have been so much delay in regularising it, particularly when the Government knew even in 1956 that there had been excess expenditure?

Further, I would like to have explanation from the Government on one point. When a Budget is framed, a certain margin is provided for either excess expenditure or for spending less than budgeted for. I suppose the Government always err on the safe side. Immediately it is known that excess expenditure has been incurred, the Government should have come forward before the Assembly seeking its approval. However, we are having the same Government which was in power from 1952 to 1956 now also. Suppose some other Government is in power now and it refuses to sanction the same. What will be the position then? Therefore, whenever excess expenditure has been incurred, it must be brought before the Legislature immediately. It cannot be the intention that the whole thing should be put off for any length of time. This expenditure was incurred during the time of the previous Assembly. Now, after the last Assembly was dissolved, this expenditure has been brought forward for regularisation.

THE HON. SRI C. SUBRAMANIAM : May I point out one thing? Suppose excess expenditure has been incurred last year and immediately after that, the Assembly has been dissolved, and elections take place. According to the argument of the hon. Member, such demands for excess expenditure should have been brought before the last Assembly itself. I do not know how the language of the Constitution warrants such an argument. He, being a lawyer, should argue on the wording of the Constitution or adopt some other reasoning. I am afraid he is going off the tangent.

SRI MOHAMED RAZA KHAN : Sir, the old Assembly elected me and Mr. Gurunandan Row to the Council. Because it has been dissolved, do we cease to be Members? That is my difficulty. 11.00 a.m.

* SRI V. GURUNANDAN ROW : Whether the old Assembly elected me or not is not the question now. The election is for a term.

Now, the Hon. the Minister for Finance says that it is the previous year's excess expenditure. Then, I say that that particular

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Cabinet must have been very careful to make a statement before the Legislature showing the estimated amount of excess expenditure that would be incurred, so as to be on the safe side. It cannot be said that the Legislative Assembly can sanction any amount and that there is no time-limit for that. There should be an explanation for the delay in bringing the matter before the House.

Then, I come to Stamps Administration. It is stated that the excess was due to increased expenditure on stamps supplied by the Central Stamp Stores which could not be accurately estimated and provided for. I think 'Stamps' is an item on which expenditure can be estimated with more accuracy than in the case of other items because stamps are of a particular value. I do not know how the stamps supplied by the Central Stamp Stores could have so much increased as to necessitate any excess expenditure.

Then, I come to other items. The only explanation given for the excess in respect of the Grant 'Head of State, Ministers and Headquarters Staff' is that the percentage of excess to the final Grant is only 0.8 and does not call for any special remarks. So also in the case of 'Education', the explanation is that the percentage of excess to the final Grant is only 0.3 and does not call for any special remarks. Sir, it is not a question of percentage but it is only a question why that expenditure had to be incurred. Every Member is entitled to know about it and whether such an excess expenditure is justified in the circumstances.

Sir, the whole question comes to this. What is the reason for the delay in bringing this Statement of Excess Expenditure before the Legislature and why have the Government waited till the Public Accounts Committee pointed out that it should be regularized? I would like to have an explanation for this.

* DR. V. K. JOHN : Mr. Chairman, Sir, the previous speaker has levelled the criticism that the Statement of Demands for Grants for Excess Expenditure for the half-year 1953-54 cannot be brought forward under Article 205 of the Constitution. As a lawyer-Member of this House, I think it is my duty to state that it is clear that Article 205 (1) (b) covers such a Statement of Demands for Grants for Excess Expenditure. From a purely legal point of view, I think this Statement is quite in order. But, Sir, I must say that this statement of Demands for Grants for Excess Expenditure in the second half of the year 1953-54 reveals a most deplorable state of affairs. After the Andhra State Act was passed and the residuary State of Madras was constituted on the 1st of October 1953, the revised Budget was presented not in October or November but on the 14th December 1953. Certainly, there was time to prepare figures and the figures were prepared by the various departments concerned. Then, I do not see why such mistakes should have been made. Also there was a supplementary Demand for Grant presented in March 1954. Why were these figures not included in it in March 1954 also? After all, the departments must work and find out the excess expenditure. The criticism has been

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particularly leveled against an excess expenditure of about Rs. 12 lakhs on one item alone. Now we find that the original grant was Rs. 12 lakhs and then there was a supplementary appropriation of Rs. 6 lakhs and then an excess expenditure of about Rs. 12 lakhs was incurred. One cannot understand what this particular department was doing all the time. First of all, the department must have figures for the original Budget presented in December 1953. If the department knows anything about Article 205 (1) (a), then it must be on the alert to find out whether any excess expenditure would be incurred. Article 205 (1) (a) says—

'(1) The Governor shall—

(a) if the amount authorised by any law made in accordance with the provisions of Article 204 to be expended for a particular service for the current financial year is found to be insufficient for the purposes of that year or when a need has arisen during the current financial year for supplementary or additional expenditure upon some new service not contemplated in the annual financial statement for that year. . . . cause to be laid before the House or the Houses of the Legislature of the State another statement showing the estimated amount of that expenditure. . . .'

Now, Sir, actually a supplementary Demand for excess expenditure should be brought forward within the same financial year. It is the duty and responsibility of every department of the Government to assist the Finance Department and the Hon. the Minister for Finance in finding out the excess amount required by it. An estimate in the Budget may be wrong or it may be deficient but the department concerned has to bring it to the notice of the Hon. the Minister for Finance and his department or other departments concerned. Then Article 205 (1) (a) is applicable and a supplementary Grant is sought. The Government have to ask for a supplementary Grant in the course of the financial year but it has become a practice with the Government to ask for the supplementary Grant only at the end of the financial year.

THE HON. SRI C. SUBRAMANIAM : Now, we present two Supplementary Demands.

* DR. V. K. JOHN : I do not say that it is the fault of the Finance Department. The Finance Department has to be helped by other departments and every department must give the figures for the Budget. Secondly, a constant watch must be kept to see whether those figures are exceeded. After all, what is the difficulty? '12,00,000' is the figure given in the original estimate. Then they find that this is exceeded and they report it to the Finance Department. Then they ask for a supplementary appropriation. But here an excess expenditure of about Rs. 12 lakhs was incurred on one item alone. I want to know from which fund the concerned department got money to incur an excess expenditure. After all, there must be some fund, out of which they can spend. Why were they sleeping all the time and why did not they report

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11-10 a.m. it to the Finance Department? Sir, it is a very deplorable state of affairs. I can understand a Supplementary Demand at the end of the year. But here the Supplementary Demand which was presented in March 1954 could not contain the figures of excess expenditure although in respect of one department, the figure was as big as '12,00,000'. They could not include it in the Demand for Supplementary Grants in March 1954. Why did the Department keep quiet? Why did not the Departments find out these things? (The Hon. Sri C. Subramaniam : I am going to answer all these points.) A compliment has been paid to the Public Accounts Committee. It is the Public Accounts Committee which found out these things and not the Departments. It is the Departments that should have exercised sufficient control over these things and brought them to the notice of both the Houses. I am not sure whether the figures for the first half and second half of the year 1954-55 and for the first half and second half of the year 1955-56 will not exceed the sanctioned amount. I hope such things will not occur in future. We would like that all facilities should be given by the departments concerned to the Accounts Department to ascertain the figures for the previous year at least. There is something wrong with the maintenance of accounts in the Government Departments. This should be a warning to the Hon. the Finance Minister to see that the departments keep their accounts more accurately and strictly and send their reports to the Finance Department sufficiently early as to how much they are spending. I say that if this will not serve as a warning to the Hon. the Finance Minister, if things are not set right and if the Houses of Legislature have again to go through the figures, it will only reflect a very sad state of affairs.

THE HON. SRI C. SUBRAMANIAM : Mr. Chairman, Sir, I am really glad that hon. Members have taken such a keen interest in the subject and I am particularly glad to note the very persistent insistence that rules of financial propriety should be observed. But when I explain the facts of the case, I am sure hon. Members will agree with me that these cases are unavoidable and that even though these are cases of excess expenditure incurred and to that extent not covered by any Grant made by the Legislature, still it is not unnecessary expenditure or expenditure incurred for irregular or illegal or unlawful purposes.

The first point I would like to answer is with regard to the delay in bringing this matter before the Legislature. The hon. Members, I am sure, are aware that first the accounts will have to be audited by the Accountant-General and the Auditor-General before they submit their report. It is only after the receipt of the report from the Auditor-General that the matter can be taken up by the Public Accounts Committee. Till recently it used to take two to three years for the Auditor-General to submit his report. Hon. Members should be aware, particularly the Members of the Public Accounts Committee should be aware, that the reports are received much quicker now. As a matter of fact, the Committee

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is now scrutinising report on the accounts of 1955-56 because the report of the Auditor-General is available much quicker now. Therefore, the first delay occurs in the receipt of the Auditor-General's report. The Auditor-General also can take it up only after a certain time because the accounts are kept open till about the month of September even though the financial year closes on the 31st of March. The accounts are kept open for purposes of adjustments till about September. After the various adjustments are made and the accounts finalized, the accounts have to be gone through.

SRI K. BALASUBRAMANYA AYYAR : Is there no internal audit before sending the final accounts to the Auditor-General? Do not the departments scrutinize the accounts of that year?

THE HON. SRI C. SUBRAMANIAM : That is pre-audit even before payment. Now, with regard to pay and pensions, we are having a separate department, the Pay and Accounts Department. The pre-audit that was done by the Accountant-General is now being done by this department. But that cannot be exhaustive. What I was stating was about post-audit. The accounts can be closed only in September. After that, the Auditor-General takes up the accounts for audit and submits his report. During the scrutiny of the accounts he finds various irregularities. He sends notices to the heads of departments concerned about these irregularities and calls for their explanations. It is only after the receipt of the explanations from the Heads of Departments, that he finalizes his report. Whether the explanations offered by the heads of departments are acceptable or not, these irregularities are embodied in his report. Therefore, this takes time. Unfortunately, till recently, two, three or four years back, the heads of departments did not take these things seriously. Whenever explanations were called for, they ignored them or used to take one or two years even, in some cases, to submit their explanation. But since 1951 when this matter was brought to the notice of the Public Accounts Committee, we have issued strict instructions that first priority should be given to the submission of explanations with reference to the irregularities pointed out by the Accountant-General. We have fixed a time-limit also within which they should submit the explanations, namely, within two or three months. I am mentioning all this to show that now there is no delay in the submission of explanations.

Therefore, we get the reports of the Auditor-General much quicker now. He has also instructed his department to be more quick in disposing of these things. That is why we are now getting the report earlier. After receipt of the report of the Auditor-General, the Public Accounts Committee scrutinise it. They call the Secretaries to Government and the heads of departments concerned to be present at their meetings and in respect of each irregularity they are questioned why and how it occurred. Everything is discussed in the Public Accounts Committee. If only the

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hon. Members have the patience to go through the proceedings of the Public Accounts Committee—notes of the proceedings of the Public Accounts Committee are taken down verbatim just like the proceedings of this House and printed and made available in the form of a report—they will be amazed to find how closely the accounts of every department of Government are scrutinized. All the questions raised now were raised in the Committee also, namely, that this or that was not done by the department or Government. It is not as if these things are coming up for the first time before the Legislature. These have gone before a Committee of the Legislature. Formerly, the Assembly alone had the privilege of electing its Members to the Public Accounts Committee. Now the Members of the Legislative Council also are associated with the Committee—the heads of departments are not present at such Member of the Committee is given an opportunity to put questions to the heads of departments and Secretaries to Government. Not only that. Now we are adopting a procedure called 'briefing the Members'. The Members of the Committee may not know the intricacies of accounts. The day previous to the regular meeting of the Committee, the Accountant-General sits with the Members of the Committee—the Heads of Departments are not present at such sittings—takes up item after item and explains the significance of each individual item, namely, the irregularity which has been committed, the explanation given by the officers and how that explanation is not exhaustive or reasonable. In the light of this briefing, the Members of the Committee are ready to pounce upon the heads of the departments which they appear before the Committee and they are examined and cross-examined. The heads of departments have to offer their explanations to the Committee on these various irregularities.

11-20 a.m. Sir, in spite of all these various methods that we have adopted, certain irregularities occur, if I may say so, unavoidably. The only thing I have been trying to see is that these irregularities are not repeated. If any irregularity occurs, it should be something new which was not already examined. I have been insisting that the officers should take care, when a particular irregularity has been pointed out and the method to rectify it also has been suggested, to see that such irregularities are not repeated. Therefore, hon. Members may be glad to know that in view of the various proceedings year after year of the Public Accounts Committee, and because of this very elaborate discussion in the Public Accounts Committee, we are making improvements in budgeting, in spending and in finalizing the accounts and I should say that the irregularities are avoided. (Hear, hear.)

Then, hon. Members will have to bear in mind that after all, with reference to the various items of expenditure, we cannot make an accurate estimate of the amounts required. It may be either a little on the high side or a little on the low side. It is unavoidable. Some officers are a little more generous and they want to

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keep a little more and ask for a little more. That is also bad. For, it bloats the Budget and it gives an incorrect picture of the financial position. Suppose I show a deficit of Rs. 5 crores because of this bloated estimate; it does not give a correct picture. Therefore, we are giving instructions to the officers that their estimates should be made as correctly as possible. But in spite of these instructions, it is not always possible to estimate correctly even up to thousands, let alone hundreds. Therefore, in some cases, there is excess expenditure. In some cases, there are excess appropriations or savings. What is coming before the Legislature now is only items of excess expenditure. If there has been such a case, nobody bothers about it. It does not come before us for discussion. If there had been reappropriations, that is also discussed in the Public Accounts Committee and they ask the departments, "Why did you overestimate? Why did you ask for greater provision?" Therefore, an officer has to keep a balanced view to determine what he should ask for. That is the difficulty which officers have got in finally deciding the estimates at the proper time. There are two occasions for an officer to decide. One occasion is when the Budget itself is framed. As hon. Members are aware, for the next year, budgeting begins even in the month of September this year. Various items of expenditure are sent as estimates to the Finance Department and they go on compiling them up to December and the Finance Department should complete it by then. During January, Part II Schemes should come before the Standing Finance Committee and in February first week at least, it should be possible for the Cabinet to finalize the entire Budget. So, when they are making estimates for the next financial year's Budget, they have to take a view six months earlier as to what would be the estimates of expenditure during the next year.

Then, in respect of excess expenditure, we have got the provision of Supplementary Demands. Even that supplementary expenditure will have to be finalized in the month of February. This has to be presented to the Assembly in February and they have to finalize it by then; if it has to be finalized by 15th January, they have to estimate by December, at the latest by 15th January. Therefore, it should be possible for most of the departments at this stage to estimate correctly. Of course, that is being done. That is why we have not here only six items while we have some 40 or 42 Demands. Only these six items have come before us. Thus, by January, they could estimate what further expenditure they would be incurring; if there is found any saving, that saving has to be surrendered. That should also be done. Then there is another opportunity to regularize the accounts before they are finally closed before the 15th of March. Suppose we have voted a certain amount under a particular Demand. Then it is possible to make re-appropriations within that Demand under the various heads. We cannot take the savings in one Demand and spend them under some other Demand. One cannot say, "Here is a saving. I shall spend it for that". But within the same Demand, under the several sub-heads, re-appropriations could be made.

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Therefore, if in a particular Demand, there is a saving and there is an excess under another sub-head of the same Demand, they can ask for re-appropriation. It is possible and that has to be done by 15th March. If there is a saving, this could be done; but if there is no saving in the Demand itself, then this cannot be done with reference to any saving under some other Demand. But if there is no saving and in spite of one's best efforts, there has been an excess expenditure, one has to take a chance. That is where Article 205 comes in. It is because of this very fact that we had to introduce Article 205 in the Constitution. It is unavoidable. There would be cases of this kind and there would be excess expenditure which we will have to regularize by bringing them before the Legislature. That is why Article 205 was contemplated.

Most cases of this kind where there are large variations are these cases where we have to purchase articles. Suppose we place indents for 50 or 60 tons of paper; the entire quantity indented for is not delivered at one time; they have got a phased programme of delivery and after delivery, the bills have to be submitted and paid for. When we have placed orders for the purchase of certain articles, then the officer concerned has got to make an estimate when they are likely to be delivered and after delivery, when the bills would be submitted for payment. He has to see whether they would come before the financial year or not. Thus, in the case of stationery, they have placed bulky orders for the purchase of paper. They have got to see what would be the quantity of stationery that would be delivered within March 31st and out of the delivered stock, how much would be debited to our account. Particularly is this the case if we make purchases from the Director-General of Supplies. What happens is this. They will simply send the bills through the Auditor-General and they would simply raise the debit against the Madras Government. There is no question of payment there. When that debit would come is a little guess work. Therefore, an officer has got to take a chance and that has to be done before 31st March. If there is overestimate or saving, then the Public Accounts Committee would ask him, "Why did you overestimate? You should have estimated correctly." If he under-estimates, then also there is excess expenditure and there is criticism. Therefore, in all these cases of purchases and contracts, hon. Members will find that we are in the horns of a dilemma whether we should take into account deliveries up to March for which payments or debits may or may not be raised. If debit is not raised and if we had asked for money expecting the debit based on the deliveries, then to that extent there will be savings; if we had not asked for money, there would be excess expenditure and we will be asked, "Why did you not provide for this?" Therefore, in respect of these purchases, hon. Members will find that we sometimes do err. As far as stationery is concerned, it is not expenditure incurred for the purpose of unforeseen purchase. But, it is in respect of contract entered into for the delivery of stationery. But then the Superintendent of Stationery thought that he would not have to incur this expenditure

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before 1st April, for then it comes under the following year's account, as only those items that are paid for up to 31st March are included in the current year's account. Thus these have to be balanced. But now we have come to an arrangement that no debit should be raised after the 15th March, as otherwise it raises all sorts of difficulties. This arrangement may be all right in respect of the Government of India and others here. But supposing it is a case of payments to a foreign country for goods delivered, we cannot say, "Kindly wait". We have to honour their bill as soon as it is tendered. These are our difficulties in making purchases.

In respect of stationery purchases and Rs. 12 lakhs of excess expenditure thereon, it is not as if there was any irregularity or extravagance or it was not contemplated and proper estimate made. If it had been anticipated, it would have been corrected. But the bills were received and the debits were raised later. Because there was no saving under the Demand, we could not meet this by re-appropriation. Therefore, we have to come before the House for this and various other items.

DR. V. K. JOHN : There was a Supplementary Grant of Rs. 6 lakhs.

11-30
a.m.

THE HON. SRI C. SUBRAMANIAM : When the Superintendent asked for a Supplementary Grant of Rs. 6 lakhs, he anticipated a certain amount of delivery of paper. But actually there was delivery of paper worth not Rs. 6 lakhs but Rs. 18 lakhs. When the Superintendent asked for the Supplementary Grant, he would have taken into account the circumstances prevailing in the previous year and would have thought that a sum of Rs. 6 lakhs as Supplementary Grant would be sufficient. But, fortunately or unfortunately, there were deliveries of paper worth Rs. 18 lakhs.

DR. V. K. JOHN : Were the deliveries made actually after the Supplementary Grant of Rs. 6 lakhs was sanctioned?

THE HON. SRI C. SUBRAMANIAM : Actually, all expenditure takes place during the month of March. Even if we find out that there has been an excess expenditure, we try to provide for it by re-appropriation if there is a saving in the Grant and if it is not available, we come before the Legislature subsequently to have it regularized.

SRI V. CHAKKARAI CHETTY : The Hon. the Minister for Finance has explained the various stages of preparation of the Budget by the Finance Department and the various steps taken to check such excess expenditure. We may not be in a position to judge whether the accounts tally or not. I myself am not a financial expert. I have not much money with me and I cannot say whether all these items of expenditure are good or bad. (The Hon. Sri C. Subramaniam : Nor do I have money. I am only spending Government's money.) I hope that it is all good and that in our country, once again, milk and honey will flow because of the

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excessive expenditure. It is said that 'if there is more expenditure by the family cook, we will have better food'. Similarly, the Hon. the Minister for Finance, since he is the family cook of our State, will give us better food.

SRI T. M. NARAYANASWAMY PILLAI: Whenever the Government or the Department sanction an expenditure, they must be aware whether the expenditure is provided for in the Budget or not. So, if an excess expenditure has been incurred before March 31st, in any event the Government must have been aware of that. So, there is nothing to prevent the Government from taking steps to regularise that expenditure. They need not wait for the Auditor-General to point out to them that such expenditure should be regularised by the Legislature. The Government should take steps early in the next financial year at least to regularise such expenditure. The Government must have been aware that a sum of Rs. 12 lakhs has been spent in excess of the budgeted amount. They must also have been aware that that expenditure could not be regularised by reappropriation. The question is why the Government have taken such a long time to regularise such expenditure?

DR. V. K. JOHN: I take it that it is quite clear that there has been no misapplication or misappropriation or loss of money involved in this case and that it is only a matter of technical accounting.

THE HON. SRI C. SUBRAMANIAM: The hon. Member, Sri T. M. Narayanaswami Pillai, raised the point why this was not regularised during the next year. As I said earlier, all the accounts will be closed on September 15th. Some of the items of excess expenditure may be obvious. But other items of excess expenditure will be known only after final audit. Then only it will be known whether in respect of a particular item, expenditure has exceeded the amount actually provided for in the Budget. All such items, after full scrutiny by the Auditor-General and by the Public Accounts Committee, come before the Legislature. This is a matter of convention and I think it is a better method. After all, these items are first thrashed out by the Auditor-General and then by the Public Accounts Committee. Members also will have before them the entire facts. These items have been brought forward purely for the purpose of being regularised. We cannot do anything in the matter. An hon. Member asked, 'What would happen if it is not voted on'? Nothing will happen. It will remain an irregular expenditure and nobody can be surcharged for that.

There is also another item relating to 'Head of State, Ministers and Headquarters Staff' under Demands for Grants for Excess Expenditure. That is an item with which we are concerned. That relates to travelling allowance of Ministers. We are asked to give an estimate of our tour expenses for four months. Sometimes, we have to undertake some inevitable tours during February and

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March. That is how this excess expenditure of Rs. 25,241 has occurred. There are certain unavoidable items of expenditure. We have got certain transactions with the Government of India. We have got to pay in respect of certain items to the Government of India. We will be thinking that we will pay them next year. But suddenly the Government of India will raise debit for the amount we owe them through the Accountant-General and we will be informed of the fact that debit has been raised. We will be only silent spectators, and we allow such items of expenditure to be regularised later on.

What we are concerned with here is not whether these items of expenditure have been misapplied. What we are concerned with here is this. There are certain other irregularities which are pointed out by the Accountant-General and which the Public Accounts Committee have gone into. Those are really the items we should discuss. For example, ex-gratia payments to contractors is one of the items pointed out by the Accountant-General. Sometimes, a contractor applies to the Government for ex-gratia payment saying that he has incurred some loss. Formerly, the Government used to take a lenient view of such applications and were sanctioning ex-gratia payments. There is a lot of room for patronage in such matters. One person may succeed in getting such a payment and another person may not get it. That question was taken up in the Public Accounts Committee and we issued instructions that there should be no ex-gratia payments unless Law Officers thought that there was room for persons concerned to go to a Court of law and that some compromise was necessary. Similarly, if Members go through the Report, they will find that there was certain amount of misappropriation with reference to agricultural stores. Proper checks were not made and as a result, there were so many irregularities. Those are all the things which we should look into and where we should pull up the Departments so that they may be more careful in the future. As a matter of fact, this occasion should be taken for the purpose of examining these matters. These items of expenditure are regular items of expenditure which have got to be regularised under the Constitution. Really the things which we have got to look into are the irregularities which are not brought before the Legislature. There is a separate chapter in the Public Accounts Committee's Report about State Trading. I thought such matters would be discussed.

DR. V. K. JOHN: Why not another day be fixed for a discussion of the Report?

THE HON. SRI C. SUBRAMANIAM: This occasion is really intended to discuss the Report of the Public Accounts Committee. Formerly, before the present Constitution came into force, we never used to present these Demands. Only the Public Accounts Committee's Report was laid on the table of the House for discussion, and a day or two were allotted for discussion of the Report. That is all. Now, we are governed by Articles 204 to 206 of the

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Constitution, according to which no amount can be spent except with the sanction of a proper appropriation law passed by the Legislature. Even if there has been irregular expenditure in the previous year, according to Article 205, such expenditure has got to be regularized by a proper Appropriation Act. That is why an Appropriation Bill will be coming before the House in a couple of days. That is why these items of expenditure come in the form of Demands. Though this is an occasion to discuss these Demands, really this is an occasion to discuss the Public Accounts Committee's Report. But, unfortunately, it is rather a laborious task to go through the Public Accounts Committee's Report. The Public Accounts Committee goes through these things very carefully. Therefore, perhaps hon. Members think that since a Public Accounts Committee has been appointed, it will take care of such things. It is worthwhile to go through one or two of the Reports of the Public Accounts Committee. They will throw much light on the administration of the various departments. I hope I have tried to meet almost all the points. I do agree that there is still scope for improvement and we will try to do our best.

* DR. A. LAKSHMANASWAMI MUDALIAR: As a Member of the Public Accounts Committee, I should like to say that the inclusion of Members of this House has given us much greater inside knowledge of the working of the accounts. I have seen the examination of the accounts that has been conducted with the Secretaries and other Heads of Departments. I am sure that the Public Accounts Committee's Report that will be drawn up with the help of Members of this House will be a fundamental factor for any discussion in this House. I should say that we are very grateful to the other House and to the Hon. the Minister for Finance for including representatives of this House in the Committee.

THE HON. SRI C. SUBRAMANIAM: I may assure the hon. the Leader of the Opposition that we are greatly benefited by the presence of experienced Members of this House in the Committee.

MR. CHAIRMAN: The House will now adjourn and meet again at 3 p.m. to-morrow.

The House then adjourned.

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

* 126. Notification issued with G.O. Ms. No. 873, Revenue, dated the 21st February 1957, regarding insertion of a proviso to sub-rule (2) of rule 14 of the Madras Sales of Motor Spirit Taxation Rules, 1939.

Laid on the table of the House on 22nd July 1957.

THE MADRAS LEGISLATIVE COUNCIL.

Friday, 26th July 1957.

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

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

Muslim Wakfs in the State

* 33 Q.—SRI MOHAMED RAZA KHAN: Will the Hon. the Minister for Home be pleased to state—

(a) whether the survey of the Muslim Wakfs in Madras State has been completed;

(b) if so, the number of Muslim Wakfs in the State and their annual income; and

(c) when the Government propose to constitute the Muslim Wakfs Board?

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

(b) Does not arise.

(c) The Government propose to constitute the Board of Wakfs after the survey of wakfs in this State is completed and after the report of the Commissioner is received.

SRI MOHAMED RAZA KHAN: May I know how long it will take for the survey to be completed?

THE HON. SRI M. BHAKTAVATSALAM: It is a comprehensive survey that has had to be undertaken and it may take some little time to be completed. The Commissioner has been asked to expedite the work.

SRI K. BALASUBRAMANYA AYYAR: May I ask whether the Government are aware that there was a Bill introduced by Mr. Abdul Latif Farooki in 1951 about the Muslim wakfs? If so, what has happened to it?

THE HON. SRI M. BHAKTAVATSALAM: It is under the Wakfs Act of 1954—Central Act XXIX of 1954—that came into force in this State with effect from 15th January 1955 that this survey has been undertaken and the Commissioner appointed.

Influenza and the treatment

* 34 Q.—SRI MOHAMED RAZA KHAN: Will the Hon. the Minister for Revenue be pleased to state—

(a) the number of cases of influenza so far reported since the outbreak of the disease in epidemic form in the City of Madras; and

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(b) the special measures taken by the Government to combat the spread of influenza?

THE HON. SRI M. A. MANICKAVELU : (a) 73,633 cases of influenza were reported in the City of Madras up to 30th June 1957.

(b) The following special measures were taken by the Government to combat the spread of influenza in the City :—

(i) " Epidemic Influenza " was at once notified as an infectious and notifiable disease under the Madras Public Health Act.

(ii) The Steamship " Rajula " which arrived in Madras on 16th May 1957 with some influenza cases aboard was kept under strict quarantine for five days.

(iii) A special quarantine camp was set up at Poonamallee for the isolation and treatment of influenza cases found among the " Rajula " passengers.

(iv) The Collector of Madras notified that the City of Madras was threatened with an outbreak of influenza and vested necessary powers in the Health Officer to combat the disease.

(v) The Public Health authorities took steps to inspect eating and lodging houses and to isolate all influenza cases.

(vi) Press notes were issued on 30th May 1957 and 11th June 1957 advising the public of the preventive measures to be taken against the disease.

(vii) Free treatment was provided in the hospitals, dispensaries and maternity and child welfare centres and anti-biotics and sulpha drugs were supplied to the hospitals, etc.

(viii) The Government prohibited all morning and matinee cinema shows during the period 30th May 1957 to 28th June 1957 and also ordered that the evening shows should not begin earlier than 7 p.m.

(ix) The Government advised the closure of all educational institutions till 1st July 1957.

(x) Additional bed accommodation and out-patient treatment were provided at the Infectious Diseases Hospital for which purpose the Government sanctioned a grant of Rs. 10,000 to the Corporation.

(xi) Five Mobile Medical Units with adequate medical staff are put into action in congested and slum areas for rendering extensive free medical aid.

SRI V. CHAKKARAI CHETTY : Will the Hon. Minister tell us when the last influenza epidemic—I mean the one previous to the recent epidemic—broke out in Madras? I believe it was some

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years ago when I was in the Corporation, but I cannot say exactly when it came. I want to know whether there is any regular periodic outbreak or whether it is only a sporadic outbreak.

THE HON. SRI M. A. MANICKAVELU : I find influenza seems to have the knack of appearing after a World War. (Laughter.) It appeared first as an epidemic after the first World War and now after the second World War.

SRI T. PURUSHOTHAM : Have the Government investigated the possibilities of outbreak of a more violent epidemic of ' flu ' and, if so, what steps have they taken to meet such a contingency?

THE HON. SRI M. A. MANICKAVELU : On the assumption that it may come—it may or may not come—the Government have taken all necessary steps. In fact, a meeting was convened to day for discussing these but I broke away from the meeting to answer this question. (Laughter.) Soon after I finish, I will go and join the meeting.

SRI MOHAMED RAZA KHAN : May I know whether the figure 73,000 represents only cases reported to hospitals or includes those which have been treated by private practitioners also?

THE HON. SRI M. A. MANICKAVELU : The figure refers to cases of influenza generally and does not relate to any particular category. In this connection, I may point out one thing. It was mentioned somewhere that the number of such cases in Madras State was very large. Now, I understand that the statistics in our State were very accurate and that these have swollen the number.

SRI T. PURUSHOTHAM : Will the Hon. Minister tell us what preventive steps are proposed to be taken in this matter and also the measures proposed to be taken to localise and check the spread of the disease in affected areas?

THE HON. SRI M. A. MANICKAVELU : All preventive steps that we took recently and some other measures designed to meet the new type of influenza—now we are not certain of what type it will be—such as introduction of new medicines or vaccines will be taken. The approach will have to be different and so, let it appear and we shall deal with it. (Laughter.)

SRI A. M. ALLAPICHAJ : Is there any basis for the belief that now exists that this ' Flu or Influenza ' is due to some kind of explosions occurring somewhere for which some big nations are responsible?

THE HON. SRI M. A. MANICKAVELU : That is the view held by some people. But there is nothing categorical or definite about it.

DR. A. SREENIVASAN : Is there any treatment for influenza, Sir?

THE HON. SRI M. A. MANICKAVELU : I think doctors must know better.

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DR. A. SREENIVASAN : As far as I can see, there is no treatment for a virus disease. I do not think any anti-biotic or any medicine that I know of has any direct effect on this.

MR. CHAIRMAN : Dr. Sreenivasan must put a supplementary question.

SRI MOHAMED RAZA KHAN : When the influenza epidemic was at its peak, I saw a report that the other ships coming to Madras from Singapore like the "State of Madras" and others were not allowed to enter our Harbour. When that is so, why did not the Government take this precaution earlier and why did they allow "Rajula" to enter the Harbour when we knew full well that influenza was virulent in Singapore?

SRI V. CHAKKARAI CHETTY : Has any authoritative statement been issued by any expert committee with regard to the virulence of the epidemic in this State? Is it merely lay opinion that we are expressing now or is it based upon any scientific study by experts?

THE HON. SRI M. A. MANICKAVELU : The moment we had information that "Rajula" had such patients on board, we took action. There was no delay. As soon as we knew it, we took action. It was not possible to take action in the absence of any knowledge of it. As regards the question whether there is any treatment for it, that is a debatable point. Even granting that there is no treatment, medical treatment will be a palliative and will ensure that the condition of the patient does not become worse. At least, to that extent, it will be useful.

SRI A. M. ALLAPICHAJ : When a person is attacked with influenza—and I know it myself as some of my people at home had attacks of influenza—the patient is taken to the doctor and given injection and medicine. Is it treatment or something different?

THE HON. SRI M. A. MANICKAVELU : The hon. Member may view it as he pleases. He may view it as a treatment or he need not.

SRI V. CHAKKARAI CHETTY : There is a suggestion that Stalk's vaccine has some influence. I have been taking it and I have not got influenza. I have not attempted any scientific demonstration but still I feel there is something in it.

DR. A. LAKSHMANASWAMI MUDALIAR : Are the Government aware that the provision for treatment in the Infectious Diseases Hospital in the City is so inadequate and that the hospital itself is so far away that people were put to much difficulty when influenza was prevalent in an epidemic form recently? Will the Government take over the hospital in a big City like this and effect improvements to it?

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THE HON. SRI M. A. MANICKAVELU : I think there is some correspondence on the subject. I cannot now say whether it is exactly on the subject of taking over. Anyway, the question of improving the hospital should be considered and the Government will look into it.

SRI V. GURUNANDAN ROW : May I ask whether any private medical practitioners were assisted by the Government by supply of medicines to meet the attack of influenza?

THE HON. SRI M. A. MANICKAVELU : Probably not. All hospitals were supplied with medicines. I am not aware whether any private medical practitioners were given any help.

Improvement of the condition of workers employed in beedi industry

* 35 Q.—SRI MOHAMED RAZA KHAN : Will the Hon. the Minister for Industries be pleased to state when the proposed legislation, referred to in paragraph 2 of G.O. No. 499, Industries, Labour and Co-operation, dated 9th February 1957, for the implementation of the recommendations of the Special Officer appointed to report on the measures for the improvement of the condition of workers employed in beedi industry, will be introduced? 3-10 p.m.

THE HON. SRI R. VENKATARAMAN : A Bill to improve the condition of workers in beedi industry is being finalized.

SRI V. CHAKKARAI CHETTY : May I ask, Sir, whether the beedi industry is a factory industry or a cottage industry? I have visited many of these places and, according to my past experience, it is a cottage industry to a very large extent. But there are one or two big factories too. I am not quite sure about the present state of affairs.

THE HON. SRI R. VENKATARAMAN : That is really the dispute which this Bill wants to settle.

Relief to weavers from the Cess Fund.

* 36 Q.—SRI A. J. ARUNACHALAM : Will the Hon. the Minister for Industries be pleased to state—

(a) whether there is any proposal before the Government to help the weavers outside the co-operative fold from the Cess Fund; and

(b) if so, what it is?

THE HON. SRI R. VENKATARAMAN : (a) & (b) Proposals have been formulated for maximising the production of handloom cloth by weavers outside the co-operative fold, with financial aid from Cess Fund. The implementation of the proposals is contingent upon the allotment of funds by the All-India Handloom Board or the Government of India from the Cess Fund for the purpose. A sub-committee of the All-India Handloom Board recently investigated the question of extending financial aid from the Cess Fund

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to weavers outside the co-operative fold. The decision of the Government of India on the recommendations of the sub-committee is not known yet.

SRI MOHAMED RAZA KHAN: May I know whether the Government of Madras have tried to ascertain why the weavers, in spite of all the help given to them in so many ways and forms refuse to join the co-operative societies and persist in trying to remain outside the co-operative fold?

THE HON. SRI R. VENKATARAMAN: There are so many explanations offered. But we have no definite proof as to the reason for their not joining the co-operative fold. Among the explanations offered, one is that they are related to master weavers. Another explanation is that they get financial advances, etc., from master weavers. We do not know what exactly the reason is.

SRI MOHAMED RAZA KHAN: Is the Hon. the Minister for Industries aware that there is a good deal of contradiction or rather difference between the policy of the Central Government that they would help only weavers in the co-operative fold and what the Hon. Minister has stated at a meeting, namely, that he is prepared to go to any length to help the weavers remaining outside the co-operative fold? May I know which view we should take as the Government's opinion?

THE HON. SRI R. VENKATARAMAN: Each represents the view of the respective Government. The Madras Government have made it their policy that help to the weavers even outside the co-operative fold should be forthcoming, and they are pressing this aspect before the Central Government.

SRI A. J. ARUNACHALAM: ஸெஸ் நிதியின் பலன் பூராவும் கூட்டுறவு சங்க நெசவாளர்களுக்குப் போய்ச் சேருகிறது என்று வெளியில் உள்ள கைத்தறி நெசவாளர்கள் பலரும் நினைக்கிறார்கள். அவர்களுடைய அந்த நினைப்பை மாற்றுவதற்காக, உடனடியாக அரசாங்கம் அவர்களால் உற்பத்தி செய்யப்படும் துணிகளையெல்லாம் வாங்கி கவர்ன்மென்ட் டெப்போக்களை வைத்து அவைகளில் அந்தத் துணிகளை விற்பதற்கு ஏதாவது வழி செய்யுமா என்று கேட்க விரும்புகிறேன்.

THE HON. SRI R. VENKATARAMAN: அகில இந்திய கைத்தறி போர்டானது, கூட்டுறவு ஸொஸைடியில் இல்லாத கைத்தறி நெசவாளர்களுக்கு எந்தவிதமான உதவி செய்யமுடியும் என்று ஆலோசிப்பதற்கு ஒரு ஸப்-கமிட்டியை நியமித்திருக்கிறது. அந்த ஸப்-கமிட்டி விஷயங்களைப் பரிசீலனை செய்து, ஒரு மார்க்கெட்டிங் பெடரேஷனை வைத்து, அதன் மூலம் கூட்டுறவுச் சங்கங்களில் சேராமல் வெளியேயுள்ள கைத்தறி நெசவாளர்கள் உற்பத்தி செய்யும் துணியைக்கூட வாங்கி விற்கவேண்டும் என்று சிபாரிசு செய்திருக்கிறது. அந்த சிபாரிசை அகில இந்திய கைத்தறி போர்டு சமீபத்தில் பரிசீலனை செய்யவிருக்கிறது.

SRI A. J. ARUNACHALAM: கூட்டுறவுச் சங்கங்களிலுள்ள கைத்தறிக்காரர்களுக்குத் தனி ஒன்றுக்கு 200 ரூபாய் வீதம் கடன் கொடுப்பதற்கு சர்க்கார் சிபாரிசு செய்திருக்கிறார்கள். ஆனால், நாளதுவரையில், அந்த சிபாரிசுப்படி நெசவாளர்களுக்கு அந்த 200 ரூபாய் கடன் கிடைக்கவில்லை. அவர்களுக்கு அது உடனடியாகக் கிடைக்கச் செய்வதற்கு அரசாங்கம் ஏற்பாடு செய்யுமா?

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THE HON. SRI R. VENKATARAMAN: கூட்டுறவுச் சங்கங்களிலுள்ள கைத்தறி நெசவாளர்களுக்கு 200 ரூபாய் கொடுக்கவேண்டுமென்பது திட்டம். ஆங்காங்கு மத்திய பாங்குகளின் நிதி நிலைமை சரியாக இல்லாமலிருந்தால், சற்று முன்னதாகவோ பின்னதாகவோ கிடைக்கும்.

SRI A. J. ARUNACHALAM: நீண்டகாலக் கடனாகக் கொடுக்க வேண்டும் என்பது அரசாங்கத்தின் நோக்கம். ஆனால், பல மத்திய பாங்குக்காரர்கள் குறுகிய காலக் கடனாகவே கொடுப்பதற்கு முன்வருகிறார்கள். நெசவாளர்களுக்கு, வேண்டிய இந்தக் கடனை 'ஸ்பெஷல்' ஆகப் பாவித்து, நீண்டகாலக் கடனாகக் கொடுப்பதற்கு அரசாங்கம் ஏற்பாடு செய்யுமா?

THE HON. SRI R. VENKATARAMAN: அதுவும் மத்திய பாங்கின் நிதி நிலைமையைப் பொறுத்தது.

DR. A. SREENIVASAN: Do the weavers offer any security to the Government for the loans that are being given to them? Have there been instances of default in repayment by the so-called weavers after getting loans from the Government?

THE HON. SRI R. VENKATARAMAN: Loans are more or less secure. The co-operative society buys the cloth produced by them. Therefore, there has not been much of complaint that the loans have not been repaid.

SRI MOHAMED RAZA KHAN: As the Hon. the Minister for Industries was kind enough to state at a public meeting arranged in connection with the Handloom Week that he would be doing his best to help those weavers who remained outside the co-operative fold, may I know what his suggestions are to help them and in what manner he wants to help them?

THE HON. SRI R. VENKATARAMAN: I was only giving out my suggestions. They have yet to be accepted by the All-India Handloom Board or by the Central Government. The suggestion we are making is that a sum of Rs. 50 should be advanced as working capital to weavers who have not joined the co-operative societies. Secondly, they should also be supplied with improved tools and appliances. Thirdly, marketing facilities should be expanded.

SRI V. V. RAMASWAMI: ஸெஸ் பண்டிலிருந்து கொடுக்கும் ரிபேட் விஷயத்தில், கூட்டுறவுச் சங்கங்களில் இல்லாமல் வெளியில் இருக்கும் கைத்தறி நெசவாளர்களுக்கு ஏதாவது தனிச் சலுகை இருக்கிறதா? ஒருவேளை அதன் காரணமாகத்தான் வெளியே உள்ளவர்கள் கூட்டுறவுச் சங்கங்களில் சேராமல் இருக்கிறார்களோ என்று நினைக்கிறேன். இது சரியா?

THE HON. SRI R. VENKATARAMAN: கூட்டுறவுச் சங்கங்களில் உள்ள கைத்தறி நெசவாளர்களுக்கு ரிபேட் கொடுக்கப்படுகிறது. தனியாக உள்ள கைத்தறி நெசவாளர்களுக்கு ரிபேட் கொடுக்கப்படுவதில்லை.

SRI A. M. ALLAPICHAJ: Will it not amount to discrimination, Sir?

THE HON. SRI R. VENKATARAMAN: The hon. Member may challenge it in a court of law and give us the benefit of his wisdom.

[26th July 1957]

Accident in Basin Bridge Power House.

* 37 Q.—SRI V. GURUNANDAN ROW: Will the Hon. the Minister for Electricity be pleased to state—

(a) whether any representation has been made to the Government for a public enquiry into the accident which occurred in the Basin Bridge Power House on the 4th March 1957 in which one workman lost his life and others were injured, and if so, the action taken thereon;

(b) the number of accidents that occurred in the Madras Electricity System from 1st January 1955 up to date;

(c) the number of persons who lost their lives and the number injured;

(d) the action taken by the Government on claims, if any, for compensation from the relatives of the deceased and injured persons involved in such accidents; and

(e) the number of accidents that were enquired into by the Chief Inspector of Factories and his findings thereon?

THE HON. SRI V. RAMAIAH: (a) A representation has been made to the Government. A complete report from the Chief Operation Engineer (North) is awaited in the matter.

(b) 161.

(c) Number of persons who lost their lives—3.

Number injured—167.

(d) Compensation has been sanctioned in all the deserving cases and in all the three fatal cases, the compensation amounts have been deposited with the Commissioner for Workmen's Compensation for distribution.

(e) The three accidents which involved fatal cases were enquired into. The findings were that the accidents were not due to any negligence on the part of anyone and that there was no infringement of the provisions of the Factories Act and Rules.

SRI V. GURUNANDAN ROW: May I ask whether any demand was made by the Union of Workers that a public enquiry should be held and that the Union should be allowed to participate in the enquiry?

THE HON. SRI V. RAMAIAH: We are still awaiting the report from the Chief Operation Engineer. As soon as it comes, I shall consider the suggestion of the Member, if necessary.

SRI V. CHAKKARAI CHETTY: Is it not a fact that there is a law that when people employed in a factory are injured by the machinery, they are entitled to compensation? That is the law, I think, unless I am very much mistaken.

THE HON. SRI V. RAMAIAH: I have nothing to state, Sir, in the matter.

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Supply of rice and wheat.

* 38 Q.—SRI MOHAMED RAZA KHAN: Will the Hon. the Minister for Home be pleased to state—

(a) the quantity of rice and wheat supplied to Madras State by the Union Government during the period between October 1956 and March 1957;

(b) the price per ton at which each commodity was supplied by the Union Government; and

(c) the price per ton at which each commodity has been sold to the public through Fair Price Shops?

THE HON. SRI M. BHAKTAVATSALAM: (a) Only rice is being supplied by the Government of India to the State Government for distribution to the public through Fair Price Shops at controlled rates and not wheat. Wheat is issued by the Regional Director (Food), Madras, direct to the merchants for sale to consumers. The total quantity of rice supplied by the Government of India to this State for distribution through the Fair Price Shops during the period between October 1956 and March 1957 was 63,018 tons.

(b) The issue price of rice supplied by the Union Government is Rs. 16 per maund ex-godown or ex-important Railway stations. The price per ton works out to Rs. 435.52.

(c) The issue price of rice to the public through Fair Price Shops varies from place to place due to variation in the incidental charges such as transport and handling charges and it is about Rs. 16-8-0 to Rs. 17 per maund or about Re. 0-11-5 to Re. 0-12-0 or Re. 0.71 to Re. 0.75 per Madras measure. The price per ton works out to about Rs. 449.13 to Rs. 462.74.

SRI MOHAMED RAZA KHAN: Is it a fact that the Madras Government made representations to the Government of India that their requirements were one lakh and fifty thousand tons? 3-20 P.m.

THE HON. SRI M. BHAKTAVATSALAM: It was not exactly so, Sir. There was a rough estimate of our requirements. The total requirements were worked out and intimated to the Government of India.

Rajaji Tuberculosis Sanatorium, Tiruchirappalli.

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

(a) whether the Non-Gazetted Officers or employees of Local Boards seeking admission to the Rajaji Tuberculosis Sanatorium, Tiruchirappalli, have to pay any charges for treatment;

(b) if so, what those charges are; and

(c) whether all or any of such charges are refundable under the Medical Attendance Rules?

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THE HON. SRI M. A. MANICKAVELU : (a) The Non-Gazetted Officers and employees of local bodies and their families, who seek admission to the Rajaji Tuberculosis Sanatorium, have to pay charges for treatment if they are admitted into any of the paying wards other than the five free beds reserved for the Government servants in the General wards.

(b) The Non-Gazetted Officers and employees of local bodies and their families are treated in the Sanatorium just like the common public and they have to pay the charges embodied in the rules for admission into the sanatorium. A copy of the relevant rule^a is placed on the table of the House.

(c) All the charges are refundable, provided they are recommended sanatorium treatment by the Authorized Medical Attendants and admitted in the Sanatorium, due to want of accommodation in a Government Medical Institution.

SRI G. KRISHNAMOORTHY : Is it a fact that besides the charges given in the paper laid on the table of the House, the Sanatorium gets Rs. 1-8-0 per day as a compulsory levy towards the District Tuberculosis Fund? Is it also a fact that it levies a charge of Rs. 10 for each Essentiality Certificate and also a charge of Rs. 10 for the Fitness Certificate to be issued while a patient is discharged?

THE HON. SRI M. A. MANICKAVELU : Yes, Sir. I understand it is so. The subscription of Rs. 1-8-0 per day is collected to build up the Reserve Fund of the Sanatorium, which is to be utilized for replacement of equipment like X-ray tubes, etc., in accordance with the resolution of the Governing Body of the Sanatorium. These and other charges are reimbursable to the Non-Gazetted Officers and the employees of Local Bodies with reference to instruction issued in G.O. No. 1620, Health, dated 5th May 1955.

SRI G. KRISHNAMOORTHY : Am I to understand that these charges inclusive of the charges for the Fitness Certificate and the Essentiality Certificate are reimbursable even in the case of Local Board servants?

THE HON. SRI M. A. MANICKAVELU : Yes, Sir, that is the information that I have.

SRI V. CHAKKARAI CHETTY : Sir, is it a private institution or a Government institution or a local board institution or a municipal institution?

THE HON. SRI M. A. MANICKAVELU : It is a private institution to which the Government give grant.

SRI V. CHAKKARAI CHETTY : In the matter of giving grant to that institution, is there any condition laid down regarding the admission of Non-Gazetted Officers?

THE HON. SRI M. A. MANICKAVELU : I have just now explained one condition regarding the admission of Non-Gazetted Officers.

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Sales tax on hides and skins.

* 40 Q.—SRI MOHAMED RAZA KHAN : Will the Hon. the Minister for Industries be pleased to state—

(a) whether the Government have received any representation from the Southern India Skin and Hides Merchants' Association against the increase of sales tax on hides and skins from 1-9/16 per cent to 2 per cent; and

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

THE HON. SRI R. VENKATARAMAN : (a) No, Sir.

(b) Does not arise.

Constitution of Electricity Board.

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

(a) when the proposed Electricity Board will be constituted; and

(b) the functions and the personnel of the Board with designation?

THE HON. SRI V. RAMAIAH : (a) The Madras State Electricity Board has been constituted with effect from 1st July 1957.

(b) According to the provisions of the Electricity (Supply) Act, 1948, the State Electricity Board will be charged with the general duty of promoting the co-ordinated development of the generation, supply and distribution of electricity within the State in the most efficient and economical manner with particular reference to such development in areas not for the time being served or adequately served by the licensee. In this State, the Madras State Electricity Board has taken over the functions performed by the Government Electricity Department prior to 1st July 1957 subject to the overall policy control by the State Government.

The following members constitute the Madras State Electricity Board :—

- (1) Sri S. K. Chettur, I.C.S., Chairman and Administrative Secretary to Government, Public Works Department. Member.
- (2) Sri V. P. Appadurai, Ex-Officio Engineer-Member. B.A., M.I.E. (Ind) Chief Engineer (Electricity.)
- (3) Sri T. A. Varghese, Ex-Officio Member. I.C.S., Secretary to Government, Finance Department.
- (4) Sri T. K. Palaniappan, Ex-Officio Member. I.A.S., Director of Industries and Commerce.

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(5) An Accounts Member
to be appointed in
due course.

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SRI V. V. RAMASWAMI: போர்டு நிர்வாகத்தின் கீழ் இருக்கும் இலாகாக்களில் உள்ள சிப்பந்திகளைப் புதிதாக நியமிக்கவும், நீக்கவும் போர்டுக்கே அதிகாரம் உண்டா அல்லது அரசாங்கம்தான் செய்யுமா என்று அறிய விரும்புகிறேன்.

THE HON. SRI V. RAMAIAH: They will all become employees of the Board.

SRI K. BALASUBRAMANYA AYYAR: Is it a satisfactory arrangement that the Secretary, Public Works Department, the Chief Engineer and the Finance Secretary who deal with these matters should constitute the Board without any other element?

THE HON. SRI V. RAMAIAH: The present Board as it is constituted will be the best arrangement in the change-over period. If new elements are to be introduced now, there may be difficulty. The term of the Board is on year. If necessary, we can consider the question of its reconstitution later on.

SRI T. PURUSHOTHAM: Why should there be only part-time Members on this Board? May I know whether there is any proposal to reconsider and reconstitute the Board with full-time Members?

THE HON. SRI V. RAMAIAH: As I have already explained earlier, this is more or less the first Board and we want to see that the transition is smooth without any hitch anywhere so that we may carry on the work, which is in good progress, without any difficulty. For that purpose, we definitely feel that the present set of members will be helpful. As I have already stated, the term of the Board is only one year. The suggestion of the hon. Member will be considered later when we take up the question of reconstitution of the Board.

SRI T. PURUSHOTHAM: Will the Government examine the constitution of the Electricity Boards and their working in other States and revise the constitution of the Board in this State with reference to the principles adopted by the other States?

THE HON. SRI V. RAMAIAH: We have examined it and we feel that the present set-up is the best for the time being.

SRI V. V. RAMASWAMI: மின்சார கன்சல்டேட்டிவ் கமிட்டி ஒன்று ஏற்படுத்தப்போவதாகச் சொன்னார்களே, அது எந்த நிலையில் இருக்கிறதென்று அறிய விரும்புகிறேன்.

THE HON. SRI V. RAMAIAH: It is under the active consideration of the Government and something will come out soon.

SRI V. GURUNANDAN ROW: May I know why there should be delay in the appointment of the other member and whether the Board will be properly constituted with the entire membership?

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THE HON. SRI V. RAMAIAH: The Board is properly constituted. There is no difficulty about it. We are getting the other member nominated. There is some delay as we are in search of a good member.

SRI V. GURUNANDAN ROW: May I know whether that member will be a non-official or whether he will be somebody from the official line?

THE HON. SRI V. RAMAIAH: Sir, it is all under consideration.

SRI A. M. ALLAPICHAJ: Will the Government associate, as far as possible, non-official members with bodies like this?

THE HON. SRI V. RAMAIAH: We are not against non-official members as such. As I have already stated, this is a transitional period and I feel that those who already know the subject will be doing a greater service than a different set-up. With that idea, we have brought about the present set-up.

SRI V. V. RAMASWAMI: வேலையில் இருக்கிற அக்கவுண்டெண்டு-ஜெனரலையோ, ஓய்வு பெற்ற அக்கவுண்டெண்டு-ஜெனரலையோ இந்த உத்தியோகத்தில் நியமிக்க உத்தேசம் இருக்கிறதா?

THE HON. SRI V. RAMAIAH: I would like to repeat that the whole matter is under examination.

Location of Aluminium Factory in Salem district.

* 42 Q.—SRI V. V. RAMASWAMI: Will the Hon. the Minister for Industries be pleased to state with reference to the answer to the Legislative Council Starred Question No. 22, dated the 27th August 1956, whether any decision has since been taken in regard to the location of the factory for the manufacture of aluminium from bauxite in the Salem district?

THE HON. SRI R. VENKATARAMAN: Mettur Dam in Salem district has been proposed as the location for the establishment of an aluminium smelter to manufacture aluminium from the bauxite deposits of the Shevaroy Hills. But a final decision regarding the establishment of the factory itself has not yet been taken.

SRI V. V. RAMASWAMI: இது ராஜ்ய அரசாங்கத்தின் பொறுப்பில் செய்யப்படுகிறதா? மத்திய அரசாங்கத்தின் பொறுப்பில் செய்யப்படுகிறதா? அல்லது இரண்டும் சேர்ந்த பொறுப்பா?

THE HON. SRI R. VENKATARAMAN: மத்திய அரசாங்கத்து "நாஷனல் கார்ப்பரேஷன்" மூலமாகச் செய்யப்படும்.

SRI K. BALASUBRAMANYA AYYAR: May I know whether it will not be better if the questions on the agenda are typed correctly? For instance, the word 'bauxite' has been typed as 'bauzite'. The letter 'z' has been used instead of 'x'. Again, the word 'changes' has been typed as 'charges'.

THE HON. SRI R. VENKATARAMAN: Anyway, bauxite will not be as fragile as bauzite.

MR. CHAIRMAN: Questions are over.

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[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 26th July 1957, from the Governor of Madras :—

3-30 P.m. “ In pursuance of Article 207, clause (3), of the Constitution of India, I, A. J. John, Governor of Madras, hereby recommend to the Madras Legislative Council the consideration of the Madras Appropriation Bill, 1957.”

“ In pursuance of Article 207, clause (3), of the Constitution of India, I, A. J. John, Governor of Madras, hereby recommend to the Madras Legislative Council the consideration of the Madras Appropriation (No. 2) Bill, 1957.”

(2) MESSAGES FROM THE ASSEMBLY.

MR. CHAIRMAN : I have also to announce to the House that I have received messages from the Hon. the Speaker, Madras Legislative Assembly, dated the 25th July 1957, transmitting copies of the following Bills as passed by the Legislative Assembly on the 25th July 1957 and signed by him for the concurrence of the Council :—

(1) The Madras Buildings (Lease and Rent Control) Amendment Bill, 1957 (L.A. Bill No. 5 of 1957).

(2) The Madras General Sales Tax and Sales of Motor Spirit Taxation (Amendment) Bill, 1957 (L.A. Bill No. 6 of 1957).

I have further to announce to the House that I have received messages from the Hon. the Speaker, Madras Legislative Assembly, transmitting copies of the following Bills as passed by the Legislative Assembly on the 25th and 26th July 1957 respectively and signed by him for the recommendations of the Council :—

(1) The Madras Plantations Agricultural Income-tax (Amendment) Bill, 1957 (L.A. Bill No. 7 of 1957).

(2) The Madras Appropriation Bill, 1957 (L.A. Bill No. 8 of 1957).

(3) The Madras Appropriation (No. 2) Bill, 1957 (L.A. Bill No. 9 of 1957).

He certifies that the above are Money Bills, within the meaning of Article 199 of the Constitution of India.

I have also to announce to the House that I have received the following message from the Hon. the Speaker, Madras Legislative Assembly, dated the 25th July 1957 :—

“ In accordance with rule 130 of the Madras Assembly Rules, I transmit a copy of the Payment of Wages (Madras Amendment) Bill, 1957 (L.C. Bill No. 1 of 1957) as passed and agreed to by the Assembly on 25th July 1957 without any amendment and signed by me.”

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III.—GOVERNMENT BILLS.

(1) THE MADRAS APPROPRIATION BILL, 1957 (L.A. BILL NO. 8 OF 1957).

THE HON. SRI C. SUBRAMANIAM : Mr. Chairman, Sir, I beg to move—

‘ That the Madras Appropriation Bill, 1957* (L.A. Bill No. 8 of 1957), as passed by the Legislative Assembly, be taken into consideration.’

I do not propose to make any speech at this stage. I shall reserve whatever I have got to say to the end by way of reply to the debate.

MR. CHAIRMAN : Motion moved—

‘ That the Madras Appropriation Bill, 1957 (L.A. Bill No. 8 of 1957), as passed by the Legislative Assembly, be taken into consideration’.

* SRI V. R. RANGANATHAN : Mr. Chairman, Sir, in the course of the general discussion on the Budget at the beginning of this month, I referred to the cases of some blind persons who were turned away from the General Hospital, Madras, because they had no sighted attendants with them. I am glad, and the House will be happy to note that Government have passed orders that all blind persons, without any restriction should be admitted into the Government Hospitals should they need admission and that, if necessary, Lascars should be appointed to help and guide them. I am so happy, Sir, that Government have moved in the matter so promptly and that the Director of Medical Services' order has been cancelled.

Speaking of the blind, I have left a few points over and I think I may refer to them now. Till the year 1948 the State did not realize the responsibility for the welfare of the blind and the physically handicapped children. It was only in the year 1948 that Sri Avinashilingam Chettiar, who was Education Minister then, realized the responsibility and started a number of institutions in various parts of the then Madras State. Then he deputed a few people to various countries for special training. In addition to taking over the School for the Blind at Poonamalle and bringing it under Government management, a few schools under local bodies were also started. But the matter seems to have ended there because no further expansion was made and no attempt was made to reorganize those institutions started in such great hurry. As a matter of fact, there is no provision for utilizing the services of those people who were trained by these institutions. In the absence of the Report of the Director of Public Instruction for the past so many years, I have no information regarding other institutions but I know so far as the Poonamallee Blind School

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is concerned, that there is no workshop attached to it and that those who joined that school never leave it. They have spent years in that institution. Even after their training is over, educational as well as industrial, they continue to live there and work there as there is no further scope for employment anywhere else. An attempt has not been made to provide them with suitable jobs. In other countries, I understand, tremendous improvement has been made in finding jobs for physically handicapped people, particularly the blind. Mrs. Cherian who was taking a keen interest in the welfare of the blind recently visited England and Ireland and she told us the other day of her experiences and what progress was made in the direction of fitting these handicapped people in jobs for which they found themselves suitable and how voluntary help was doing a lot for these physically defective children. She told us the other day that even in industries they were employed. For instance, she told us that in a brush factory, a number of blind persons were working in the midst of machinery, and the Manager of that factory seems to have assured her that there was no accident at any time in the factory. When such is the case, why should we not try and fit in those who are industrially trained in the school in some particular craft, in some job and make them useful citizens? The absence of a workshop in the institutions for the defective children is a serious handicap and defect.

3.40 Then, as I said, there is no provision at all for a separate
p.m. hostel or residential accommodation for these people who have spent years there. I think that sooner or later the institutions will not be able to keep these elderly people, men and women there, who have had sufficient training and who are unable to leave the institution because no other job is found for them and there is no other place for them to go to. I think in all these institutions, particularly in the institutions for the blind, a workshop—which would take in young people who have had the requisite training, keep them in a hostel and then make them pay for their hostel dues through their earnings—will be a useful appendage to these institutions.

The second requirement is to find suitable jobs for these people. I am told that there is a representative of the Government of India here who is called 'Placement Officer' and that his job is to place these people in some job or other. I do not know—he has been here for three years—how many people he provided with jobs. He did not concern himself with the people trained in the institutions in this State. It will be useful if our Government make use of his services and ask him to do part-time work for the people trained in our State. Sir, many may not realize that the blind people can do work very efficiently in certain directions. I am told, Sir, that in some departments of public utility, they prove very useful. For instance, in the Telephone department, it seems, it was found in other countries that the blind girls showed an efficiency of 120, whereas what the normal girl was able to show,

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it being the highest efficiency, was only 110. It is all something new to us. I think we have not tried them properly. Sir, I have also learnt that, in certain factories where skill through the hand is more important than what we can do with the eye, they are more successful than normal persons. This is another thing with regard to not merely the blind people but also the physically handicapped like the deaf-mute and the partially deaf people. I would suggest to the Government that they may appoint an expert committee, take on the committee one or two people interested in the subject, ask them to suggest ways and means for improving the existing facilities and organize welfare work for the blind in the State. Sir, may I also make a suggestion to the Hon. the Ministers for Education and Health? They might start an institution for the blind in the State, a welfare society, on the lines of the one that exists in Bombay and Delhi. I understand that the National Welfare Association for the blind, or something like that—I do not know the name exactly, but it is an all-India body—is doing very useful work. If we too have a corresponding institution in our State, that might be able to advise the Government on all these matters.

Sir, the next subject I would like to refer to is the Community Projects and National Extension Service Schemes. Sir, I have got a few criticisms to offer in this connexion. Of course, they are not purely mine, but these are particulars which I have gathered from talks with various people. The first criticism against the Community Projects and the work that is carried on there is that a proper approach is not made. Our officers go there with set ideas; they have got a standard scheme and a set pattern and they impose them on the people. Unless they try to learn the needs of the villagers, the Government's scheme will never be successful. Therefore, it is not surprising that there is not much co-operation from the villagers. I think it was in the Planning Commission's first report that it was stated in very clear terms, 'Unless the people are keen to improve, unless you create a thirst in them for better living, your work will be a waste.' I am told that in the last survey that they made at the end of the First Five-Year Plan, they were not altogether satisfied with the progress that was made. I would like our officers to go and find out what the villager needs, what the local needs are and then decide what is the best scheme that would be suitable for the people and the place and what exactly they require. If, on the other hand, you take a standardized scheme to them, the villagers are averse to adopt it. Most of them are indifferent and it is not surprising that they are so.

Sir, the second criticism that the villagers do not contribute anything towards the progress of these works is also partially justified. For instance, I was told that in many villages, the people did not make any money contributions and that in more than one village or one area, there was no contribution even in

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the shape of labour. Well, Sir, I do not say that it is altogether absent. But there is complaint, persistent complaint, of that sort. I asked some of these officers how it happened. I also asked some of the officers how they managed to get through the work, if there was no contribution from the local people. Of course, some of them were not quite frank, but some others told me in confidence, 'That is all managed'. How is it managed? It is managed in the sense that they give a bloated estimate of expenditure at the beginning and then show the excess as contribution from the villagers. Sir, I am making a serious allegation. It is for the Government to look into the matter and find out whether there is any truth in it or not. Anyhow, the criticism is there.

Sir, a third criticism is also there and that is that these National Extension works and Community Project works are all made to serve party interests. It is, of course, an uncharitable criticism, but that is the criticism we hear all round. I do not know how far it is true and I do not know how far the persons who make these criticisms are serious about them. Whatever it is, there is one thing that lends support to this criticism and that is that all the officers connected with the Community Projects and the National Extension works are officers, the power to appoint whom vests in the Government and not in the Public Service Commission. Sir, I find in one of the reports of the Public Service Commission that as many as eight categories of posts have been excluded from the purview of the Service Commission. What are these posts? They are: (1) The Project Executive Officer, (2) The Chief Social Education Organizers, (3) Block Development Officers, (4) Principal and Vice-Principal of Training Colleges in the Project areas, (5) Chief Inspector of Home Economics in the Department of Training in Community centres and so on, and lastly, the Special Officer. I mean this lends support to the criticism that these are meant to serve party purposes. In a neighbouring State, the moment a new Party came to power, all these appointments were transferred to the purview of the Public Service Commission. Why not you also do it and thus save yourselves the criticism so uncharitably levelled against you?

Sir, I have got one more point to refer to and that is about the relation of the Government with the Public Service Commission. I find, Sir, from the two reports that I have before me, that their relation is not very happy. Sir, this is a statutory body and the Government created it. So, they ought to give it due respect. As a matter of fact, year after year, a large number of posts are taken out of the purview of the Service Commission. Sir, I find that in 1955, about five or six posts were taken out of the purview of the Service Commission and in 1956, about ten posts were taken away from it. This sort of thing is not infusing confidence in the Commission. Sir, about this affair, the Commission has got very severe remarks to make. After all, it is a statutory body and it is entitled to make its own comments.

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Here is what the Commission says. (After a short pause) I am sorry I have missed the report somewhere. But whatever it is, the Commission says that it will become ineffective if every time certain posts are, because it is inconvenient to Government, taken out of the purview of the Commission. The usefulness of the Commission which has got a statutory standing will be lost.

Sir, apart from the question of taking away a number of posts every year, from the purview of the Commission, the way in which the Commission's recommendations are treated by Government is another subject of sore correspondence between the Commission and the Government. I shall give only a few instances. I do not want to waste the time of the House by reading long extracts. It is about the appointment of an Assistant Manager for the Tignite Project. This is what the Commission says in the end :

'This was not so in this case and the Government's refusal to appoint a person selected by the Commission on the results of a competitive examination and their action in continuing without the Commission's concurrence their nominee who was only holding the post under the emergency provisions pending the selection of a candidate by the Commission on the wrong basis that the Commission tendered 'advice' which they could accept or reject at their will, were wholly irregular and a basic principle accepted by the Government themselves long ago on which the Commission had been acting for more than a decade was set at naught by the Government in this instance.'

This is not the only instance where the Commission has pointed out such irregularities.

In regard to a disciplinary case against a Senior Superintendent of the Transport department, this is what the Commission says :

'The charges if proved would have had an important bearing on the delinquent's fitness for the post of Senior Superintendent. The decision of the Government in this case not to re-open the charges at this distance of time is yet another instance of misplaced sympathy which puts a premium on inefficiency.'

There is also another instance where the Government set aside on appeal the punishment accorded first by the Collector and then by the Board of Revenue. This is what the Commission says :

'The nature of the charges was serious enough to warrant a deterrent punishment. The Revenue Inspector proved himself dishonest. The penalty of dismissal from service imposed on him by the Collector and confirmed by the Board (the appellate authority) was, therefore, justified and appropriate. But the Government interfered with the Board's order and nullified the penalty and restored a dishonest Revenue Inspector and ordered fresh proceedings, putting on the Collector the onus of proving by expert evidence the genuineness of the signatures on the documents. The

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documents containing the petitioner's signatures were proved in the departmental proceedings and to the naked eye it was obvious that the signatures were those of the petitioner. The plea that they were forgeries was put forward by the petitioner. The onus of proving that they were forgeries therefore lay on the petitioner. But the Government shifted the onus on to the Collector and insisted on his obtaining expert evidence on behalf of the petitioner in a departmental enquiry, as if the opinion of an expert was conclusive proof.'

Sir, this is the last sentence in the report of the Public Service Commission :

'The Government not only went back on their own previous views but also violated their own instructions before passing final orders.'

Now, what I want to say in respect of this matter is, if the Commission has not the confidence of the Government, they must modify the rules and do with it. Then only the public will have some kind of confidence in Government. When Government are not able to accept a particular recommendation of the Commission, they must make a statement giving the reasons for not accepting it. As has been pointed out, the recommendations of the Commission are not in the nature of mere advice but they are statutorily binding on the Government. If they differ from it, they ought to place the entire paper on the table of the House or at least incorporate it in the report.

Lastly, Sir, there is also a case of violation of the rules of procedure in the report of the Service Commission. It would take a long time to read it and I also find it difficult to read it.

MR. CHAIRMAN : The report is in everybody's hands.

* SRI V. R. RANGANATHAN : The Commission has pointed out that the rules of procedure have been deliberately violated by the Government. I think this is a serious charge and either the Government must refute it or set right matters.

MR. CHAIRMAN : Now, I allow ten minutes for each hon. Member and Members must try to confine their speeches to that time-limit. Mr. Purushotham will now speak.

* SRI T. PURUSHOTHAM : Mr. Chairman, Sir, it was agreed that Mr. Mohamed Raza Khan should speak now.

THE HON. SRI R. VENKATARAMAN : The Chairman is not supposed to know the private arrangement.

* SRI T. PURUSHOTHAM : Sir, Demands for Grants for the year 1957-58 have been voted by the Legislative Assembly and the Appropriation Bills are before us. The Assembly has not made any changes in the Budget Estimates and in considering the Appropriation Bills, I believe we have an opportunity to assess

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some of the ministerial statements made during the Budget discussion. I wish to refer to one such matter which relates to the general sales tax. The Hon. Minister in charge of the subject, referring to the evasion of sales tax in respect of sugar, said that it was a regrettable state of affairs that the State of Pondicherry should give a sort of fillip to the kind of transaction which made the evasion of sales tax easy. I have just repeated what the Hon. Minister has stated. Following this, we saw a report—which was published—stating that a deputation of businessmen waited on the Hon. Minister with regard to the evasion of sales tax. A colossal loss of income was brought to the notice of the Hon. Minister on this account and after registration under the Central Sales Tax Act, there seems to be a very potential source of infiltration and smuggling going on from Pondicherry. This sort of black-marketing or sugar-sale racket, I believe, should be checked. I am sure this is not a matter that should be left to Dr. P. S. Lokanathan, the Economic Expert, who is to consider this question. We may not rest in too complacent an attitude over this matter but the Government should tell us what has been done to check this sort of racketeering, evasion of sales tax on sugar. Has this been brought to the notice of the Central Government? After all, all of us including the Pondicherry State are under the Central Government. If, as stated in the report, we lose Rs. 40 lakhs or Rs. 50 lakhs under this head, we ought to be up and do something about it. The Hon. Minister knows very well about the remedy that could be obtained from the Central Government and I hope he would do the needful and tell us what has been done in this matter.

We are indeed glad, Sir, that a number of Ministers 4 p.m.
addressed this House during the Budget debate and explained the policy of the Government with regard to the departments in their charge. The Hon. the Minister for Health, giving an account of the Delhi Conference of Health Ministers, told us of the move to amalgamate Medical and Public Health Departments as one unit of administration. I should like to point out, Sir, that this is a most retrograde step. Knowing something of the creation of the Health Department in this State, thanks to the then Chief Minister, the Raja of Panagal, I am glad to say that we have now in the State a well-organized Public Health Department. It is not clear whether the present move to amalgamate the departments is proposed as a retrenchment step or as an amalgamation of two services at all levels including the district level. While we all should welcome the closest co-operation and co-ordination of the activities of the medical and health wings, the mere centralisation of the two departments under one head is not much of a reform, nor is it conducive to greater efficiency. I am sure the Government will examine this question in all its aspects before launching on a scheme of this kind. I hope that simply because this is being done in a few other States, we here would not follow suit and scrap a system that has been working very

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well. I am aware of the paucity of candidates who prefer to take to public health service, so much so we are faced with a problem of re-employing all superannuated doctors as health officers. In fact, most of our district and municipal health officers belong to the category of superannuated men. We discussed this in the Public Health Board as well, and I suggested that in the admission to the medical colleges, a percentage of candidates should be earmarked for public health service, and even if it should involve the payment of a stipend to these candidates, to ensure their retention in Government service after training in the public health work, I think it would be desirable to evolve a scheme by which we would have specially trained health staff in our service. As I said, this question of amalgamation of medical and public health services and allied problems should be considered in all their aspects before we scrap the present system.

Hon. Members are really happy that the Education Minister also will address us. Other Ministers have spoken to us during the Budget debate. I may say—and I believe hon. Members will agree—that we have the most sympathetic Education Minister in our State. The teachers have got the greatest trust in him, and they are confident that the welfare of the teachers is safe in his hands. He has done a lot to ameliorate the conditions of the teachers after he took charge, and I have said this on various platforms. Sri Subramaniam, the Education Minister, is able to pull ably well with Sri Subramaniam, the Finance Minister. He gave an assurance of hope to aided school teachers in urban areas (I mean Sri Subramaniam, the Education Minister) that their request for the grant of house-rent allowance would receive sympathetic consideration. I hope he will do something about it. There are about 1,200 teachers in recognized elementary, higher elementary and secondary schools under all agencies—local bodies, aided and Government. Teachers under local bodies and Government got house-rent allowance. It is only teachers in aided managements that do not get this. This discrimination against aided school teachers needs to be removed. Out of 120,000 teachers, only about 50,000 teachers are under aided management. It may be roughly taken that 25,000 teachers are in areas not eligible for house-rent allowance. Hence, the house-rent allowance is to be paid only to about 25,000 teachers. Even out of this number, there are about 2,000 teachers getting more than Rs. 150 per month. So, these 2,000 teachers too will not be eligible for house-rent allowance. I hope the Government will be pleased to grant house-rent allowance to the remaining middle class teachers, and I am sure the entire House will support this request of the teachers.

Sir, the teachers' representatives in this House made an eloquent plea for the extension of the pension scheme to L.T.'s, I Grade Pandits and Physical Instructors. Hon. Members are aware that the Government granted pension to all teachers except L.T.'s, I Grade Pandits and Physical Instructors. (Sri T. P. Srinivasavaradan : Physical Directors.) I stand corrected. The affected

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teachers are only about 4,000 out of a total of 12,000 teachers in secondary schools. Normally we may assume that three per cent of the teachers retire, that is, about 120 teachers per annum. If each is to be paid a pension of Rs. 45, the total cost would come to about Rs. 65,000 per year. This is not a big financial commitment, and I hope the Hon. Minister would sympathetically consider this proposal that has been emphasised in this House by the representatives of the teachers.

There has been much talk about the admission to the State professional colleges this year. I am afraid that unwarranted allegations have been made about these selections. I do not wish to anticipate what the hon. Member Mr. Mohamed Raza Khan may have to say to-morrow on this subject because I see notice of a motion on the subject has been given by him. But that relates to Arts Colleges, I believe. I am speaking about professional colleges. People of high integrity and spotless character have been put as members of the selection committees of the professional colleges, and they have done their duty in a remarkable way. They had to sit day after day, and it was all a labour of love on their part. Non-official members of these committees do not get any allowance for the work, and I think we should be justified in complimenting the members on discharging their duties with single-minded devotion to the work entrusted to them.

Sir, the holding of a Legislature session at Ootacamund figured largely in the course of the Budget discussion this year. Last year the Finance Minister told us that the matter would be considered after the general elections. This year he would like to have a unanimous acceptance of all sections in the Legislature for a move of that kind. He has stated that the extra expenditure on account of the holding of a session at Ootacamund would be somewhere about Rs. 50,000. This is not a huge sum, and I believe I can speak for all sections in this House that we may very well have a session at Ootacamund. (Sri K. Balasubramanya Ayyar : So that old men may not be there!)

THE HON. SRI R. VENKATARAMAN : If we air-condition this chamber, there will be no need to go to Ootacamund.

* SRI T. PURUSHOTHAM : A spacious bungalow at Ootacamund was also negotiated for purchase by the Government, but it is not known at what stage the matter stands, namely, the purchase of that bungalow. Even apart from the proposed move to Ootacamund for holding a session, I was assured that it was an economic proposition to purchase the particular bungalow at Ootacamund. (Dr. V. K. John : Why not go to Kodaikanal?) We should be very happy to know what has become of that proposal. Our friend Dr. John proposes that Kodaikanal may be the venue of a session. If there is any objection to Ootacamund being a fit place for the holding of a session, I would propose that we should have a session at Kanyakumari.

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4-10 p.m. Only one session, not every year, as a piece of gesture to the newly added territories of our State from the former Travancore-Cochin State. Sir, the hon. Member representing Shencottah was complaining the other day about inadequacy of irrigation facilities, etc., in the newly added territories of the Madras State. The holding of a session there will provide an opportunity for promoting greater harmony and blending of interests in the Tamil State. I hope, Sir, if Ootacamund is to be tabooed for any reason, Courtallam will be the most desirable venue.

One word about the Industries Department. The hon. Member Sri Mohamed Raza Khan and myself found ourselves in a rather awkward situation the other day in the midst of some businessmen when they loudly complained about the great delay in the disposal of applications for aid under the State Aid to Industries Act. The Board scrutinises the applications with reference to the reports of the Collectors and other local officers, and applications for sums exceeding one lakh of rupees are forwarded to the Government for sanction. It has been brought to our notice that there is great delay in the disposal of applications by the Government. May I appeal to the Hon. the Minister for Industries to ensure prompt disposal of these cases, as the very purpose of State aid to industries would be defeated if the applications are not attended to without delay? We are anxious to step up industrial production and hence the need to deal with the applications for aid as business propositions and not in the usual Secretariat routine way.

Lastly, about ourselves. Sir, you stated at the meeting of the Madras Branch of the Commonwealth Parliamentary Association that the question-hour was the very breath of parliamentary democracy in all democratic countries. I plead, as I did several times in the past, that arrangements should be made for prompt answering of questions. The procedure adopted in this respect in the Lok Sabha may be introduced here. With this end in view, I have proposed an amendment to the Council Rules so as to bring them in conformity with the Lok Sabha Rules. Perhaps, you may discuss this subject, Sir, when you go to Delhi next month. I may respectfully submit for your consideration and for the consideration of the Government that the Secretary to the Legislative Council may also be deputed to study the working of the Rules of Procedure in regard to Questions in the Lok Sabha so that we may introduce the needed changes here. The Hon. the Leader of the House is an experienced parliamentarian and knows thoroughly the procedure that is adopted in this matter in the Lok Sabha. With his co-operation, it should be possible to improve the system obtaining here at present.

SRI MOHAMED RAZA KHAN: Mr. Chairman, Sir, at the very outset, I should admit that the enthusiasm that we had these two days has been lost now and that some dullness has overtaken me and also the hon. Member Mr. Purushotham. It may be so because things are so good and the Hon. the Finance Minister has

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managed the finances of the State so nicely. I may state without fear of contradiction that it is the opinion of many people that the Minister for Finance, in spite of his heavy responsibilities as Education and Law Minister also, has been able to see that not a pie of the State funds is wasted. We have to express our appreciation of the good work he has done.

Coming to the question of appointing a purely official body to go into the working of the various Departments of Government with a view to suggesting economy in expenditure, I welcome the move and I am sure that the Madras Government will save as much as possible this way, without the efficiency of the Services being disturbed in any way. There is a feeling among some of the veteran statesmen here that the work which was done by the clerks and superintendents formerly requires now double that staff. It may be that they are not well conversant with the working of the Secretariat rules of procedure. Anyway, the Finance Minister must examine whether the same amount of work is turned out with the same number of persons now—I mean the lower division clerks, the upper division clerks, the superintendents and others. Incidentally, I would like to refer to a tendency on the part of the present Government which amounts to a contradiction. While they are watchful and strict in the matter of sanctioning posts of clerks, etc., they do not hesitate to have additional posts at the higher levels. There is a general complaint that while appointments are lavishly made at higher levels, at the lower levels it is not so.

THE HON. SRI C. SUBRAMANIAM: For example?

SRI MOHAMED RAZA KHAN: In every district, there are additional District Superintendents of Police. Sir, fortunately in our State, the law and order position is the best. Therefore, I do not know how the work of the Police has increased suddenly so as to warrant these appointments.

THE HON. SRI C. SUBRAMANIAM: Not in every district.

SRI MOHAMED RAZA KHAN: All right. In a few districts, I admit. I do not know why there should be this bifurcation of authority.

Then, Sir, as I said last time, we depend, fortunately or unfortunately, to a great extent on the support and help of the Central Government. As the Leader of the Opposition said the other day, there is scope for economy at the Central level rather than at the State level. If such economy could be effected there, the State of Madras can expect to get more money from the Centre because we are in great need of it. Also, there is scope for effecting economy in the Central Government departments here. Take Passport. Now the work that is done in the City by the Commissioner of Police is done by the Collector and the District Superintendent of Police in the districts. Formerly, four or five

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clerks with an Assistant and a Deputy Secretary above were attending to the issue of passports. Now, the whole department has been taken over by the Centre except in regard to issue of passports to Pakistan. Now they have a luxurious building for their office and huge staff. A lot of money is spent. Here there is much room for economy, whether our voice reaches the Centre or not. Then, what about the salaries of high officials in our own State? I have nothing to say about the present incumbents. But the disparity in pay between the head of the department and the clerks is so much that either we must increase the pay at the lower level or decrease it at the higher level. During the British regime we could not help paying our officers Rs. 3,000 and Rs. 4,000. I do not say that the present incumbents should be made to lose anything. But I should like to know from the Finance Minister what the policy of the Government in this matter is—whether they want to continue the same rate of salaries or reduce it. When I am on the subject, I would like to point out that the State has shrunk after reorganisation to a third of its original size. But the personnel in the Medical, Agriculture and Police Departments continues the same in number, status, etc. Our State has shrunk in area as a result of separation of the Andhra districts from our State owing to the formation of the Andhra State and again as a result of separation of Malabar and South Kanara districts from our State in 1956 consequent on the reorganisation of States. Therefore, this is a matter for examination by the Government and I do not expect a reply from the Hon. the Minister in charge of Finance here and now.

I have seen susterity measures being adopted, possibly under the influence of the Central Government. Hon. Ministers of our Government also have cut down their salaries. Already they are drawing meagre salaries, about a thousand rupees and odd each. I really sympathize with their lot. Ministers, by way of gesture, might agree to a cut in their salaries. But I really feel that the Ministers—not that I want to make an insinuation against them—should draw a much higher salary than what they are drawing now. I definitely feel that men in position should maintain a certain standard as they have to discharge certain obligations. While as a gesture this may be good—I do not want to use a harsh word as 'stunt'—this will not effect much economy in the expenditure of the Government. At best, as a result of this measure, the Government may save Rs. 700 or Rs. 800. One cannot effect economies in the administration of the Government by reducing the salaries of Ministers by Rs. 100 each. For that, better methods should be adopted. These are all matters for consideration by the Government.

I do not know anything about the National Extension Service Schemes or about the Community Development Projects to which my hon. Friend on my left has made pointed reference. But there is a feeling that in places where these works are undertaken—I am given to understand—a colossal amount of money is being

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wasted. May be the information given to me is wrong, and I do not state that the information I am giving is accurate. All that I understand is that a good deal of money is being wasted. I also understand that the department is not able to spend the entire amount sanctioned by the Government for these projects and that, in any case, there are no contributions by the local people at all. It appears that some officer of the Central Government or some Minister of the Central Government—I do not know who he is—made a public statement on this matter that in Madras there was a lot of waste of money in the execution of these projects or something of that sort. If that is so, I hope the Hon. the Minister in charge of Finance will scrutinize these matters and try to avoid wastage. My point is this. Wherever there is a tendency or there is a possibility of money being wasted, the Government should be very careful to see that it is not wasted. They should exercise more care in the working of this department and should not rather pay much attention to matters like cutting down salaries, etc.

The Hon. the Minister for Industries shall really be thanked for the statement he made to-day in connection with the weavers. I do not claim to know much about the handloom weavers. From what little I have heard, I think that there is a case to help them. As I stated, more than 50 to 60 per cent of the handloom weavers are outside the co-operative fold. Speaking on the same subject a year or two ago, the Hon. the Minister for Finance did express his sympathy for them. He then stated that he would surely do something for them although the policy of the Government was that they should bring more and more weavers into the co-operative fold. Inasmuch as they are not coming in for reasons which are quite obvious and for reasons which the Hon. the Minister in charge of Industries himself knows, it is the duty of the Government to examine why the weavers do not wish to join the co-operative societies and try to rectify matters. In the alternative, to help them. That seems to be the policy of the Government now and the Hon. the Minister for Industries should be thanked or congratulated on taking that stand.

Another matter which I wish to refer to in this connection is this. A sum of Rs. 10 lakhs has been earmarked in the Budget as 'matching grant'; but much depends in this matter on the help which they can get from the Central Government. As has already been pointed out, consequent on the changes made in the University, many of the Second Grade Colleges which are to convert themselves into First Grade Colleges are in great financial difficulties. Surely they need a good deal of help. I know the Hon. the Minister for Education is in sympathy with them and he wants to do them all help. The policy of the Government is also to see that more and more private institutions come up. I am sure the Hon. the Minister for Finance will do something in the matter. I wish to refer to one or two more matters and I shall finish my speech.

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MR. CHAIRMAN: The hon. Member has already exceeded his time.

SRI MOHAMED RAZA KHAN: I do not want to bring in the question of admission either to professional colleges or arts colleges. We may take it up to-morrow. The hon. Member Sri T. Purushotham is at liberty to come forward with his usual defence that everything has been done well by the Government or by the department concerned. But when we say something, Sir, it is not said just to level a charge against the Government or against the officials but to provide an opportunity to the Government or to the Ministers concerned to explain what procedure is adopted. I do not want to say anything more on that point and I will reserve what I have to say to to-morrow.

If we look into small matters that affect a minority community, that will really go a long way in removing a feeling of frustration or a feeling of dissatisfaction. I tried my best to avoid, as far as possible, a discussion on such matters although we had had plenty of such debates in the previous Assembly about which the Hon. Mr. Bhaktavatsalam knows. In the Presidency College, for a long time there has been a course known as 'Islamic History Honours Course'. It has been there for the past ten or twelve years. There has been a great deal of demand for that course. It will be interesting to know that not only Muslim boys but also Hindu boys used to take that course. I expect a single boy was admitted to that course. Boys applied for that course, but as the Principal set a certain standard and as, according to him all the boys who applied for that course did not come up to that standard, they were not admitted. When we made further enquiries about it, we were advised by the Principal to approach the Director of Public Instruction and discuss matters with him. Hon. Members know how difficult it is to meet the Director of Public Instruction in Madras. Even if we wait for weeks in Madras, we cannot meet him. If I remember right, I made representations to the Hon. the Minister for Finance. Possibly he might have examined the matter or he might have thought that these were the usual representations made and left things at that. I am not making any charge against anyone. This is my personal feeling in the matter. This year also, boys applied for the same course. Maybe these boys have not secured a First class or distinction. Still, as they have passed the Intermediate examination, they are entitled to join the Honours Course according to the University regulations. But boys were simply roaming about the corridors of the Presidency College without getting admission to that course. If the boys feel that they should take that course, and if they are told that they cannot be given seats in that course because they do not come up to a certain standard set for that purpose, what will they do? The other day, I found in the papers that even in regard to admission to the Veterinary College there had been less number of applicants this year and

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that as many students as possible had been admitted to that college. This may be a small matter but this really creates a certain feeling in the minds of the people.

I will refer to one other small matter and finish my speech. There was a training school for Muslim girls in Madras having Urdu as the medium of instruction. The Government are really sympathetic not only on the communal plane but even on the linguistic plane. Because Urdu was the medium of instruction, we approached the Hon. the Minister for Finance and explained our difficulties. He was sympathetic in regard to our request and stated that if there was a chance for these girls having Urdu as the medium of instruction being absorbed in the Corporation, he would be the first man to open a section for them. By chance, I have received a letter signed by 60 girls—poor girls—in that connection. I met the Hon. the Minister for Education along with my Friend Mr. Majeed on behalf of the Muslim Educational Association and handed over to him a memorandum on the subject. But, so far, no communication has been received in that connection. I do not know what the position is. The expenditure involved may be very small. But when such things are done, they will go a long way to create a certain amount of feeling that the Government are responsive to the small demands of the community. I am not making any charge against the Government although it may be my habit to take charges. I wish the Government themselves tried to appreciate these factors and help them. That will go a long way to improve matters. Whatever I have to say on the subject of admission to colleges, let me reserve it to to-morrow, Sir.

SRI T. P. SRINIVASAVARADAN: Mr. Chairman, I would like to speak on one or two points . . . (Mr. Chairman: Within the time!) Yes, Sir, within the time. I am really happy that the Hon. the Minister for Education has taken a very bold stand in the other House regarding single-teacher schools. While admitting that these schools were not satisfactorily working, he was firm in his view that those teachers should undergo the normal training which others did. I may tell the Hon. the Minister for Education that the teaching profession would stand by him if he insists upon the teachers having full training. Unless we give them full training, the quality of education will not improve.

As for the employment of higher grade teachers in aided and other schools, I would like to submit that they should gradually be replaced by secondary-grade teachers. The intention and desire of the Government is to improve the quality of teachers and the efficiency of the institutions. It is better that we have as many secondary grade teachers as possible. I know the difficulties of the Government in this matter. If this is to be done immediately, it may involve the Government in huge financial commitments. Moreover, they have increased the salaries from Rs. 45 to Rs. 85. It is also not possible to do away with all the higher grade

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teachers. There are quite a large number of them, and it is not possible to retrench all of them. We have to gradually replace these higher grade teachers by secondary grade teachers. That may take some time. Still, it should be done gradually. The Government must say that the top two classes, viz., the 4th and the 5th classes, should be handled by secondary grade teachers. They can have this as their target under the Second Five-Year Plan. In the Third Plan, they may say that classes 3rd, 4th and 5th should be handled by only secondary grade teachers. Like that, the replacement should take place gradually. If that is done, I am quite sure, you will get your money's worth and the standard of education will also go up. I foresee a time when we will have only secondary grade teachers in the place of higher grade teachers with E.S.L.C. and III Form qualifications.

About the security of tenure for the teachers, I want to say a few words. The hon. Member Sri V. R. Ranganathan drew pointed attention of the Government the other day to a dismal case where a Headmaster was not restored to service even after the judgment of the Supreme Court. He explained how the Supreme Court judgment was not respected and how the Headmaster concerned was suspended and later on dismissed. I am not entering into the merits of that case. An agreement which was introduced in 1939 or so has been working satisfactorily till recently. All these years, the Headmasters were not treated so shabbily as they were treated in recent years. If the present situation is allowed to continue, I am sure discipline will definitely go down. If the Director says that a particular Headmaster should be reinstated and if the management do not reinstate him, discipline in that institution will go to dogs. There is no doubt about it. Without entering into the merits of that case, I would like to suggest that it should not be possible for any management to dispense with the services of a teacher or Headmaster without proper notice and without proper cause. Even the present regulations in this regard refer to wilful neglect, serious misconduct, gross insubordination, mental infirmity, etc. Really, if there is a bad teacher, it is very difficult to get on with him and that teacher should go out of the institution. My suggestion in this regard is this. In such cases where a teacher is guilty of misconduct or any such thing, the management may suspend him for a period of three months or so. During that period, it should be possible for the person concerned to appeal to the Director of Public Instruction. If, however, the management want to terminate his services, they should be able to do so only with the previous permission of the Director of Public Instruction. Such a provision is absolutely necessary in order to maintain discipline and morale in the institution. In the first instance, the management may have power only to suspend the person concerned for a period not exceeding three months. Of course, there are bad teachers and good management, and good teachers and bad management. In the absence of such a provision, there will be

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great insecurity of service for the teachers and this will not be in the interests of maintenance of discipline. So, I request that this point may be taken note of.

Then, there is a lot of delay in the disposal of cases. The Director of Public Instruction hears certain appeals and the Divisional Inspectors hear certain other appeals. When appeals are preferred, clarifications are required. Certain doubts are raised and further clarifications are made necessary and all these take a lot of time. It is not known why there should be such a great delay in hearing the appeals of teachers. The appeals of secondary grade teachers are heard by the Divisional Inspectors and those of L.T. teachers by the Director of Public Instruction. I hope the Hon. the Minister for Education will not mistake me if I make a suggestion in this connection. These officers go about touring widely. Why cannot they go to the spot directly and ask both the parties to come and assist them in settling their matters of dispute amicably? I know of cases where the late Sir Statham adopted this method of settling disputes between the parties very quickly and amicably. In cases where the management of an institution was not amenable to reason, he would simply ask the management, "Why should I not recommend to the Government withdrawal of recognition of your institution? Immediately, the teacher would be restored to service. That was the method adopted by him to achieve quick and satisfactory results. Even now, the officers of the Education Department could with advantage adopt the same method. It is very easy to do so. During their tours, the officers can ask both the parties to come together and help them to bring about a settlement satisfactory to both of them. The teachers are very poor people. When they are affected, they prefer an appeal. If it takes a long time to know the results of their appeal, they will be put to a lot of difficulty. That is the point which I wish the Government to take into consideration.

Lastly, I know the Hon. the Minister for Education himself is aware of the fact that in some institutions salaries have not been paid to the teachers for a period of even six or seven months. In one case, in North Arcot district, the salary has not been paid for about seven months and in another case in Tanjore, it was not paid for about two months or so. Simply because the Auditors have objected to certain items and have pointed out certain irregularities—they are not misappropriations—the Director of Public Instruction withheld the grant completely for two years or so in respect of an institution. Where is the money to pay the teachers? The Government do not compensate the loss of fee income, nor is the teaching grant paid to them. So, it is absolutely impossible for the management to pay the salaries of their teachers for the months of May, June and other months. That is the position. If I remember aright, last year, the Government asked the District Educational Officer at Kozhikode to disburse the salaries

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to the teachers there. The Government must do some such thing in cases where only irregularities and not misappropriations are pointed out. It is better that in such cases, the teachers are paid through the District Educational Officers directly. This is a very important matter. If the teachers are not paid for months and months, how can they be expected to discharge their duties properly? They cannot remain in the service of that institution for months without receiving salary. So, they will have to leave the institution. This will have a very demoralising influence. Something should be done in such cases. When these teachers leave the school, new teachers also will not be prepared to come to that school knowing the circumstances under which the old teachers have left that institution. I request the Government to pay immediate attention to these matters which, after all, do not involve the Government extra cost.

* SRI JOHN ASIRVATHAM: Mr. Chairman, I would like to make a few general observations. I feel a bit diffident to speak on a certain subject in the presence of the learned Vice-Chancellor of the Madras University.

Mr. CHAIRMAN: The hon. Member may please speak through the mike.

* SRI JOHN ASIRVATHAM: Still, I gather courage and make a few observations with regard to the pre-University course. I would request the Government to use their good offices with the University authorities in lightening the course in the light of the experience gained during the last year. I can speak on the inherent difficulties of that course at some length, but I would content myself with only one specific instance. A candidate appearing for the S.S.L.C. Examination has to take a queer subject called Social Studies. Social Studies contain a bit of history and civics here and a bit of geography there. When he passes the S.S.L.C. public examination and gets into the pre-University course, he is confronted with a mighty subject like the World History. That World History contains Chinese History, Ancient History, History of Rome and Greece, Indian History, Egyptian History, American History and so on, and the S.S.L.C. candidates are simply bewildered at this World History. I am myself a student of History. I know the value and worth of History. History and Humanities widen one's mental outlook and horizon. That is why I would like to impress upon the Government and upon the University authorities the need to lighten the syllabus for the pre-University course.

Of course, I came from an Anglo-Indian School which I have served for nearly a quarter of a century. The students who passed out of my school and joined the pre-University course have come out with flying colours, many getting first class, and second class, and only one failed in one compartment and he joined my hon. Friend Mr. Raza Khan's College. All those who joined the Christian, Loyola and Government Arts Colleges, have passed in the

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first or the second class. What I say is that the standard of education obtaining in Anglo-Indian schools is far superior to that obtaining in the S.S.L.C. schools. In fact, the standard of English in Anglo-Indian schools is very much higher than that in other schools. Our boys and girls have to learn one play of Shakespeare; they have to study two detailed texts which are usually prescribed for the Intermediate examination and poetry usually prescribed not only for the Intermediate but also for the B.A. Degree examination and they learn History, Geography, Physical Sciences, Chemistry, Trigonometry, Geometry, Algebra and so on and so forth. That is the reason why they find the pre-University course not very strenuous. But those who are passing out of the S.S.L.C. schools find the pre-University course very strenuous and very tough.

SRI A. M. ALLAPICHAJ: Is it because the S.S.L.C. standard has gone down very much?

* SRI JOHN ASIRVATHAM: I do not say that but the standard of the Anglo-Indian schools is by far superior to that of the S.S.L.C. schools. My plea now is that the Anglo-Indian schools may be straightaway made Higher Secondary Schools by the Government in consultation with the University authorities, of course, with a few changes and modifications here and there. (An hon. Member: No pre-University course for them?) They may be made Higher Secondary Schools. I would request the Government to think over the matter. A deputation of the heads of Anglo-Indian Schools will be waiting on the Vice-Chancellor of the University and I hope the Government and the University will put their heads together and see that something is done to raise the Anglo-Indian Schools to the status of Higher Secondary Schools.

Secondly, Sir, I convey the grateful thanks of the teaching profession to the Hon. the Minister for Education for granting the enhanced dearness allowance of Rs. 12 and for raising the emoluments of elementary school teachers as well as secondary grade teachers. He has placed the teaching profession under a profound debt of gratitude by his very liberal treatment. May I request him on behalf of the teaching profession which I represent in this House, to extend medical facilities and house-rent allowance to teachers living in Cities and in large municipal towns? (Interruption.) I am coming to that. During the Montford regime, Mr. A. P. Patro was the Minister for Education. Generations of teachers still remember him with gratitude for he was the first Minister to institute the Provident Fund Scheme for the teachers. May I appeal to you, Sir (addressing the Hon. the Minister for Education), before you lay down your office, I do not want you to lay down your office, that the pension scheme be made *fait accompli* for all categories and grades of teachers? And you will earn the undying gratitude of not only teachers of today but teachers unborn.

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One more subject I want to touch on and, of course, it does not pertain to education. It pertains to the proposed inclusion of Nanguneri taluk in the Kanyakumari district. I lived as a boy, Sir, on the placid plains and in the interior village of Nanguneri taluk. They were once prosperous villages but owing to years of drought and failure of monsoon, a few of the villages have become 'deserted villages' in the words of Poet Oliver Goldsmith. I have also spent about one and a half months in Neiur Hospital for a dangerous operation and taken another one month's rest in Nagerkoil. I can say with all the emphasis that I can command that the people of Nanguneri are absolutely different in habits, customs and manners from those of the Kanyakumari district. Their attachment, I mean the attachment of the people of Nanguneri taluk to these twin towns of Tirunelveli district, Palayamkottai and Tirunelveli, is very great. The Hindus of Nanguneri taluk, whenever they go to Palayamkottai or Tirunelveli, like to take a dip in the sacred waters of the Tambaraparani and then they vend their way to Nellaiapparswami Koil. The Christians of Nanguneri have their devotion and love for the holy Trinity Cathedral of Palayamkottai. Let me appeal to the Government.

THE HON. SRI C. SUBRAMANIAM: There won't be any prohibition of their going to those places. They are not aliens.

SRI T. P. SRINIVASAVARADAN: They may go there just as we go to Benares.

SRI JOHN ASIRVATHAM: My final appeal to Government is not to tag on Nanguneri taluk, part and parcel of 'Pandya Nad' to 'Nanja Nad'.

4-50 p.m. * DR. V. K. JOHN: Mr. Chairman, Sir, on account of the provisions of Article 204 of the Constitution, no amendments could be moved to this Appropriation Bill. In view of that, the Government must take particular care to see that they do not withdraw from the Consolidated Fund any money which is not covered by the Appropriation Bill. Sir, day before yesterday, speaking on the Supplementary Budget, the Hon. the Finance Minister made a very lucid speech, a very convincing speech, and suggested to the Members of this House to study the Report of the Committee on Public Accounts and see whether the recommendations of the Committee were carried out by the Government. On going through this Report, I find that in one Department—I am quoting the finding of the Committee—there have been large variations. Against a final Grant of Rs. 6.16 lakhs, the actual expenditure was Rs. 10.34 lakhs, the excess being Rs. 4.18 lakhs, that is, 68 per cent over the final Grant. Now, this is certainly against Article 204 of the Constitution. Is this the purpose for which this Appropriation Bill is introduced under the Constitution? In this case one department has spent about 68 per cent over the sum covered by the Appropriation Bill. I would ask the Government whether they have taken note of this and corrected the

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procedure and the practice adopted by the various departments in spending more than what is covered by the Appropriation Bill? (The Hon. Sri C. Subramaniam: To which department does this relate?) That is under "Education, General—Miscellaneous payment and Compensation to Educational Institutions for loss of income due to fee concessions to Harijan pupils." Now, I want to be assured, Sir, whether the recommendations contained in the Report are strictly followed by the Government. In this report, it is stated that the Finance Department has stated that most of the recommendations of the Committee in their Report on the accounts for the year 1952-53 are still under consideration in the respective departments of the Secretariat. I would suggest that it should not be allowed to lie over for a long time in these various departments. Sir, I would like to know whether the recommendations of the Committee on Public Accounts for the year 1951-52 have been carried out by the Government and if so, how far these recommendations of the Committee on Public Accounts of 1957 on the accounts for the year 1953-54 made in October 1956 have been carried out by the Government. They have in many instances—in over a dozen instances—pointed out that there has been defective control over expenditure and we want an assurance from the Government in this House that these have been attended to.

Sir, another matter contained in this Report which is very regrettable is that the Committee found that the Secretaries in a number of departments did not appear before them when the items relating to their departments were being considered, on the ground that they (Secretaries) were detained by pressure of work elsewhere. The Committee had sent notices to the Secretaries; still they would not be present at the meetings and assist the Committee. I would strongly press upon the Government that this sort of thing should not be repeated and that the Secretaries must appear before the Committee and assist it in every matter in which it wants their assistance.

Now, having referred to the Reports of the Committee on Public Accounts, two points I should like to touch upon. Now, the Appropriation Bill shows that we have to appropriate on Revenue Account a sum of Rs. 60 crores. Sir, I have gone through the figures of 1937-38. The expenditure on Revenue Account in that year was about Rs. 16 crores and in 1945 before the Congress took over the Government, it was Rs. 20 crores in round figures. The share of the Madras State would be about Rs. 12 crores. Now, that sum of Rs. 12 crores has become Rs. 60 crores. I can understand an increase on account of grant of dearness allowance and other such things. I can understand if it is Rs. 24 crores or I can understand even if it is Rs. 36 crores. The expenditure which can be attributed to Madras State alone would be only Rs. 12 crores, as the sum of Rs. 20 crores was for the composite State of Madras. Of course, I am not finding fault with the present Finance Minister or the present Government, for when he took up office, the expenditure

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was very high in every department. We have to go into this increased expenditure very carefully and very strictly. Of course, I know, the Government have appointed some official committee for this purpose. As has been said by many hon. Members and also referred to by me, an official committee is not sufficient. Non-officials also must be associated. Look at the expenditure on Police. In the composite Madras State, it was one and odd crores of rupees but to-day it is five and odd crores of rupees for Madras alone. It is not so only in the Police Department; every department is like that. There must be something wrong somewhere. Today we are spending over Rs. 60 odd crores. When the Congress took over the Government in 1946, it was only Rs. 12 crores for the Madras State. Why has it gone up five times? I suggest a reason why it has gone up. When the Congress took over office, having had no effective Opposition to them, they exercised patronage and made many appointments. As was pointed out by the hon. Member Mr. Ranganathan, they made appointments for these Community Development Projects without entrusting them to the Public Service Commission. The Constitution provides for an independent Public Service Commission and if any advice given by the Commission is not followed, it must be explained by the Government and that explanation must form part of the report of the Commission. (Interruption). Not in respect of every item of the report, Sir, what I suggest is that this increase in expenditure is due entirely to the desire of persons in authority without an Opposition which, they were not afraid, would beat them in the next elections—a situation in which they should become totalitarian—that is, because of the desire of the Cabinet to extend patronage and power, they have appointed many, many persons and they have made many, many appointments. Otherwise, why has the Police expenditure gone up so much? They have made many, many appointments, fresh appointments and, therefore, the expenditure has gone up. Therefore, the imperative duty of this Government—I hope the present Finance Minister would do that—is to go into this whole question thoroughly and find out ways and means to reduce the expenditure. Or, at least they should find out the causes for the colossal expenditure which has gone up from Rs. 12 odd crores to Rs. 60 crores. They should try to reduce the expenditure and then reduce the taxes also or at least utilise the money for something beneficial to the people.

Secondly, capital expenditure is another item to which Government ought to pay attention. What are we doing with these moneys? Do the Government make any costing with reference to Irrigation, Electricity and Transport on which they are spending crores of rupees? Do they ever find out what they would yield? I looked into the figures. They not only do not have a Sinking Fund out of the revenue return on this capital, but they do not have enough money to cover even the interest. Well, we are paying some five or six crores of rupees as interest. In spite of the very high charges for electricity, they are unable to meet even a part,

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let alone a substantial portion of this interest. That means, in my opinion, this capital expenditure is a waste. Why not our Government follow what they do in America? There they leave it to private agencies to supply electricity at a low charge and to do this irrigation work and collect betterment contribution. What is the result? The Government do not spend a pie on these. So also when they construct a road, what do they do? They allow the private agency to do it and collect a very small amount as toll for about ten or eleven years. That covers the private agency's capital, his interest and his profit too and then the road is given free to Government. Here we spend all this money without costing. We have borrowed. How much? We are in debt to the tune of Rs. 100 crores and we are paying a very large slice of our revenue towards interest charges.

I would, therefore, suggest that the Government should have a different approach to capital expenditure. Capital works should be done by private agencies on the basis of contract or competition. Let tenders be invited and let any irrigation project work be done by a private agency which should be allowed to collect contributions from those who have been benefited for a number of years, say, 10 or 15 years. If the private agency has not got enough money, let the Government give loans at four or five per cent interest. Otherwise, what will really happen? If we go on borrowing crores of rupees every year, we would not be leaving any income to the future generations. Therefore, I submit that on two matters, viz., colossal expenditure which has risen from Rs. 12 crores to Rs. 60 crores and the capital works which do not yield anything, we must concentrate our attention, and I hope the present Minister for Finance will go into them and see that there is no waste in the expenditure on revenue account or in capital expenditure.

* SRI V. V. RAMASWAMI : தலைவர் அவர்களே, இந்த வரவு செலவுத் திட்டத்தைப்பற்றி நான் சில வார்த்தைகள் சுருக்கமாகச் சொல்ல விரும்புகிறேன். சென்ற ஆண்டிலே பெரிய நீர்ப்பாசனத் திட்டம் சம்பந்தமாக விவாதம் எழுந்தபோது, திருவிதாங்கூர்-கொச்சி ராஜ்யத்தில் உற்பத்தியாகிற நதிகளை நம் ராஜ்யத்திற்குப் பயன்படுத்தும் வண்ணம், அந்தத் தண்ணீரைத் திருப்புவதற்கு அந்த ராஜ்யத்துடன் கலந்து பேசி ஒரு திட்டம் கொண்டுவர சீக்கிரம் ஏற்பாடு செய்யப்படுமென்ற நம்பிக்கை ஏற்படும் நிலையிலே பேசப்பட்டது. அது சம்பந்தமாக இப்பொழுது நிலைமை எப்படி இருக்கிறது என்று கூறிய ஆவலுடன் இருக்கிறோம். மதுரை, இராமநாதபுரம், திருநெல்வேலி போன்ற ஜில்லாக்களில் அந்த திருவிதாங்கூர் ராஜ்யத்தை ஒட்டியிருக்கும் தாலுகாக்கள் மிகவும் வரண்ட நிலையில் இருக்கிறபடியால், அந்த நதிகளைத் திருப்பி அத்தண்ணீர் உபயோகப்படுத்தும்படி செய்தால்தான், நமக்கு ஒரு நிரந்தரமான விமோசனம் கிடைக்கும் என்று சொல்ல விரும்புகிறேன்.

அடுத்தபடியாக, மாவட்ட நிர்வாகத்தைப் பற்றிப் பேசும்போதும், ஜில்லா போர்டுகள் இருப்பதா வேண்டாமா என்பதைப் பற்றி அரசாங்கம் தீவிரமாக ஆலோசித்து வருவதாகச் சொல்லப்பட்டது. நான் பத்து வருஷங்களாகச் சொல்லி வருகிறேன். இந்த ஜில்லா போர்டு முறையை நீக்கிவிட்டு ஒரு கௌன்ஸில் ஏற்படுத்தவேண்டுமென்பதுதான் என்னுடைய முடிவான அபிப்பிராயம். அதுவும் இப்பொழுது பஞ்சாயத்துக்கள்

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15,000-க்கு மேல் இருக்கின்றன. அவைகளை சிறு சிறு யூனியன்களாக ஏற்படுத்துவது நன்றியிருக்கும். ஒரு மாவட்டத்தில் நடக்கவேண்டிய அநேக காரியங்களை எல்லா மக்களுக்கும் தெரிவிக்க வேண்டியதோடு அல்லாமல், அந்த மக்களுடைய எண்ணங்களையும் சர்க்காருக்குத் தெரிவிக்க ஒரு ஆலோசனை சபை இருக்கவேண்டும் என்பது எனது அபிப்பிராயம். சம்பந்தப்பட்ட எல்லா அதிகாரிகளையும் உறுப்பினர்களாகக் கொண்டு பஞ்சாயத்து யூனியன்களுக்கு தேர்தல் மூலம் பிரதிநிதித்துவம் கொடுத்தும், சட்ட சபை அங்கத்தினர்களும் அதில் அங்கம் வகிக்கும்படி இருந்தால், அவர்களுடைய ஆலோசனை மிகவும் பொறுப்புள்ளதாக இருக்கும். அதனுடன் அரசாங்கம் கலந்துகொண்டு, எங்கு எங்கு நிவாரணங்கள் தேவையோ அங்கு அங்கு அவைகளை அளிக்க மிகவும் உதவிகரமாக இருக்கும். ஆகவே, இதை அரசாங்கத்தார் கவனித்து வேண்டியதைச் செய்யவேண்டும் என்று கேட்டுக்கொள்கிறேன்.

இந்த சந்தர்ப்பத்தில் நான் வேறு ஒன்றுசொல்ல விரும்புவது என்ன வென்றால், ஜில்லா போர்டின் கீழ் உள்ள கல்வி, சுகாதாரம், மருத்துவம் போன்றவைகளின் நிர்வாகத்தை எடுத்துப் பார்த்தால், அது அந்த மாவட்டத்திலுள்ள அரசாங்கத்தின் சார்பிலுள்ள அதிகாரிகளின் மேற் பார்வையில்தான் நடைபெறுகிறது. இவ்வளவு அதிகாரங்கள் பிரிக்கப் பட்டுவிட்டால் ஜில்லா போர்டிற்கு வேலை குறைந்துவிட்டது. மேலும் அவர்களுக்குப் போதுமான வருமானம் இல்லாத நிலை ஏற்பட்டிருக்கிறது. உயர் நிலைப் பள்ளிகள் நிறுவுவதில் சில முறையை வகுத்துக் கொடுத்திருப்பதாக கனம் நிதி அமைச்சர் அவர்கள் இரண்டு திணைகளுக்கு முன் சொன்ன வார்த்தைகள் வரவேற்கத்தக்கவை. எங்கள் மாவட்டத்தில் எந்தவிதமான பொறுப்பும் இல்லாமல் அநேக இடங்களில் உயர் நிலைப் பள்ளிகள் ஏற்படுத்தப்படுகின்றன. பக்கத்தில் இருக்கிற உயர் நிலைப் பள்ளிகளை அது பாதிக்குமா என்று அவர்கள் சிந்திப்பதில்லை. கட்டிடம் கட்ட பணம் இருக்கிறதா, அதற்கு மூன்று வருடங்களுக்குள்ள செலவிற்குப் பணம் இருக்கிறதா, ஏற்கனவே இருக்கும் பள்ளிக்கூடங்களை அது பாதிக்குமா என்பவைகளைப்பற்றி ஆராய்ந்த பிறகுதான் அனுமதி கொடுக்கப்படும் என்று கனம் நிதியமைச்சர் அவர்கள் சொன்னது பாராட்டத் தக்கது.

அடுத்தபடியாக, ஜில்லா போர்டு நிர்வாகத்தில் இருக்கிற 2,000 மைல் நீளமுள்ள சாலைகளை சர்க்கார் நேரடியாகப் பரிபாலனத்திற்கு எடுத்துக் கொள்ளப் போவதாகச் சொல்லப்படுகிறது. அப்படி வந்தால்தான் அச் சாலைகள் நல்லமுறையில் பழுது பார்க்கப்பட்டு, அவை மக்களுக்கும் நிரந்தரமாக நன்மை பயக்க முடியும்.

அடுத்தபடியாக, கம்யூனிடி டெவெலப்மெண்ட் ப்ளாக் போன்ற இடங்களில் கிராம மக்களைத் திருப்தி பண்ணுவதற்காகவேண்டி சிறிய தொகையை வாங்கிக்கொண்டு சிறு சிறு ரோடுகள் போடப்பட்டு வருகின்றன. ஜில்லா போர்டுகள் அந்த சாலைகளை நல்ல முறையில் பாதுகாத்து, நிரந்தரமாக நன்கு இருக்கும்படி செய்ய போதுமான கண்காணிப்பு இல்லாமலும் போதிய நிதி வசதியில்லாமலும் இருக்கின்றன. ஆகவே போகாத ரோடு இருக்கிறது என்று கேலியாகச் சொல்வார்கள். அங்குள்ள ரோடுகள் சேரும் சகதியும் நிறைந்து மனிதர்களோ வண்டிகளோ போகமுடியாத நிலையில் இருக்கின்றன. அந்த சாலைகளை 'ஹைவேஸ்' ஏற்றெடுத்தது வரவேற்கத் தக்கது. விருதுநகர்-சிவகாசி, விருதுநகர்-அருப்புக்கோட்டைப் பாதைகள் பழுதடைந்துபோய் போக்குவரத்திற்கு மிகவும் கஷ்டமாய் இருப்பதால் அதற்கு சிமெண்ட் காங்கிரீட் போடவேண்டுமென்று நான் கேட்டுக்கொண்டிருக்கிறேன். ஆகவே, அந்த ரோடுகளை தார் செய்யவோ, காங்கிரீட் போடவோ அரசாங்கம் ஆவன செய்யவேண்டுமென்றும் கேட்டுக்கொள்கிறேன்.

அடுத்தபடியாக, எங்கள் ஊர் ஆஸ்பத்திரிகள் மிகவும் கேவலமான நிலையில் இருக்கின்றன. அதற்காக ஒரு நபர் ஒரு ஸ்டசத்திற்குமேல்

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கொடுப்பதாகச் சொல்லியும்கூட அதைப்பற்றி ஒரு முடிவிற்கும் வராமல் அது முதல் அமைச்சர் அவர்களின் மேஜையில் இருப்பதாகக் கேள்விப் படுகிறேன். சீக்கிரம் முடிவு செய்யக் கோருகிறேன்.

அடுத்தபடியாக, அதேபோல் ஒரு பாலிடெக்னிக் பள்ளிக்கூடம் ஏற்படுத்த முன் வந்திருப்பதால் அதற்கும் அரசியலார் ஆதரவு கொடுத்து, அடுத்த வருஷத்திலாவது அதைத் துவக்குவதற்குரிய நடவடிக்கைகளை எடுத்துக் கொள்ளவேண்டுமென்று நான் அரசியலாரைக் கேட்டுக்கொள்கிறேன்.

மேலும், எங்கள் ஊரில் தண்ணீர் குறைபாடு இருக்கிறபடியால், நகரசபையிலிருந்து ஒரு திட்டம் தயாரித்துக் கொடுத்திருப்பதாகத் தெரிகிறது. அதற்கு வேண்டிய முதலிடம் கொடுத்து சீக்கிரம் அதை நிறைவேற்ற வேண்டுமென்று கேட்டுக்கொள்கிறேன்.

கடைசியாக, ஏழை மாணவர்கள் விஷயத்தில், பிற்பட்ட வகுப்பினர்களுக்கெல்லாம் கல்விச் சலுகை கொடுக்கப்படுகிறது. அப்படிப் பிற்பட்டவர்களுக்குக் கொடுக்கப்படுகிற சலுகைகள், மதம் மாறியவர்களுக்கும் உண்டா என்பதைப்பற்றி அரசியலார் தெளிவான ஒரு முடிவிற்கு வரவேண்டும். மேலும் மேலும் இந்தமாதிரியான பாகுபாடுகள் இல்லாமல் வருமானத்தை அனுசரித்து சலுகை உண்டு என்று வைத்தால் அது மிகவும் நன்றாக இருக்கும் என்று சொல்லிக்கொள்ள ஆசைப்படுகிறேன். இந்தமாதிரியான சலுகை யார் யாருக்கு எந்தெந்த மாதிரி கொடுக்கப்படுமென்ற விளக்கமில்லாத நிலையில் இருப்பதனால், கூடிய சீக்கிரம் ஒரு முடிவுக்கு வரவேண்டுமென்று அரசியலாரை வற்புறுத்திக் கேட்டுக்கொள்கிறேன்.

கடைசியாக, இந்த அரசாங்கம் எடுத்துக்கொண்டிருக்கிற அநேக நடவடிக்கைகளில் கோடானுகோடி செலவழியும் நிலையில், அரசாங்கம் காரியங்களை எப்படி நடத்துகிறது, மக்களுக்கு நன்மை தரக்கூடியதா யிருக்கிறதா, மக்கள் ஆதரவைப் பெற்றிருக்கிறதா, உடனடியாக வேண்டிய காரியங்கள் செய்யப்படுகின்றனவா என்பதில் அநேக ஐயப்பாடுகள் இருக்கின்றன. இந்தமாதிரி அடிக்கடி ஏற்படுகிற தாமதத்தையும் அவைசியச் செலவுகளையும் கண்காணிக்கவேண்டுமென்றால், இப்படிச் சட்ட சபையை நெடு நாளை தவணை வைத்துக்கூட்டாமல் அடிக்கடி கூட்டினால், அப்பப்போது ஏற்படுகிற காரியங்களைச் சட்ட சபையில் சொல்லுவதற்கு ஒரு வாய்ப்பு ஏற்படும். சட்ட சபை கூடுகிறது, ஏதாவது தவறுகள் ஏற்படுமானால் மக்கள் பிரதிநிதிகள் அங்கு போய் எடுத்துச் சொல்வார்கள் என்று அதிகாரிகளிடத்திலும் மற்ற ஸ்தாபனங்களிடத்திலும் நினைப்பு இருக்குமானால், அதே ஒரு பாதுகாப்பாக இருக்கும் என்று சொல்லிக்கொண்டு முடித்துக்கொள்கிறேன்.

MR. CHAIRMAN : There are two more hon. Members to speak. I allow five minutes for each hon. Member.

* SRI G. KRISHNAMOORTHY : Mr. Chairman, Sir, I will 5.10
confine myself to the time-limit and I do not intend to speak for P.M.
more than five minutes, for the one reason that I am very eager to hear the reply of the Hon. the Minister for Education to all the points raised regarding Education during the course of the Budget discussion. Also my work has been simplified further by the able and eloquent representation made by the hon. Member Sri Purushotham with regard to teachers.

Now, teachers are very eagerly expecting an announcement to-day about the various concessions that have been denied to a particular section of the teachers, that is, with regard to house

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rent, medical concessions and pension for B.T.'s. I had occasion recently to go through the opinion expressed by the Hon. the Minister for Education in one place that the educational tree was there and that the only thing to be done was to strengthen its roots and not to uproot it. But, in my humble opinion, as I have already stated, this tree is a poisonous tree planted by foreigners in our country for their purpose and it has to be uprooted and a new plant has to take its place.

Sir, there was another opinion expressed that more teachers would be taken into the management of institutions. Already the Headmaster of each high school is there on the management and it has been our sad disappointment that it is not of much help. Somehow, this agency system would have to be modified without detriment to teachers and without detriment to the management. I have already submitted my views in respect of that matter.

With regard to the treatment that is meted out to teachers, I have again to submit humbly that more of sympathy is required on the part of the officers dealing with them. Either they cause delay in just replying to the representations or they do not reply at all and then they are not being treated as they should be treated in a Free India. That is my humble opinion.

With regard to municipalities, I have to say that there are municipalities which have still not paid Rs. 7 increased dearness allowance to teachers. Till 20th July 1957 when I started from Srirangam, the Srirangam Municipality has not paid it. The salary for May and June 1957 had not been paid to teachers till 20th July 1957. There are also other municipalities where this matter of paying Rs. 7 is pending. Now, we find that municipal teachers in Srirangam Municipality who were asked to take census of various animals and asked to do enumeration work have not been paid the remuneration for such work. Sir, if a section of teachers as municipal teachers are given a certain kind of work not given to other teachers, I mean extra work, they must be paid for it.

We are expecting an announcement about the revision of scales of pay under the Second Five-Year Plan. We are thankful to the Government for the increase of Rs. 12 in the dearness allowance. But still there are some grades of teachers who have been affected by the audit system introduced by the Government. The Manual Training Instructors have been affected by it. In the case of schools where Government scales had been adopted, they were given Government scales of pay. They were started on a scale of Rs. 60—4—100. But they were reduced to the Local Board scale of pay, that is, Rs. 50—2—90. Thus a sum of Rs. 10 was cut from their salaries. A cut of Rs. 10 per month for a teacher getting Rs. 60 is no small thing. I hope the Hon. Minister will look into this matter also.

As I have already stated on more than one occasion, there are many plants growing on the rampart walls of the temples. Especially the peepul plants somehow take root in crevices and they

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grow to such an extent that they make the stones fall and thus the rampart walls are being destroyed. For instance, all round on the ramparts even near the *sanctum sanctorum* of the Tiruvanaikaval temple, these plants have grown up. It is the duty of the Government to preserve these temples. This matter was raised during question-time and circulars must have been issued to the temple authorities. Officers should periodically inspect these temples and find out whether these plants have been removed. These are the few points that I wanted to raise to-day.

* SRI A. SUBRAMANYAM : கனம் தலைவர் அவர்களே, இந்த வரவு செலவுத் திட்டத்தை ஆதரித்துப் பேசும் வகையில் சில வார்த்தைகளைக் கூற விரும்புகிறேன். நம்முடைய முதல் அமைச்சர் கனம் ஸ்ரீ காமராஜ் அவர்களுடைய காலத்தில், இதர மந்திரிகளுடைய ஒத்துழைப்பினால் தியாகிகளுக்கெல்லாம் சில குறிப்பிட்ட சலுகைகளை அளிக்க அரசாங்கம் முன் வந்ததைப்பற்றி நான் மிக்க மகிழ்ச்சியடைகிறேன். அதற்காக நான் அரசாங்கத்தையும் பாராட்டுகிறேன்.

அடுத்தபடியாக, இன்றைய தினம் சபையிலே இந்த வரவு செலவுத் திட்டத்தைப்பற்றிப் பேசும்போது, பாடசாலைகளைப் பற்றியும் உபாத்தியாயர்களைப் பற்றியும் பேசப்பட்டது கண்டு நான் மிக்க மகிழ்ச்சியடைகிறேன். ஏழை உபாத்தியாயர்களுடைய வாழ்க்கைத் தரத்திற்குரிய சம்பளம் கொடுக்கவேண்டும் என்பதுதான் எல்லோருடைய கருத்தும் என்று புலப்படுகிறது. இதற்குமுன் இந்த சபையில் ஒரு சமயம் நான் கூறியிருக்கிறேன். இந்த சபையில் தலைமை தாங்கிக்கொண்டிருக்கும் தலைவர் அவர்களும், இந்த கனம் நிதி அமைச்சராக இருக்கிறவர்களும், இந்தியப் பிரதமரும், ஜனாதிபதியும்கூட உபாத்தியாயர்கள் சொல்லிக் கொடுத்து, அவர்கள் திறமையால்தான் இந்தப் பதவிகளை வகிக்கிறார்கள். ஆனால் அவர்களுக்கெல்லாம் சொல்லிக் கொடுத்த உபாத்தியாயர்கள் மட்டும் அந்த நிலையிலேயே, படிப்புச் சொல்லிக்கொடுத்துக்கொண்டே வருகிறார்கள். உதாரணம் சொல்லவேண்டுமென்றால், அவர்கள் ஒரு ஏனையைப் போன்று மற்றவர்களையெல்லாம் ஏற்றிவிட்டு, அந்த ஏணி சுவற்றில் சாத்தி வைத்ததுபோல அங்கேயே இருக்கிறார்கள். அவர்களையும் சற்று நல்ல நிலைக்குக் கொண்டுவருவதற்கு அரசாங்கம் அவசியம் முன்வர வேண்டும். தற்போது அரசாங்கம் ஆசிரியர்களுக்காகத் திட்டங்களை வகுத்துத் தொகுத்துக்கொண்டிருப்பதை நான் பாராட்டாமல் இருக்க முடியாது.

மற்றொரு விஷயம். 1857-ம் வருஷத்திய இந்திய சுதந்திரப் போராட்டத்தின் நினைவு நாளை அரசாங்கம் சமீபத்திலே கொண்டாடப் போகிறது. அந்த சமயத்திலே இந்த தேசத்திற்காக அரும் பெரும் தியாகம் செய்த பல தலைவர்களுக்கு ரூபாய் சின்னங்கள் பல இடங்களில் ஏற்படுத்தப் போகிறார்கள். சேலம் ஜில்லாவில் பாப்பாரப்பட்டி என்ற இடத்தில் 1906-ம் வருஷம், வங்காளப் பிரிவினைக் காலம் முதல் இந்த தேசத்தின் சுதந்திரப் போராட்டத்திற்காக அரும் பெரும் பாடுபட்ட சப்பிரமணிய சிவா அவர்கள் சமாதியடைந்திருக்கிறார்கள். அவர் இந்தத் தமிழ் நாட்டிற்கு அரும் பெரும் தொண்டு செய்தவர். தேசத்தின் மீது அதிகப் பற்றுதல் உடையவர் என்பது இதனால் புலனாகிறது அல்லவா? இப்பேர்ப்பட்டவர் சமாதி அடைந்திருக்கும் இடத்தில் ஒரு ஹை ஸ்கூல் கட்டவேண்டும் என்று அங்கே இருக்கிறவர்கள் கேட்கிறார்கள், விரும்புகிறார்கள். அதற்குவேண்டிய கட்டிடம் அங்கே பெரியதாக இருக்கிறது. ஹைஸ்கூலுக்கு வேண்டிய பணமும் டிபாசிட் செய்யப்பட்டிருக்கிறது. அதற்குரிய மாணவர்களின் எண்ணிக்கையும் இருக்கிறது. பாப்பாரப்பட்டியைச் சற்றிலும் 20 மைல்களுக்குள் எங்கும் ஹை ஸ்கூல் கிடையாது. அங்குள்ள மாணவர்கள் யாவரும் படிப்பதற்கு எங்கே போவார்கள்? எல்லா மாணவர்களும் எங்கித் தவித்துக்கொண்டிருக்கிறார்கள். அவர்கள்

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எல்லோரும் ஏழாவது வகுப்பு வரை படித்துவிட்டு மேல்படிப்புக்குக் கஷ்டப்பட்டுக் கொண்டிருக்கிறார்கள். ஏழாவதுக்கு மேல் படிக்க முடியாத காரணத்தால் அவர்கள் ஏழாவதுவரையில் படித்துவிட்டு அத்துடன் நிறுத்திவிட்டு ஏதோ குறிப்பிட்ட தொழிலில் ஈடுபட்டு வரக்கூடிய வரும் படியை வைத்துக்கொண்டு ஜீவனம் செய்து வருகிறார்கள். இதனால் அங்குள்ள நிலைமையை அரசாங்கம் உடனடியாகக் கவனித்து அங்கே ஒரு ஹைஸ்கூலை ஏற்படுத்துவதற்கு வேண்டிய நடவடிக்கைகளை எடுத்துக் கொள்ளவேண்டும் என்று கேட்டுக்கொள்ளுகிறேன். அப்படி எடுத்துக் கொள்வதுதான் நியாயம் என்றும் நான் கருதுகிறேன். நேற்றைய தினம்கூட கனம் அமைச்சர் அவர்கள் ஒரு கேள்விக்குப் பதில் சொல்லும் போது, கட்டிடத்திற்கு வேண்டிய இடமும், பணமும் இருக்குமானால் அங்கே ஹைஸ்கூலை ஏற்படுத்த நடவடிக்கைகள் எடுத்துக்கொள்ளப் படும் என்று சொல்லியிருக்கிறார்கள். அது வரவேற்கக்கூடிய விஷயம்தான். அந்த முறையில் இதைக் கண்டிப்பாக எடுத்துச் செய்யவேண்டும் என்று அரசாங்கத்தைக் கேட்டுக்கொள்கிறேன். இதே போன்று மாரண்ட ஹள்ளியிலும் ஹைஸ்கூல் வைப்பதற்கு அனுமதி கொடுக்கவேண்டுமென்று கேட்டுக்கொள்ளுகிறேன்.

அடுத்தபடியாக, பிற்பட்ட இனத்தவர்களுடைய விஷயங்களைப்பற்றிப் பேசும்போது இந்த சபையில் ஒரு சிலரும் கனம் நிதி மந்திரி அவர்களும் கூட சில விஷயங்களைக் குறிப்பிடுகிறார்கள். பிற்பட்ட இனத்தவர்களுக்குச் சலுகைகள் கிடைக்கின்றன என்ற காரணத்தால், தங்களைப் பிற்பட்ட இனத்தவர்கள் என்று மக்கள் சொல்லிக்கொண்டு வருகிறார்கள் என்று சொல்லுகிறார்கள். இது எப்படி இருக்கிறது என்றால், ஒரு மாற்றந்தாய் தன் பிள்ளையைக் கூப்பிட்டு “தின்னு தொலை” என்று தலையில் குட்டி அடித்துச் சொல்வதுபோல் இருக்கிறது. அரசாங்கம் செய்வது சாப்பிட்டுத் தொலை என்று சொல்லி சாப்பாடு போடுவதுபோல் இருக்கிறது. உண்மையிலேயே பிற்பட்ட இனத்தவர்கள் எந்த எந்த உத்தியோகங்களில் எப்படி இருக்கிறார்கள் என்பதைச் சற்று புள்ளி விவரங்களுடன் எடுத்துப் பாருங்கள். அதிலிருந்து உண்மை விளங்கும். உண்மையிலேயே அவர்கள் உயர்ந்தவர்களா என்பதை நீங்கள் கண்டுகொள்ளலாம். படையாட்சி களம், மருத்துவர்களும், வண்ணார்களும் இன்னும் குறவர்களும் குயவர்களும், ஓட்டர்களும் இன்னும் இதர இனத்தவர்களும் மிகவும் பிற்பட்ட வர்களாக இருக்கிறார்கள். இவர்களில்கூட எத்தனையோ பேர்கள் படித்துவிட்டு முன்னுக்கு வரக்கூடியவர்கள் இருக்கின்றார்கள். அவர்கள் படித்துவிட்டு நல்ல மார்க்குகள்கூட வாங்கியிருக்கிறார்கள். அவர்களுக்குச் சில இடங்களில் இடம் கிடைப்பதற்குக்கூடக் கஷ்டமாக இருக்கிறது. அதற்கு வேண்டிய சந்தர்ப்பமும் இல்லாமல் இருக்கிறது. அவர்களில் பலர் நல்ல மார்க்குகள்கூட வாங்கியிருக்கிறார்கள். (Sri N. Annamalai Pillai : நரிக்குறவர்களில்கூட இருக்கிறார்கள்). கனம் அங்கத்தினர் Sri Annamalai Pillai அவர்கள் சதாகாலமும் நரிக்குறவர்களைப் பற்றிச் சொல்லிக்கொண்டிருப்பது வழக்கம். அதைப்போலவே இப்பொழுதும் சொல்லுகிறார். அவர்களிலும் நல்ல மார்க்குகள் வாங்கியிருக்கக் கூடியவர்கள் இருக்கிறார்கள். சிலருக்கு ஒன்றிரண்டு மார்க்குகள் குறைவாக இருந்தாலும் இருக்கலாம். அதற்காக அவர்களைத் தள்ளி விடுவது என்பது கூடாது. அவர்களையும் சேர்த்துக்கொள்ளவேண்டும் என்று கேட்டுக்கொள்கிறேன். அவர்களுக்கெல்லாம் படிக்க இந்த அரசாங்கம் வசதி செய்து கொடுக்கவேண்டும் என்று கேட்டுக்கொள்கிறேன். எதிர் கட்சித் தலைவர் ஸ்ரீ. ஸ்சமணஸ்வாமி முதலியார் அவர்கள் கூட ஒரு சமயம், “மார்க்கு ஒன்றே போதுமானது என்று இருக்கக்கூடாது; மார்க்கு ஒன்றையே வைத்துப் பார்ப்பதில் பிரயோஜனம் இல்லை; தரத்தைப் பார்க்கவேண்டும்”. என்று சொல்லியிருக்கிறார்கள். மார்க்குகள் அதிகம் வாங்காமலேயே சில பிள்ளைகள் புத்திசாலிகளாக இருப்பதும் உண்டு. அவர்களுக்கெல்லாம் நல்ல வாய்ப்புக் கொடுக்கவேண்டும் என்று கேட்டுக் கொள்கிறேன். இவ்விஷயத்தை அரசாங்கம் கொஞ்சம் ரூபகம் வைத்துக் கொள்ளவேண்டும் என்று கேட்டுக்கொள்கிறேன்.

[26th July 1957] [Sri A. Subramanyam]

அடுத்தபடியாக, இப்பொழுது சமீபத்தில் ஆகஸ்டு போராட்டம் ஒன்று நடத்தப் போகிறார்கள். அதுவும் முதல் தேதியன்று. அது என்ன போராட்டம் என்றால் எல்லா பிராம்மணர்கள் ஹோட்டல்களிலும் யாரும் போய்ச் சாப்பிடக்கூடாது என்று கிளர்ச்சி செய்யப் போகிறார்களாம்; மறியல் செய்யப்போகிறார்களாம். இப்பொழுது சொல்லப்படுகிற காரணம் வேடிக்கையாக இருக்கிறது. ‘பிராம்மணர்கள் ஹோட்டல்’ என்று போர்டில் எழுதியிருந்தாலும்கூட, இல்லாவிட்டாலும்கூட, பிராம்மணர்களால் ஹோட்டல் வைக்கப்பட்டிருந்தால் போதும்; அந்த ஹோட்டல் முன் மறியல் செய்யப்போகிறார்களாம். இப்படி சில தினங்களுக்கு முன் பத்திரிகையில் பார்த்தேன். இது வேடிக்கையாகவும் இருக்கிறது, விந்தையாகவும் இருக்கிறது. இது அர்த்தமற்றதாகவும் இருக்கிறது. ‘பிராம்மணர் ஹோட்டல்’ என்று போட்டிருந்தால் அங்கு சுத்தமாக இருக்கும் என்ற நம்பிக்கை இருக்கும். சைவ உணவாகச் சாப்பிடலாம் என்ற ஒரு விருப்பம். வைசியர்கள், சைவாள் ஹோட்டல்கள் இருக்கின்றன. சைவாள் ஹோட்டலாக இருந்தால் அது சுத்தமாக இருக்கும், சைவ உணவாக விருக்கும் என்று நினைக்கிறார்கள். ஆகவே அங்கே போவதற்குக் காரணம் இருக்கிறது. ஆகவே, இந்த க. இயக்கத்தை இந்த அரசாங்கம் இன்னும் என் தடை செய்யவில்லை? இப்பொழுது நடைபெற்றுவரும் மறியலை அரசாங்கம் பார்த்துக்கொண்டு இருப்பதா? இப்படிப் பார்த்துக்கொண்டிருப்பதால் சென்ற மாதம் என்ன நடந்தது? முரளிகேப் முன் தி. கழகக்காரர்கள் மறியல் செய்தபோது முதலாளி தலையில் தாறைக் கொட்டினார்கள். இதை அரசாங்கம் சரியானபடி கவனிக்காமல் விட்டு விட்டது. இவ்விஷயம் முனையிலேயே கிள்ளி எறியப்படவேண்டும். இல்லையேல் இவ்விஷயம் பெரிய விஷயமாக மாறிவிடும். அதன் பிறகு பலாத் காரத்தில் போய் முடியும். ஒரு கட்சிக்குத் தலைவரானவர் சாதாரண மனிதர் அல்ல. அவரே இப்படிச் சொல்வது, போராட்டத்தை நடத்துவது என்றால், அதைப் பார்த்துக்கொண்டிருக்கலாமா? அவர் என்ன சொல்லுகிறார், ஒன்று திரண்டுவந்து ராஜ்யத்தில் எல்லோரும் மறியலில் கலந்துகொண்டு போராடுங்கள் என்று சொல்லுகிறார். இம்மாதிரியான காரியங்களில் மக்களை ஈடுபடுத்துகிறார். அதைப்பற்றி அரசாங்கம் எந்த விதமான நடவடிக்கையும் எடுத்துக்கொள்ளவில்லை. இதை முனையிலேயே கிள்ளி விடவேண்டுமே தவிர முற்றவிடக் கூடாது. சண்டை ஏற்பட்ட பிறகு, காரியத்தைச் செய்யலாம் என்றும், அதன் பிறகு சட்டத்தை இயற்றலாம் என்றும் இருக்கக் கூடாது. இப்பொழுது இருக்கும்படியான சட்டத்தை வைத்துக்கொண்டே அதற்கு வேண்டிய நடவடிக்கைகளை எடுத்துக்கொள்ள வேண்டும். அதற்கு வேண்டிய சட்டங்கள் இப்பொழுது இல்லையா? “அன்லாபுல் அசெம்பிளி” (Unlawful assembly) என்று சொல்லக் கூடாதா? சட்ட விரோதமான கூட்டம் என்று சொல்லி என் அதைத் தடை செய்யக்கூடாது? நாட்டு மக்களுடைய நன்மையையும் பாதுகாப்பையும் கருதி சுப்பிரமணியம் இந்த அரசாங்கம் நடைபெறவேண்டிய நிலையை அனுசரித்து நல்ல சட்டங்களை அமைத்து நாட்டின் அமைதியைக் காக்கும் படியாக அரசாங்கத்தைக் கேட்டுக்கொண்டு என்னுடைய வார்த்தையை இத்துடன் முடித்துக்கொள்கிறேன்.

* Dr. A. LAKSHMANASWAMI MUDALIAR : Sir, I am very hesitant to speak. First of all, I am a representative of the Graduates' Constituency, and I do not represent the University here. But the statements that have been made by my friend, I think, require one or two words of explanation. It is always open to the University in the light of experience gained to revise the syllabuses that it has laid down. That is the usual procedure. Every year, as you know—I am glad, Sir, I am speaking in the presence of two people, Sri Balasubramanya Ayyar and yourself, who know the whole tenor of University administration—all these things are brought before the Boards of Studies and then before

[Dr. A. Lakshmanaswami Mudaliar] [26th July 1957]

the Academic Council and, whenever there is a question of any variation in regard to the standards, that is looked into. The second thing I wish to state—because reference was pointedly made to World History—is the confusion that has arisen on account of a number of so-called text-books that have been prepared by many teachers who do not fully comprehend what the expression 'World History' means. 'World History', as stated there, is a history of the world which will be useful to the present generation of people. In view of so many things happening in the world, instead of saying 'Indian History' or 'Greek History' or 'Roman History', the expression used is 'World History'. It is not a compilation of all the facts of history but a presentation of the gradual development. Unfortunately, some of the books that were prescribed were only compendiums. The Board of Studies in History is now seized of it, and I understand that some typical text-books will be prescribed which will make quite clear what this 'World History' really means. It does not mean, as my friend put it, all about Greek history, all about Roman history, all about Wars of the Roses, and all the various things from B.C. to 1957 A.D. It really means a concept of the World as it is to-day with a certain amount of detail about the evolution that has led up to this particular stage. No student, who is educated, can afford not to know something of what has happened. It is not the Chinese history or any other history. Even then, as you know, this is a matter that has been referred to the Board of Studies, and they will take note of it.

Sir, I frankly confess that I often hear the expression that the standard is very high, that there has been a good deal of failures, and that somehow or other people have been made to pass. In the presence of two members of the Syndicate, I can say that this is not warranted by what has happened. I am not in a position to give the details. Nothing was done for the Pre-University Examination which was not in accordance with the usual rules for every other examination where the Board of Examiners meet and in border-line cases see whether the student has acquitted himself properly on the general level. I cannot go into facts, because they are confidential. But I want to assure this House that it is not a one-man show at all. Representatives of Headmasters are on the Senate. In the Academic Council, all the Principals of colleges are there. Two representatives of each of the colleges are in the Academic Council and there are representatives also in the Senate. Sir, we often hear of standards not being maintained. Everywhere it is so. For the first time, we try to see a reasonable standard being maintained. So far as S.S.L.C. is concerned, that standard had to be adapted not for the requirements of the University but for other purposes. The University could not have any say in the matter. I am not going into the reason why the E.S.L.C. is stated as having a much higher standard than the S.S.L.C. That naturally arouses in the Member's mind a train of thought. But if the Pre-University is what it has been stated to be, how is it that all the students who have been sent from

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the particular school have passed in the first class except the one who was consigned unfortunately to the New College? If I were to give the percentage of those who secured the minimum marks of 40 per cent, that would also reveal that conditions were not so bad. 5-30 P.m.

DR. V. K. JOHN : What is the percentage of passes?

* DR. A. LAKSHMANASWAMI MUDALIAR : It was 56 and I can say that in border-line cases a maximum of five marks was given for purposes of condonation. Also, out of a total of 900, if in two or three subjects a student wanted two or three marks, up to a maximum of ten was allowed in cases where students secured 240 out of 800. This is even more strict than the moderation resorted to by examiners in respect of some of the examinations like the Intermediate, the B.A., and I may add, Honours. The Examining Boards, as hon. Members may be aware, can suggest moderation and I need not say anything more on this. All that I would beg of hon. Members and the public to realize is that the regulations that have been introduced are not like the law of Medes and Persians. They are capable of alteration and change by academicians. At the same time, I may assure hon. Members that the University will always be prepared to do its best.

One word more and I have done. It is true that this University has certain standards. Everybody has accepted those standards. Many people who have visited and seen our University have expressed their satisfaction that we are trying to maintain some standard, though not the standard that is expected in other parts of the country. Now, it is our hope that the alumni of our University who go out to occupy positions in departments of science and technology will prove themselves very useful and worthy of the University. I have had reports about our students who have gone to prosecute their studies further in foreign Universities. Not from the students but from the authorities who manage those Universities, I have heard that our students are remarkably good. A Second Class B.E. of the Madras University is considered better than many a First Class B.E. of some other Universities in the Manchester Institute of Technology. This is a statement made by people who are in charge of the Institute and who are charged with the task of maintaining certain standards. Of course, our University will not hesitate to make certain deviations if they are considered necessary. But one thing I feel about our examinations. While we do place the utmost emphasis upon listening to parents' advice, the parents are the last persons who are in a position to regulate standards. If my son or daughter does not pass, the examination, in my opinion, is not worth appearing for or must be radically changed. I would like to point out that so far as the Universities are concerned, they are not people's tribunes. That is the only plea I would make, not as one connected with the University but as a citizen. Let us try to see by all means that efforts are made to carry out improvements faithfully. Such suggestions will be considered by the authorities of the University wherever possible. That is all I have to say on this subject and I thank you.

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THE HON. SRI C. SUBRAMANIAM: Mr. Chairman, Sir, I know it is already late and I do not want to weary the House with a long reply. Still, I have to answer certain points which have been made on the floor of the House.

The hon. the Deputy Leader of the Opposition again put forward his pet theory that we should adopt American methods in financing Capital Works. I may tell him that if we adopt those methods, no capital work can be executed here. Again, he complained that our Revenue Expenditure had increased from Rs. 16 crores to Rs. 60 crores. But he wanted to exonerate me on the ground that even when I took over, the expenditure was heavy enough. Sir, even after my taking over, I may tell the hon. Member it has increased considerably. I take the credit or discredit for it. If the Government could now confine themselves to the activities which were being carried on long ago and limit their expenditure to the old level, I am afraid there would be no scope for undertaking the several welfare works that we have taken up. We were spending two or three crores of rupees on education some years ago in the undivided Madras State. Now, in the reorganised State we are spending about Rs. 11 crores. But as the Deputy Leader of the Opposition imagines, it is not a mere bloating of the expenditure. The number of students has increased at all levels and it has got to increase further. As a matter of fact, one of our difficulties now is how to increase the strength in the school so as to satisfy the requirements of the provisions of the Constitution which state that free and compulsory education should be given to all children up to the age of 14. Not only that. Even to maintain that level of free and compulsory education up to the age of fourteen, we require a pyramid which will be able to sustain it. So also if we look into our expenditure under Health, we will find that we are incurring a lot on the provision of health facilities to our people. Of course, some hon. Members might say, "It is none of our concern. If anybody gets sick, let him go to a private doctor and get treatment". If such is the attitude of hon. Members, certainly it would be much easier for the Government to carry on the administration at a reduced cost. The tax burden on the people also will be reduced considerably. But, fortunately or unfortunately, the concept of Government has completely changed. (Dr. V. K. John : Only for the Police :) Of course, Police activities also have increased considerably consequent on our taking up more and more of welfare activities. There is an increase in expenditure on the Police. That is due to various factors. One of them is the very development that is taking place in the country. When there was no industry at all there was no unrest on the part of labour in the industrial sector, there were no labour disputes and we did not have to worry about them. But now because of the rapid industrialization that is taking place, conflicts arise between capital and labour. Because of these very conflicts, the law and order situation deteriorates and the Government have to take steps to see that the situation does not deteriorate. In the same manner, because of the education that is

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provided, people begin to become agitators to a certain extent. They learn and talk about various political ideologies which lead to violence. Even though it is necessary for us to see that these problems which give rise to these various ideologies are adequately tackled, still in the immediate present we have to take account of the existing situation as regards law and order. That is why there is increase in the Police expenditure, which has arisen out of the very process of development that is taking place in the country. Therefore, I may assure the hon. the Deputy Leader of the Opposition that this increase is not going to stop here but will go further, because nowadays people expect that everything should be done by the Government. If people would take care to see that all the facilities necessary for them are provided by themselves, then there would not be any necessity for the Government to incur expenditure on the scales they do now. Even for very small things, people expect the Government to come to their aid and the Government could go to their aid only with funds collected from the community. Therefore, when we take to more and more welfare activities, when we want to create better conditions particularly for backward communities, for which the hon. Member Sri A. Subramanyam so eloquently pleaded, and if they have to be given more and more facilities for their development, it becomes necessary to incur more and more expenditure. As I have already stated, expenditure of the State is bound to increase. What we should be more concerned about is whether these moneys are spent properly or are being wasted. If they are spent properly, I think, the House should encourage the Government to collect more and more money from the people and to spend the same wisely. But, if there is waste, then there should be criticism. That has got to be avoided. It is only in that way—by offering constructive criticisms to avoid waste—that this House will be of great value in assisting the Government. I am glad that many suggestions have been made to improve the administration and to avoid waste. I shall now deal with the specific points raised by hon. Members.

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The hon. Member Sri V. R. Ranganathan pleaded very rightly for the blind and the physically handicapped persons. He stated that we should take greater care of them, that we should extend all facilities to them and that if we had got to extend facilities, we should not expect any return from them. Certainly, we are not going to expect any return for facilities provided for them. On compassionate grounds we are bound to meet the requirements of physically handicapped persons and we are trying to do that. In that connexion, the hon. Member pleaded that it should be possible for us to find employment for them. He cited the example of foreign countries where employment was found for physically handicapped persons. I would like to remind him that it may be possible in a place where there is shortage of human material to find employment even for persons suffering under a handicap like blindness or any other deformity. But when we are unable to

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provide employment even for healthy persons, it would be very difficult to persuade the various firms or individuals to give employment to these people. That is the real difficulty. It is only on compassionate grounds that a few individuals can give employment to these people. When persons who are physically fit are available in the market, certainly it is too much to expect from the people that they should give employment to physically handicapped people. But in a Welfare State it should be possible to help these physically handicapped persons also to earn their livelihood. That could be done only when we make greater and greater progress in the economic field. When that development takes place, I have no doubt that it would be possible to give employment to these physically handicapped persons also.

Then, Sir, the hon. Member mentioned about the Community Development Projects and about the assessment report which was recently submitted by a committee appointed for this purpose. I do agree that we have not achieved what was expected from these Community Projects. But, still, we have made sufficiently good progress in the execution of these Community Projects, and that has infused, to a certain extent, confidence in the people living in the rural parts. Unless we are able to gain the confidence of the people living in the rural parts—villages—it will not be possible for them to adopt new and better methods of cultivation or of production or of living. And it is for that purpose that we are trying to train village-level workers and various other officers so that they may go and live in the midst of the people and create that confidence and guide them properly in the better methods of cultivation and production and in the better methods of living. On the question whether we have trained the right type of persons or whether we have selected the right type of persons, I have my own doubts about that. We have just started and with experience it should be possible to select the right type of persons and give the right type of training. When we say that we want to improve the community living in the villages, it should be possible to teach every family living in the villages better methods of living. But, what we have done has touched only the fringe of the problem. Only the better educated persons and the richer people have been able to take advantage of what has been offered through these Community Projects. It should be possible to reach even an ordinary ryot owning one or two acres and teach him better methods of agriculture and various other things which the Community Project involves. But, unfortunately, that has not been done, and it has not yet been possible to achieve that. That is why various committees are being appointed periodically to assess the results of the work done and also to suggest improvements in approaching this problem. I am glad to say, Sir, that after the appointment of these committees, the problems have been studied in greater detail. We now at least know what is the real problem we should try to solve. We are trying to solve the problems to the best of our ability. That is what we are trying to do.

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I am sorry an impression has been gaining ground that these Community Projects are made to serve party interests. I may assure this Hon. House that there is absolutely no basis for such an impression. The recruitment of the village-level workers was made by a committee at the official level. (Sri V. V. Ramaswami : Purely at the official level.) Yes. Now, I was told by the Home Minister that it has been decided to hand over even this function to the Public Service Commission. As far as the other officers are concerned, no recruitment was practically made in the open market. Only persons who are already in Government service, who must have been naturally recruited through the Public Service Commission and who have shown some promise with regard to the work that has to be done in the Community Development Project areas—persons who have shown some aptitude for leadership in working amongst the villagers—have been selected for filling up the posts of Block Development Officers, Social Education Officers, Co-operative Department officials, Industries Department officials and various other officers who have got to serve at the Block level. Therefore, the charge that Party interests have been made the supreme thing in making these recruitments is made, I am afraid, without knowing what is really happening in regard to the recruitment of these various officers. I may assure this House that it is not so. As a matter of fact, a charge is made that all sorts of persons with all sorts of political ideals—persons who do not have faith even in the Constitution of the country—have got into these posts and that some of them are working havoc. So, it is not correct to say that Congressmen have been recruited to fill up these posts. It might be that while making recruitment, some persons who had an inclination towards Congress ideals have been recruited. After all, young persons who have come out of schools have got their own views about the politics prevailing in the country. Therefore, we found that persons with various leanings got into this service. That is incidental to any large-scale recruitment.

Then, mention was made about the Public Service Commission. I want to impress upon this House one important aspect as far as the Public Service Commission is concerned. In respect of matters where we have decided to consult the Public Service Commission, that is, in respect of cases which have not been taken out of the province of the Public Service Commission and particularly in respect of ordinary recruitments, we have always taken care to see that we do not differ from the Public Service Commission. But, there are certain posts which require some efficient technical knowledge. In respect of such posts, even though we might consult the Public Service Commission, still I don't think the Service Commission is so competent that it should be the ultimate authority in advising the Government. We have got other technical officers also. For instance, take the Lignite Corporation where a technical person has got to be recruited. No doubt, we ask the Public Service Commission to go into the question and

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make the selection. If, however, we find that they have made a wrong choice, it is the duty of the Government to see that the right choice is made. If it is to be said that simply because the Public Service Commission has recommended a particular person, he should automatically be given the appointment, then it will be jeopardising the Project as such on which we lay so much emphasis. The progress of the entire State depends upon the success of that Project. So, in that case, if we feel that the proper person has not been selected, certainly we have got the right and it is also our duty to differ from the Public Service Commission and then not to select him. In cases where it is necessary, especially in such cases, we try to take a different point of view and in all these cases, it is necessary to explain why we differ from the Public Service Commission.

SRI T. PURUSHOTHAM : Are not technical experts associated with the Public Service Commission?

THE HON. SRI C. SUBRAMANIAM : Yes, a particular person is associated with the Commission. If, on further scrutiny of the selection made by the Commission, it is found that a particular person with a particular qualification will not be suitable for that particular purpose, certainly we have to take note of that also. Simply because a particular expert is associated with the Commission, the Commission should not have the last word in matters like these. I have always found difficulty in recruiting technical personnel through the Public Service Commission. I wish we evolve some other body, an independent authority, and not persons with mere general qualifications but with technical qualifications, or a team of technical experts to recruit these special technical personnel. It may take some time to evolve such a body. But, till then, we have to make the best of the existing situation. The Government will have to take the responsibility to see that proper persons are recruited to fill these technical posts.

* SRI T. M. NARAYANASWAMY PILLAI : Sir, there are two kinds of things. One is consultation. The other is recruitment of people on the basis of examinations which the Commission conducts under Article 320 (1) of the Constitution. The examination may be either written or oral, or both written and oral. There are other matters where consultation has been provided for. There are rules made by the Government themselves in this regard. When the Commission makes the recruitment under the Statute according to the rules laid down in this regard, the Government have no right to differ. They must follow the provisions of the Constitution. That is the point which I wish to make.

SRI T. PURUSHOTHAM : The Public Service Commission is only the recruiting authority and not the appointing authority.

* SRI T. M. NARAYANASWAMY PILLAI : There is Article 320.

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THE HON. SRI C. SUBRAMANIAM : I shall read that Article. It states—

“(1) It shall be the duty of the Union and the State Public Service Commissions to conduct examinations for appointments to the services of the Union and the services of the State respectively.

(2) It shall also be the duty of the Union Public Service Commission, if requested by any two or more States so to do, to assist those States in framing and operating schemes of joint recruitment for any services for which candidates possessing special qualifications are required.

(3) The Union Public Service Commission or the State Public Service Commission, as the case may be, shall be consulted . . . Then we come to clause (4) which states—

“(4) Nothing in clause (3) shall require a Public Service Commission to be consulted as respects the manner in which any provision referred to in clause (4) of Article 16 may be made or as respects the manner in which effect may be given to the provisions of Article 335.”

Now, where examinations have been held and according to that examination recruitments have been made, I do not think I have come across instances where the Government have differed from the Public Service Commission. But, simply because a person was interviewed, it cannot be taken as an examination.

* SRI T. M. NARAYANASWAMY PILLAI : Even according to the Government, it is taken as an examination.

THE HON. SRI C. SUBRAMANIAM : I will come to that. I was only dealing with the recruitment of technical personnel. In other respects, I was not quarrelling with the statement of the hon. Member and there is no cause for disagreement with the Public Service Commission. But, with reference to the recruitment of technical personnel for particular posts which are not of a general nature such as the Manager of the Lignite Corporation, we have to take the responsibility.

SRI T. M. NARAYANASWAMY PILLAI : There is provision for consultation.

THE HON. SRI C. SUBRAMANIAM : I am now dealing with the one case which was brought to the notice of the Government and that is the appointment of Manager of the Lignite Corporation—some technical Assistant of the Lignite Corporation. I am speaking about that. In respect of that, when we find that it will not serve the interests of the Project if we appoint a new person selected by the Commission and it will be better to continue the same old person, should we not take upon ourselves the responsibility of deciding that? Or, simply because the Public Service Commission has selected the other person and simply because the Commission has made a recommendation to appoint the other person, should we appoint that person? When we honestly believe that it will not

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serve the interests of the Project to appoint that person, we have to take the responsibility to come to the right conclusion. That is what I wish to state in this connection. After all, the Public Service Commission also contains individuals. Simply because the Commission has made a recommendation, where it is not compulsory for us to accept that recommendation, it is incumbent on us to scrutinise it properly and see whether the Commission has made the selection properly, particularly with reference to the technical posts. Therefore, I am saying that with regard to these technical posts, there are always some difficulties. These posts are of some special interest which do not come in the ordinary category. For example, take the recruitment of Junior Engineers, and Assistant Engineers and other posts which come in the ordinary routine. They do not matter at all. But, when we want technical persons for a particular project for the purpose of achieving certain results, we have to take the responsibility. Simply because the Public Service Commission has made certain recommendation, it does not become so sacrosanct that we should somehow or other accept that recommendation without any scrutiny whatsoever. We have got a right to scrutinize their recommendation and find out whether the person recommended by them would fit in for the job for which he has been asked to be recruited. The Government who have the responsibility of sanctioning the various Projects should also take the responsibility to differ from the Public Service Commission and take a decision which we consider right and correct. We may also be wrong. But, we have got to take the responsibility. Ultimately, that responsibility will have to be taken by ourselves and we should not take shelter under the recommendation of the Public Service Commission and say, "Well, the Public Service Commission recruited somebody. Therefore, we have selected him. If the Project was not a success, it was not our fault but it was the fault of the Public Service Commission." Certainly we cannot take such an attitude particularly in respect of projects like these or any other important factory. Suppose we nationalize certain factories and we want technical experts for those factories and we want the Public Service Commission to make recommendations. Simply because they make a recommendation, it does not mean that without scrutiny, we should take everybody recommended by the Commission. I admit that in respect of routine matters of recruitment, we should not differ from the Commission and bring our own candidates into the field. I do not think we did so, so far. I do not think such a thing will ever happen so long as we are here. That is the real point to be taken into consideration.

6 p.m. With reference to punishments and the various enquiries, finally before we award the punishment, we have to consult the Commission. (Sri T. M. Narayanaswamy Pillai: That is one of the duties imposed upon the Commission.) In certain cases we find that the opinion given by the Commission is not correct. I would ask hon. Members, 'What is my duty as Law Minister in such cases?' I find that the opinion is not based on any facts,

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is not according to the law. Therefore, I think that it is not the correct opinion under the circumstances of the case. I may be ultimately wrong. But suppose I feel like that and consult my law officers and they concur in that view. What should I do? Should I say, 'The Public Service Commission has come to a conclusion and however wrong it might be, I should accept it'? Therefore, in all these cases where is a question of mere consultation and where it is not obligatory on us to accept the recommendation of the Commission but where the ultimate responsibility for the decision will have to be taken by us, where we differ from the Public Service Commission, we give our decision and also our explanation for coming to such a decision. I may assure the House that it is not as if we want in any way to lessen the importance of the Public Service Commission. On the other hand, we want to give all the importance due to the Public Service Commission and, as far as possible, avoid the responsibility of making recruitment to any category of posts. But when crucial decisions have got to be taken in regard to selection of technical personnel, I think the Government should not under the guise of accepting the recommendation of the Public Service Commission disown and abdicate their own responsibility.

Sir, various other things were mentioned. The hon. Member Sri T. Purushotham mentioned about the evasion of sales tax in respect of the sale of sugar. The Board of Revenue is taking action in the matter. I do not think that I should disclose now and here what kind of action is being taken. I may assure the House that effective action will be taken so that these things may be properly checked.

The hon. Member Sri Mohamed Raza Khan mentioned about the quantum of work turned out by our lower division clerks, upper division clerks and superintendents. As a matter of fact, the scale of work already fixed has not been changed till now. Every clerk is expected to see and dispose of a certain number of papers in a day. That standard is still maintained. But it might be that the standard of work has gone down. But the quantum of work we are maintaining still. As regards standards, it depends on several other things. That is the real difficulty.

He also mentioned about the Honours course and made particular mention about Islamic History. Rightly or wrongly, we consider that Honours course is of some special importance and that persons who are admitted to these courses should possess and maintain certain standards of efficiency. If, however, the hon. Member should think that simply because there are no applicants of the standard required, anybody should be admitted to that course, then we can as well abolish the course. To admit such candidates will have no meaning at all. That is why particularly in the Honours course, we have to maintain certain standards. For the post-graduate course we must maintain certain standards.

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We say that candidates seeking admission to these courses should have obtained at least a second class. This is not a very high standard for persons taking specialized courses. Therefore, it is not as if we had no interest in Islamic History, but it is because students with sufficient standards did not come forward to join the course.

Then, Sir, about the teachers and their emoluments and various other grievances which are still to be redressed, mention was made during the course of the discussion. As I have mentioned already, all these grievances will be duly redressed in due course. (Laughter.) It has been pointed out that they have complete faith in the Education Minister. I would only appeal to them to leave that to me and it would always be my best endeavour to see that the status of the teachers is raised, that their emoluments are increased and that they are put in such a position that they will be able to discharge their duties properly. If I am not able to redress all the grievances, the difficulties are well known and I need not repeat them. Even with these difficulties, I have been trying my very best to help the teachers. (Hear, hear.) (An hon. Member: House allowance.) Even the house allowance and the pension scheme for other categories will come in due course. (Cheers.)

With reference to the pre-University course, the hon. Member representing the teachers' constituency expressed one point of view and to a certain extent, the hon. Member representing the Graduates' constituency replied to the points made by the other hon. Member. But one thing we have got to bear in mind, that is, if the boys in the Anglo-Indian Schools were able to pass these tests in the pre-University course with credit, in first class and second class, it is mainly due to the advantage they have in the medium of instruction. They are being taught in English. (An hon. Member: Their mother-tongue is English.) Not for all of them. There are Indian boys also there. But they are all being taught in English from the infant standard up to the S.S.L.C. And, therefore, when the subjects are taught in English in the pre-University, naturally they are able to understand, not only to understand but to express themselves in the English language. But what about other boys who get into the pre-University class, those who have been taught in their own mother-tongue up to the S.S.L.C. class, for whom the medium of instruction is switched on to English in the pre-University class? That is the real difficulty facing us. In the Intermediate course there was this advantage that for one year the students struggled on just to understand what was being taught by the various lecturers in English and during the second year, they were able to make up. Here in the pre-University course, the time is limited and, therefore, they have to study the language first and then only they can understand the lectures delivered in English in the various subjects. That is the real difficulty. Unless we are able to solve the difficulty, I am afraid we will have to face this problem, not we but the

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students will have to face the problem. This is really a difficult problem which is causing some concern even to the parents. Even though they may not care for standards, still they are interested in the education of their children and they realise this to a certain extent particularly when this burden of English is put on them. So, unless we are able to solve this properly, the pre-University course, even if it is made lighter, is not going to solve the problem. How that problem has to be solved will have to be thought out and I hope a solution will be found as early as possible. To the extent it is postponed, we will be creating difficulties for generations after generations of students who will be passing through the S.S.L.C. class.

The hon. Member Sri V. V. Ramaswami was mentioning about the rivers flowing towards the west and asked when they would be turned towards the east. As the hon. Members are aware, this question was discussed in the Zonal Council. There will be an inter-State consultation in regard to this matter and we hope it would be possible to take a very early decision and there would be an amicable agreement between the various States and it would be possible to use these natural waters to the best advantage of the country. I do not think it would be possible for me to say more about this on this occasion.

Sir, I do not think it is necessary for me to meet the various other points raised by the hon. Member Sri Krishnamoorthy and other hon. Members, particularly in regard to the teachers and in regard to educational facilities to the backward communities. It is not as if in any niggardly manner we are giving these concessions to the backward communities. On the other hand, we are all interested that these communities which are backward not due to any fault of theirs but due to historical factors, should also be given sufficient opportunities to come up. But merely giving opportunities will not bring them up unless they also co-operate and work hard to lift themselves up. Nowadays, the tendency for these people is to say, "I belong to the Scheduled Caste and, therefore, there should not be any standard in judging my merit", "I am a backward class student and, therefore, there need not be any standard either for admission into colleges or for recruitment to the various services". The more we encourage this attitude, the greater will be the harm we will be doing particularly to the younger generations belonging to these backward communities. It should be possible for us to give them encouragement to work hard. But by giving these facilities, it looks as if we are creating an impression in the minds of these people that simply because they belong to particular communities, they are entitled to get through the examinations, and that they are entitled to all the facilities irrespective of merit. That attitude should go. Particularly, I request hon. Members who are interested in the progress of these backward communities to develop in them this attitude of greater and harder work by them so that they might also reach the level of the forward communities, because only by

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reaching the level of the forward communities, they would really become forward. Any amount of spoon-feeding may be of only temporary advantage, but it will not make the backward community forward. For, the ultimate aim of every one of us should be to make these backward communities really forward and not to keep them always backward so that they might enjoy for ever these facilities.

Sir, I hope the Appropriation Bill will be accepted.

SRI MOHAMED RAZA KHAN : Of course, we will accept it.

* SRI A. SUBRAMANYAM : கனம் தலைவர் அவர்களே, ஒரு முக்கியமான சந்தேகத்தை கனம் அமைச்சர் அவர்கள். . .

MR. CHAIRMAN: (Ringing the bell). I am on my feet!

* SRI A. SUBRAMANYAM : கனம் அமைச்சர் அவர்கள் என்னுடைய முக்கியமான சந்தேகத்தை விளக்கவில்லை. அதாவது, ஸ்ரீ ஈ. வே. ராமசாமி நாயக்கர் ஹோட்டல் போராட்டம் நடத்துகிறார். ஹரிஜனங்களோ மற்றவர்களோ ஹோட்டல்களுக்குள் வரக்கூடாது என்ற தடையோ மற்ற எந்த விதமான தடையோ இல்லை. ஹோட்டல்களுக்குள் யார் வேண்டுமானாலும் சென்று எங்கு வேண்டுமானாலும் உட்கார்ந்து சாப்பிடலாம். அப்படியிருக்கும்போது, ஸ்ரீ ஈ. வே. ராமசாமி நாயக்கர் “நான் திராவிடக் கழகத் தலைவர். . .”

MR. CHAIRMAN: (Got up ringing the bell.) Please sit down. The question is—

“That the Madras Appropriation Bill, 1957 (L.A. Bill No. 8 of 1957), as passed by the Legislative Assembly, be taken into consideration.”

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

Clause 2 was put and carried.

The Schedule was put and carried.

Clause 1 was put and carried.

The Schedule was put and carried.

THE HON. SRI C. SUBRAMANIAM : Sir, I move—

“That the Madras Appropriation Bill, 1957 (L.A. Bill No. 8 of 1957), as passed by the Legislative Assembly, be passed.”

MR. CHAIRMAN : The question is—

“That the Madras Appropriation Bill, 1957 (L.A. Bill No. 8 of 1957), as passed by the Legislative Assembly, be passed.”

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

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(2) THE MADRAS APPROPRIATION (NO. 2) BILL ^a, 1957 (L.A. BILL NO. 9 OF 1957).

THE HON. SRI C. SUBRAMANIAM : Sir, I beg to move—

“That the Madras Appropriation (No. 2) Bill, 1957 (L.A. Bill No. 9 of 1957), as passed by the Legislative Assembly, be taken into consideration.”

I think we have discussed in detail about all these matters. I do not think, therefore, that any further discussion will be necessary now.

MR. CHAIRMAN : The question is—

“That the Madras Appropriation (No. 2) Bill, 1957 (L.A. Bill No. 9 of 1957), 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 and 3 were put and carried.

The Schedule was put and carried.

Clause 1 was put and carried.

The Preamble was put and carried.

THE HON. SRI C. SUBRAMANIAM : Sir, I move—

“That the Madras Appropriation (No. 2) Bill, 1957 (L.A. Bill No. 9 of 1957), as passed by the Legislative Assembly, be passed.”

MR. CHAIRMAN : The question is—

“That the Madras Appropriation (No. 2) Bill, 1957 (L.A. Bill No. 9 of 1957), 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 3 p.m. to-morrow.

The House then adjourned.

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

* 127. Report on the activities of the Department of Statistics for the half-year ending 30th September 1956.

* 128. Notification issued with Memorandum No. 574-RI/57-3, Industries, Labour and Co-operation, dated the 10th April 1957, regarding amendments to the Madras Small Scale and Cottage Industries Loans and Subsidy Rules, 1956.

* Printed as Appendix III on pages 136-137 infra.

* Laid on the table of the House on 25th July 1957.

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129. Review of the activities of the Madras State Transport Department for the half-year ended 30th September 1956.

130. Orders passed between 14th May 1956 and 6th April 1957 by the Government on the recommendations of the District Revenue Administration Enquiry Committee.

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

1. The Madras Appropriation Bill, 1957 (L.A. Bill No. 8 of 1957).

2. The Madras Appropriation (No. 2) Bill, 1957 (L.A. Bill No. 9 of 1957).

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APPENDIX I.

[Vide answer to clause (b) of Legislative Council Question No. 39 asked by Sri G. Krishnamoorthy at the meeting of the Legislative Council held on 26th July 1957, page 84 supra.]

The charges levied on the patients admitted in the Rajaji Tuberculosis Sanatorium, Tiruchirappalli, are as follows :—

Charges for wards—

A Ward—Rs. 4 per day with hospital diet and Rs. 2-8-0 per day if they have their own food.

B Ward—Rs. 4 per day with hospital diet and Rs. 2 per day if they have their own diet.

C Ward—Rs. 2-8-0 with hospital diet and Re. 1 per day if they have their own diet.

Semi-General—Re. 1 per day with hospital diet.

Extra Semi-General—Re. 0-12-0 per day with hospital diet.

Special Ward—Rs. 2-8-0 with hospital diet and Re. 1 per day if they have their own diet.

Ex-servicemen Ward—Rs. 100 per mensem for patients admitted under the Post-War Services Reconstruction Fund. Rs. 75 per mensem for patients admitted under Tuberculosis Association.

The following will be charges for the other items :—

X-ray photos—Paying patients in A, B, C, and Special ordinary ward will have to pay at Rs. 12 for the first picture and Rs. 10 for every subsequent picture taken on the same day and paying patients in the Semi-General Wards will have to pay Rs. 9 for the first picture and Rs. 7 for every subsequent picture taken on the same day.

Screening—Rs. 2 for every screening for patients in the paying wards—

	RS.	A.	P.	
(a) Intestinal photos after barium meal.	50	0	0	
(b) Intestinal photos after barium enema.	25	0	0	
A.P. Treatment for A, B and Special ordinary.	12	8	0	per month.
A.P. Treatment for C ward ..	5	0	0	„
U.V.R. Treatment	12	8	0	„

Laboratory charges—For all blood counts once a month it will be Rs. 5, sputum Re. 1, urine Re. 0-8-0, motion Re. 0-8-0 and Stomach wash for a.f.b. Re. 1.

[26th July 1957]

Operations—Will be charged according to the operation by the Medical Superintendent.

Streptomycin and such other drugs which the Medical Superintendent considers valuable may be charged, and the prices to be fixed by the Medical Superintendent then and there.

APPENDIX II.

[Vide item III (1) on page 89 supra.]

L.A. BILL No. 8 OF 1956.

(As passed by the Assembly.)

A Bill to provide for the appropriation of moneys out of the Consolidated Fund of the State for the service of the financial year commencing on the 1st April 1957.

WHEREAS it is necessary to provide for the appropriation of moneys out of the Consolidated Fund of the State for the service of the financial year commencing on the 1st April 1957;

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

1 *Short title.*—This Act may be called the Madras Appropriation Act, 1957.

2. *Appropriation out of the Consolidated Fund for the financial year commencing on the 1st April 1957.*—The State Government may appropriate out of the Consolidated Fund of the State for the financial year commencing on the 1st April 1957, a sum not exceeding one hundred and eighty-four crores, fifty-eight lakhs, seventy-nine thousand and seven hundred rupees [which shall be inclusive of the sum of fifty-eight crores, fifty-nine lakhs, thirty-two thousand and two hundred rupees specified in section 2 of the Madras Appropriation (Vote on Account) Act, 1956 (Madras Act XXXVIII of 1956)], being moneys required to meet—

(a) the grants made by the Madras Legislative Assembly for that year, as set forth in column (3) of the Schedule; and

(b) the expenditure charged on the Consolidated Fund of the State for that year, as set forth in column (4) of the Schedule.

THE SCHEDULE.

Demand number.	Services and purposes.	Sums not exceeding			Total.
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund of the State.		
(1)	(2)	(3)	(4)	(5)	
		RS.	RS.	RS.	
I	Land Revenue Department ..	96,95,600	500		96,96,100
II	Excise Department ..	6,66,300	1,000		6,67,300

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Demand number.	Services and purposes.	Sums not exceeding			Total.
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund of the State.		
(1)	(2)	(3)	(4)	(5)	
		RS.	RS.	RS.	
III	Stamps Administration ..	16,39,900	..		16 39,900
IV	Forest Department ..	57,90,000	1,000		57,91,600
V	Registration Department ..	39,09,100	200		39,09,300
VI	Motor Vehicles Acts Administration ..	10,56,100	60,48,000		71,04,100
VII	General Sales Tax and Other Taxes and Duties—Administration ..	1,36,91,700	27,200		1,37,18,900
VIII	Irrigation ..	1,59,01,800	1,76,36,000		3,35,37,800
IX	Debt Charges ..	..	6,19,06,200		6,19,06,200
IX	Head of the State, Ministers and Headquarters Staff ..	1,10,80,000	10,00,000		1,20,80,000
X	State Legislature.	40,58,300	54,100		41,12,400
XI	District Administration and Miscellaneous ..	3,43,67,400	11,100		3,43,78,500
XII	Administration of Justice ..	1,08,67,600	16,95,300		1,25,62,900
XIII	Jails ..	91,15,800	100		91,15,900
XIV	Police ..	5,28,90,600	100		5,28,90,700
XV	Education ..	11,73,63,100	100		11,73,63,200
XVI	Medical ..	4,03,74,300	500		4,03,74,700
XVII	Public Health ..	95,98,200	500		95,98,400
XVIII	Agriculture and Fisheries ..	2,61,32,700	1,000		2,61,33,700
XIX	Veterinary ..	74,92,400	1,000		74,93,400
XX	Co-operation ..	1,70,23,400	1,000		1,70,24,400
XXI	Industries and Cinchona ..	5,11,47,400	11,40,800		5,22,88,200
XXII	Harijan Uplift ..	1,94,17,100	1,000		1,94,18,100
XXIII	Labour including Factories ..	28,10,500	1,300		28,11,800
XXIV	Civil Works—Works ..	5,09,33,000	3,68,500		5,13,01,500
XXV	Civil Works—Establishment and Tools and Plant.	1,28,15,800	..		1,28,15,800
XXVI	Civil Works—Grants-in-aid ..	69,74,800	..		69,74,800
XXVII	Electricity ..	18,08,15,400	3,73,08,000		21,81,23,400
XXVIII	Famine ..	29,09,200	5,00,500		34,09,200
XXIX	Pensions ..	1,42,68,100	3,00,500		1,45,68,600
XXX	Stationery and Printing ..	90,69,500	7,75,600		98,45,100
XXXI	Miscellaneous ..	1,40,39,700	13,50,900		1,53,89,700
XXXII	Community Development Projects, etc. ..	2,76,88,700	1,000		2,76,89,700
XXXIII	Road Transport Schemes ..	1,71,44,400	10,59,400		1,82,03,500
XXXIV	Compensation to Zamindars ..	47,30,000	..		47,30,000

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Demand number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund of the State.	Total.
		(3)	(4)	(5)
(1)	(2)	RS.	RS.	RS.
XXXV	Capital Outlay on Forests ..	19,54,500	..	19,54,500
XXXVI	Capital Outlay on Irrigation ..	6,07,37,100	..	6,07,37,100
XXXVII	Capital Outlay on Public Health ..	1,44,79,400	..	1,44,79,400
XXXVIII	Capital Outlay on Agriculture ..	25,33,100	..	25,33,100
XXXIX	Capital Outlay on Industrial Development ..	2,72,27,000	..	2,72,27,000
XL	Capital Outlay on Civil Works ..	3,50,26,900	..	3,50,26,900
XLI	Capital Outlay on Electricity Schemes ..	29,76,87,100	..	29,76,87,100
XLII	Capital Outlay on Road Transport Schemes ..	1,31,52,600	..	1,31,52,600
XLIII	Commuted value of Pensions ..	9,05,000	10,000	9,15,000
XLIV	Capital Outlay on Schemes of State Trading ..	6,84,71,300	12,200	6,84,83,500
XLV	Loans and Advances by the State Government ..	15,92,14,300	..	15,92,14,300
	Public Debt Repayment ..	..	22,58,00,000	22,58,00,000
	Grand total ..	1,48,88,66,800	35,70,12,900	1,84,58,79,700

I certify that this is a Money Bill.

U. KRISHNA RAU,

26th July 1957.

Speaker, Madras Legislative Assembly.

APPENDIX III.

[Vide item III (2) on page 131 supra.]

L.A. BILL No. 9 OF 1957.

(As passed by the Assembly.)

A Bill to provide for the authorization of appropriation of moneys out of the Consolidated Fund of the State to meet the amounts spent on certain services during the second half of the financial year ended on the 31st day of March 1954, in excess of the amounts authorized or granted for the said services.

WHEREAS it is necessary to provide for the authorization of appropriation of moneys out of the Consolidated Fund of the State

26th July 1957]

to meet the amounts spent on certain services during the second-half of the financial year ended on the 31st day of March 1954 in excess of the amounts authorized or granted for the said services;

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

1. *Short title.*—This Act may be called the Madras Appropriation (No. 2) Act, 1957.

2. *Issue of Rs. 23,87,513 out of the Consolidated Fund of the State for the second-half of the financial year ended on the 31st March 1954.*—The sums specified in column (5) of the Schedule amounting in the aggregate to the sum of twenty-three lakhs, eighty-seven thousand, five hundred and thirteen rupees shall be deemed to have been authorized to be paid and applied from and out of the Consolidated Fund of the State to meet the amount spent for defraying the charges in respect of the services specified in column (2) of the Schedule during the second-half of the financial year ended on the 31st day of March 1954, in excess of the amounts authorized or granted for those services for that period.

3. *Appropriation.*—The sums deemed to have been authorized to be paid and applied from and out of the Consolidated Fund of the State under this Act shall be appropriated and shall be deemed to have been appropriated for the services and purposes expressed in the Schedule in relation to the second-half of the financial year ended on the 31st day of March 1954.

THE SCHEDULE.

(See sections 2 and 3.)

Demand number.	Services and purposes.	Sums.		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund of the State.	Total.
		(3)	(4)	(5)
(1)	(2)	RS.	RS.	RS.
III	Stamps Administration.	73,792	..	73,792
VI	Motor Vehicles Acts —Administration.	..	1,28,086	1,28,086
IX	Heads of States, Ministers and Headquarters Staff.	25,241	..	25,241
X	State Legislature ..	..	225	225
XII	Administration of Justice.	..	22,474	22,474
XV	Education ..	1,73,183	..	1,73,183
XXIX	Pensions ..	6,56,173	3,402	6,59,575
XXX	Stationery and Printing.	12,69,031	..	12,69,031
XXXI	Miscellaneous ..	..	375	375
XL	Commuted value of Pensions.	26,654	8,877	35,531
	Total ..	22,24,074	1,63,439	23,87,513

THE MADRAS LEGISLATIVE COUNCIL

Saturday, the 27th July 1957.

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

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

Complaint of unfair labour practices in contravention of Labour Laws.

* 43 [Short Notice] Q.—SRI V. GURUNANDAN ROW : Will the Hon. the Minister for Industries be pleased to state—

(a) whether the Government have received any complaints of unfair labour practice in contravention of Labour Laws against (i) the Indian Metal and Metallurgical Corporation, (ii) the East India Industries, (iii) the Orient Industries and (iv) Messrs. T. N. K. Govindarajulu Chetty and Company; and

(b) if so, the action taken thereon?

THE HON. SRI R. VENKATARAMAN : (a) Yes, Sir.

(b) The report of the Commissioner of Labour in the matter has been received and the matter is receiving attention.

SRI V. GURUNANDAN ROW : May I know whether the Government have been informed of the fact that there have been violations of the Factories Act and labour law?

THE HON. SRI R. VENKATARAMAN : Yes, it is so. Complaints have been received and they are being examined.

SRI V. GURUNANDAN ROW : Will the Government cancel the licences issued to these factories if there have been violations of the law?

THE HON. SRI R. VENKATARAMAN : I am not quite sure if we could cancel the licence for violations of the Factory Laws. The usual remedy for violations is prosecution.

SRI V. GURUNANDAN ROW : Will the Government at least prosecute them under the various Acts if they violate the conditions?

THE HON. SRI R. VENKATARAMAN : First, it should be established that there has been violation. Then the Government would consider it.

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Prosecutions by the Police.

* 44 Q.—SRI MOHAMED RAZA KHAN: Will the Hon. the Minister for Home be pleased to state—

(a) whether the attention of the Government has been drawn to a recent judgment rendered by the Second Presidency Magistrate, Madras, on 13th May 1957 in which he acquitted a postman charged by the Police under section 47 of the District Police Act for having made malicious allegations against the Police; and

(b) if so, the action taken or proposed to be taken by the Government to prevent such cases of prosecution by the Police in future?

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

(b) The Government are examining the case.

SRI MOHAMED RAZA KHAN: Is the Hon. the Minister for Home aware of the tendency of the City Police, viz., that whenever some complaints are made, far from trying to investigate into them and finding out the truth, they file a prosecution against the complainant himself, and may I know whether this is not an instance in point?

THE HON. SRI M. BHAKTAVATSALAM: I do not know whether that is the general tendency among the City Police.

SRI MOHAMED RAZA KHAN: Is the Hon. Minister aware that in the course of this year and last year also, several complaints have been made by the citizens, of harassment and beating, and that the Police, far from taking action on the complaints, have launched prosecutions against those people themselves? Is it not a fact that such cases are still pending?

THE HON. SRI M. BHAKTAVATSALAM: Complaints of harassment are made sometimes with justification and sometimes without justification.

Drainage scheme for the newly developed areas of Salem Town.

* 45 Q.—SRI A. SUBRAMANYAM: Will the Hon. the Minister for Revenue be pleased to state, with reference to the answer to the Legislative Council Question No. 586 answered on 23rd March 1956—

(a) whether the investigation of the supplemental drainage scheme for the newly developed areas of Salem Town to clear sewage and sullage water from Thirumanimuthar has been completed; and

(b) if so, the result thereof and the further action taken thereon?

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THE HON. SRI M. A. MANICKAVELU: (a) The investigation of the Salem Drainage Scheme has not yet been taken up. The scheme is not included in the Second Five-Year Plan and would be taken up after the schemes included in the Second Five-Year Plan are completed.

(b) Does not arise.

SRI A. SUBRAMANYAM: 2 லட்சத்திற்கு மேற்கொண்ட ஜனத்தொகை உடைய சேலம் நகரத்தின் மத்தியில் இந்த திருமணி முத்தாறு ஒடுகிறது. நகரத்திலுள்ள எல்லா சாக்கடைத் தண்ணீரும் இந்த நதியில் திருப்பி விடப்படுவதால், சேலம் நகரமே நாற்றம் எடுக்கிறது. அதனால் கொசு அதிகமாகி பலவிதமான வியாதிகள் பரவுகின்றன. ஆகவே பா.தா.ள சாக்கடைத் திட்டத்தை உடனடியாக இந்த நகரத்தில் அமுலுக்குக் கொண்டு வந்து, ஒரு நல்ல நிலைமையை ஏற்படுத்த அரசாங்கம் முன்வருமா?

THE HON. SRI M. A. MANICKAVELU: அந்த சாக்கடைத் தண்ணீர் அந்த ஆற்றிலே அப்படிப் போவதைத் தடுத்து, தனியாகத் கொண்டு போய் ஒரு 'Sewage farm' ஏற்படுத்தி, அதை நல்ல முறையிலே உபயோகப் படுத்த வேண்டுமென்று உத்தேசம் இருக்கிறது. ஆனால் Urban Water Supply and Drainage Schemes-க்குப் போதுமான பணம் இல்லை. எல்லா வற்றிற்கும் 863 லட்ச ரூபாய் வேண்டும். பிளானிலே 170 லட்சம் ரூபாய் தான் "சாங்ஷன்" அளியிருக்கிறது. ஆனால் 863 லட்ச ரூபாய் வேண்டுமென்று கேட்டிருக்கிறோம். அந்த முடிவை ஒட்டியிருக்கிறது சேலம் நகரத்திலே கொசு உபத்திரவத்தைத் தடுக்க சாக்கடைத் திட்டம் கொண்டு வருவது.

SRI A. SUBRAMANYAM: அதுவரையிலும் ஜனங்கள் கஷ்டப்பட வேண்டுமென்று அரசாங்கம் நினைக்கிறதா? சாக்கடைத் தண்ணீரைத் தனியாக ஒதுக்கி ஒரு இடத்தில் விடுவதால், அங்கே கீரை, கிழங்குகள் முதலியவை வளருவதற்கு நல்ல ஏற்பாடு செய்யலாம். அதன் மூலம் ஓரளவு வருவாயும் கிடைக்கும். அப்படியில்லாமல் சாக்கடைத் தண்ணீரைக் கொண்டுபோய் ஒரு புனிதமான நதியிலே விடுவதால், ஜனங்களுக்குப் பல விதமான தொந்தரவுகளும், சங்கடங்களும் ஏற்படுகின்றன. அரசாங்கம் இதை நிவர்த்திக்க அதிகமாகப் பணம் இல்லை என்று கூறாமல், ஜனங்களுடைய சௌகரியத்தையே முக்கியமாகக் கருதி அதிவிரைவிலே இந்தத் திட்டத்தை எடுத்துக்கொள்ள முற்படுமா?

THE HON. SRI M. A. MANICKAVELU: ஜனங்களுடைய சௌகரியத்தைக் கருதித் தான் இந்தத் திட்டம் பரிசீலனை செய்யப்பட்டது. அதன்படி இந்தத் தண்ணீரை வேறு விதமாகக் கொண்டுவரவதற்கு உத்தேசம். ஆனால் அதை நிறைவேற்றுவதில் நான் சொன்னமாதிரி சங்கடங்கள் ஏற்பட்டிருக்கின்றன. அந்த சங்கடங்கள் எப்போழுது தீருமோ, அப்போழுது ஜனங்களுடைய கஷ்டத்தையும் தீர்க்கலாம்.

SRI V. V. RAMASWAMI: சாக்கடைத் தண்ணீரைத் தனியாக ஒதுக்கி ஒரு Sewage farm-ல் கொண்டுபோய் விடுவதற்கு சம்பந்தப்பட்ட நகர சபை ஏதாவது திட்டம் நிறைவேற்றவேண்டுமென்று கேட்டிருக்கிறதா? அதுபற்றி அரசாங்கம் ஏதாவது நடவடிக்கை எடுத்திருக்கிறதா என்பதை அறிய விரும்புகிறேன்.

THE HON. SRI M. A. MANICKAVELU: நகரசபை முன்வந்து இதைச் செய்தால், அதை ரொம்ப தாராளமாக வரவேற்கலாம். அவர்களும் பண நெருக்கடி என்றுதான் சொல்லுவார்கள். ஏதோ அதிர்ஷ்டவசமாகப் பணம் அதிகமாகக் கிடைத்து நகர சபை இதைச் செய்ய முன்வந்தால் நல்லது தான்.

[27th July 1957]

SRI M. ETHIRAJALU : சென்னை நகரத்தைப் பொறுத்த வரையில், இந்தச் சாக்கடைத் திட்டத்தை நிறைவேற்றுவதற்கு எத்தனை ஆண்டுகள் பிடிக்கும் என்பதை சர்க்கார் தெரிவிப்பார்களா?

THE HON. SRI M. A. MANICKAVELU : இப்பொழுது நாம் செலத்தைப் பற்றிப் பேசுகிறோம்.

SRI A. SUBRAMANYAM : குறிப்பிட்ட தொகையில் சேலம் முனிசிபாலிட்டி கால் பங்கு கொடுக்க முன்வந்தால், முக்கால் பங்கை அரசாங்கம் பாட்டு, இரண்டாவது ஐந்தாண்டுத் திட்டத்தில் இதைச் சேர்த்து நிறைவேற்றுவதற்கு அரசாங்கம் முன்வருமா?

THE HON. SRI M. A. MANICKAVELU : முழுச் செலவையும் நகர சபை ஏற்றுக்கொள்ளும் என்று அரசாங்கம் எதிர்பார்க்கிறது. அப்படி ஏதாவது கொஞ்சம் தொகை கொடுக்க முன்வந்தால், அதுபற்றி ஏதாவது யோசனை செய்யலாம்.

Installation of powerlooms.

* 46 Q.—**SRI V. V. RAMASWAMI :** Will the Hon. the Minister for Industries be pleased to state whether it is the policy of the Government not to encourage the installation of powerlooms for purposes other than non-cotton yarns and to promote Ambar Charka Scheme?

THE HON. SRI R. VENKATARAMAN : The policy of the Government is not to encourage the installation of powerlooms working on cotton yarn if such installation will affect the handloom weavers.

The policy of the Government is to promote Ambar Charka Scheme. Certain schemes have already been sanctioned and they are in operation.

SRI V. V. RAMASWAMI : விசைத்தறியைப் புகுத்துவதனால் அநேக தொழிலாளர்களுக்கு வேலையில்லாமல் போய்விடும் என்ற காரணத்தினால், சம்பந்தப்பட்ட தொழிலாளர்கள் விசைத்தறியைப் புகுத்தக் கூடாது என்று ஆட்சேபம் கொண்டுவருகிறார்கள். இவர்களுக்கு வேலையில்லாமல் போவதைத் தடுப்பதற்கு அரசாங்கத்தார் ஏதாவது யோசித்துக் கொண்டு இருக்கிறார்களா? இதைத் தடுப்பதற்கு ஏதாவது திட்டம் இருக்கிறதா என்பதை அறிய விரும்புகிறேன்.

THE HON. SRI R. VENKATARAMAN : இப்பொழுது விசைத்தறியை அனுமதிப்பதாக உத்தேசம் இல்லை. விசைத்தறியை அனுமதித்து, அதற்குப் பிறகு அதனால் வேலையில்லாத திண்டாட்டம் ஏற்படும் பொழுது, இந்தக் கேள்வியை கேட்பது உசிதமாக இருக்கும் என்று நினைக்கிறேன்.

State grants to temples for renovation works.

* 47 Q.—**SRI T. PURUSHOTHAM :** Will the Hon. the Minister for Home be pleased to place on the table of the House a statement showing—

(i) the names of temples to which State grants were given for renovation works during the years 1955-56 and 1956-57;

(ii) the amount granted to each temple; and

(iii) the actual amount spent by each of them?

[27th July 1957]

THE HON. SRI M. BHAKTAVATSALAM : A statement^a showing the particulars is placed on the table of the House.

SRI T. PURUSHOTHAM : Will the Government clarify the conditions for the payment of this grant and state whether a portion of the cost should be met by the public to earn the Government grant to the temples?

THE HON. SRI M. BHAKTAVATSALAM : These grants are made to poor needy religious institutions for carrying out renovations and repairs to those places. I have seen in all these cases, and hon. Members would have also noticed, that there have been contributions from the general public also.

SRI T. PURUSHOTHAM : Will it be possible to transfer the unspent funds of some of these temples to other temples which have promptly utilised the amount so that they may complete their programme of renovation and repair?

THE HON. SRI M. BHAKTAVATSALAM : I cannot agree to that proposal, because I am not quite sure whether the other institutions which have not spent the amount fully would not be able to do so.

SRI V. CHAKKARAI CHETTY : எல்லா கோவில்களுக்கும் இந்த உதவி கிடைக்கிறதா அல்லது சரித்திரபூர்வமாகப் பெயர்பெற்ற கோவில்களுக்கு (historic temples) மட்டும் அளிக்கப்படுகிறதா?

THE HON. SRI M. BHAKTAVATSALAM : ஏழைக் கோவில்களுக்கு இந்த உதவி கிடைக்கும்.

SRI MOHAMED RAZA KHAN : May I know whether these grants are made out of Government funds or out of the proceeds of the Hindu Religious Endowments?

SRI V. CHAKKARAI CHETTY : ஏழைக் கோவில்கள் என்றால், ஏழை ஜனங்கள் போகின்ற கோயில்களை அல்லது எவ்வித ஏழையாக இருக்கின்ற கோயில்களை?

THE HON. SRI M. BHAKTAVATSALAM : போதிய வருமானம் இல்லாத கோவிலைத்தான் ஏழைக் கோயில் என்று சொன்னேன்.

About the question put by the hon. Member Sri Mohamed Raza Khan, I may say that there is a Fund built up with the Government, and the idea is that on account of this we may incur this expenditure.

SRI T. PURUSHOTHAM : In view of the answer given by the Hon. Minister, may I know whether the Government will consider applications for additional funds in the case of temples which have promptly carried out the renovation works and stand in need of more funds to complete their renovation schemes?

[27th July 1957]

THE HON. SRI M. BHAKTAVATSALAM: Sir, there have been so many other institutions which are in need of funds and before considering their case, I cannot tell the hon. Member that the proposal for additional grants to the institutions which have already had some benefit could be considered.

SRI T. PURUSHOTHAM: In view of the fact that a large number of temples stand in need of renovation in several districts as admitted by the Hon. Minister himself, will the Government consider the allotment of more funds for this purpose in the Budget for next year?

THE HON. SRI M. BHAKTAVATSALAM: Sir, for the current year 1957-58, the Commissioner has applied for a sum of not less than Rs. 3 lakhs for certain works. Certain particulars regarding the works have been called for and after examining those particulars, this proposal of the Commissioner would be considered.

SRI MOHAMED RAZA KHAN: May I know, Sir, whether the grants will be given to other institutions like mosques, churches and others also in case they apply and are in need of assistance?

THE HON. SRI M. BHAKTAVATSALAM: I shall look into that suggestion. I shall have to examine if there are any funds similarly accumulated and belonging to such religious institutions as mosques, churches, etc.

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.

3-10 p.m. MR. CHAIRMAN: I have to announce to the House that I have received the following messages, dated the 27th July 1957, 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 Tenants and Ryots' Protection (Amendment) Bill, 1957 (L.A. Bill No. 11 of 1957), as passed by the Legislative Assembly on the 27th July 1957 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 Holdings (Stay of Execution Proceedings) (Madras Amendment) Bill, 1957 (L.A. Bill No. 12 of 1957), as passed by the Assembly on the 27th July 1957 and signed by me, for the concurrence of the Council.”

[27th July 1957]

III.—MOTION UNDER RULE 23 (1) OF THE MADRAS COUNCIL RULES *RE* TRANSACTION OF GOVERNMENT BUSINESS ON A NON-OFFICIAL DAY.

THE HON. SRI R. VENKATARAMAN: Mr. Chairman, Sir, I move—

“That rule 23 (1) of the Madras Legislative Council Rules be suspended and this House do resolve to transact Government business on Saturday, the 27th July 1957”.

MR. CHAIRMAN: Motion moved—

“That rule 23 (1) of the Madras Legislative Council Rules be suspended and this House do resolve to transact Government business on Saturday, the 27th July 1957”.

DR. A. LAKSHMANASWAMI MUDALIAR: Mr. Chairman, Sir, I agree that in the Budget session there may be difficulties for the Government so far as expeditious disposal of business is concerned. But I would once more reiterate the request we have made in this House that as far as possible, non-official days should not be interfered with, particularly when there are several subjects which require consideration and of which notice has been given by non-official Members.

THE HON. SRI R. VENKATARAMAN: Mr. Chairman, Sir, there can be no disagreement in principle with what the hon. the Leader of the Opposition has stated. We shall endeavour to see that the non-official days are preserved in other sessions than the Budget session.

MR. CHAIRMAN: The question is—

“That rule 23 (1) of the Madras Legislative Council Rules be suspended and this House do resolve to transact Government business on Saturday, the 27th July 1957”.

The motion was put and carried.

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

DR. A. LAKSHMANASWAMI MUDALIAR: Mr. Chairman, Sir, in presenting the fourth report of the Committee on Government Assurances, I wish to invite the attention of the Members of the House to a few salient points. Of the 181 assurances given during the seventh, eighth and ninth sessions, replies were received in respect of 169 assurances and 121 replies were already considered by the Committee. No reply has been received in respect of 12 assurances. Of the 48 replies to the assurances, promises, etc., given during the Seventh, Eighth and Ninth Sessions included in Statements VIII to XI and considered by the Committee, 27 assurances were implemented in full and in respect of 21 assurances only interim replies were received. There were, however, four assurances given in 1955 which were still pending. The Committee's attention being drawn to it, they have requested that the concerned department should be asked to expedite the replies.

[Dr. A. Lakshmanaswami Mudaliar] [27th July 1957]

In another matter the Committee have requested that not only assurances given in regard to any question raised but assurances given in the course of debates on Bills or during the discussion on Budget Demands should be also taken into consideration. One such instance was pointed out, namely, that an hon. Member had moved for a Bill to be introduced in respect of defacing of the walls with posters. The then Leader of the House gave the assurance that the Government were thinking of bringing in a comprehensive measure. The Assurances Committee desired that this should be brought to the notice of Government so that they might expedite such a measure.

Another point that has been raised is that, after all, we, Members of this Council or of the Assembly, cannot discharge our responsibility fully and efficiently if we are not aware of the full facts, and these facts pertain not merely to the responsibilities and duties of the State Government but also to what has transpired in the Central Government and in the debates of the Lok Sabha. Therefore, a request has been made, Sir—it will be communicated through you to the Government—that publications that are released to the Members of the Lok Sabha in regard to important items of business may be made available to the Members of this House as well as the reports of the Lok Sabha debates and any important decisions thereon. If there be any difficulty in supplying any of these publications free of cost, the Members who desire them are prepared to pay for them. It takes a long time for any Member to get a response from the Lok Sabha Secretariat. Therefore, a suggestion has been made that through the Secretary to the Council or perhaps through the Secretary to the Assembly if Members make a request, it may be accepted, and the reports and books supplied.

THE HON. SRI C. SUBRAMANIAM: Will it not be sufficient if they are placed in the library?

DR. LAKSHMANASWAMI MUDALIAR: But it is not possible to go through these books in the library. Members are willing to pay for these reports. If that is taken up by the State Government with the concerned Ministry or the Lok Sabha Secretariat, that would certainly help Members in regard to many of the questions that we are faced with. Particularly at this time of integrated administration and integrated finance, it is very difficult for us to know where we stand.

There is one other thing that has been suggested and that is that so far as these assurances are concerned, prompt replies by the departments will certainly mean a greater amount of efficiency and a greater amount of assurance to this House. The Assurances Committee propose, if it is accepted to the Hon. the Leader of the House, to meet every quarter and examine these assurances.

27th July 1957] [Dr. A. Lakshmanaswami Mudaliar]

I would like to express the thanks of the Committee to the Hon. the Leader of the House for the responsive manner in which he co-operated with the Committee.

SRI K. BALASUBRAMANYA AYYAR: Mr. Chairman, Sir, there are some important publications like the Reserve Bank Credit Survey Report. It is very difficult to get these publications. If the Government or the Chairman of the Legislative Council makes some arrangements to get these copies for us, it would be helpful. We will pay for them. It is difficult to get such publications and only summaries are published in the newspapers. It is difficult, therefore, to follow the reasoning completely. That is the request I made at the meeting of the Committee on Assurances.

SRI A. GAJAPATHY NAYAGAR: May I add that reports on subjects of concurrent jurisdiction at least such as sales tax be supplied to us?

MR. CHAIRMAN: There can be no discussion on the presentation of the report.

SRI A. GAJAPATHY NAYAGAR: I am just suggesting one thing only. Reports on subjects of concurrent jurisdiction may be supplied to us. (An hon. Member: The reports will be in English.) I am not talking to Tamilians. I am talking to Delhi. Therefore, I am speaking in English.

THE HON. SRI R. VENKATARAMAN: Mr. Chairman, Sir, while I appreciate the anxiety of the Members to get all the publications without delay, I have to point out that if we write to the Lok Sabha Secretariat, they will probably say that it is reserved for their Members, and they will refer us to the Manager, Civil Lines, and advise us to get the publications from the Government Publications Department. So, I do not want to give the impression that the Government can undertake the responsibility to get the publications from the Lok Sabha Secretariat. But every effort will be made to get the copies from whatever source it is possible to get them.

V.—GOVERNMENT BILLS.

(1) THE MADRAS GENERAL SALES TAX AND SALES OF MOTOR SPIRIT TAXATION (AMENDMENT) BILL, 1957 (L.A. BILL NO. 6 OF 1957).

THE HON. SRI R. VENKATARAMAN: Sir, I move—

“That the Madras General Sales Tax and Sales of Motor Spirit Taxation (Amendment) Bill, 1957^a (L.A. Bill No. 6 of 1957), as passed by the Legislative Assembly, be taken into consideration.”

Sir, the ordinary rate of general sales tax was three pies per rupee or 1-9/16 per cent till the 31st March 1957. Section 14 (3) of the Indian Coinage Act, 1906 (Central Act III of 1906), as

^a Printed as Appendix II on page 186 infra.

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amended by the Indian Coinage (Amendment) Act, 1955 (Central Act 31 of 1955), which came into force on the 1st April 1957, laid down that all references in any enactment to any value expressed in annas and pies shall be construed as references to that value expressed in terms of decimal coins, i.e., naye paise, the fractions of which are rounded off to the nearest naya paisa. This had the effect of increasing the general rate of sales tax payable under the Madras General Sales Tax Act, 1939 (Madras Act IX of 1939), from 1-9/16 per cent to 2 per cent. The Government, however, then decided not to raise the ordinary rate of general sales tax of 3 pies in the rupee or 1-9/16 per cent notwithstanding the introduction of the decimal coinage system. Section 2 (a) of Madras Ordinance I of 1957, which was subsequently replaced by Madras Act I of 1957, gave effect to this decision from the 1st April 1957.

Calculation of sales tax in fractions of the percentage is inconvenient and may give unscrupulous dealers an advantage over customers in small transactions. As a matter of fact, the Government have received representations from trade associations, etc., that the dealers find it difficult to calculate the tax at 1-9/16 per cent and that it is inconvenient to them. Incidentally it is also necessary to cover the deficit in the Budget of the State for 1957-58. It is accordingly proposed to fix the ordinary rate of general sales tax at 2 per cent.

Legislation has also been undertaken separately to amend sections 6 and 10 of the Madras Sales of Motor Spirit Taxation Act, 1939 (Madras Act VI of 1939), so as to provide that the tax payable under that Act may be paid by the assessee in such manner as may be prescribed by rules. The Bill in regard to this matter has been recently passed by both the Houses of the Legislature. It is considered desirable to amend section 7 of the Act also to make the above intention clear. The amendment embodied in clause 3 of the present Bill is only a consequential amendment.

Sir, I request the House to accept the motion.

Mr. CHAIRMAN : Motion moved—

3-20
p.m.

“That the Madras General Sales Tax and Sales of Motor Spirit Taxation (Amendment) Bill, 1957 (L.A. Bill No. 6 of 1957), as passed by the Legislative Assembly, be taken into consideration.”

SM K. BALASUBRAMANYA AYYAR : Mr. Chairman, Sir, this Bill comes very soon after a Bill was passed in May 1957, for exactly the opposite reasons. Sir, at that time the Government said that even though the Indian Coinage Act might refer to naya paisa, they would prefer to retain the rate of three pies per rupee in terms of percentage. Therefore, they said that one and nine-sixteenth per cent would be the rate. That Bill was passed here without discussion or revision. There was also a provision that

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the rate of tax on foodgrains would be only one per cent—I am sorry, it was stated so in the Budget Speech, and not in that Bill. I do not find anything about foodgrains in this Bill here. Now, just one month later, exactly the opposite thing is being done. The reason given is that one and nine-sixteenth per cent is not convenient and, therefore, they say they will have it at two per cent. The reason why they should not reduce it, we will examine presently.

Sir, two reasons are given. One reason—of course, we have to accept it—is that they have to cover the deficit in the Budget. About this, we have striven on behalf of the Opposition here to say that the deficit of about Rs. 4.83 crores may remain and that this Rs. 125 lakhs may not make much difference. We have said much on that and I will leave it at that.

The other reason given is that calculation in fractions of the percentage is inconvenient. To whom? To the dealers. When it involves lakhs of rupees, simply because it is inconvenient to the dealers, we cannot change the law. That cannot be a sufficient reason. I submit it with all earnestness. If it is inconvenient to the dealers, let it be so. It is inconvenient to the consumers also. The question of inconvenience can never be a proper reason for the purpose of determining a tax. (Interruption.) I am also paying taxes; I am paying much more. We are not concerned with individuals here; that calculation in fractions of a percentage is inconvenient is no valid reason for raising the rate of tax.

The other reason given is that it may give unscrupulous dealers an advantage over customers in small transactions. I thought about that matter. The calculation of the tax for one rupee would come to a little more than 1½ naye paise. Therefore, the dealers may demand 2 naye paise. I can understand if it is a transaction for Rs. 10 and if they demand 20 naye paise as against 16 naye paise. But in one rupee it may not be like that. (The Hon. Sri C. Subramaniam : What about the tax for two rupees?). There is also it will be a little more. For a transaction involving Rs. 10 it is more by 4 naye paise. As the amount of transaction goes up, the tax also will increase. But except in small transactions, there will not be room for dealers to take undue advantage. It may be the case in one rupee and two rupee transactions. Therefore, that is also not a sufficient reason. All the three reasons given are not at all sufficient. One is to cover the deficit in the Budget. Let the deficit be there. When water goes above our heads, what does it matter how higher it goes? Therefore, this sum of Rs. 1,25,00,000 is not going to mean much. The deficit does not very much matter. (The Hon. Sri C. Subramaniam : I wish I were able to take the same attitude as the hon. Member!) The other States have done it. I am stating it as a responsible Member of the Opposition. Other States like Bombay and Andhra Pradesh have taken that attitude. Therefore, I will not be in error nor will I be irresponsible

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if I say that this deficit need not be covered. The only example of a State trying to cover the deficit is that of Kerala and there the deficit has been covered by a Communist Government. That is the only State which has tried to cover the deficit. Therefore, I say that the reasons for this measure seeking to increase the tax from 1-9/16 per cent to 2 per cent are not at all valid. The only reason I can imagine is that they want to increase the tax and get more and more money. (The Hon. Sri C. Subramaniam: For swallowing!) No; I did not say that. Please do not put in my mouth words which I have not said. (The Hon. Sri C. Subramaniam: That was an aside, between us.) I referred to it, for I heard it. That is the fault of being near the Ministers. Nobody likes taxation. We here on the Opposition are of the view that taxation should not be unnecessarily increased, lest the poor people should be affected.

Sales tax is an indirect tax, as the hon. the Deputy Leader of the Opposition is not tired of repeating. It is an indirect tax and it falls very heavily upon the consumers. The Government were alive even before to the fact that unscrupulous dealers would take advantage of fractions of the percentage. That is why we on the Opposition say that sales tax should not be increased, especially between May and June. There should be some reasons other than what they have given for this measure. Why should the Legislature be bothered with legislations once in May and immediately afterwards in June? Previously they preferred to have it at 1-9/16 per cent. We thought then that it was perfectly all right. Now, they say that the dealers are taking undue advantage and that, therefore, they will increase the rate now at the time of the Budget. I can see no other reason except their desire to get more money to cover the deficit in the Budget. I am afraid that the present Bill is not satisfactory. We would rather have raised no objection to the Bill that was passed already than pass this Bill.

* DR. V. K. JOHN: Mr. Chairman, Sir, I rise with a feeling of frustration and think that there is not much purpose to be served by discussing this Bill. Our raising objections to it in this House or bringing in any amendments serves no purpose whatsoever. Sir, I support every contention raised and reasons given by my hon. Friend Sri Balasubramanya Ayyar in opposing this Bill. I have always contended that sales tax is a regressive tax and that it falls heavily on the poor man. Even the beggar's bowl is taxed. If a beggar goes and buys articles for eight annas which he has gathered in the course of the day, out of that probably he is paying two or three pies to the Government. Sales tax is always heavy on the poor man with the result that the cost of living is going up. I am quite sure that when this sales tax is increased, the cost of living will again go up, and this the Government must always bear in mind. Let them have a heavy rate by way of income-tax or anything else which does not fall on the poor. But sales tax falls on the poor and, therefore, it is objectionable. What is the

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amount to be got out of the increase now suggested? They are raising it by one-fourth of the original amount. What for? For the idle reason that they find it difficult to calculate in fractions of the percentage. Therefore, they are raising the 9/16 per cent to the next round figure. If I understand arithmetic correct, it is less than half. (The Hon. Sri C. Subramaniam: How?) (Laughter.) I am sorry it is just more than half. That is just a slip of the tongue.

Sir, 9/16, if I understand arithmetic correctly, is slightly more than half. Why not this Government have this tax at 1½ per cent instead of 2 per cent? Of course, they will not reduce it to 1 per cent. But I say that they must try to reduce the rate of sales tax as far as they can. Why do they want to increase it to 2 per cent—that is, an increase of one-fourth of the tax—especially when they know that it is a tax which falls heavily on the people? The reason, as pointed out by my hon. and learned Friend, is that they are trying to cover the deficit. Except the Kerala State, is there any other State in India which has tried to cover the deficit like Madras?

THE HON. SRI C. SUBRAMANIAM: There is the Mysore State.

* DR. V. K. JOHN: No, Mysore State has not done it.

THE HON. SRI C. SUBRAMANIAM: I may inform the hon. Member that they have rationalized the tax. They have raised Rs. 3 crores during the current year. If the hon. Member is not aware of it, he can take that information from me.

* DR. V. K. JOHN: In the Budget of that State it is not covered. What I say is that on account of the financial maladjustment between the Centre and the States, it is much better to leave the deficit in our Budget uncovered so that we may ask the Government of India to give us grants—I would not say loans. Now, Bengal has got a bigger deficit. So also Bombay, a rich State, and Andhra State have left their deficits uncovered. Such being the case, why do this Government go hard upon our poor people in this State and burden them with this regressive form of tax by increasing it by about 25 per cent? I could have understood it if the Government had reduced it. I submit once again that the rate of this tax should not have been raised.

Then, Sir, in the Budget speech of the Hon. the Minister for Finance, it was promised that the tax would be reduced in respect of certain articles. But we do not find anything about it in this Bill at all. Perhaps the Government may introduce a separate Bill later on for that purpose or they may not. Why did not the Government take this opportunity to carry out their promise by reducing the tax in respect of certain essential articles or abolishing it altogether? That, the Government have not done. Therefore,

3-30
p.m.

[Dr. V. K. John]

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I submit that this is a very unwelcome measure. Unfortunately, as I said in the beginning, there is no purpose in criticizing this Bill in this House and no purpose is served at all.

THE HON. SRI C. SUBRAMANIAM : Is purposeless talk allowed in this House, Sir?

* DR. V. K. JOHN : It has to be allowed because . . .

MR. CHAIRMAN : The hon. Member cannot say so.

* DR. V. K. JOHN : No amendment suggested by us has been accepted by the Government so far.

But I am glad that this Government are giving effect to this Bill from the 1st of August only. It is a very small mercy and I think the public must thank the Government for that mercy.

*SRI V. V. RAMASWAMI : தலைவர் அவர்களே, இந்த ஆண்டு நிதி நிலை அறிக்கை வாசிக்கப்பட்டபொழுது பற்றுக் குறையை ஈடுசெய்வதற்காக சில வரிகளை அதிகப்படுத்த வேண்டும் என்று சொன்னார்கள். அதற்கு இணங்க இந்த விற்பனை வரியின் விகிதத்தைக் கூட்டி ஒரு மசோதா இன்று நம் முன் வந்திருக்கிறது. இந்த அறிக்கையில் அவர்கள் இப்போது உணவு தானியங்களுக்கு அதாவது நெல், அரிசி, கோதுமை போன்ற தானியங்களுக்கு வரியை ஒரு சதவிகிதம் என்றும் மற்ற சரக்குகளுக்கு 2 சதவிகிதம் என்றும் அமைக்கப் போகிறார்கள் என்று தெரிவிக்கப்பட்டிருக்கிறது. இதில் எந்த தானியங்களெல்லாம் சேர்க்கப்பட்டிருக்கின்றன என்று விவரமாகச் சொல்லப்படவில்லை. ஆகவே, இந்த இனத்தில் என்ன உணவு தானியங்கள் சேர்க்கப்பட்டிருக்கின்றன என்ற விவரத்தை விளக்கமாக சொல்லவேண்டும் என்று கேட்டுக் கொள்கிறேன். இதைப்பற்றி வரவு செலவுத் திட்டத்தின் மீது பேசும்போதும் குறிப்பிட்டேன். அதிலும் நெல், கோதுமை, அரிசி இவைகள் தவிர மற்ற தானியங்கள் எவை எவை என்று விவரமாகச் சொல்லப்படவில்லை. இவ்விதம் எடுத்துச் சொன்னால் தான் விற்பனை வரியைப் பொறுத்த வரையில் வியாபாரிகளுக்கு நல்ல முறையில் கணக்கு வைத்துக்கொள்ள முடியும். நமது அரசாங்கம் 1947-ம் ஆண்டு ஜூன் மாதம் 14-ம் தேதி 720-ம் டெம்ப்ராக (G.O. No. 720, Food, dated 14th June 1947) பிறப்பித்திருக்கும் உத்தரவில் 1-வது பிரிவில் (ஸி) கிளாவில் கொடுக்கப்பட்டிருக்கும் பட்டியலில் தானியங்கள் என்றால் எவை என்று விவரமாகச் சொல்லப்பட்டிருக்கிறது. அந்த ஷெட்யூலில் சொல்லப்பட்டிருப்பவை :

Paddy, wheat, jowar, korra, barley, rye, bengalgram, horsegram, redgram, greengram, blackgram, rice, wheat, products, bajra, ragi, maize and pulses.

இதில் “அரசாங்கம் எந்தெந்த உணவு தானியங்களை எல்லாம் சேர்த்திருக்கிறோம், எதையெல்லாம் சேர்க்க மாட்டோம்” என்று விளக்கமாகச் சொல்ல வேண்டும் என்று வற்புறுத்திக் கேட்டுக்கொள்கிறேன். அடுத்தபடியாக இந்தத் திட்டத்தைப்பற்றிப் பேசும் பொழுது, விதிவிலக்கு கொடுத்த இனங்களில் தேங்காயும், பாலும் சேர்க்கப்பட வேண்டும் என்று சொல்லியிருந்தேன். பாலுக்கு இந்த விலக்கு அளிக்க வேண்டும் என்று திருப்பித் திருப்பிச் சொல்லப்படுவதின் காரணம், இப்போது எல்லா இடங்களிலும் கூட்டுறவு முறைகளில் பால் உற்பத்தி நடைபெற்று வருகிறது. இவ்விதம் கூட்டுறவு முறையில் பால் உற்பத்தி அனேகமாக ஒவ்வொரு ஊரிலும் இருக்கிறது. கூட்டுறவு மால் சங்கங்களில் பால் வாங்கும் உணவு விடுதிகளை, குறிப்பாக ரெயில்வே விடுதிகளைப் பொது மக்கள் ஆதரிக்கிறார்கள் என்பது எல்லோருக்கும் தெரிந்த விஷயம். பால் விநியோகம்

27th July 1957]

[Sri V. V. Ramaswami]

செய்யும் யூனியன்களுக்கு விற்பனை வரி கிடையாது. ஆனால் உற்பத்தி செய்யும் பிரைமரி சங்கங்கள் வரி கொடுக்கவேண்டும். ஆகவே இச் சங்கங்கள் கூட்டுறவு முறையில் நடப்பதால் ஒழுங்காகக் கணக்கு வைத்து வரியைத் தவறாமல் கட்டிவிடுவார்கள். ஆனால் இவைகளுக்குப் போட்டியாகத் தனிப்பட்டவர்களால் நடத்தப்பெறும் பால் பண்ணைகள் உற்பத்திக் கணக்கைச் சரியாகக் காட்டாமல் குறைத்துக் காட்ட வசதியிருப்பதால் வரியிலிருந்தும் தப்பித்துக்கொள்ள முடியும். இவ்வசதியில் போட்டி போட்டுக் கூட்டுறவு சங்கங்களில் வியாபாரத்தை மிகவும் பாதுகாப்படுத்துகிறார்கள். ஆகையால் இந்தப் பாலுக்கு வரி விலக்கு அளித்துவிட வேண்டுமென்று கேட்டுக்கொள்கிறேன். இந்த விபரம் பலதடவை சொல்லியிருக்கிறேன். ஆதலால் மீண்டும் இதைச் சொல்லவேண்டும் என்று நான் விரும்பவில்லை.

இதைப்பற்றியெல்லாம் டாக்டர் லோகநாதன் அவர்கள் விசாரணை செய்ய இருப்பதால், அப்பொழுது இதைப்பற்றியெல்லாம் சொல்ல வாய்ப்புக் கொடுத்திருக்கிறபடியால், அந்த சமயத்தில் சொல்லிக் கொள்ளலாம் என்று நினைத்துக்கொண்டு, நான் நேற்று மாலை வெளி வந்த “மெட்ராஸ் மெயில்” பத்திரிகையிலுள்ள சில வாக்கியங்களை வாசித்துக்கொண்டு முடித்துக்கொள்கிறேன் :

‘What happens more often is that the poor consumers, called upon to pay a high sales tax, importune the merchant, and the latter himself bears the tax, including it in the bill, but reducing his margin of profit to that extent, or forgoing profit altogether.’

‘Neither Mr. Dhebar nor Mr. Chavan replied to Mr. Chinai’s question whether the administration of the Acts could not be made simpler, the regulations less complex, and goodwill nurtured in the place of distrust. Sales tax is, of course, paid by the consumer, not by the dealer; yet the dealer also experiences great difficulties. As Mr. Chinai put it rather mildly, the majority of dealers, “confronted with a maze of systems, wages and regulations, frequently subject to changes, find that the cost of compliance is much more than the Government can expect them to bear. The difficulties of dealers in maintaining accounts in the way acceptable to the Government and the cost of collection of sales tax can be minimized if a single-point levy is introduced.”’

SRI T. PURUSHOTHAM : Is it in order for an hon. Member to read newspaper reports?

*SRI V. V. RAMASWAMI : என்னுடைய வாத்திற்கு ஏற்ற பொது ஜன அபிப்பிராயம் இருப்பதால் அதை வாசிக்கிறேன். அது பத்திரிகையில் வந்திருப்பதால் அதை அமைச்சரவர்களே படித்துக்கொள்வார்கள் என்பதால் இத்துடன் முடித்துக்கொள்கிறேன்.

SRI MOHAMED RAZA KHAN : Sir, the speech of the Deputy Leader of the Opposition, which started in very good form, was interrupted by the Minister for Finance, who asked, ‘What is all this purposeless talk?’. It is not a minor interruption.

SRI A. M. ALLAPICHAJ : It was a humour. Dr. John said, ‘It serves no purpose’. With reference to this, the Finance Minister interrupted.

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SRI MOHAMED RAZA KHAN : The Minister for Finance is too capable a man to take care of himself, and let not the Deputy Chairman come to his rescue. I am also talking now in a humorous vein. (Laughter.)

MR. CHAIRMAN : Will the hon. Member address the Chair?

SRI MOHAMED RAZA KHAN : What the Hon. Minister feels is this. He feels, 'After all, we as the Government have made a decision; we have got a huge majority in the House; we get the Bill passed; now at the fag-end why raise all these points?'. This is the feeling of the Hon. Minister. But may I tell you with all the emphasis that I can command that as long as we sit in the Opposition, whenever we feel honestly and conscientiously on a particular matter, it is our duty to express our views? The Government may not accept our views. May I bring it to the notice of the Finance Minister and the Leader of the House that our speech is not intended purely for this House, because every word of what we say is also intended for the general public, who have sent us as Members of this House? Invariably I have seen the feeling expressed outside that the Opposition is right but that the decision is that of the Government.

THE HON. SRI C. SUBRAMANIAM : On a point of order, Sir. Is the hon. Member entitled to speak to the gallery from this House?

SRI MOHAMED RAZA KHAN : I am not talking to the gallery.

THE HON. SRI C. SUBRAMANIAM : That is what you said.

SRI MOHAMED RAZA KHAN : I am also a follower of the Finance Minister. As he has stopped speaking to the gallery, I have taken his position and I am also addressing the gallery.

SRI V. CHAKKARAI CHETTY : He was addressing the gallery but not playing to the gallery.

SRI MOHAMED RAZA KHAN : I see a sort of contradiction in the Statement of Objects and Reasons. I wish to draw your kind attention to the Statement of Objects and Reasons. It says, 'Calculation of sales tax in fractions of the percentage is inconvenient and may give unscrupulous dealers an advantage over customers in small transactions'. It is stated that unscrupulous merchants try to make capital out of the introduction of a naya paisa by charging 2 per cent instead of 1-9/16 per cent. It may be right. But another reason is given for the increase from 1-9/16 to 2 per cent, that is, the Government want more income. It would be perfect if the Minister for Finance or the Minister in charge of sales tax says, 'Our expenditure has increased; our income remains the same; we want some additional income'. I do not quarrel with them in that case. As my hon. Friend Sri Balasubramanya Ayyar has stated, it is not a mere increase of half a

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per cent. As I have said on previous occasions, it is a multi-point tax, and it is collected in four or five stages. At every stage the tax will have to be paid at half a per cent more. That means, the Government have increased the sales tax by two per cent. I may say another thing in this connexion. I have said this many times before, and I have unfortunately to repeat it now. The Government of Madras could have anticipated these difficulties earlier. They knew that naya paisa was going to be introduced from the 1st April this year. They knew that it would be very difficult to calculate the tax payable at 1-9/16 per cent. They had their own officers. Knowing the introduction of naye paise, they perhaps thought, 'Let us try the experiment for about two months'. Suddenly the Government now come and tell us that this is not workable and that they would effect a change in the rate of tax, namely, to raise the tax from 1 per cent to 2 per cent. I have been repeatedly saying—and many Members will agree with my views—that before the Government impose any fresh taxation or increase the taxation which is already in force, they have first to satisfy themselves whether the particular commodity which they choose to tax can bear that tax or additional tax. There are so many exportable items which will come under the operation of this increased taxation. Particularly when the country is short of foreign exchange and when the Government of India are trying their best to preserve foreign exchange, it is not proper without careful scrutiny and without thorough enquiry to increase the rate of sales tax. It is not an increase of half a per cent, but two per cent, as I said before. I shall give one instance here. From our State the only good exportable commodity is 'hides and skins'. I am told that even the tax of 1 per cent or one and a half per cent is a regressive tax. In certain transactions the dealers have to pay two per cent. Have the Government examined the question how far this trade would bear this additional tax?

One word more, and I have finished. The Minister in charge of Sales Tax made an announcement in the other House and followed it up in this House by another announcement that Dr. P. S. Lokanathan had been appointed to go into the entire sales tax administration. Is it in order, even before knowing what his recommendations are going to be, to bring in a change in the rate of tax at this time? The Government could have waited for some time more. The Government have appointed Dr. P. S. Lokanathan to examine this question. Instead of proceeding on the basis that 1-9/16 per cent is the tax, the Government are making Dr. Lokanathan proceed on the basis that 2 per cent is the tax. It is quite wrong on the part of the Government to do so. A person having been appointed to make a thorough enquiry into the sales tax structure, I do not know whether the Government are right in bringing about this change in the rate of tax now. These are the points I wish to bring to the notice of the Government. It is left to them to accept them or reject them. But I feel it our duty to place these points before the Government. Let not the Finance

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Minister think that I am playing to the gallery, though there is nothing wrong in playing to the gallery. Sometimes it is necessary.

THE HON. SRI R. VENKATARAMAN : Mr. Chairman, Sir, I am grateful to the Members for the interesting contribution they made to the debate on the subject. (Dr. V. K. John : sincerely.) Honestly, I find the Government's anxiety to observe all the forms of democracy oftentimes lands them in difficulties and makes them the butt for criticism, if not for ridicule. In April 1957, when the new Coinage Act came into force, under that very Act it was open to Government to round off all these annas and pies to the nearest naya paisa. Even if they had, by a notification, said that this 1-9/16 pies would be rounded off to 2 naye paise, they would have been perfectly in order.

THE HON SRI C. SUBRAMANIAM : Even without notification, that would have been the effect.

THE HON. SRI R. VENKATARAMAN : The very Indian Coinage (Amendment) Act would have had the effect of raising the rate of tax to 2 per cent. It was only to prevent the operation of this law that Act I of 1957 was passed by this House. The rate of tax was kept at 1 per cent instead of 2 per cent. Otherwise, by the mere operation of the law, the rate would have risen to two per cent. The point is that normally anything which increases the burden of tax should be brought in at the time of the Budget and that there should be discussion. Because the Budget was coming up in the next few days, it was then thought that it was better to maintain the rates of tax at the level at which they existed at that time. Now, I am criticised by the hon. Member Sri Balasubramanya Ayyar, Dr. John, and others saying, 'You said in April and May, that the rate of tax should be only 1 per cent, and now in July you say that it should be increased to two per cent'. I think, Sir, this is the proper time, if at all the Government want to raise the rate of any tax, to come forward and bring in proposals justifying such an increase. It was pointed out by the Hon. the Finance Minister in his Budget speech that we had a deficit which could be covered by the mere operation of the law and that, therefore, the Government were resorting to the conversion of the existing rate to the naye paise rate. Far from being undemocratic, I think this is the most democratic way of bringing in a taxation legislation.

Then, it was pointed out that we had not mentioned anything about foodgrains in respect of which the Hon. the Finance Minister, during his Budget speech, said that there would be a reduction in the rate of tax. So far, all concessions have been given by a notification under section 6 of the Act, and that is why no legislation has been brought forward. The Government intend to issue a notification giving effect to the concession on foodgrains from the date on which this law comes into operation. It is expected that the Act will come into operation on and from 1st August 1957 and,

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therefore, the notification also will be effective from that date. In this connexion, I want to repeat, what I have stated in the other House, that the Government propose to include in the list of commodities, in respect of which we are reducing the rate of tax to one per cent, milk about which a number of representations have been received and in which matter my friend, Sri V. V. Ramaswami, has taken so much pains. The notification will also clearly detail what are the foodgrains to which this revised rate of sales tax will apply and there will be left no room for doubt so far as these are concerned.

Sir, the hon. Member Sri Mohamed Raza Khan again made a plea about hides and skins. I wish to inform him that so far as hides and skins are concerned, they are taxed at one point and that the rate 1-9/16 per cent has been raised to two naye paise in accordance with the general principle of revision and bringing it in conformity with the new coinage system. Therefore, nothing has been done in this legislation to injure specially any particular trade or commodity.

It was stated by the same hon. Member that, having appointed an economic expert to examine the question of structure and administration of sales tax, it was not proper on the part of the Government to bring forward this measure. The function of the expert is to advise us on the structure of the Act and the manner of administration, the various aspects which should be taken into account in levying the tax, the principles on which it should be levied and so on, but it is always the exclusive privilege of the Government to say what is the rate at which the tax should be levied on any particular commodity or on any particular item. Therefore, there is nothing wrong. In fact, far from doing anything which would impair the excellent work Dr. Lokanathan is doing, we feel that the present Bill will only facilitate his examination and point out that certain things which would automatically be done by virtue of the change-over to the new coinage system have only been done by the Government. The work that is left over to him would be only to prune the Act to make it simple, efficient, effective and also helpful to the people.

DR. V. K. JOHN : Not to suggest any reduction.

THE HON. SRI R. VENKATARAMAN : When we appoint an expert, we never circumscribe the scope of his functions. It is open to the expert to recommend what he considers best in the interests of the country. This is all I have to say. I only wish to add that the other two reasons given in the Statement of Objects and Reasons, viz., that calculation in fractions of the percentage causes inconvenience and that some unscrupulous dealers are taking advantage of it, are ancillary to the point which I have made. But there is truth and substance in what we have stated. The Government have

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received representations from no less than the Chambers of Commerce and mercantile associations saying that this causes inconvenience. We have also before us complaints from people who have said that they are obliged to pay two naye paise even though the rate is 1-9/16 naye paise. These two causes cited are ancillary to the main purpose of the Bill. I hope, Sir, the House will accept the motion.

Mr. CHAIRMAN : The question is—

“ That the Madras General Sales Tax and Sales of Motor Spirit Taxation (Amendment) Bill, 1957 (L.A. Bill No. 6 of 1957), 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 and 3 were put and carried.

Clause 1 was put and carried.

The Preamble was put and carried.

THE HON. SRI R. VENKATARAMAN : Sir, I move—

“ That the Madras General Sales Tax and Sales of Motor Spirit Taxation (Amendment) Bill, 1957 (L.A. Bill No. 6 of 1957), as passed by the Legislative Assembly, be passed.”

Mr. CHAIRMAN : The question is—

“ That the Madras General Sales Tax and Sales of Motor Spirit Taxation (Amendment) Bill, 1957 (L.A. Bill No. 6 of 1957), as passed by the Legislative Assembly, be passed.”

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

(2) THE MADRAS PLANTATIONS AGRICULTURAL INCOME-TAX (AMENDMENT) BILL, 1957 (L.A. BILL NO. 7 OF 1957).

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

“ That the Madras Plantations Agricultural Income-tax (Amendment) Bill, 1957 * (L.A. Bill No. 7 of 1957), as passed by the Legislative Assembly, be taken into consideration.”

The simple object of this Bill is to raise the rate of tax on plantations in respect of five slabs leaving the first two slabs untouched. There is no change in the first two slabs. In the next four slabs, it is raised by 5 naye paise and in the last slab, it is raised by 10 naye paise.

Mr. CHAIRMAN : Motion moved—

“ That the Madras Plantations Agricultural Income-tax (Amendment) Bill, 1957 (L.A. Bill No. 7 of 1957), as passed by the Legislative Assembly, be taken into consideration.”

SRI K. BALASUBRAMANYA AYYAR : Sir, ordinarily I would not oppose this motion. But on account of various circumstances

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which exist in major plantations, I have to state that this increase in tax will affect seriously the working of the industry. The plantations are chiefly concerned, as you know, with coffee, tea, rubber and cardamom. These are the chief products of the industry. You know what all of us feel about coffee and tea. We may go without food but without coffee many people may not live. That is the psychology we have developed about coffee and tea. I have told Prohibitionists—advocates of Prohibition—that they should try to substitute tea for strong drinks. Coffee and tea are very important for us. One important fact about coffee and tea is that they are largely exported. Internal consumption of coffee and tea is not so profitable to the trade as exports. But, unfortunately, the prices in the international market are fluctuating. There is now much production of coffee and tea throughout the world. Africa has come into the picture as regards tea. We have to look to the world market for the purpose of realising the sale price of coffee and tea. Therefore, we cannot but avoid these fluctuations. There is now internal competition also from Mysore, Bengal, Assam and other States. In all these places, the rates have not been increased: 4 p.m. Let us look at the cost of production. The cost of production has increased to a great extent. This is due to the fact that the labourers working on the plantations get the best amenities—housing, medical aid, provident fund, insurance benefits, education of children, etc. It has been recognised by every body that only in the plantation sector best provision is made towards amenities for labourers. This factor goes a long way to increase the cost of production. In addition to that, there are some other factors like the rise in wages of labourers, loss arising out of the adoption of go-slow methods by the labourers, bonus claims, etc. The question of fixing wages for labourers has not yet been settled finally. The award which was given in that connection, if applied retrospectively, would result in plantation companies paying lakhs and lakhs of rupees to labourers towards arrears of wages. There has been mediation in the matter. The whole question is pending now before the Supreme Court. As a result of all these factors, the cost of production has increased. In addition to that, we have got the Excise Duty on tea. This has recently been increased from four annas to ten annas by the Central Government. Then there is the Corporation tax which has also been increased from 45 to 50 per cent. There are a number of other taxes which the plantation companies have to pay like the Capital Gains Tax, Income-tax, Super Tax, Bonus Tax, Wealth Tax, etc. The words ‘taxes, taxes, taxes’ are writ large on the portals of every plantation factory. The plantation industry in India is a very young industry. Till now it was managed by foreigners. Now, our people have taken to that industry. A large number of middle-class people have taken shares in many of these plantation companies. If the profits earned by these companies go down, the dividends paid to shareholders will also go down. This tax will be a kind of last straw on the camel’s back. That is what I feel in the matter. Though the Hon. the Minister for Revenue gently stated that they had not increased the rate of tax payable by the plantation companies

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coming under the first two slabs and that they had increased the rate of tax payable by companies coming under the remaining slabs by only a small amount, still it will be found on calculation how much the plantation companies have to pay by way of this tax. The chief thing we have to look into when we consider this measure is the cost of production which has increased fivefold. We must also take into consideration the fact that coffee and tea depend on the world market for their prices. If profits are affected, that in turn will affect the dividends paid to shareholders. Re-plantation is necessary in many of these plantations. When re-plantation takes place, fresh amounts will have to be invested and that will have to come from the profits on account of the 'Compulsory Deposit Rules' passed by the Central Government. In the reserve funds of the companies, there will not be much money available for 'rehabilitation of plants'. Therefore, the money required for this purpose must come from out of the profits. If the Government take into consideration all these facts, they will realize how hard it will be for the plantation companies to pay higher and higher taxes. The Plantations Agricultural Income-tax Act was enacted only in 1955 with reference to plantations. Can we not wait for a few years more before imposing further taxes so that we may have time to study how this tax affects the agricultural sector? I do not say that the Government should not increase the tax at all. If large profits are realized by plantation companies, then it will be all right if further taxes are levied. In this particular case, the cost of production has gone up. The prices obtaining for coffee and tea are much lower now than before. There is also over-production of these commodities in the other parts of the world. I hope that the Government will realize all these aspects and appreciate the case which we on this side put forth.

* DR. V. K. JOHN : Mr. Chairman, Sir, I very vehemently oppose this measure of taxation. We enacted this Plantations Agricultural Income-tax Act with reference to plantations in 1955 for the first time. The Government took great care to see that the highest rate of tax was imposed on the plantation companies when compared to the rates prevailing in other States. Take the case of Kerala and Mysore States. The rates of tax levied in those States are very low. When the Plantations Agricultural Income-tax Act was enacted, the Government deliberately departed from the practice of including therein provisions of the Indian Income-tax Act in respect of deductions and many other matters, and wanted to make the tax very heavy and onerous. I say that deliberately because in no State such taxation was weighted so heavily against the plantation companies as in this State. This legislation was enacted only in 1955. What would be the psychological reaction of people interested in investment in these plantations if the rates of tax are increased in 1957? It would be a very bad thing. People will never come forward for investment in plantations and the result will be that the industry is ruined. They will be only killing the goose that lays the golden eggs. The Government want to introduce this

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legislation increasing the rates of tax merely for the sake of getting a revenue of Rs. 25 lakhs. What is the increase proposed by the Government? An increase of 10 naye paise—from 35 to 45 naye paise—in the rupee has been proposed by the Government, and it is not an increase to 36 or 37½ naye paise or 40 naye paise in the rupee. The increase is by ten units, and it is a very high increase. The Government have not placed before us what the rates of taxation prevailing in other States are. These commodities have to compete not only with the world markets but also with the markets in other States in India. Do the Government expect that commodities like rubber, coffee, tea, etc., produced in our State will be able to compete successfully with the markets in the other States? After all for getting a sum of Rs. 25 lakhs, the Government want to increase the rates. They can ask the Centre to give them this amount. After all, this legislation produces a psychological effect on the investors in plantations and makes them feel that the Government who have now increased the rates may increase them still further next year and the year after and that if they go on in this way, it will not be safe to invest money in plantations. I submit that it is a thoughtless act to try to get Rs. 25 lakhs by increasing the rate of levy, and that too immediately two years after the original Act was passed fixing a certain rate of tax. I request the Government very seriously and very sincerely not to bring this Bill into force. Again, they seek to bring it into force from the 1st of April. To-day, some months have passed. No taxation measure should have retrospective effect. I submit it is very wrong to give retrospective effect to taxation measures. The Government are violating that fundamental principle and are giving retrospective effect to this measure. It is very wrong to increase the rates of tax on plantations. Why don't the Government effect some saving? On one transaction alone, which I am going to mention, the Government could have effected a saving of nearly half a crore of rupees. Instead of doing that, why should the Government think of introducing this measure which can give them only a sum of Rs. 25 lakhs? I am personally aware of that instance and so I am speaking about it. It is found from the reports appearing in the Press that about 9,785 pine trees were sold in Kodaikanal to a company. It is a scandal in Kodaikanal. I was there some time back and I was told about that scandal. I was told that those trees were sold at the rate of Rs. 3 per tree. I find that information about this was given in the other House during question-hour. Rs. 3 per tree! To whom were those trees sold? Whom does that company represent? These trees are now sold at the rate of Rs. 50 to Rs. 200 per tree. Now, what is the profit which this company is making? How were these trees sold? They were sold by a negotiating officer and not in public auction. If only they had sold those trees in public auction, they could have definitely got quite a lot of money. There is no doubt about it. Only a very small fraction of those trees had dried up. Most of them are still green. This is the state of affairs so far as the Kodaikanal forests are concerned. We do not know the conditions obtaining in other forests. Those who had purchased those

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trees for Rs. 3 had derived a minimum profit of Rs. 47 or so per tree, although some of the trees were sold even at the rate of Rs. 200 each. I was informed of those facts by the Municipal Chairman there. I think he himself bought many trees at rates varying from Rs. 50 to Rs. 200. Why did not the Government take proper care beforehand and sell those trees in public auction, which would have fetched the Government of Madras a sum of about Rs. 50 lakhs?

THE HON. SRI C. SUBRAMANIAM: Even granting that the trees could have been sold at Rs. 50 per tree, we could have got only about Rs. 5 lakhs and not Rs. 50 lakhs.

* DR. V. K. JOHN: I said that the minimum rate was Rs. 50. Some of the trees were sold even at Rs. 200 per tree.

THE HON. SRI C. SUBRAMANIAM: Even then, we could have got only about Rs. 20 lakhs and not Rs. 50 lakhs as the hon. the Deputy Leader of the Opposition puts.

* DR. V. K. JOHN: Whatever it be, why have not the Government taken steps to sell those trees in public auction? If only they had taken that step, I am sure, they would have got a higher amount than they got by selling the trees at the rate of Rs. 3 per tree. That is my point. Why should the Government incur a loss by acting in the manner they have done now in Kodaikanal? We do not know what is taking place in other areas. Why don't the Government effect some saving under heads like this instead of resorting to taxation measures like the one that we have before us, which seeks to increase the rate of taxation in respect of plantations? This will make our people afraid of investing money in such plantations hereafter. Very many poor people have now invested their money in these plantations. Will they get any dividends? What is the present rate of tax? Have the Government examined the rates obtaining in the neighbouring States of Mysore and Kerala? I submit it is a very serious thing for the Government to introduce a measure like this so thoughtlessly which will, after all, bring only a sum of Rs. 25 lakhs. The Government of Madras could have easily gone to the Government of India for this sum just like other States which are going to the Government of India to get a portion of the money which they are collecting from the various States. I very strongly protest against this measure.

* SRI T. PURUSHOTHAM: Sir, I have just one word to say. It was reported that the Government of India had suggested that the levy of basic tax on land might be removed and that agricultural income-tax should be levied instead in respect of agriculturists. When we consider this increased levy of agricultural income-tax on plantations, I should like to know whether it is the intention of the Government to do away with the basic tax in such cases. I shall be glad if the Hon. Minister would make this point clear. I would also like the Hon. Minister to tell us whether the Government have accepted the policy of doing away with the land tax altogether in respect of ryotwari lands also and whether there is any intention to

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introduce a general scheme of agricultural income-tax for all as in the case of plantations. As regards the objections raised by the hon. Members opposite, we accepted this Bill in principle during the discussion on the Budget, and we have also passed the Appropriation Bill accordingly. It is only in continuation of all that this Bill has been brought forward. So, I think I will be fully justified in supporting this measure.

* THE HON. SRI M. A. MANICKAVELU: Mr. Chairman, I am in the position of a lawyer who has to work his case according to the brief he receives from the plaintiff or the defendant. Well, in the other House, one hon. Member after another got up and said, "Why not you raise the rate of tax? It is very low. We are willing to support you. Why not you raise it still further?" In fact, but for a technical difficulty, they would have moved amendments to that effect and would have also pressed them. I had to defend against increasing the rates further. Also, I had to have recourse to the story of the goose that laid the golden eggs. I told that story very nicely to them to see that they did not press very much the question of increasing the rate of tax. But, what is my position here? Here, I am told, "Look here, you introduced the original Act in 1935 or so. Within two years, why do you want to increase the rates further?" The hon. Members should know that the increase will be only for slabs other than the first two. This will not affect the small planters. Moreover, the increase of 10 naye paise is only with reference to the last slab considering all these circumstances and the trend of the times, I should think that the rates proposed are not high.

As regards the statement that our rates are the highest, reference was made to Mysore and Kerala. I have no knowledge about Mysore. But, as regards Kerala, I could very well say that the rate of agricultural income-tax there is higher than that in this State. Therefore, the hon. the Deputy Leader of the Opposition, who referred to this matter, is not justified in saying that the rate in the Madras State is the highest. Well, it is in tune with the other statement that he made.

DR. V. K. JOHN: Deductions allowed in Kerala are not allowed here.

* THE HON. SRI M. A. MANICKAVELU: Sir, the hon. the Deputy Leader of the Opposition tried to draw our attention to what happened in the Forest Department in support of his case. He said that the Government could have saved as much as Rs. 50 lakhs if only they had sold the trees in public auction. Even there, look at the exaggerated manner in which he put forward his argument! Even according to the rates quoted by him, we could have got only Rs. 5 lakhs or at the most Rs. 20 lakhs. But he said that we could have got half a crore of rupees. If we analyse his statement, we would easily find that he has put his claim in such an exaggerated manner that we should not take it at its face value. We should allow a wide margin and deduction, say, 80 to 90 per cent, and then

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take his information. I am saying this only to point out that it is his way of putting things.

DR. V. K. JOHN : Can the Hon. Minister deny the fact that the trees were sold at Rs. 3 whereas they could have been sold at Rs. 50 to Rs. 200? Will the Hon. Minister take steps to make an enquiry into the whole matter and see things for himself?

* THE HON. SRI M. A. MANICKAVELU : That is a different matter. I was only pointing out the exaggerated manner in which he had put his claims. He put his claims very, very high. That is what I wanted to say.

4-20
p.m.

Another hon. Member said that there were several items of expenditure incurred by the planters. Sir, the tax is leviable on the net income. We took care to see that many items of expenditure did not come into the taxable income. We have allowed for replanting, for depreciation on machinery, and for so many other things. Like that quite a number of items have been allowed for. We deduct all these and then the net income only is taken into account. Under the circumstances, I believe that the present rate is reasonable.

DR. V. K. JOHN : Is the Hon. Minister correct in saying that there is deduction for rehabilitation? There is no allowance for rehabilitation. There is no allowance in the original Act.

* THE HON. SRI M. A. MANICKAVELU : I meant re-planting. From previous experience I cannot take him at his word. I must verify. Under these circumstances, I request the House to accept the Bill.

MR. CHAIRMAN : The question is—

“That the Madras Plantations Agricultural Income-tax (Amendment) Bill, 1957 (L.A. Bill No. 7 of 1957), 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 and 1 were put and carried.

The Preamble was put and carried.

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

“That the Madras Plantations Agricultural Income-tax (Amendment) Bill, 1957 (L.A. Bill No. 7 of 1957), as passed by the Legislative Assembly, be passed”.

MR. CHAIRMAN : The question is—

“That the Madras Plantations Agricultural Income-tax (Amendment) Bill, 1957 (L.A. Bill No. 7 of 1957), as passed by the Legislative Assembly, be passed”.

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

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VI.—DISCUSSION UNDER RULE 57 OF THE MADRAS COUNCIL RULES
RE SELECTION OF STUDENTS IN THE PRESIDENCY, QUEEN
MARY'S AND ARTS COLLEGES IN THE CITY OF MADRAS.

MR. CHAIRMAN : We shall now take up discussion on an urgent matter of administration under rule 57 of the Madras Council Rules given notice of by the hon. Member Sri Mohamed Raza Khan. It is now 4-20 p.m. We should complete the discussion by 5 p.m.

SRI MOHAMED RAZA KHAN : Mr. Chairman, Sir, I wish to initiate discussion on an urgent matter of administrative importance for a short duration under rule 57 of the Council Rules, namely, the unsatisfactory method of selection of students in the Presidency, Queen Mary's and other Arts Colleges in the City of Madras with special reference to the claims of Muslims and other minority communities.

Sir; with the present mood and temper of the House to-day, I want to be as careful as possible lest I should give a chance either to the Hon. the Minister for Finance or others to throw some remarks on me, as has been the experience of some hon. Member a little while ago, though it was taken in a good and humorous way. I have raised this discussion just to know the method, the basis and the principles on which the selections are made to the various colleges. I know the difficulties of the Government, the departmental heads and the Principals when there is a heavy demand for admission either to the professional colleges or others and there are only a lesser number of seats than the number for which there is demand. To adjust the demand with the number of seats available is a very difficult problem. Being myself a resident of Madras for a long time and occupying some position in the Assembly or the Council, I know it is a problem to stay in the City especially during this season of admission to colleges. People with genuine cases and sometimes otherwise press us to interfere and to use our good offices. As far as we are concerned, we have simply to say 'no'. I do not know whether that sort of approach is made only to the M.L.A's. and the M.L.C's. As a matter of fact, many might approach the Hon. Ministers also and request them to use their good offices. To what extent they are using their good offices or are saying, 'We cannot interfere. It is your own affair, we cannot do anything', should be known. I do not want to make a charge that they interfere. But the fact of the matter is that as far as our State is concerned, it is undeniable that influences have come to stay so far as admissions are concerned. For this I can quote the authority of the Hon. the Minister for Education who rightly pointed out at a meeting of the Congress Members of the Legislature that unfortunately the tendency had come to stay with the people, namely, that influence was the factor in getting their boys and girls admitted either in the professional colleges or other colleges.

THE HON. SRI C. SUBRAMANIAM : My statement was not that influence was playing a part but that the feeling that influence is necessary for getting admission is spreading.

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SRI MOHAMED RAZA KHAN : Possibly I might not have put it properly but I am in complete agreement with what he has said. The Hon. Minister, having made that statement which has been widely published in the Press, ought to have considered the fact that this feeling has come to stay. I know the Government of Madras have laid down certain rules and procedure with regard to admissions. Therefore, it is the duty of the Government or particularly the Hon. the Minister for Education to enquire whether influence has played any part or why such a feeling has come to stay. I will tell the House why such a feeling is there. As soon as the results are announced—I ask the Hon. the Minister for Education whether he can deny this—people approach the head of the institution, people in charge of institutions like the Medical College or the Engineering College, and in many cases get promises from them to the effect, 'We shall sympathetically consider, or we shall help'. Those who are not in that fortunate position of influencing them naturally feel defeated, embittered and say, 'We could not get admission. We do not have pull with these people; we are in a very difficult position.' All these would have been over as far as selection for this year is concerned. But, from the next year, the Government should make it a point that no Member in charge of selection for the Medical College or the Engineering College or any other college should see any outsider and have a discussion on the question of admission. If they could say, 'All right, we are in charge of admission. It is a duty entrusted to us by the Government and we have to discharge that duty according to rules and regulations and the procedure prescribed by the Government. We cannot do anything', that sort of feeling, I referred to, would not be there. But they are not doing that. I am not levelling a charge against them. Their task is very difficult.

Again, as was mentioned by the hon. Member Sri T. Purushotham, I am not able to understand the logic behind the rule of allotting seats districtwar. I can understand some sort of representation being given to the backward communities or the minorities. But I am not able to understand the logic behind the districtwar selection. There is nothing wrong in selecting the most brilliant students to whatever district they may belong. Formerly, the most brilliant students used to come from Tanjore district. Now, they may be coming from Coimbatore district. There is nothing wrong in their being selected. Why try to parcel out seats for each district? Why I refer to this point is this. The Hon. the Minister for Education on a very small matter the other day said that people went to the M.L.A.'s or M.L.C.'s and asked for poverty certificates, that they gave them without proper scrutiny and that, therefore, they should not be given that facility. Now, I would like to ask the Hon. Minister whether he is aware of the fact that more than 30 per cent of the nativity certificates furnished by the applicants this year are bogus certificates. In Madras City there are more educated people, officials, non-officials, and businessmen. If they know that

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their boys and girls cannot get admission as natives of Madras, they rush to some district and obtain a nativity certificate from there. By reserving seats districtwar we make people get these bogus certificates. If the Hon. Minister would examine the nativity certificates furnished this year by candidates, he would find that more than 30 per cent are bogus ones. I have heard a complaint that last year in one district there were many vacancies as there were not a sufficient number of candidates. This year unfortunately for that district there was a heavy rush. People seem to have felt, 'Why did we rush to that unfortunate district? We could have gone to the other district'. My point is that this discussion would help the Government to see that such things are stopped in future.

Now, I come to the question of admission to the Presidency, Queen Mary's and the Arts Colleges. I would like to know from the Hon. the Minister for Education who the ultimate authority to decide questions on admission to these colleges is. I have seen people going hundred of times to these colleges but yet not being able to contact the Principals. The Principals are in a very difficult position. They keep themselves shut in the room. Even if you ring them up, their 'phones are always engaged. What are these poor people to do? If these people have the good fortune to contact the Principals, they say openly: What can we do? We are nobody here. We can't do anything—I can prove this with facts and figures—'We are nowhere here. It is the Director of Public Instruction that does all this. If it is a fact that the Director is in charge of admission to the City Colleges, it is wrong in principle. He is only the administrative head. He is not immediately concerned with the colleges. If something is wrong in the way in which selections are made and if I am an aggrieved party, I cannot go to the Government for all these small things. I have to go to the Director of Public Instruction. But as a party to the selection, he cannot be the appellate authority. He can either decide or be an appellate authority. What happens is people try to get at the Director of Public Instruction. Well, I am not in the habit of making charges or allegations against high officers. It seems, to get at him, to contact him is rather difficult. He is not always in Madras, his headquarters. Whenever you ring him up, you are told that the Director is out of Madras and that he is touring somewhere in the mufassal places, either making speeches or attending conferences here and there. Of course, that is another matter which the Government have to look into. But what I am concerned with here is this. I want the Hon. the Minister for Education to tell us who the authority is—whether it is the Principal or the Director of Public Instruction. That is one thing.

In the Queen Mary's College, I want to know on what basis selections are made. It should be that in every subject so many seats are reserved for the backward class and so many for

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the forward class, and the best among them should be selected. Is that the case? Or, is it left to the fancy of the Principal or the Director of Public Instruction? There should be some strict rule to consider either the total marks or the marks in individual subjects. This has been happening for so many years. I did not like to bring it to the notice of the Government thinking that things would improve by and by.

Another thing, I understand, is this. I am saying this, subject to correction by the Hon. the Minister for Education. While merit may be the criterion for selection, we have to bear in mind that there are members of various minority communities who are seeking admission to certain courses like Chemistry, Botany, Zoology and other pass courses and Honours courses. The Minister for Education seems to have issued instructions to the Director of Public Instruction to see to the adequate representation of communities which are backward. I want to know whether that rule is being observed by the Principals whenever they make selections. My idea is not to bring to the notice of the Government unnecessary things or make any charges against anybody. But when something goes wrong, and if instructions are issued by the Government, it should be seen whether the Principal and the Director of Public Instruction follow them. At least in future, we should see that perfect satisfaction is given to the public in regard to admissions, and that things move according to the rules and regulations issued by the Government. If things go wrong, it is for the representatives of the people here to bring them to the notice of the Government and have them rectified.

Sir, I will represent to the Hon. the Minister for Education certain things in regard to Muslims. Because I have given pointed reference to Muslims in my motion. Not that I want to mention them in a spirit of communalism. But I honestly feel that if there are certain matters which are against the interests of the Muslims, I have got a right to bring them to the notice of the Government. If what I say is proved to be wrong, I shall withdraw them. The Muslim community is grateful to the Government for what they have done for it, particularly in the matter of education. A time there was when we depended unfortunately on the mercies of the Government—not this Government, but the previous Government. Really, but for that, we would not have made any progress in education. I am not saying that in any spirit of bravado, but that is a fact. Because of that and with the help of the public we were able to bring into being many institutions. I could cite many of them. The Minister for Education is well aware of the fact that there was an institution for Muslim girls and that later on it was abolished. We could not help it. There was also a college for Muslims, the Government Muslim College. Myself on this side and the hon. Deputy Chairman on the other side are products of

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that college and that is why still there is something common between us. That was also abolished. When that was abolished, the then Minister gave us a categorical assurance: 'I assure you that any Muslim girl who applies to the Queen Mary's College and any Muslim boy who applies to the Arts College will be given admission, of course, within certain limitations'. But what is the position to-day? The boys who pass out of the Madras-I-Azam are asked to get out of the college gates, if they have not secured a certain percentage of marks. But for the fact that we have been able to start the New College, with the generosity and help of the Government and on the inspiration which we had from the Vice-Chancellor, hundreds of Muslim boys would have to go without admission to the Pre-University course. I would only request the Government to see that at least until we are able to establish some more institutions for the Muslims, things are not made very difficult for us. They should consider our case also sympathetically.

There is one instance in respect of the Presidency College. I am giving it in order that the Minister might find out the facts. We do not have a separate Secretariat to collect all the facts. Even people who could help us with information are afraid and they say, 'You fellow, you will let them out in public and we will be put to trouble'. Therefore, it is very difficult for us to get at facts, unless there comes forward a person who tells, 'Well, it does not matter; I do not mind the consequences; let me suffer if it could bring good to others'. So, I shall cite one instance. There was a Muslim boy who got a first class. He applied for the Honours course, but he was refused admission. In spite of best efforts, he could not succeed. That very boy, it was subsequently known, has stood first in the State. I cannot go on giving instance after instance; the time is up and I do not like to weary the House. I only appeal to the Hon. the Minister for Education that he should deal with these cases sympathetically. The first point, as far as admission to the Presidency College is concerned, is that there is a great deal of dissatisfaction. It is because certain people feel that with influence they can succeed. It is unfortunate that such a feeling should be there.

With regard to the Queen Mary's College, the Presidency College and the Arts College, I insist that a policy decision be made in regard to admissions. After all, in many colleges, there are selection committees. Only for the Queen Mary's and the Presidency Colleges, there are no selection committees. It should be decided whether the Director of Public Instruction should be the appellate authority or should be himself the authority for admission.

With regard to Muslims, I hope that the Minister for Education will deal with that question sympathetically. There are three particular cases and I shall hand over the list to the Hon. Minister for enquiry. That shows the vagaries that are practised in some

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colleges. In the Presidency College, a boy applied for B.Sc. (Statistics). His name was included in the list of selected candidates on 23rd July 1957. But later the boy was sent for and the Principal said, 'I have cancelled your name in that particular group'. The Hon. Minister should find out how it happened. How the selection was made, his name was put up on the notice board and then he was asked to walk out of the college—all these require investigation

In another case, a boy was admitted to the B.A. (Hons.) Economics group. He paid his fees and attended the class for about 16 days. Then, suddenly, the Principal informed the boy that his seat in the Honours Class was cancelled and that he should take the Pass Course on the plea that some mistake had been made. How by mistake could a boy be made to pay his fees and attend his classes and then removed from that group? What is that due to? Sir, there is one more case and that relates to the Queen Mary's College. One Muslim girl who obtained a total of 552—just 8 marks less for a first class—applied for a seat; in the subjects which are important, she got marks as follow: 76 per cent in Chemistry, 77 per cent in Physics and 56 per cent in Natural Science. This girl did not get an interview card; but when approached, the Principal said 'What is to be done? There is no more seat. Let her take Economics, History or some other subject'. But a day or two later, another list was put up and there were seven names in that. For aught I know, there was not a member of the backward communities in that seven-name list. Girls who got marks far less than this girl were selected and girls who not even passed the examination in the first attempt were chosen. The only fault of this girl was that her mother-tongue was Urdu and on that score, she was considered a forward class candidate.

These things leave a very bad impression in the minds of the people. In a spirit of doing some service to the general public, I place these things before the Hon. Minister and if the Minister cares, he can examine at least these two or three cases to find out why such a thing happened. (The hon. Member then passed on the list to the Hon. the Minister for Education.) I thank you very much, Sir.

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p.m. **SRI M. ETHIRAJALU:** கனம் தலைவர் அவர்களே, இப்பொழுது சர்க்கார் கல்லூரிகளில் மாணவர்கள் தேர்ந்தெடுக்கப்படும் முறையைப்பற்றி விவாதம் நடைபெற்று வருகிறது. தனிப்பட்டவர்கள் நடத்தும் கல்லூரிகளிலும், உயர்தரப் பாடசாலைகளிலும் ஆதாரப் பள்ளிகளிலும் மாணவர்களைத் தேர்ந்தெடுப்பதில் இதற்கு மேல் அசம்பாவிதம் நடந்துகொண்டிருப்பதை சர்க்காருடைய கவனத்திற்குக் கொண்டுவர விரும்புகிறேன். தனிப்பட்டவர்கள் நடத்தும் கல்லூரிகளில் தங்களுடைய சமுதாயத்தை அபிவிருத்தி செய்யவேண்டும் என்ற நோக்கத்துடனேயோ அல்லது இந்த நாடு கல்வித் துறையில் மிகவும் பின்தங்கியிருப்பதை நல்ல முறையில் உயர்த்த வேண்டுமென்ற நோக்கத்துடனேயோ அல்லது இம்மாதிரிப் பள்ளிக்கூடங்

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கள் நடத்தினால் கொள்ளை லாபம் அடிக்கலாம் என்ற எண்ணத்துடனேயோ நடத்திவருவதை அரசாங்கம் பரிசீலனை செய்து, பொதுமக்களிடமிருந்து வரியாக வாங்கிக் கொடுக்கும் "கிரான்ட்" பணத்தைக் கொடுக்கவேண்டும்.

உண்மையிலேயே இந்நாட்டில் மிகப் பின் தங்கிய நிலையில் இருப்பவர்கள் கல்வித் துறையில் முன்னேற்றமடைய வேண்டும் என்ற எண்ணம் தனிப்பட்டவர்கள் நடத்தும் கல்லூரிகளில் நிலவுமானால், மாணவர்களைச் சேர்த்துக்கொள்ளும் முறையில் நல்ல கொள்கையைக் கடைப்பிடிப்பார்கள். தனிப்பட்டவர்கள் தங்கள் நடத்தும் கல்லூரிகளில் அப்படி நடக்க முன்வரவில்லை என்பதுதான் குறிப்பிடத்தக்கது. இதைப்பற்றி நான் சொல்லும் போது ஒரு கல்லூரியை மட்டும் சொல்லவில்லை. திருச்சியில் இருக்கக்கூடிய செயிண்ட் ஜோசப் காலேஜ், லயோலா காலேஜ் போன்ற கல்லூரிகள் தங்கள் இஷ்டப்படி நடக்கின்றன. என்னுடைய ஐந்து வருஷ சட்டப்பை அனுபவத்தை வைத்துக்கொண்டு இதைச் சொல்லுகிறேன். அந்த சமூகத்தார் கல்லூரிகளோ பாடசாலைகளோ நடத்துகிறார்களோ, அவர்கள் தங்களுடைய சமூகத்திற்குத்தான் அதிகமான சலுகைகள் காட்டுகிறார்கள். அம்மாதிரி சலுகைகள் கொடுக்கடும். அதை வேண்டாம் என்று நான் சொல்லவில்லை. அவர்கள் பள்ளிக்கூடம் ஆரம்பித்த பிறகு பொது மக்களிடமிருந்து வாங்கிய வரிப் பணத்தை சர்க்கார் "மச்சிங் கிரான்ட்" என்றும், "பில்டிங் கிரான்ட்" என்றும் வாங்குவதைத்தான் நான் குறிப்பிடுகிறேன். மற்றும் எத்தனையோ கிராண்டுகள் சர்க்காரிடமிருந்து வாங்கிக் கொள்ளுகிறார்கள். பொதுமக்கள் பணத்தை சர்க்காரிடமிருந்து வாங்கி நடத்தும் பள்ளிக்கூடங்கள் ஏன் அவர்கள் சமூகத்திற்கு தனிச் சலுகை காட்டியும் தங்கள் இஷ்டப்படியும் நடக்கவேண்டும்? அவர்கள் இஷ்டப்படி நடத்தினால் ஏன் சர்க்கார் கிரான்ட் கொடுக்கும் பணத்தை திறுத்தக்கூடாது? இதையெல்லாம் அரசாங்கம் பரிசீலனை செய்யவேண்டும். இதை நாம் பரிசீலனை செய்யாவிட்டால், இந்த முறை நீடித்துப் போய்க்கொண்டேயிருக்கும். லயோலா காலேஜை எடுத்துக்கொண்டால், அங்கே 400 மார்க்குகள் வாங்கினால்தான் மாணவர்கள் சேர்த்துக்கொள்ளப்படுவார்கள் என்று சொல்லுகிறார்கள். அதற்காகவா நாம் பில்டிங் கிரான்டும், இதர கிராண்டுகளும் கொடுக்கவேண்டும் என்று கேட்கிறேன். ஆனால் அவர்களுடைய சமூகத்தைச் சேர்ந்த பையன்கள் 300 மார்க்குகளுக்குக் குறைவாக வாங்கியிருந்தாலும்கூட, அவர்களைச் சேர்த்துக்கொள்ளுகிறார்கள். இந்த முறை சரியல்ல. பொதுவாகப் பார்க்கப்போனால், வரி கொடுப்பவர்களின் குழந்தைகளுக்கு அங்கேயெல்லாம் இடம் கிடைப்பதில்லை. அதனால் சர்க்காரை நான் கெஞ்சிக் கேட்டுக்கொள்வது என்னவென்றால், இந்த மாதிரியான அசந்தர்ப்பங்கள் ஏற்படாமல் இருக்க நாம் ஒரு கொள்கையை வகுக்க வேண்டும். அதாவது சர்க்கார் சட்டதிட்டப்படி அவர்கள் மாணவர்களைச் சேர்த்துக்கொள்வதாக இருந்தால்தான் அவர்களுக்கு சர்க்கார் கிராண்டுகள் கொடுக்க முடியும் என்று சொல்லிவிடவேண்டும். அது தான் நியாயமும் நீதியுமாகும்.

மாணவர்கள் கல்வித் துறையில் பின்தங்கியவர்களாக இருந்தால், அது மாணவர்களுடைய தவறு அல்லது உபாத்தியாயர்களுடைய தவறு என்பதையும் நாம் ஆராய்ந்து பார்க்கவேண்டும். பையனுடைய கவனக் குறைவால் பையன் பின் தங்கியவனாக இருக்கிறது அல்லது உபாத்தியாயர் சரியான முறையில் பாடங்களைச் சொல்லிக் கொடுக்கவில்லையா என்பதையும் நாம் பார்க்கவேண்டும். இதைப்பற்றியும் சர்க்கார் நன்றாகப் பரிசீலனை செய்யவேண்டும் என்று கேட்டுக்கொள்கிறேன். பள்ளிக்கூடங்களில் நல்ல படிப்புச் சொல்லிக் கொடுக்காமல் இருந்தால், அதற்கு சர்க்கார் தக்க நடவடிக்கை எடுத்துக்கொண்டால், இந்த அவல நிலை அறவே ஒழிந்துபோகும் என்பதையும் தெரிவித்துக்கொள்கிறேன்.

மாணவர்கள் குறைவான மார்க் எடுத்திருப்பதால் அவர்களைச் சேர்த்துக்கொள்ளாமட்டேன் என்று ஒவ்வொரு காலேஜும் நிராகரித்து விட்டால் அவர்கள் எங்கே போய்ச் சேருவார்கள் என்பதையும் நாம்

[Sri M. Ethirajalu]

[27th July 1957]

கவனத்தில் வைத்துக்கொள்ளவேண்டும். இந்தக் கொந்தளிப்பு எங்கு பார்த்தாலும் மக்கள் மத்தியில் இருந்து வருகிறது. சர்க்கார் கல்லூரிகளைப் பொறுத்தவரை, மாணவர்களை நல்ல முறையில் சேர்த்துக் கொண்டு வருவது யாவரும் அறிந்த விஷயம். பின்தங்கியவர்களுக்கு நல்ல முறையில் சர்க்கார் கல்லூரிகளில் கூடுமானவரை சலுகைகள் காட்டப்படுகின்றன என்பதை நான் மகிழ்ச்சியுடன் தெரிவித்துக் கொள்கிறேன். அதற்கு வேண்டிய ஆதாரங்களுடன் அதை என்னால் நிரூபிக்க முடியும். இம்மாதிரியேதான் தனிப்பட்டவர்கள் நடத்தும் கல்லூரிகளிலும் நடைபெற வேண்டும் என்பது எனது அபிப்பிராயம். இப்படி நடைபெறுகிறதா என்பதை அரசாங்கம் கூர்ந்து கவனித்துக் கொண்டுவரவேண்டும். நாம் கொடுக்கும் கிராண்டை அவர்கள் நல்ல முறையில் கல்வித் துறையில் பயன்படும்படியான அளவில் பயன்படுத்துகிறார்களா என்பதையும் நாம் பரிசீலிக்க வேண்டும். தனிப்பட்டவர்கள் தங்களுடைய சொந்தப் பணத்தை வைத்துக் கொண்டு தங்களுடைய சொந்த ஹோதாவில் கல்லூரிகளை நடத்தி வந்தால், பொது மக்களும் சர்க்காரும் கேட்கவேண்டிய நிலை ஏற்படாது. சர்க்காரிடமிருந்து கிராண்ட் வாங்கும்வரை தனிப்பட்டவர்கள் நடத்தும் கல்லூரிகளை அவர்கள் இஷ்டப்படி நடத்த நாம் அனுமதிக்கக்கூடாது.

கடைசியாக ஒரு வார்த்தை. ஸ்ரீ ரஸா கான் சொல்லிய பிரகாரம் இன்றைய தினம் “ப்ரொபஷன்ஸ் காலேஜ்களில்” “நேடிவிட்டி” செர்ட்டிபிகேட் வழங்குவதில் பல சூழ்ச்சிகள் நடைபெற்று வருகின்றன. சென்னையில் இருக்கக்கூடிய மாணவர்கள் வட ஆற்காடுக்குச் சென்று அங்கிருந்து யாரையாவது பிடித்து அதே ஜில்லாவில் பிறந்தவர் என்று நேடிவிட்டி செர்ட்டிபிகேட்டுகள் வாங்கிவிடுகிறார்கள். அதே மாதிரி செங்கற்பட்டில் இருப்பவர்கள் தென் ஆற்காடு ஜில்லாவாசி என்று நேடிவிட்டி செர்ட்டிபிகேட் வாங்கி வருகிறார்கள். இந்த நிலைமைக்குக் காரணம் குறைந்த மார்க்குகள் வாங்கினாலும் சென்னை போன்ற நகரங்களில் இடம் கிடைக்காது என்று தெரிந்து ஜில்லா அடிப்படையில் ஒதுக்கப்பட்ட இடங்களில் இடம் பெற்றுவிடலாம் என்று கருதி அப்படிப் பொய்யான செர்ட்டிபிகேட்டுகளை வாங்கிவந்து காலேஜ்களில் சேர்ந்துவிடுகிறார்கள். ஆனால் உண்மையிலேயே அதே ஜில்லாவில் பிறந்து அதே ஜில்லாவில் படித்து விட்டு வரக்கூடிய மாணவர்களுக்கு இடம் கிடைப்பது முடியாமல் போய் விடுகிறது. இது எல்லோருக்கும் தெரிந்தும் பேசாமல் அதிகாரிகள் நடவடிக்கை எடுப்பதில்லை. இதை நான் குற்றச்சாட்டாகச் சொல்ல வில்லை. இதைப்பற்றிப் பரிசீலனை செய்யவேண்டும் என்று கேட்டுக் கொள்கிறேன். என் ஜில்லாவைப் பொறுத்த வரையில், அதாவது தென் ஆற்காட்டில், இப்படி சில பேர்கள் பொய் செர்ட்டிபிகேட்டுகள் வாங்கி வந்து சேர்ந்திருப்பது எனக்கு நன்றாகத் தெரியும். இம்மாதிரி தேர்வு பெற்ற பெயர்களை எனக்கு அனுப்பினால் நான் தாலூகா வாரியாக பூரா விபரங்களையும் விசாரித்து அவர்கள் எந்த ஊரைச் சேர்ந்தவர்கள் என்பதை சர்க்காருக்குத் தெரிவிக்க கடமைப்பட்டிருக்கிறேன். இதை உடனடியாகச் செய்யவேண்டும். சர்க்கார் இதில் கவனம் செலுத்தவேண்டும். கடைசியாக நான் சொல்லிக் கொள்வது என்னவென்றால் தனிப்பட்டவர்கள் நடத்தும் கல்லூரிகளும் பாடசாலைகளும் சர்க்கார் கிராண்டுகளை வாங்கிக் கொண்டு நடத்தும்போது அவர்கள் சர்க்காருடைய சட்டதிட்டங்களுக்கு உட்பட்டு தங்கள் பள்ளிக்கூடங்களை மற்ற பள்ளிக்கூடங்களைப்போல் நடத்தவேண்டும் என்று நாம் கட்டாயப் படுத்தவேண்டும். அப்படி நடத்தினால் தான் கிராண்டுகள் கொடுக்கப்படும் என்று சர்க்கார் திட்டவாட்டமாய் அறிவிக்க வேண்டுமென்று கேட்டுக் கொண்டு என்னுடைய பேச்சை இத்துடன் முடித்துக்கொள்கிறேன்.

* SRI T. PURUSHOTHAM: Mr. Chairman, Sir, the Motion before the House refers to the unsatisfactory method of selection of students in the Government Arts Colleges. The hon. Member Mr. Mohamed Raza Khan has given a very sad picture of the

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methods of admissions to the Government Arts Colleges in the City. He has also quoted a number of concrete instances in which the claims of individual candidates belonging to minority communities and also deserving candidates with high marks have been ignored. The hon. Member has certainly made these weighty remarks with a sense of responsibility as a Member of this House and I am sure, Sir, the Hon. Minister would see that the matter is fully investigated and that proper steps are taken to revise the system of admissions now obtaining.

I believe, Sir, there are selection committees constituted for all these colleges and if so, where the Director of Public Instruction comes in, as alleged by the hon. Member Mr. Mohamed Raza Khan, is not apparent. The selection committee, from what I know, interviews candidates—the Principal of the institution is also a Member of the Committee—and based on its selection, lists of candidates are prepared showing their respective order of merit. I believe when such lists have been prepared, admissions ought to be made in strict accordance with the order mentioned therein. I would once again request the Hon. Minister to investigate and see that a foolproof system or, if I may say so, a patronage-proof system is introduced in the matter of these admissions.

Sir, one other glaring case of injustice was brought to my notice and it is my duty to bring it to the notice of this House and the Government. I have come to know that a number of candidates who have passed out of the Government colleges in the Intermediate Examination are not given admission to the B.A. Class as a matter of course. It is a fundamental principle that students of “home colleges”, whether they pass in the second or third or whatever class it may be, should be provided in that college. Instead of that, I learn that admissions were refused in a number of cases in the Government colleges for their own students, and on what principle, I do not know. The private colleges make it a principle that the students who pass out of their college in the Intermediate Examination should be admitted, as a matter of course, to the B.A. Class. When that is so in the private colleges, I do not see why in the Government colleges alone, this sort of discrimination should be made and the students of the home college should be left adrift to go from college to college. And it should be noted that when they go to other colleges, they are turned away from there. The other colleges are asking them to go to the college from which they have passed the Intermediate Examination. Though they may be asked to apply again, they must be given preference in the home college and they should not be asked to take their turn along with new applicants who might have put in their applications. I hope the Government will examine this point, recognize the principle of giving preference to students of their own college and see that strict rules are framed and communicated to the Principals.

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There is one other matter I wish to refer to. I wish to draw attention to the difficulties of Telugu students in the matter of admission and the representations made to the visiting Ministers of Andhra State by some local organizations in the City. On enquiry, I was assured that there was no room to think that there had been closure of any Telugu schools or classes or sections anywhere in our State, much less in the City of Madras. But as representations have been made by some of these organizations, I would request the Hon. Minister to come out with an authoritative statement about this to dispel the wrong impression that might get abroad on this important issue. I would request the Minister to enquire into this, and clear all doubts or wrong impressions that might be gaining ground.

SRI K. BALASUBRAMANYA AYYAR : Sir, in this discussion I did not want to intervene at first, but I feel a sense of duty that I should say something, because I was one of those people who were approached with very many recommendations by various persons. In the Presidency College, there is no Selection Committee; I think I am right. Also in the Queen Mary's College, there is no Selection Committee. So far as the Arts College is concerned, there is the Selection Committee presided over by Dr. Mahomed Usman. Whenever we spoke on behalf of applicants, there was a feeling in our minds that the Principal was not the ultimate authority for the purpose of admitting students on his own initiative. I feel that Principals of Colleges should be given full authority in the matter of admission of students to the various branches of study in their colleges. There are a number of groups in the colleges, and it is very difficult for any person, however high-placed he may be, to understand fully the ramifications and admit students to the various courses of study in the college. I think the only person who is fully competent to understand the various courses is the Principal. I think all of us, the general public, and also the Government must support the Principal. Of course, even he may do things a little unsatisfactorily, according to the public. But that is a matter in which we cannot have much grievance. On the whole, it is the Principal of a college that ought to be given full authority. But the Government of this State, in order to ensure a proportionate number of seats for the communities, have thought it fit to have Selection Committees, who will advise the Principals. I think the Selection Committee should not take up the role of entirely superseding the Principal, but they can lay down the number of pupils that are to be taken in, and also interview the candidates whenever they have got to, and select them. I am not questioning this. So far as the Presidency College and the Queen Mary's College are concerned, there are no Selection Committees. I think full power ought to be given to the Principal of the college. In the Queen Mary's College, for Sanskrit in B.A., Part III—languages—the number fixed originally was 12. Now the college says

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that the number has been reduced to five or six. A student with Sanskrit in B.A. Part III was refused admission on the ground that a greater number of seats had been allotted to other languages and that the number allotted to Sanskrit had, therefore, been reduced to five or six. I think this is wrong. When the number fixed for Sanskrit is 12, I should think that the Principal or any other authority who was responsible, should have seen whether these twelve seats had been filled up. If the total number in this language had not been filled up, and if there should be vacancies, certainly the vacancies could have been allotted to other languages. I know the instance of a girl student who sought admission with Sanskrit as the language in Part III and was refused admission. She came to me and complained. That is why I am mentioning this here. I feel that on the whole, the Government would do well to support the Principal as the final authority in all these matters and not any other officer. I think this will give a great deal of satisfaction to the people.

THE HON. SRI C. SUBRAMANIAM : Mr. Chairman, Sir, I have been listening with a good deal of attention to the various matters raised on the floor of this House. I do agree that the general state of affairs prevailing with reference to the admission to the various colleges is felt to be unsatisfactory by the various sections of the public. I think it is necessary to take steps to see that this feeling is removed and that there is general satisfaction in the community as a whole that there is no injustice done to anybody in respect of admission to the various colleges. We have to deal with admission to the colleges under two or three heads. First, for admission to the professional colleges, as everybody knows, there is great rush. A large number of applications are received for admission to the medical colleges, engineering colleges, and to a certain extent, agricultural, veterinary, and other professional colleges. Therefore, in making selections, whatever might be the method adopted, there will be a large number—I should say thousands—of disappointed candidates. This itself creates a sense of frustration and dissatisfaction. Every parent thinks that his son or daughter has been unjustly denied admission. And this feeling goes on spreading. We cannot immediately increase the number of seats to satisfy at least a major portion of these applicants. That is the real difficulty involved. That is why we have appointed committees for the selection of candidates to these professional colleges. Even in respect of these committees, there is a feeling that recommendations do play their part. I hope they do not. But I do agree that there is the feeling prevalent among a large section of the people that without recommendation they cannot get admission to these professional colleges. To illustrate this, I would bring to your notice one case in which a certain student obtained 150 marks out of 150 in Mathematics, 148 marks out of 150 in Physics, and 146 marks out of 150 in Chemistry. This student came to me with the request that I should recommend him for admission to the engineering

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college. I may assure this House and you, Sir, that as far as these admissions are concerned, I usually say that I will have nothing to do with them. But in this case, I said, 'It is outrageous that you should come for a recommendation.' He would be automatically admitted to any college. Any college should be proud of having him in its list. But this only shows that even a person who has got such high marks thinks that recommendation is necessary for admission to the engineering college. I do not know whether there is any justification for this at all. But I do agree this needs a certain amount of investigation, and we should see that such a feeling does not persist. Anyhow, I can assure hon. Members that we will again review the position and take necessary steps to see that this feeling amongst the people is removed and to assure the people that recommendations will play no part in getting admissions to these professional colleges, for which there is such a great pressure.

5 p.m. Coming to the other colleges—Arts and Science Colleges—I shall first deal with admission to Honours courses which are provided only in a few of the City colleges. I am glad that the University is taking steps to provide Honours courses, rather post-graduate courses, in some of the mufassal centres in future. After the introduction of the three-year degree course, as it is, there may not be any Honours course even though my own view is that it requires investigation whether we cannot have a four-year Honours course also side by side with the three-year degree course. But that, as I said, is my own view and that is beside the point now. Now, there is rush for admission to Honours course, in coveted subjects like Physics, Chemistry and Statistics. There also, the number of applications for admission far exceeds the number of seats available. That is the real difficulty in making admission to Government colleges. These subjects are coveted by very many. It is also necessary that there should be some reservation for backward communities and Scheduled Castes and in reserving a certain percentage of these seats for them, we have given instructions to the selecting authority that only those who have attained a certain standard, i.e., sufficient proficiency in the subject, should be admitted. Otherwise, the Scheduled Castes and the Backward Classes will get no opportunity in getting admission to the Honours courses. I do not think anybody will grudge this. For the remaining seats, taking into consideration the condition in various areas we thought that it would be better to give, not with arithmetical or mathematical accuracy, representation regionwar or districtwar. But it should be kept in mind that in making selections, representation is given to all districts as far as possible. If there is a candidate available to fit into the course from any particular district or area, it does not mean that someone has got to be selected from that area. The selection authority has been told that districtwar representation should be borne in mind, if it is possible to give such representation. I have also further instructed that certain

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minority communities should be given representation even though there cannot be any statutory provision regarding their claims. I have said that minorities like Muslims should not be completely left out if there are candidates available with certain standards of proficiency. These are the general instructions which I have issued. It is only with reference to these instructions that selections are made for admission to the Presidency College. I do admit that the instructions are a little bit vague but in the very nature of things, they can only be vague. I cannot say that only persons with such and such marks should be selected. If I lay down such a rule, then a person with one mark more will automatically walk in. I do not think it is possible to lay down such a rule.

Then, Sir, a complaint was made that there was no Selection Committee for admission to the Presidency and the Queen Mary's Colleges. In this connection, the hon. Member Mr. K. Balasubramanya Ayyar made a very healthy suggestion, healthy theoretically, that the Principals should be made wholly responsible for these admissions. I wish we were able to accept this and the people as a whole were in a position to accept it. But in the midst of feelings now prevailing in the State, if there is a Brahmin Principal, there is no doubt, all Non-Brahmins will complain that all Non-Brahmin boys have been victimised. If he happens to be a Non-Brahmin Principal, I have no doubt, all Brahmin boys will complain, 'We have been unnecessarily victimised'. If he is a Malayalee, everybody will come and say, 'Malayalee boys and girls have been preferred' or if he happens to be a Christian, everyone will say, 'Only Christians have been given preference.' Unfortunately, that is the feeling here. That is why, in a Selection Committee we put in various elements so that there may be some sense of satisfaction or at least one particular community may not be accused that it has predominant representation.

SRI K. BALASUBRAMANYA AYYAR: In the Engineering College Selection Committee, there was no Brahmin. I say this because the Hon. Minister said all kinds of elements were put into the committee.

THE HON. SRI C. SUBRAMANIAM: Apart from Brahmins, there are various sections represented. Therefore, there is no question of any community being represented. It is a question of no community being accused. I am not saying that if a Brahmin is there, he will do injustice to the Non-Brahmins or if a Non-Brahmin is there, he will do injustice to the Brahmins. But there will be that feeling because so many people have got to be refused admission. That is the real problem. So, we try to satisfy the various elements as far as possible. With reference to the Presidency College, I may inform the House that it is the Principal that makes the initial selection. Instead of leaving it at that, I have requested the Director of Public Instruction to go into the lists, after the initial selection is made, and see whether any injustice

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has been done to anybody or whether there has been any glaring error so that, if anything is found out, it may be rectified at that stage.

DR. V. K. JOHN: According to the instructions issued by the Government?

THE HON. SRI C. SUBRAMANIAM: Yes; according to the instructions issued by the Government. Even though the Principal selects, the Director of Public Instruction will have to be the ultimate appellate authority. So, instead of allowing things to happen in such a way as will warrant an appeal, I have asked the Director of Public Instruction to set right things at an earlier stage so that the final list may be drawn up correctly. These instructions have given room for a lot of complaints and misunderstanding and there is a feeling that there should be Selection Committees for the Presidency and the Queen Mary's Colleges also. I may assure hon. Members that in view of the complaints made about selections, I sent for the final list for scrutiny but found on the face of it that no injustice had been done to anybody. My instructions have been fairly observed. That is all I would like to say here. Of course, there is this kind of injustice, if it can be called so. A person who gets very high marks in a particular area gets knocked out when, from another area, a person with lesser marks gets in. It is an injustice he feels and it is justifiable too to a certain extent. If it is suggested that the principle of regional representation which is responsible for this is wrong, then I am prepared to be advised by Members. But I think in the present circumstances that it is necessary to give a certain amount of representation to particular regions in regard to the study of these very important subjects. This is how a person who gets very high marks does not get selected and he goes about telling everybody, 'I have got such high marks; I have been left out and a person with lesser marks has been admitted.' He does not know the circumstances under which he has been left out. This is the general state of affairs and people begin to accuse everybody that there is nepotism and favouritism in the matter of admission to colleges. I may assure hon. Members that no such thing as nepotism or favouritism has ever been there and that only the methods suggested by the Government have been followed. If the basis of these is wrong, I am prepared to be corrected.

5.10 p.m. Then, Sir, the hon. Member Sri T. Purusotham referred to complaints made by certain persons that sufficient facilities for students whose mother-tongue was Telugu were not given and that they had been now curtailed. I have heard also reports from very high quarters that some persons have written making a general charge against the Madras Government that the latter are discriminating against linguistic minorities. Sir, this is absolutely a

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baseless charge and I want to be very emphatic about that. Particularly, it was stated that there was no provision in the Queen Mary's College for Telugu students to study in the Pre-University Class and that there was also no provision for taking advanced Telugu. I myself was surprised because if any change should take place, it should be under my orders. I was wondering whether something had happened in spite of me, without my being made aware of it. So, I called for a report giving details about the students admitted to the Pre-University Class according to the languages taken by them. I find that there is provision for teaching of Telugu, that Telugu students have been admitted, that there is provision for teaching of advanced Telugu, that students have taken advanced Telugu and that there are no students who want to take Telugu or who want to take advanced Telugu waiting for admission. That is the state of affairs, Sir. Even with reference to private educational institutions, we have fixed a certain minimum number—but I do not think that anybody will expect that if there are two or three students only available, even for them a separate section should be opened—and if that minimum number of students are available, a separate section should be compulsorily opened for them. That is so not only with reference to Telugu but also with reference to Kanarese, Malayalam, Urdu and various other languages. That also applies to Gujarathi, as a matter of fact. Facilities have been provided for learning their languages for all linguistic minorities. Therefore, if anybody should make a charge against the Madras Government that they are discriminating against linguistic minorities, I can only say that it is a malicious charge. If there was any such thing, it could have been brought to my notice. They could have asked for my explanation why such a thing was done. But some persons think that they should get protection from the Andhra Pradesh Ministers for their educational facilities here. It is a wrong approach, Sir. I do hereby declare that we are responsible for giving facilities to them and that none can interfere as far as this matter is concerned. Any such interference cannot bring any benefits to them; on the other hand, it will only create greater bitterness. If we have done anything wrong, let them come to me and tell me that such and such a thing has taken place. When I went to see a high personage who visited the City recently, he suddenly told me that I should not misunderstand if he put me a certain question. Then he asked me whether the Madras Government's policy was to discriminate against Telugu citizens in the City. I was taken aback. I told him that to my knowledge nothing of that sort had happened. Then, this question of not making provision for teaching of Telugu in the Queen Mary's College was brought to my notice. I then made an enquiry about it and I am writing to that person giving all the facts. Therefore, as far as we are concerned, we are giving all facilities for linguistic minorities. Then, Sir, we have provided for Honours course in Telugu in the Presidency College. But, unfortunately, we had not

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sufficient number of students seeking admission to this course. I was told this year there were only two applicants and one of them was not qualified. Therefore, there was only one student. Can we continue, Sir, the Honours course particularly when there is not sufficient number of students who wish to take advantage of it and thus add up to the cost of the college by having Professors and Lecturers? In spite of that, we have kept it open but if it is found that the same state of affairs continues next year also, we will have to consider whether it should be closed or whether it should be kept open.

So also, another hon. Member Sri Mohamed Raza Khan complained about Islamic Culture or Islamic History Honours Course. I called for particulars. There have been a few applicants but all of them are not qualified according to the standards we have laid down for admission to the Honours course. What would the hon. Member advise us to do then? Simply because there are no qualified applicants and some applicants who are not qualified have come forward seeking admission to that course, shall we admit them to the Honours course even though they may not come up to the standards laid down for admission? That is where the difficulty arises. Therefore, I may assure Members of this House that we are trying to do justice to the various sections. This is a very difficult problem. I do realise that when a particular person finds that his son or daughter does not get admission to the course or to the college where he wants to get him or her admitted—after all, as far as he is concerned, it is all-important that his son or daughter should get admission—naturally he has a sense of frustration, and that goes about spreading. But, in the present circumstances, that cannot be helped.

With reference to the allegation that Muslim students have not been given admission in sufficient numbers, I called for figures. I find that in the Presidency College for the Post-Graduate course 5 Muslim students were qualified for admission and that all of them have been admitted. In the Honours course, 17 applicants were qualified for admission and out of them 11 were admitted. In the Pass course, 48 applicants were eligible for admission and 23 were admitted.

So also, I have got figures with reference to the admission of students to professional colleges. I may tell the hon. Member that the percentage here also is a little in excess of the population proportion. But I do agree that if it is possible, every section should get a little more than the population proportion and if that is adopted, we should have not 100 per cent seats but 150 per cent seats which would be an impossibility. If seats are provided in excess of the population proportion to a section, everybody else would like to have it in that way and then it will be an impossible task to manage things. If the hon. Member wants accurately the number admitted

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to the various professional colleges, I can give him that also. In the Medical College, out of a total of 249 seats the number of Muslim students selected for admission is 9. In the Engineering Colleges out of 307 seats, the number of Muslims admitted is 17. In the Pre-Professional course out of 307 seats, the number of Muslims admitted is 19. In the College for Integrated Medicine out of 125 students, the number of Muslims admitted is 19. So, I do not think there could be a legitimate complaint. I do agree that in a particular case probably which the hon. Member wanted to be considered or wanted to be reconsidered, it could not be done not only because of the marks he had obtained but also because of the bad history of the boy in the Presidency College. (Sri Mohamed Raza Khan: I only referred to general vagaries . . .) But I may assure the hon. Member that he was once admitted in the Presidency College. Then he was sent out of the College for two years. Again, the boy sought re-admission but taking into consideration the bad history of the boy, the Principal very strongly felt that if he was re-admitted, it would demoralise the entire college. Sir, that is the real position so far as this matter is concerned.

5-20
p.m.

I think I have touched upon almost all the points raised during the discussion. So, I do not think I should take more time of this Hon. House. I may assure this House that it will be the endeavour of this Government always to see that a sense of justice prevails among the various sections of the people. I may also tell this House that we shall try our best to see that we bring about such a condition in this State. Sir, I may also add that if any corrections have got to be applied, we shall unhesitatingly apply those corrections to see that the people as a whole feel that justice is being done.

SRI T. PURUSHOTHAM: Sir, may I know from the Hon. the Minister for Education whether a Selection Committee will be constituted in the case of the Queen Mary's College also as in the case of the Presidency College?

THE HON. SRI C. SUBRAMANIAM: Yes, Sir.

MR. CHAIRMAN: We have just finished the discussion on this subject within the time allotted.

I may inform the hon. Members that a Government Transport bus is waiting outside to take the hon. Members to the Government House party. Those who want, may make use of it.

The House will now adjourn and meet again at 3 p.m. on Monday, the 29th July 1957.

The House then adjourned.

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

* 1. Bills passed by the Assembly and received therefrom in the Council—

(a) The Madras General Sales Tax and Sales of Motor Spirit Taxation (Amendment) Bill, 1957 (L.A. Bill No. 6 of 1957).

(b) The Madras Plantations Agricultural Income-tax (Amendment) Bill, 1957 (L.A. Bill No. 7 of 1957).

2. Notification issued with G.O. Ms. No. 2020, Food and Agriculture, dated the 4th July 1957, regarding the amendment to rule 65 of the Madras Commercial Crops Markets Rules, 1948. [Laid on the table of the House under section 18 (4) (c) of the Madras Commercial Crops Markets Act, 1933].

3. Short review of the main activities of the Madras Port Department excluding Tuticorin for the first-half of 1956-57 ending 30th September 1956.

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APPENDIX I.

[Vide answer to starred question No. 47 put by Sri T. Purushotham at a meeting of the Legislative Council held on 27th July 1957, at page 143 supra.]

STATEMENT SHOWING THE LIST OF TEMPLES FOR WHICH STATE GRANTS WERE GIVEN DURING 1955-56 AND 1956-57.

Serial number and name of the temple, village, taluk and district.	Amount of Government grant given.	When the grant was given (specify the year).	Donations, if any, collected from the public.	Actual amount spent so far.
(1)	(2)	(3)	(4)	(5)
	RS.		RS. NP.	RS. NP.
CRINGLEPUT DISTRICT.				
1 Sri Prasanna Venkatesa Perumal temple, Malai Vaiyavoor, Madurantakam taluk.	5,000	1955-56	1,535-00	6,503-22
2 Sri Venkateswarar temple, Kadapperi, Madurantakam taluk.	6,000	1955-56	164-00	5,152-28
3 Sri Vijayaragava Swamy temple, Tiruppukuzhi, Kancheepuram taluk.	10,000	1955-56	2,261-00	7,870-53
4 Sri Sekkilar temple, Kunrahur, Sriperumbudur taluk.	7,000	1955-56	2,848-50	9,832-22
5 Sri Masilamaniswarar temple, Thirumullavoyal, Saidapet taluk.	5,000	1956-57	1,029-33	2,746-53
6 Sri Thyagarajaswamy temple, Thirukachur, Chingleput taluk.	4,000	1956-57	..	..
7 Sri Yadhokthakarishwami temple, Kancheepuram town and taluk.	5,000	1956-57	..	47-22
8 Sri Vedapuriswarar temple, Thiruvankadu, Sriperumbudur taluk.	250	1956-57	..	..
NORTH ARCOT DISTRICT.				
9 Sri Arunachaleswarar temple, Tiruvannamalai.	6,000	1955-56	2,000-00	28-25
10 Sri Vedapuriswarar temple, Tiruvettipuram, Cheyyar taluk.	15,000	1955-56	6,636-12	10,956-67
11 Sri Bilvanathaswamy temple, Tiruvallam, Gudiyatham taluk.	12,000	1955-56	2,038-00	304-19
SOUTH ARCOT DISTRICT.				
12 Sri Pasupatheeswarar temple, Tiruvannamur, Cuddalore taluk.	8,000	1955-56	1,372-44	1,189-06
13 Sri Bakthajaneswarar temple, Thiruvannamur, Tirukkoyilur taluk.	8,000	1955-56	2,303-00	1-00
14 Sri Abirameswarar temple, Tiruvannamur, Villupuram taluk.	8,000	1956-57	7,621-50	9,307-72
15 Sri Marudeeswarar temple, T. Edyar, Tirukkoyilur taluk.	5,000	1956-57	..	..
16 Sri Kirupapureeswarar temple, Tiruvannamur, Tirukkoyilur taluk.	5,000	1956-57	1,700-00	..
17 Sri Nethotharageswarar temple, Panayapuram, Villupuram taluk.	5,000	1956-57	..	..
18 Sri Vridhagariswarar temple, Vridhachalam.	15,000	1956-57	3,060-00	722-19

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STATEMENT SHOWING THE LIST OF TEMPLES FOR WHICH STATE GRANT WERE GIVEN DURING 1955-56 AND 1956-57—cont.

Serial number and name of the temple, village, taluk and district.	Amount of Government grant given.	When the grant was given (specify the year).	Donations, if any, collected from the public.	Actual amount spent so far.
(1)	(2)	(3)	(4)	(5)
RS.			RS. NP.	RS. NP.
TANJORE DISTRICT.				
19 Sri Pushpavaneswarar temple, Melathiruppanthuruthi, Tanjore taluk.	5,000	1955-56	36,549.5	43,742.98
20 Sri Appar Matam, attached to the above temple.	6,000	1955-56		
21 Sri Abathsahayeswarar temple, Thirupazhanam, Tanjore taluk.	4,000	1955-56		
22 Sri Vedapuriswarar temple, Thiruvetikudi, Tanjore taluk.	4,500	1955-56	245.00	2,243.69
23 Sri Othavaneswarar temple, Thiruchothuthurai, Tanjore taluk.	5,000	1955-56	3,726.00	7,472.58
24 Sri Girthapuriswarar temple, Thillasthanam, Tanjore taluk.	3,000	1955-56	75.00	3,034.33
25 Sri Vilvavaneswarar temple, Thiruvaithavoor, Papanasam taluk.	9,400	1955-56	3,734.50	11,563.61
26 Sri Sathguneswarar temple, Senganur, Kumbakonam taluk.	10,000	1955-56	2,030.00	9,368.75
27 Sri Kolavalliramaswami temple, Thiruvalliamgudi, Kumbakonam taluk.	6,000	1956-57	200.00	..
28 Sri Chakravahiswarar temple, Chakrapalli, Papanasam taluk.	6,000	1956-57	330.00	1,456.52
29 Sri Palaivananathaswamy temple, Thiruppallathurai, Papanasam taluk.	6,000	1956-57	1,952.3	5,894.55
30 Sri Vadamaniswarar temple, Thiruvallampezhi, Tanjore taluk.	3,000	1956-57	..	..
31 Sri Agniswar temple, Thirukattupalli, Tanjore taluk.	7,000	1956-57	..	..
32 Sri Pilasavaneswarar temple, Nalur, Kumbakonam taluk.	2,000	1956-57	..	..
33 Sri Sommanathaswami temple, Kilapalayarai, Kumbakonam taluk.	15,000	1956-57	1,075.00	..
34 Sri Punyanathaswami temple, Tiruvivasal, Nannilam taluk.	15,000	1956-57	201.00	2,063.75
35 Sri Madhuvaneswarar temple, Nannilam, Nannilam taluk.	6,000	1956-57	126.00	1,436.5
TIRUCHIRAPPALLI DISTRICT.				
36 Sri Chandrasekaraswamy temple, Tiruchendurai, Tiruchirappalli taluk.	7,500	1955-56	477.53	4,322.44
37 Sri Kalumalainathaswamy temple, Jayankondacholapuram, Udayarpalayam taluk.	6,000	1956-57	733.00	20.22
38 Sri Thirunedungulanathaswamy temple, Tirunedungulam, Tiruchirappalli taluk.	6,000	1956-57	6.20	..

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STATEMENT SHOWING THE LIST OF TEMPLES FOR WHICH STATE GRANTS WERE GIVEN DURING 1955-56 AND 1956-57—cont.

Serial number and name of the temple village, taluk and district.	Amount of Government grant given.	When the grant was given (specify the year.)	Donations, if any collected from the public.	Actual amount spent so far.
(1)	(2)	(3)	(4)	(5)
RS.			RS. NP.	RS. NP.
TIRUNELVELI DISTRICT.				
39 Sri Alagiakoothar temple, Sepparai, Tirunelveli taluk.	15,000	1955-56	6,606.25	4,303.47
40 Sri Edandalingaswamy temple, Kandeeswaram, Srivaikuntam taluk.	6,000	1955-56	1,508.00	6,731.62
41 Sri Kailasanathaswamy temple, Thenthirupperai, Tiruchendur taluk.	6,000	1956-57	1,166.00 (Local) 384.00 (Ceylon)	342.00
			1,550.00	
42 Sri Makedunkuzhaikathar temple, Thenthirupperai, Tiruchendur taluk.	6,000	1956-57	360.00	..
43 Sri Kanakasabapathi temple, Kari-soo'inthamangalam, Ambasamudram taluk.	3,750	1956-57	1,000.00	..
MADURAI DISTRICT.				
44 Sri Kalamegaperumal temple, Thirumohur, Madurai taluk.	9,000	1955-56	1,575.00	3,833.61
45 Sri Balasubramaniaswamy temple, Thenkarakai, Periakulam taluk.	6,000	1956-57	Nil.	8,000.00
			This temple will be getting Rs. 1,000 from Sri Dhanyuthapanisamy Devan, Palni.	
46 Sri Kalahastheswarar temple, Uthamapalayam, Periakulam taluk.	6,000	1956-57	170.00	No progress.
RAMANATHAPURAM DISTRICT.				
47 Sri Pushpavaneswarar temple, Thiruppuvanam, Sivaganga taluk.	3,000	1955-56	814.53	3,110.94
48 Sri Chidambareswarar temple, Sathur town and taluk.	4,500	1956-57	2,911.44	5,660.19
49 Sri Sowminarayanaperumal temple, Thirukoshtiyur, Thiruppathur taluk.	7,500	1956-57	115.00	1,600.00
SALEM DISTRICT.				
50 Sri Ardhanareeswarar temple, Tiruchengode, Salem district.	5,000	1955-56	3,035.62	1,255.36
COIMBATORE DISTRICT.				
51 Sri Avinashilingeswarar temple, Avinashi, Coimbatore district.	6,000	1955-56	..	..
52 Sri Thirumurugarathaswamy temple, Thirumuruganpundi, Avinashi taluk, Coimbatore district.	5,000	1955-56	3,100.56	7,172.95
53 Sri Sangameswaraswami temple, Bhavani, Coimbatore district.	15,000	1956-57	1,15,528.41	1,04,981.02
	3,66,000			

N.B.—The statement does not include particulars for a sum of Rs. 34,000 granted to the institutions in Malabar and South Kanara districts transferred to other States.

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APPENDIX II.

[Vide item V (1) on page 147 supra.]

L.A. BILL No. 6 OF 1957.

(As passed by the Assembly.)

A Bill further to amend the Madras General Sales Tax Act, 1939, and the Madras Sales of Motor Spirit Taxation Act, 1939.

WHEREAS it is expedient further to amend the Madras General Sales Tax Act, 1939 (Madras Act IX of 1939), and the Madras Sales of Motor Spirit Taxation Act, 1939 (Madras Act VI of 1939), for the purposes hereinafter appearing ;

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

1. *Short title and commencement.*—(1) This Act may be called the Madras General Sales Tax and Sales of Motor Spirit Taxation (Amendment) Act, 1957.

(2) Section 2 shall come into force on the 1st day of August 1957.

2. *Amendment of section 3, Madras Act IX of 1939.*—In sub-section (1) of section 3 of the Madras General Sales Tax Act, 1939 (Madras Act IX of 1939), for the words “one and nine-sixteenth per cent”, the words “two per cent” shall be substituted.

3. *Amendment of section 7, Madras Act VI of 1939.*—In section 7 of the Madras Sales of Motor Spirit Taxation Act, 1939 (Madras Act VI of 1939), for the words “without a receipt for the full amount of the tax due”, the words “without paying the full amount of the tax due in the manner prescribed” shall be substituted.

APPENDIX III.

[Vide item V (2) on page 158 supra.]

L.A. BILL No. 7 OF 1957.

(As passed by the Assembly.)

A Bill further to amend the Madras Plantations Agricultural Income-tax Act, 1955.

WHEREAS it is expedient further to amend the Madras Plantations Agricultural Income-tax Act, 1955 (Madras Act V of 1955), for the purposes hereinafter appearing ;

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

1. *Short title and commencement.*—(1) This Act may be called the Madras Plantations Agricultural Income-tax (Amendment) Act, 1957.

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

2. *Amendment of the Schedule to Madras Act V of 1955.*—(1) In Part I of the Schedule to the Madras Plantations Agricultural Income-tax Act, 1955 (Madras Act V of 1955), for items (3) to (7), the following items shall be substituted, namely :—

“ (3) On the next Rs. 5,000 of total agricultural income. Fifteen naye paise in the rupee.

(4) On the next Rs. 5,000 of total agricultural income. Twenty naye paise in the rupee.

(5) On the next Rs. 5,000 of total agricultural income. Twenty-five naye paise in the rupee.

(6) On the next Rs. 5,000 of total agricultural income. Thirty naye paise in the rupee.

(7) On the balance of total agricultural income. Forty-five naye paise in the rupee.”

(2) Any assessment completed before this Act is published in the *Fort St. George Gazette* may be reopened and assessment made at the rates applicable to such a case under the Madras Plantations Agricultural Income-tax Act, 1955 (Madras Act V of 1955), as amended by this Act.

I certify that this is a Money Bill.

U. KRISHNA RAU,
SPEAKER,
Madras Legislative Assembly.

THE MADRAS LEGISLATIVE COUNCIL

Monday, 29th July 1957.

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

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

National Extension Service and Community Development Blocks

* 48 Q.—SRI A. GAJAPATHY NAYAGAR: Will the Hon. the Chief Minister be pleased to place on the table of the House a list showing—

(a) the number of National Extension Service and Community Development Blocks in the State as at present which have completed (i) 3 years, (ii) 2 years, and (iii) 1 year;

(b) the number of Adult Education and Social Education Centres in each of the Blocks which have completed (i) 3 years, (ii) 2 years, and (iii) 1 year;

(c) the number of illiterates who have been made literates in each of the centres;

(d) the total amount allotted for each National Extension Service and Community Development Blocks;

(e) the expenditure incurred on Social Education in each Block; and

(f) the amount spent for adult literacy?

THE HON. SRI R. VENKATARAMAN (on behalf of the Hon. the Chief Minister): (a) (i) 40 (including 15 Blocks, which have completed their intensive period and reverted as National Extension Service Blocks).

(ii) 18.

(iii) 12.

(b) Please see column (2) of the statement * placed on the table of the House.

(c) Please see column (3) of the statement ^a placed on the table of the House.

(d) *National Extension Service Blocks*.—Rs. 7.5 lakhs for blocks set up before 1st April 1956 and Rs. 7 lakhs for those set up on or after 1st April 1956 (including Rs. 3 lakhs short-term credit facilities to be provided by the State Government in both cases).

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Community Development Blocks.—Rs. 15 lakhs for blocks set up or converted before 1st April 1956 and Rs. 12 lakhs for blocks converted on or after 1st April 1956 less the expenditure incurred at the National Extension Service stage in the case of the converted Community Development Blocks in both cases.

(e) Please see column (4) of the statement placed on the table of the House.

(f) Separate figures are not available. The expenditure is included under 'Social Education'.

SRI A. GAJAPATHY NAYAGAR: நாஷனல் எக்ஸ்டென்ஷன் சென்டர்ஸ், கம்யூனிடி டெவலப்மெண்ட் ப்ளாக்ஸ் ஆகிய திட்டங்களுக்கு ஒதுக்கப்பட்ட எல்லாத் தொகைகளையும் அரசியலார் செலவிட்டிருக்கிறார்களா? அல்லது ஏதாவது தொகை செலவிடப்படாமல் விடப்பட்டிருக்கிறதா?

THE HON. SRI R. VENKATARAMAN: I want notice of this question.

DR. V. K. JOHN: Are the Government collecting statistics periodically as to the effect of the work done in these National Extension Service and Community Development Block areas?

THE HON. SRI R. VENKATARAMAN: Yes, Sir, that is being done.

DR. V. K. JOHN: Are the results achieved published and laid on the table of the House?

THE HON. SRI R. VENKATARAMAN: They are not published or laid on the table of the House. If the hon. Member puts a separate question, certainly the information will be furnished.

SRI MOHAMED RAZA KHAN: May I know how these places are selected? Is it done on the basis of the demands from the local people or do the Government themselves make a survey and decide the places for these schemes?

THE HON. SRI R. VENKATARAMAN: There is demand from every part of the State but in the selection of places, contiguity and certain other natural facilities available in the areas are taken into consideration.

SRI G. KRISHNAMOORTHY: May I know the age-group of the adults admitted to schools in the Adult Education Centres?

THE HON. SRI R. VENKATARAMAN: I should think that any person over 18 years would come to these Centres.

SRI MOHAMED RAZA KHAN: May I know whether influence plays a part in this matter of selection of centres or whether it is done purely on account of the necessity for such works?

THE HON. SRI R. VENKATARAMAN: If the hon. Member would define what he means by the word 'influence', perhaps it would be easy for me to answer. If some persons bring to the

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notice of the Government the needs of a particular place or a particular area, I do not think that he would classify it as 'influence.'

Persons arrested under section 151 of the Criminal Procedure Code

* 49 Q.—**SRI MOHAMED RAZA KHAN:** Will the Hon. the Minister for Home be pleased to state—

(a) the number of persons arrested under section 151 of the Criminal Procedure Code in the City of Madras from October 1956 to the end of March 1957 for various offences;

(b) the number prosecuted; and

(c) the number convicted?

THE HON. SRI M. BHAKTAVATSALAM: (a) 916.

(b) 58.

(c) 52.

SRI MOHAMED RAZA KHAN: While the number of persons arrested is nearly 1,000, why have the Police launched prosecution against 50 or 60 persons only?

THE HON. SRI M. BHAKTAVATSALAM: In the latter half of 1956, there were serious political demonstrations by certain political parties and also by workers belonging to some trade union or other and certain mass arrests had to be made. Five hundred and ninety persons come under this category. Then, again, there was a serious drive to put down betting on cotton prices which was notoriously organized in the City; there was a link between some of these organizers and some of the rowdy elements in the City. They were giving trouble and 326 persons were reported to have been arrested under this head. That is how a large number of persons were arrested under section 151 of the Criminal Procedure Code.

SRI V. CHAKKARAI CHETTY: May I know what section 151 contains?

SRI A. M. ALLAPICHAJ: Sir, section 151 of the Criminal Procedure Code is rather a very vague section. I know that some notorious characters against whom there may not be very sound evidence are sometimes arrested for the time being under this section. But, Sir, in view of the fact that we are a democratic people, I think that sections like that do not deserve to exist on the Statute-book.

THE HON. SRI M. BHAKTAVATSALAM: Sir, for the edification of the hon. Member who has just sat down, and for the enlightenment of the hon. Member who wanted to know about section 151, I shall now read section 151—

'A Police officer knowing of a design to commit any cognizable offence may arrest, without orders from a Magistrate and

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without a warrant, the person so designing, if it appears to such officer that the commission of the offence cannot be otherwise prevented.'

Therefore, there is no element of notoriety or any such thing as remarked by the hon. Member in that section.

SRI MOHAMED RAZA KHAN: I think this is what the Deputy Chairman has stated in his question. In certain cases there are possibilities of innocent persons being detained. So, may I know whether the Government are satisfied that in the majority of cases, innocent persons are not detained?

THE HON. SRI M. BHAKTAVATSALAM: Yes, Sir, the Government are absolutely satisfied about it.

SRI V. GURUNANDAN ROW: Is the Hon. Minister aware that section 151 is being utilized in cases where the Government cannot arrest persons on any other ground and that they are kept in custody for 14 days even though they could not come strictly under section 151?

THE HON. SRI M. BHAKTAVATSALAM: I have no such information. If the hon. Member puts a separate question, I shall answer it.

Handlooms in the State

* 50 Q.—SRI A. J. ARUNACHALAM: Will the Hon. the Minister for Industries be pleased to state—

(a) the district-war total number of handlooms registered so far in the State; and

(b) whether there is any proposal before the Government to get all the weavers into the co-operative fold?

THE HON. SRI R. VENKATARAMAN: The answer ^a is placed on the table of the House.

SRI A. J. ARUNACHALAM: Are the Government aware that only 50 per cent of the weavers have joined the co-operative societies? So, may I request the Government to consider the desirability of appointing a Committee to find out ways to get all the weavers into the co-operative fold?

THE HON. SRI R. VENKATARAMAN: Several inducements are offered to weavers to join the co-operatives like loans, advances towards share capital, etc. The Committee suggested by the hon. Member is not likely to be effective. If persuasion does not succeed, it only means that some people want to remain outside the co-operative fold.

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SRI A. J. ARUNACHALAM: In spite of encouragement to the weavers, may I know why they are not coming into the co-operative fold?

THE HON. SRI R. VENKATARAMAN: As I said the other day, several explanations are offered but the Government have no definite proof. One of them is that the weavers are related to master-weavers and that they prefer to work under them. Another reason is that they get better credit facilities from the master weavers.

SRI V. CHAKKARAI CHETTY: May I know whether joining a co-operative society is compulsory or voluntary?

THE HON. SRI R. VENKATARAMAN: Sir, co-operative institutions would cease to be co-operative institutions if compulsion were to be applied. There is no compulsion in this matter.

SRI MOHAMED RAZA KHAN: Is not the Provincial Handloom Board which used to advise periodically on matters pertaining to handlooms existing now?

THE HON. SRI R. VENKATARAMAN: Yes, Sir.

SRI M. ETHIRAJALU: நகரங்களில் உள்ள கூட்டுறவுச் சங்கங்கள் பக்கத்திலுள்ள கிராமங்களில் இருக்கும் நெசவுத் தொழிலாளர்களைத் தங்கள் சங்கங்களில் அங்கத்தினர்களாகச் சேர்த்துக்கொள்ள மறுக்கிறார்கள். இதற்குக் காரணம் கேட்டால் 'நீங்கள் கிராமத்தில் வசிப்பதால் உங்களைச் சேர்த்துக்கொள்ள முடியாது' என்று அந்தச் சங்கத்தினர் இவர்களிடம் கண்டிப்பாகச் சொல்கிறார்கள். ஆகவே கிராமங்களிலுள்ள நெசவுத் தொழிலாளர்களை தொழில் துறையில் உயர்த்துவதற்காக அவர்களுக்கு ஏதாவது சலுகைகள் கொடுப்பதற்கு அரசாங்கம் முன்வருமா?

THE HON. SRI R. VENKATARAMAN: ஒவ்வொரு கூட்டுறவுச் சங்கத்திற்கும் 'எரியா ஆப் கோவாபரேஷன்' என்று ஒரு கட்டுப்பாடு விதிக்கப்பட்டிருக்கிறது. 'எரியா ஆப் கோவாபரேஷன்'-இல் வசிக்கிறவர்கள் தான் அந்த அந்த கூட்டுறவுச் சங்கத்தில் சேரலாம். வெளியில் இருக்கிறவர்கள் கூட்டுறவுச் சங்கங்களில் சேர விரும்பினால் அவர்களுக்காக அவைகளை அமைக்க அரசாங்கம் எப்போதும் தயாராக இருக்கிறது.

MR. CHAIRMAN: Questions are over.

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

II.—ADJOURNMENT MOTION RE-ENQUIRY INTO ALLEGATIONS AGAINST THE INSPECTORS-GENERAL OF POLICE, MADRAS.

MR. CHAIRMAN: I have received notice of a Motion ^a for adjournment of the business of the House to discuss a definite matter of urgent public importance from the hon. Member Sri Mohamed Raza Khan. The matter relates to the scope and

^a I hereby give notice that I intend to move a motion for adjournment of the business of the Council to discuss a definite matter of urgent public importance, namely, the scope and nature of the proposed enquiry by a High Court Judge into the allegations levelled against the Inspector-General of Police, Madras,

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nature of the proposed enquiry by a High Court Judge into the allegations levelled against the Inspector-General of Police, Madras. Now, I shall ask the hon. Member Sri Mohamed Raza Khan to make a brief statement of his case and then request the Hon. Minister concerned to give his reply before I give my ruling.

3-10 p.m. SRI MOHAMED RAZA KHAN: Sir, as far as we, the Members of the Council, are concerned, we are quite unaware of this except for what we read in the papers. Like the general public, we too have been taken unawares. However, as it is the official statement of the Minister in charge of Police, we take it at its face value. The whole procedure has created a sensation not only among the Members of the Legislature but also among the public. Because whatever is done now will become a precedent for the future. I say anything done now will create a precedent and there will be chances for anybody and everybody to make allegations and expect the same response from the Government or the official concerned. Sir, charges can be levelled against officials. I am not expected to go into this, but the question is that the very procedure will create a sort of fear complex in the mind of every official—particularly officials at the top. At the same time, as you are well aware, in matters relating to the Police Force, Members are always careful in their speeches, because whatever we may say here should not have any demoralising effect on them. We may have slight differences. We may have criticisms, but we are expected to be very careful in uttering even a word. Imagine what would be the effect on the Police Force when they read this news. There is another aspect which I would respectfully submit. Occasions may arise when Members will make charges. Does it mean that the Government should immediately take cognizance of it and institute an enquiry of this kind? What happens to the usual procedure? Is there no usual procedure for the Government to follow? Whenever some allegations are made, they take note of them and conduct an enquiry. It does not matter if the official concerned is the highest official. The interest is the interest of the State and the interest of the general public. Personality is of no account and of no consideration. If allegations or charges are made against officials either in this House or outside, the Government take notice of them, try to have their own enquiry, and then if they are satisfied that there is a *prima facie* case, they follow the usual procedure. The procedure that is adopted now seems to be a very unusual and very extraordinary procedure. What are the terms of reference to the Judge who will be appointed? What are the charges which are going to be placed before him? Who are the persons to go and give evidence? Will the person who made the complaint have a place in it? These are all important matters, particularly the terms of reference. Will extraneous matters unconnected with the whole thing be brought in? These are the things which are agitating the mind of the public. (Sri K. Balasubramanya Ayyar: The officer voluntarily agreed to an enquiry). We have really to

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admire the head of the department who has voluntarily agreed to this enquiry. Nobody in the discharge of his duties would like this mudslinging and keep quiet. We admire the officer for voluntarily agreeing to an enquiry. I do not want to embarrass the Minister by pressing the adjournment motion, but one thing I may say before I have sufficient justification for leave of the House to discuss this adjournment motion. This is not a mere isolated incident of a frivolous charge of something happening here. The whole background should be examined by Government. It does not matter whether one person suffers or not. What will be the effect on the Police Force and what will be the effect throughout on the course of law and order, should be examined by the Government. This is more important, because I say there is background for this. To-day the Police Force is unfortunately divided. The Police officials themselves are divided. The whole thing has to be examined, and the Government should know the position so that we can be proud of the fact that we have perfect discipline in the rank and file of the Police Force. I think that forces are at work and that people are trying to take advantage of this unfortunate fact that some officials are also behind the charges. This is my allegation.

* THE HON. SRI M. BHAKTAVATSALAM: Mr. Chairman, Sir, this enquiry relates to certain allegations made by an hon. Member of the other House in that House, and the officer concerned welcomed an enquiry. He wanted an early and independent enquiry so that this might be cleared before his retirement. Therefore, this enquiry was decided upon, and this enquiry relates to the allegations made in the other House. I made a statement in the other House about the decision of the Government to have an enquiry. The Hon. Mr. Justice P. N. Ramaswami has very kindly agreed to conduct the enquiry and the hon. Member knows that this enquiry is in the very competent hands of a learned judge. I may, therefore, submit that this is not a matter for an adjournment motion.

MR. CHAIRMAN: After hearing both sides, I am of the opinion that this is not a definite matter of urgent public importance, and I rule the adjournment motion out of order.

III.—GOVERNMENT BILLS.

(1) THE MADRAS BUILDINGS (LEASE AND RENT CONTROL)
AMENDMENT BILL, 1957 (L.A. BILL NO. 5 OF 1957).

* THE HON. SRI V. RAMAIAH: Sir, I move—

“That the Madras Buildings (Lease and Rent Control) Amendment Bill, 1957* (L.A. Bill No. 5 of 1957), as passed by the Legislative Assembly, be taken into consideration.”

[Sri V. Ramaiah] [29th July 1957]

Sir, in moving this Bill, I wish to say that I have gone through the proceedings of this House on 23rd August 1955, when the extension of the life of the Act for a period of two years beyond 30th September 1955 was sought. During the debate on that occasion, it was suggested, among other things, that the Government also should construct quarters for their employees and others to help solve the housing problem. I take this opportunity to inform the House that Government have taken on hand a number of house building schemes to provide accommodation not only for their servants but also for others including industrial workers and slum-dwellers. Hundreds of houses have been built both in the City and in mufassal towns and construction of more buildings is still going on. However, shortage of accommodation, both residential and non-residential, still persists and the housing position has not improved even after the reorganization of the States in 1956. The impression gained by me after listening to the speeches of the hon. Members in the Legislative Assembly the other day on this Bill goes to strengthen the view that there is a great need for the continuance of the Act not only in Cities and large towns but also in small mufassal towns including panchayat areas. During the debate in the Assembly, some Members made suggestions for amending the Act suitably for removing certain difficulties now experienced in the working of the Act, such as provisions for allotment of houses on a reasonable rent fixed by the Authorized Officer instead of on the rent demanded by the landlords, allotment of buildings to non-officials, shifting of some offices to places outside Madras City, etc. I have already made clear in my speech on the floor of the Assembly that a separate Bill providing for important amendments to several sections of the Act is already under the active consideration of the Government and that it would be introduced in the Legislature shortly. In the Assembly, several Members suggested that the principal Act be made a permanent measure; and there were also amendments to the Bill, one suggesting the extension of the Act till 30th September 1962, and another suggesting the deletion of the limitation of the life of the Act prescribed in sub-section (3) of section 1 of the principal Act. These were not accepted by me since the Government do not desire to continue any control measure longer than is absolutely necessary and want to review the position at suitable intervals and take decisions in the light of the conditions then prevailing. In these circumstances and in view of the fact that the Government have power, either to apply the provisions of the Act to any new area or to withdraw its application from any place where it is already in force, there may not be any difficulty to withdraw the operation of the Act from any place, if the House so decree, after considering all relevant facts in this regard. This Bill is a very simple measure seeking an extension of the life of the Act for a period of two years from 1st October 1957 and I hope that, in the circumstances stated, the House will accept it.

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MR. CHAIRMAN: Motion moved—

“That the Madras Buildings (Lease and Rent Control) Amendment Bill, 1957 (L.A. Bill No. 5 of 1957), as passed by the Legislative Assembly, be taken into consideration.”

SRI K. BALASUBRAMANYA AYYAR: Sir, we are thankful to the Hon. Minister for the full statement which he made about the proceedings in this House and also about the proceedings in the other House. I wish a similar procedure were adopted by other Hon. Ministers while moving their Bills, because sometimes we do not fully realize the background in which a Bill of this sort is brought forward. The first thing to remember about this Bill is this. This Rent Control Act has been in existence from 1946. Before that there was the Ordinance. The Act, as such, has been in existence from 1946 to 1957—11 years. We have been extending the life of the Act by two years every time from 1949. By this time I fancy the Government should have come to some decision as to the necessity of control or otherwise. I think the policy of waiting and seeing from year to year (or once in every two years) is not a satisfactory policy at all, especially when we consider this fundamental fact that for 11 years we have had this control. If the situation has not improved in all these 11 years, very likely it is that the situation is not going to improve even after another ten years. Even though I looked very carefully into the pamphlet “இரண்டாறு வரு திட்டம்” which is a very interesting document put into our hands recently, I found no details about housing which could be called anything encouraging. I am afraid sufficient money may not be forthcoming for the whole scheme on account of the import policy of the Government of India. Sufficient quantities of cement and steel will not be forthcoming for some time and I do not know whether it will be possible for the Government entirely to implement their pious programme. Therefore, I am not still very hopeful that even after two years the Government will be in a position to scrap this Bill. Sir, I find from the Hon. Minister's statement that the Government are thinking of amending various provisions of the Act. It shows that they want to continue the principles of the Bill for ever. That seems to be their idea. If that is so, many suggestions will have to be made for amending the Act. But I am not dealing with them now. So far as the present situation is concerned, things have fairly improved and many of the unsatisfactory features of housing have disappeared. For example, previously, huge advances of rent used to be taken but now this practice has almost stopped. There is very little of this practice in evidence now and I hope my friend Mr. Gajapathy Nayagar will testify to this. Houseowners are now restricting the advance to the limit mentioned in the Act. Another thing in favour of the houseowners is that they get the rent regularly and promptly. I have been a houseowner for some time. Before the advent of this Act, I never used to get the rent regularly and I had to go to the Court of Small Causes for obtaining a decree and then to face the prospects of revision and all that. So, there

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would be a lot of delay. Now, a tenant has got to deposit two months' rent before occupying the house. And if two months' default takes place, he will have to be evicted. The houseowners are in a much better position than landowners in this respect. If anybody wants to complain, he must shell down two months' rent. But so far as the tenants are concerned, they are not very much better. Unfortunately, there are two very important provisions in the Act which say that in respect of a house constructed after 1940 and 1946 the owner can stipulate his own rent. If the provisions are strictly construed, the owner may not be at liberty to do so. But, as a matter of fact, the owner in actual practice demands a large amount of rent and the tenant has to pay.

Another thing which I want to refer to is that the officers of the Government are in a privileged position so far as the Act is concerned. Under the provisions of the Act, any officer of Government can enter into agreement with the houseowner but the State Government would be the tenant. This is a provision which gives a lot of trouble to houseowners. They do not know who will be dumped upon them and it is all uncertain. So, I think that so far as employees of Government are concerned, the best thing would be for the Government to try to ease the housing situation, so that these employees may be provided houses and they may not come and interfere with the general tenor of the houseowner-tenant relationship.

Another important point is, in every house there are five or six tenants. For just one room and another, they have to pay Rs. 25 to Rs. 30. Small tenements are built and a number of people are huddled together. If anything could be done to help these people, it will be very nice. On the whole, I feel the Control will have to continue for some time more. When I say this, I am speaking on behalf of neither the houseowner nor the tenant. I am speaking impartially and correctly. I request the Government to take the matter into their hands and draw up a new piece of legislation with suitable provisions in it with a view to seeing that the Government servants do not come into the picture at all. If all these things are done, the cupidity of the houseowner can be completely checked and the safety and security of the tenant ensured.

Sir, I would like to have information on one point. In 1955, the Government took power to notify places where the Act would cease to be applicable. Have they notified any places or any town in this connection? I do not think they have done so. At any rate, that is my feeling. In 1955, they had a different temperament first and they thought that such an amendment might not be necessary. But when they went to the Assembly, a general provision was introduced by which any place could be exempted from the operation of the Act. I would like to know whether any place has actually been notified as such. I would also appeal to the Government to relax some of the provisions of the Act

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which are no longer necessary and make some provision for housing of Government servants so that they may not occupy a place of privileged tenancy. The Act could be made permanent only having regard to this fact. If at any time the Legislature feels that a large number of houses have come up, that the security and the safety of the tenants are ensured and that the cupidity of the landlord has ceased, it can repeal the whole Act.

* SRI A. M. ALLAPICHAJ: Mr. Chairman, Sir, the hon. Member who has just now spoken himself feels that there is justification for the extension of the life of this Act at least for some time.

SRI K. BALASUBRAMANYA AYYAR: You are not correctly explaining my attitude.

* SRI A. M. ALLAPICHAJ: As far as I am concerned, I think the Government have to take courage in both their hands and see that this Act is extended for a long time. There are some reasons why I say so. Some years back, the population of our City was very much less than what it is today. Now it is 14 or 15 lakhs.

MR. CHAIRMAN: Seventeen lakhs.

* SRI A. M. ALLAPICHAJ: What happens when there is great demand? If there is no Control, the poor tenants in the City of Madras will be at the tender mercy of the landlords. There is no doubt about that. They don't care for the tenants. They only care for more rent. If they can get Rs. 300 or Rs. 400 for a house which is worth only Rs. 100, then the existing tenant is thrown out if he cannot pay more. My friend opposite is shaking his head.

SRI K. BALASUBRAMANYA AYYAR: It cannot be done under the Act because there is a provision for fixing fair rent.

* SRI A. M. ALLAPICHAJ: There are so many ways in which they get over the provisions of the Act. The Government feel that there is strong justification for extending the life of the Act. When that is so, they must say boldly, "We will extend it for six or seven years instead of doing it just for two years."

As my hon. Friend pointed out, sometimes houseowners also experience difficulties, particularly when their houses are occupied by Government servants. I feel, Sir, that the Government which have a larger revenue should build houses for their servants. I do not know why they are not building houses for their servants. Now, the Government are giving house rent allowance to their servants. Instead, they can build houses and let them out to their servants. By so doing, the Government will save a lot of money which they are now spending by way of house rent allowance. The Government must have some kind of imagination in this matter.

SRI T. PURUSHOTHAM: Does the hon. Member want houses to be given free to Government servants?

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* SRI A. M. ALLAPICHAJ : The Government are now paying house allowance to Government servants. Instead, let them build nice little houses—not big palaces for Government servants to occupy. We are a poor nation and we cannot afford to construct big houses. Something must be done by the Government in this matter. The population of the City has been going on increasing. We are very proud that we have a republican form of Government, democracy and all that. Sometimes, when I walk through the narrow streets in Georgetown, etc., I use to find people sleeping on the pavements. In some places they have even constructed houses on the streets. It is all very bad. I do not find fault with them because they have no place to live in. Where can they go and live? They have no place except to drown themselves in the sea. I feel personally that we can get over all these things if there is a firm handling of the situation.

DR. V. K. JOHN : Whom does the hon. Member refer to by 'we'?

* SRI A. M. ALLAPICHAJ : I mean the Congress Government and the Members of the House here. The Government can float some loans for this purpose and out of that money can build houses.

DR. V. K. JOHN : Why do they not do it?

* SRI A. M. ALLAPICHAJ : The Government will have to float loans and build houses. The Government must make the lives of the people happy by giving them nice little houses to live in, and facilities for educating their children. My own personal feeling is that the Government must give free education up to the University standard. They must also give free medical aid. They must also provide jobs for unemployed people. (An hon. Member : Why not food?) They must give food also. Russia is the only country where food also is given to the people, whatever we may say about the political set-up in Russia.

THE HON. SRI R. VENKATARAMAN : Are they giving free food to the people?

* SRI A. M. ALLAPICHAJ : Not free food, Sir. But I understand everyone is given food and this may be correct or not correct. I really feel that even after getting Independence, there are still millions of people in our country who are hungry.

DR. V. K. JOHN : On a point of order, Sir. Are we speaking on this Bill or on Food?

* SRI A. M. ALLAPICHAJ : Let us not be very technical in these matters, Sir. What I wish to say in this connexion is that the Government must build a large number of houses. I want that this Act should be extended not for two years or three years but for a longer time. I quite agree with the hon. Member Sri K. Balasubramanya Ayyar that if there is any relaxation of rules, it should be fair to the tenants and to the landlords.

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SRI M. ETHIRAJALU : கனம் தலைவர் அவர்களே, வீட்டு வாடகைக் கட்டுப்பாடு மசோதாவின் கீழ் சில வார்த்தைகள் சொல்ல விரும்புகிறேன். இந்த மசோதா கீழ் சபையில் வந்தபோது பல அங்கத் தினர்கள் தெரிவித்தபடி இது நிரந்தரமாகவே இருக்க வேண்டியதொரு மசோதாவாகும். இச்சபையிலும் மேன்மைதங்கிய ஸ்ரீ பாலசுப்பிரமணிய ஐயர் அவர்கள் இந்த மசோதாவில் சில ஷரத்துக்களை வேண்டுமானால் நீக்கிவிட்டு இதை நிரந்தரமாக இருக்கும்படி செய்யவேண்டும் என்பதாகக் கேட்டுக்கொண்டார். ஆனால் நான் கேட்டுக்கொள்வது என்னவென்றால் எப்படி நிலமில்லாத ஏழைகளுக்கு அதிகமாக நிலம் உடையவர்களுடைய நிலத்தை எல்லாம் பங்கிட்டுக் கொடுக்கவேண்டும் என்று சட்டம் கொண்டு வரப்படுகிறதோ, அம்மாதிரி ஒருவர் இவ்வளவுதான் சொந்தமாக வீடுகளை வைத்துக்கொள்ளலாம் எனக் கட்டுப்படுத்தும் சட்டம் கொண்டுவரும் வரையாவது இந்தச் சட்டத்தை நீடிக்கவேண்டுமென்று கேட்டுக் கொள்ளுகிறேன்.

ஒருவர் ஐம்பது ஏக்கரா நிலம் வைத்திருந்தால், அவரை ஒரு நிலப் பிரபுவாகக் கருதி அந்த நிலங்களைப் பிரித்து, நிலம் இல்லாதவர்களுக்குக் கொடுக்க முன்வருகிறோம். அதே நிலமையில் நகரில் ஒருவருக்கு ஐந்து வீடுகள் சொந்தமாக இருந்தால் ஒரு லட்சம் ரூபாயில் ஒருவர் ஐந்து வீடுகளைக் கட்டினார் என்றால் இன்றைக்கு 50 ஏக்கரா வைத்துக் கொண்டிருப்பவரைக் காட்டிலும் அதிகமான வருமானத்தை இவர் அடைகிறார். ஆகவேதான் இந்தச் சட்டத்தை இன்னும் இரண்டு வருஷம், மூன்று வருஷம் என நீடித்துக்கொண்டே போகாமல் ஒரேயடியாக ஒருவர் இவ்வளவுதான் வீடு வைத்துக்கொள்ளலாம் எனச் சட்டம் கொண்டுவரும் வரையில் நீடித்துவிடவேண்டும். ஒரு வீடு வைத்திருப்பவர் குடும்பத்திற்கு விடுவதற்காக என்று வேறு வீடுகளை வாங்கக்கூடாது, கூட்டுறவு சங்கங்களில் சேர்ந்து வீடு கட்டக் கடன் வாங்கக்கூடாது, என்பதான திருத்தங்களை எல்லாம் கொண்டுவராத வரையில் வீடு இல்லாதவர்களுக்கு வீட்டு வசதியே ஏற்படாது என்று தெரிவித்துக்கொள்ளுகிறேன். இன்னும் சில திருத்தங்களும் இந்தச் சட்டத்தில் செய்யவேண்டும். அதாவது இன்றைக்கு மூன்று கையில் வீட்டில் இருப்பவர்கள் வெளியேற்றப் படுகிறார்கள். சொந்த உபயோகத்திற்காக என்று சொல்லி வெளியேற்றலாம். மாதக் குடும்பத்திற்காக கொடுப்பதில்லை என்று சொல்லி வெளியேற்றலாம். இந்தக் காரணத்திற்காக வெளியேற்றும்போது வீட்டில் இருப்பவர்களுக்கு மகா கஷ்டம் ஏற்படுகிறது. ஏதோ சில காரணத்தால் அவரை வெளியேற்ற கோர்ட்டில் கேஸ் போடுகிறார் என்று வைத்துக்கொள்வோம். அப்போது வாடகை சரியாகக் கொடுக்கவில்லை என்று சொல்லி வீட்டைக் காலி பண்ணிவிடவேண்டும் என்று தீர்ப்பு அளித்துவிடுகிறார்கள். ஆனால் வீட்டுச் சொந்தக்காரர் மறுபடியும் சிவில் கோர்ட்டுக்குப் போகவேண்டும் பழைய வாடகைப் பணத்தைப் பெறுவதற்காக. இந்த இரண்டு தீர்ப்பையும் ஒரேயிடத்தில் கொடுக்கலாம்.

குடும்பத்திற்கு சரியாகக் கொடுக்கவில்லை என்பதற்காக வீட்டைக் காலி பண்ணிச் சொல்லும்போதே, வீட்டுக்காரருக்குச் சேரவேண்டிய இவ்வளவு மாத வாடகைப் பணத்தையும் இந்தக் காலவரைக்குள் கொடுக்கவேண்டும் எனத் தீர்ப்பு அளிக்கலாம். இதனால் இரண்டு பேர்களுக்கும் வசதியாக இருக்கும்.

இப்படிப் பல அவசியமான திருத்தங்களைச் செய்து இந்த வீட்டு வாடகை கட்டுப்பாட்டு மசோதாவை, ஒருவர் இவ்வளவு வீடுகள்தான் வைத்துக் கொள்ளலாம் எனக் கட்டுப்படுத்தும் சட்டத்தைக் கொண்டுவரும் காலம் வரையில் ஒரேயடியாக நீடித்துவிடவேண்டும் என்று சொல்லிக்கொண்டு நான் முடித்துக்கொள்ளுகிறேன்.

SRI MOHAMED RAZA KHAN : Mr. Chairman, Sir, I wish to say just a few words, The Hon. Minister, while introducing the Bill, referred to the discussion on the Bill in the other House.

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I would have really been in sympathy with the Hon. Minister if he had merely stated, 'It was only about two or three months ago that I took charge of the department. I am busy with many matters. I will examine all the aspects of the case and come later before the House with a comprehensive Bill.' No doubt, he has stated in his introductory speech that he is bringing forward a comprehensive Bill, in the light of experience gained during the last ten years. I would have been happy if he fully followed the very good example of the Hon. Minister Sri Manickavelu—I do not like to use the word Naicker after his name. As the Chairman is well aware, there is a rule that a Member of this House should not refer to what happened in the other House. I think what is applicable to Members applied also to Ministers. The Ministers try to make use of certain arguments, certain fine points. The other day, the Hon. Minister Sri Manickavelu in a very, very humorous way—nowadays he is having plenty of humour—told my hon. Friend, the Deputy Leader of the Opposition . . .

Mr. CHAIRMAN: He had that before too. (Laughter.)

3-40 p.m. SRI MOHAMED RAZA KHAN: Now, it is increasing and we are happy. He told Dr. John who raised objection to the increased levy on plantations that Member after Member in the other House wanted to increase that tax still further, and asked, 'What am I to do in these circumstances?' Today, the Hon. Sri Ramaiah also told us that the Members' attitude in the other House was that the enactment should be made permanent and that the measure should be extended indefinitely. That was the argument put forward by the Hon. Minister. The Members of the other House are within their rights to have their say in a particular manner and here we are also within our rights to say what we want to say. We should not take cognizance of the proceedings of the other House. We have got a right to say things which we want to say. Possibly we may be wrong. But, that is a different matter. However, it is not fair for the Hon. Ministers to quote the proceedings of the other House and say, 'Well, look here, this is what they said in the other House. You say a different thing here. What are we to do?' It is wrong to take such an attitude.

Sir, you are well aware that this Act came into force in 1946, when there was a heavy demand for houses and the situation was so bad and abnormal that the then Minister in charge of Public Works, Sri Bhaktavatsalam, brought forward that measure. Then, it was amended in 1949 or 1950 when Mr. Sanjeeva Reddy was in charge of this subject. He brought in an amendment for extending the life of the measure by two years. Again, an amendment was introduced to extend it by two more years. I know the Act will expire shortly and so, the Hon. Minister is anxious to extend its life. But, my point is this. Is it not the duty of the Government or the Minister concerned to examine the whole thing? He should examine the case of not only one side but also the other side. We are not here to plead either for the landlord or for the tenant. But, we must see how best adjustments could be made between the two.

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My friend the Deputy Chairman took the side of one party and argued. He has always been arguing for the poor. I wish to point out that it is not as if all the landlords want to make money. There are poor landlords and landladies owning small houses fetching a sum of Rs. 20 to Rs. 30 as rent and on which they entirely depend for their living. Today, they are getting the same rent which was fixed in 1937. (Sri T. P. Srinivasavaradan: Not in 1937, but in 1939.) Yes, it may be 1939. The hon. Member is perhaps more interested in these things. Now, the poor landlord or landlady is getting the same rent which was fixed in 1939. What about their expenditure today. It has gone up by 400 per cent. There are several such cases. If it is a case of rich landlords having a number of houses, it does not matter as they are likely to be interested in getting as much money as possible from the tenants. We have no sympathy for them. But, there are hundreds of poor landlords and landladies in this City of Madras—let me not talk of other places—who are dependent entirely on the rent that they receive. There is no provision for them to go to a court for getting increased rent. The Corporation taxes have considerably gone up. The cost of living has gone up by 400 per cent. The poor landlords and landladies have effected some improvements to their houses after spending quite a good sum. Even after all these, they are required to receive rents which were fixed in the year 1939. Just consider what will be their difficulty. In many cases the tenants are trying to make capital out of this measure. They are paying even now the same old rent which they were paying in 1939. They own their houses. But, they have let out their houses at exorbitant rates and are living in rented houses paying very low rents.

* SRI A. M. ALLAPICHAJ: It is an offence for an owner of a house to live in an allotted house.

SRI MOHAMED RAZA KHAN: That may be the position; I do not know. I am not a lawyer as the hon. the Deputy Chairman and so, I do not know whether it is an offence or not. Whatever it is, whether it is out of ignorance or any such thing, they are living in such houses paying low rents. But, we cannot expect the poor landlords to go to a court of law. Everybody cannot be expected to go to a court of law. Even if they go to a court of law, it will only help the lawyers to get some more money. That is why I wish to state that in the case of these poor people exemptions should be given. The object of the Government, after all, is to see that there is not rack-renting and that the landlord does not take advantage of the shortage of housing accommodation. It may also be said that once this Act is repealed and removed from the Statute-book, there will be hundreds of cases of eviction. People will rush up to courts with petitions for eviction of the tenants. That may all be true and the Government may be justified in keeping this enactment on the Statute book. I do not deny that. But, at the same time, I wish to point out that for the past ten years or so, the tenants are allowed to pay only that rent which they were paying in 1939. This puts the landlords to considerable difficulty and disadvantage.

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SRI T. P. SRINIVASAVARADAN: The rents have been enhanced since 1939 from 12½ per cent to as much as 50 per cent.

SRI MOHAMED RAZA KHAN: I think it is only in respect of non-residential buildings.

SRI T. P. SRINIVASAVARADAN: No. Even in the case of residential buildings, it has been allowed.

SRI MOHAMED RAZA KHAN: Even then, it is nothing if we take the overall picture into account. Last year itself, the Raja of Ramnad who was in charge of the subject tried to bring forward a Bill, but I think that was not taken into consideration. I think it sought to exempt certain properties if the owners wanted to effect some repairs or demolish the whole building and construct a new one. If only they were allowed to demolish the old buildings and reconstruct them anew, I am sure they will be able to get five to six times the rent which they are receiving now. At present, this is not possible. This Act has been on the Statute-book for about ten years. Every time an extension of the life of the Act was asked for, the Government used to promise a comprehensive Bill. I do not have the proceedings of the House for all the past years. Whatever it is, it is a sad reflection on the Government to have this Act for the last ten years in spite of their tall talks of putting up so many houses, slum clearance, City Improvement Trust, First Five-Year Plan, Second Five-Year Plan and so many other things. In spite of all these, unfortunately, there is more and more shortage, particularly in the City. It is a sad reflection on the Government. There is no use of saying that the population has increased. The Government should have taken proper steps to provide more and more accommodation to meet the needs of the growing population. They have not done this. They were only anxious to provide some accommodation for their officials. Originally, only houses fetching a rent of Rs. 30 and above were covered by the Act. But, now they have reduced this limit to Rs. 25. If they were anxious to provide accommodation only for their own servants, the Government should have come forward to build more houses for their servants. They could have definitely done this. If the Hon. Minister were to say, "Well, I will allow reasonable exemptions. I shall see that the Act is worked in such a way that it affects neither the landlord nor the tenant. I shall bring forward a comprehensive Bill very soon", we will support him. If, however, he says, "No, no. I shall be bringing forward such a measure once in two years. On the expiry of two years from now, I shall bring forward another such Bill for further extension and you must support this as well as the other one.", I am sorry I will have to oppose it.

SRI G. KRISHNAMOORTHY: Mr. Chairman, I rise to oppose the Bill with all the vehemence at my command. This measure was originally brought forward under emergency circumstances. There is no justification for the Government to continue this Act. There has been no justification to continue it during the last few years

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even. As was ably pointed out by the previous speaker, Sri Mohamed Raza Khan, many things have taken place in the last few years. Many people have left our State after the formation of the Andhra State and after the separation of the Malabar and South Kanara districts from this State. Consequently, officials connected with those places and people who had close connexions and dealings with such areas have left us. If it is said that the position is still the same and shortage of accommodation is still so acute as to necessitate the extension of this measure for two years, it cannot be easily accepted.

Now, there is an idea that this Bill favours the tenants. I must, in my own humble way, submit that this Bill does more harm to the tenants than to the landlords. As was pointed out by the hon. Member Sri Balasubramanya Ayyar, a landlord who has got many houses and who is not particular about the rate of rent, is regularly getting his rent after the introduction of this Act. That is one good feature for which perhaps many landlords may find it convenient to support the retention of this Act. But what we find is that the tenants are put to a great disadvantage. Is the position really so acute? We know that control and black-marketing are twins. When control is born, black-marketing is also born. When control is lifted, black-marketing disappears. Here is a rent control—accommodation control—measure. So, we have got black-marketing. What guarantee or what provision is there in the Bill for preventing the landlord from taking the *pugree* money or what guarantee is there to see that the landlord does not get more rent and issue a receipt for a lesser amount?

3-50.
p.m.

SRI A. M. ALLAPICHAJ: It is an offence.

SRI G. KRISHNAMOORTHY: What is the position of a tenant to-day? Suppose a stranger comes to Madras and takes a job under Government or a private company. Does he know where the houses are vacant? What is the position in Madras? Before the introduction of this Act, we used to find a number of "to-let" boards in each street. Can the new-comer find any board now in respect of the portions that are vacant in any street? Can he find out which portion in which house is vacant? He is completely in the dark. Not only it has brought about profiteering and black-marketing, but it has also brought about blackout of news regarding vacancy of houses, and vacancy of portions in houses. A new-come or even a man who wants to change over from one house to another in Madras does not know, in spite of his long residence in Madras, which portion in which house is vacant in the neighbouring streets. Naturally the tout comes there and the business goes on. The touts fetch portions of houses and they take away the money. The landlord does not get anything. The tenant is not going to do anything. He is shown a portion which may be dilapidated, or which is in bad repair. For want of a comparatively good portion in that street or in the neighbouring street which may perhaps be advantageous to him from the point of view of

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nearness to office or temple or some such thing, according to his mentality and family circumstances, he is forced to take that house. He is forced to accept the rent dictated by the landlord. He is forced to accept that house in spite of its bad condition. He does not know that a portion is vacant even in the next house for a comparatively lesser rent or which can provide better accommodation. Such is the position of the tenant. If the tenants are paying rent—I do not say that they are forced to pay rent—regularly they must pay it. But what I say is that they are completely in the dark as to which portion in which house is vacant. Even today there are many houses vacant in the suburbs of Madras like Triplicane, Mylapore, etc. But tenants do not know where those portions are and, therefore, they are forced to accept portions in bad condition.

What is the tendency on the part of the landlord? The landlord is to report to the Rent Controller if the rent is above Rs. 30 in the City or Rs. 25 in the mufassal. Naturally he just lets out each room, as the hon. Member Sri Balasubramanya Ayyar put it ably on a rent of Rs. 25, Rs. 28 or Rs. 29. So many people are huddled in one house. No lavatory convenience, bathroom convenience or sanitary convenience whatsoever is provided. These people are put to a lot of trouble on account of the passing of this Act. If the Government should think that this Act should be there in the interest of tenants for two more years, it is not really proper. That is what I would submit. So, in the interest of the tenants, this Act must be repealed. Does the emergency exist to-day? Somehow or other, the feeling is growing in Government circles or even in social circles that all Indians are enemies to each other. They think that interference of the Government is necessary even in individual affairs. "The less governed, the better"—that is the maxim. But here our Government have come to govern in each and every respect of the family life of the person, from the very accommodation that he wishes to choose to the very rent that he has to pay. I just put my hand on my heart and asked myself, 'Does not this Act just lead to suspicion on the part of the Government about the landlord? What is the sin he has committed?' A tendency is growing in society that a man who owns some cash, some houses or some lands is a sinner. Are they sinners? Did they earn them in an unlawful way? Would the Government have left them if they had earned them in an unlawful way? His father or his grandfather might have earned them. Has he become a sinner because we got independence or we got new ideas or borrowed new ideas which are quite unsuitable to India? Is it a sin to own certain houses? Is it a sin to own certain acres of land? Is it a sin to own some cash? That is the tendency which is growing in society. An Act like this brought in by Government, repeated by the Government and continued by the Government, allows a tendency to grow in society that people who own two or three houses are sinners, that they are a great

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evil to society and that they should be uprooted. Where is the end to all these things? People who may not own houses now may own houses in 10 or 15 years. Then they may change their opinion. If this tendency is allowed to grow, that is a very bad sign for society. Somehow or other, they think that people who own something have to be rooted out of this country. That is a very bad sign. It should not be allowed to grow by the Government.

DR. A. SREENIVASAN : It is an election stunt.

SRI A. M. ALLAPICHAJ : Where is election now?

SRI G. KRISHNAMOORTHY : This Act will allow this kind of tendency to grow in the minds of the people.

Whether it be houses, whether it be lands or whether it be cash, there may be women owners also. As was ably pointed out by the hon. Member Sri Mohamed Raza Khan, there are houses owned by ladies and widows. There may be widows owning only one house in the City or in the suburb of Madras. Now they are forced to get only the rent which they were getting prior to 1937, or it may be even 50 per cent more, as pointed out by one hon. Member: What is the cost of living today? It has risen to 400 per cent. Even if she is getting 150 per cent of the rent that she was originally getting, how can a poor widow maintain herself and bring up her children and educate them when the cost of living has risen to 400 per cent?

SRI A. M. ALLAPICHAJ : Is it at the cost of others that she should live?

SRI G. KRISHNAMOORTHY : I am really sorry that the hon. the Deputy Chairman has taken it that the widow lives at the cost of others. Certainly not. She lives at her own cost. She lives on the income from the property earned by her husband. That property is worth at least four times its original value today. She is not prepared to sell it now. Where can she get immovable property in these days, if she sells the only house that she owns? If she sells, she may get four times the original value of the house. A house built in 1937 at a cost of Rs. 3,000 can surely be sold today as a hot cake for Rs. 12,000 in any suburb of Madras. What is the rent that the widow is getting today? She is getting only 1½ times the original rent. But she has to pay four times the value for her food and clothing and for education and protection of her children. Is it not the duty of the Government to protect such a landlady or landlord? How is she a sinner for owning a small piece of land? Perhaps, she may be the widow of a Government servant whose services the Government have appreciated or to whom the Government have given pension and other things. That pension is taken away by the Government in some other form. What the Government gave by the right hand, they are taking away by the left hand or what the Government gave by the left hand, they are taking away by the right hand.

[Sri G. Krishnamoorthy] [29th July 1957]

The Government should see that nobody suffers on account of this Act. There is no justification for the continuance of this Act in normal days and for interference with individual liberty at any stage in the form of collection of taxes or by framing of rules or laws which interfere with the individual's day-to-day freedom. These things ought not to be followed by the Government in the interest of a healthy society which will bring about a united India, dreamt of by the Father of the Nation.

SRI V. CHAKKARAI CHETTY : Mr. Chairman, Sir, although I do not want to oppose the Bill, I feel that I should make two remarks about it. I think it is a subtle evasion of the primary duty of the Government to provide accommodation to the people. They think that they have a duty to provide employment to the people in some measure. They have accepted that principle. If that is so, Sir, the necessary corollary to that proposition is that they should also find accommodation for the houseless. There is a great saying—a pathetic saying—which means this : It is easier for a man to starve and die in the open field than to wander about not knowing where to lay his head. It is far better for him to starve in a hut and lay down his head and die there than to wander about starving without knowing where to lay his head. That is one point I should like to make. When they are planning for establishing a socialistic State in our country, they should see that they provide some kind of accommodation to people who are in real need of it.

4 p.m. To the City Improvement Trust, some reference has been made. I am sorry to say that I am not an admirer of the City Improvement Trust. The other day I read about the City Improvement Trust. What they do is this. They go to a place and clear it of all the hut-owners who will have to take refuge in some other place or in slum areas. That is how the City Improvement Trust functions. Of course, here and there, they ask the Corporation to provide roads and lighting. My own recollection is that such a thing was done even in the olden days. That is not the way in which the City Improvement Trust should function. They should provide accommodation to houseless strangers and others who may be in need of accommodation.

Of course, our Government are anxious to improve the conditions of our people. For that purpose, they must find suitable employment for the unemployed in the City and elsewhere and also improve the lot of the agriculturists. They must also find some kind of accommodation for the houseless wanderers in the City of Madras and for the houseless families. The other day a man and his wife came to my house and told me that they were going about in search of a house. At that time, they felt tired and wanted to take rest in my house. I said that they could do so. Unfortunately, it was rather late in the day and I could not provide them with drinks. Of course, we were never in the habit of giving strong drinks to anybody even when there was no Prohibition. We could not even provide them with a cup of coffee, as the essential articles

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are sold at a high price. That is the position of the people in the country. Sir, with these few words, I heartily support the Bill for extending the life of the Act. If it is not extended, it will cause great hardship to the people, and the Government will be blamed for not looking after their interests.

SRI T. P. SRINIVASAVARADAN : Mr. Chairman, Sir, the Government, while moving for the extension of the Act, have definitely stated that it is not their intention to have an Act of this nature permanently. They have taken the actual condition in the State into consideration and the Hon. Minister who moved for the extension of the life of the Act has clearly stated that the position would be reviewed as and when it becomes necessary. The hon. Member Mr. Balasubramanya Ayyar has been kind enough to point out the difficulties experienced by landlords and also by tenants. In matters of this kind, it is very difficult to satisfy all. We must consider where the balance of advantage lies. Does it lie with the tenants or with the landlords? Now, everybody will agree that the number of landlords in the City or in other places is less than the number of persons who have no houses and who live as tenants. If it is going to benefit a large number of people without causing much hardship—certainly there will be some hardship—then a Bill of this nature is certainly most welcome. I am quite sure that everybody will agree that a Bill of this nature is absolutely necessary. Sir, I have been living in the City for the last 50 years and I have been a resident of Mylapore from the year 1905 and I know how difficult it is to get houses. The hon. Member Sri Krishnamoorthy has stated that it is easy but he could take it from me that it is not so. It is absolutely impossible to get housing accommodation. As the hon. Member Mr. Balasubramanya Ayyar has pointed out, the accommodation problem is so serious that even verandahs have been converted into rooms and people are living there. If the Government had not come forward with a measure of this kind, many people would find it extremely difficult to live. Sir, once I was living in a house belonging to a temple. At that time, Mr. O. P. Ramaswami Reddiar was the Chief Minister of this State. At first, the Act did not clearly state that it would be applicable also to the houses belonging to temples. I was paying a rent of only Rs. 36 but the landlord, taking advantage of the uncertainty of the provisions of the Act, demanded Rs. 75 as rent. But I told him that I was prepared to accept an increase in the rent by 25 per cent. Fortunately, in the meantime the matter was brought to the notice of the Government and within 25 or 30 days they passed orders to the effect that the houses belonging to temples also would come within the purview of the Act. That is how the landlords take advantage of the situation and increase the rent by 100 or 200 per cent. Of course, there are very good landlords also but they are only few in number. The hon. Members Mr. Raza Khan and Mr. Krishnamoorthy pointed out that there were many poor families which were entirely depending on the income from house rent. It is quite true and there is no doubt about it. They have stated that the cost of living has gone

[Sri T. P. Srinivasavaradan] [29th July 1957]

up four times. But what about the people who are living as tenants? Are they getting four times the salary now? If the Government could give them four times the salary, then they could ask them to pay four times the rent. So long as these persons do not get four times the salary, we cannot expect them to pay four times the rent which they were paying in 1939. Even now the rent has been increased by 50 or 60 per cent. It cannot be increased further.

The hon. Member Sri Ethirajalu wanted that a ceiling should be fixed on the number of houses a person could own. Sir, that is a proposal fraught with serious consequences. I am saying this in all seriousness and people who are out to build houses would not build them hereafter. At present, the Government have no money to build more houses. So, if the hon. Member's suggestion is accepted, we will have to suffer more and more.

SRI K. BALASUBRAMANYA AYYAR : Live in the open air.

SRI T. P. SRINIVASAVARADAN : Yes, we have only to live in the open air.

Perhaps, the hon. Member has not thought about the consequences of his proposal. One of the reasons for the fall in food production is that the landlords are not now prepared to invest their money in the improvement of their lands because they fear that at any time the Government may take over their lands. That is why our lands are not now giving a greater yield. Similarly, if the suggestion of the hon. Member is accepted, it is quite sufficient to frighten some of the landlords and they would not build houses hereafter.

SRI A. M. ALLAPICHAJ : In any event they will be paid compensation.

SRI T. P. SRINIVASAVARADAN : That compensation will be very poor.

I know that it is not the intention of the Government to do so at present. At least for another 25 years, they should not bring forward any proposal for fixing a ceiling on the number of houses which one could own. After all, the Act is going to be continued for two more years. Therefore, I heartily support the Bill which has taken into consideration the actual condition of the majority of the people living in this State.

* SRI V. BASHYAM AYYANGAR : Mr. Chairman, Sir, I had no intention to intervene in the debate and speak on the merits of the Bill but for the remarks made by the hon. Member Mr. Chakkarai Chetty about the City Improvement Trust. I have to lodge a strong protest against his remarks about the City Improvement Trust. I am not sure if my hon. Friend has read the latest report about the City Improvement Trust. The report for last year is available and I am sure that my hon. Friend has not gone through it. Otherwise, he would not have spoken so disparagingly of the

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work that the City Improvement Trust has already done. The City Improvement Trust has been in existence only for a short time and during this short time, it has done very important and useful work. It has built hundreds of houses. Let hon. Members just go to Mount Road, and they will see one colony called 'Nandanam colony'. There they will find more than 40 houses built. So many middle class families are lodged in that colony alone. Besides that colony, in all parts of the City, especially in the South of Madras . . . (Sri V. Chakkarai Chetty : I accept this correction.) I am glad that he corrects himself. So, I think I need not dilate upon what I have said. 4.10 p.m.

So far as slum clearance work is concerned, I want to say one word. There is a sort of misapprehension in the minds of many people that when slum clearance is taken up, people in the slums are driven away from the slums. That is not a fact. The actual fact is that in every place where only 200 families can conveniently live with the minimum of comfort, there are at present 400 families. If this slum has to be improved, then necessarily some people have to be sent out. When they are sent out, generally either the Corporation or the City Improvement Trust takes care to see that as many as possible are provided for in places which are as near as possible to the places wherein they have already been residing. That is the policy followed. Anyhow, one cannot avoid some people being asked to get away from a slum. Otherwise, there can be no improvement in the slums. Suppose we want to widen a road; we then want additional space. If additional space is taken, the people who live in that additional space have to go out. In that way some inconvenience is caused to people. Otherwise, the authorities are quite aware of the fact that the slum-dwellers should be helped and that there should be no discomfort or inconvenience to them. When the slums are being removed, this is the principle that is being observed not only by the City Improvement Trust but also by the Madras Corporation. I am glad that the hon. Member Mr. Chakkarai Chetty approves of the protest which I wanted to lodge. So, I have nothing further to say.

So far as the Bill is concerned, I think the discussion has necessarily been desultory. I think the whole thing has to be gone into and a proper Bill prepared. A comprehensive Bill which will be acceptable to both the landlords and the tenants should be drafted.

The one thing that is necessary is that there must be sufficient number of houses. Otherwise, how can all the tenants be accommodated? In Madras there are now at least three or four times the number of people who can be conveniently accommodated in existing houses. We cannot construct houses all of a sudden. But houses have to be constructed. Each house takes one or two years for being built up. Therefore, the building programme is necessarily delayed. In the meantime, temporary provision has to be made, and there is no help. This is all I have got to say.

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* DR. V. K. JOHN : Sir, this Bill reflects no credit on the Government. It is conclusive evidence of the inefficiency of the Government, their insincerity, and their love of control. What is this Act, Sir? I do not know whether hon. Members are aware that there are three controls provided for by this Act. The first is the accommodation control, the second is the rent control, and the third is the eviction control. Accommodation control is one thing in which the Government are interested. They want to control the letting of houses. Section 3 (1) of the Act provides—

‘ (a) Every landlord shall within seven days after the building becomes vacant by his ceasing to occupy it, or by the termination of a tenancy, or by release from requisition give notice of the vacancy in writing to the officer authorized in that behalf by the State Government (hereinafter in this section referred to as the “authorized officer”).’

Sub-section (3) says—

‘ If, within ten days of the receipt by the authorized officer of a notice under sub-section (1) or sub-section (2), the State Government or the authorized officer does not intimate to the landlord in writing that the building is required for the purposes of the State or Central Government or of any local authority or of any public institution under the control of any such Government or for the occupation of any officer of such Government, the landlord shall be at liberty to let the building to any tenant or to occupy it himself.’ Government are only interested in this accommodation control. Any building on a rent of more than Rs. 25 should go to Government, and the Government should have the power to allot that house to any one. They are not very much interested in eviction or in fixing rent, as some hon. Members pointed out. If rent is fixed at a particular figure, there are people willing to pay *pugree*. They pay more rent. I know of many instances where the rent fixed is only on paper and more rent is paid by the tenants by the left hand. You can never control the amount of rent. As my learned Friend put it, control and blackmarket go together. If there is one thing which has stood in the way of more houses coming into existence, it is the accommodation control exercised by Government. Control measures were introduced in 1946. Then they were extended from time to time. The Government want to have some control and, therefore, they do not want to leave it. What is the effect of the control measures? They do not allow the free play of the law of economics, namely, the law of supply and demand. When the Government prevent the law of supply and demand from operation in respect of anything, whether it is land, house, or any other thing, they go wrong. This legislation was passed in 1946 and it was in existence for two years. It was renewed in 1948. I assure you, Sir, that if the law of supply and demand had been allowed to operate without any Government control, any number of houses would have sprung up, and there would be no question of dearth of houses at all. Because the Government brought in controls, houses have not been constructed in large numbers, except

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for a few buildings put up by the City Improvement Trust or the Madras Corporation or the co-operative house building societies. Because of the control measures alone, I state emphatically that the situation continues to be as it exists to-day. This situation will continue so long as the Government prevent the law of supply and demand from operating. The Government will never solve the problem of accommodation at all. I say, ‘leave off controls’. For a time rents may go up. There may be evictions. After a year or two, everything will adjust itself. There is no need for control. Therefore, my strong advice to the Government is, ‘Give up control in all the measures you have taken’. I have very often said on the floor of the House that whenever the Government have control measures, they must have decontrol measures. They must show a chart going up in such away that it supersedes or surpasses or devours their control measures. They have no decontrol measures. When the Government introduced this control in 1946, what is their decontrol measure as far as accommodation is concerned? While the Government have taken houses to accommodate their officers, did they on paper at least have a decontrol measure to supply houses to their officers? Government certainly have plenty of money to build houses for their officers. This is an investment. They can borrow and invest. They can fix a fair rent. Why did they not do it? Last time when they came up before this House, Member after Member very strongly opposed the measure and said that the Government had not done their duty and that they did not have a programme of building houses for their own officers. The Minister who sponsored that Bill then said—

“The Government themselves have got a programme now, as I have indicated here while the hon. Member was not here, of constructing houses for various sections of officers and low-paid Government servants”. (Page 397, Volume XI, August 1955.)

Is there any word from the Minister who moved this Bill about this building programme? What happened to that promise—the undertaking given by the Hon. Minister in 1955 promising to the House that they had a programme for building houses for the Government servants? What was that building programme? How did they implement it? How do the Government forget what they spoke in 1955 in this very House? Is it the way of respecting this House? The Government gave a solemn promise in this House that they were having a programme for constructing houses for their officers and servants. Not one word has been spoken in this House about the implementation of that programme. Is this Government efficient, honest, sincere? What about the promises that were made? I submit, Sir, that such a measure as the one before the House should not so callously be introduced. The Government have got no programme to build houses for their employees. Nor have they encouraged private agencies to build houses for them. What have they done? They have controlled everything. Cement is under control. Iron is under control. Everything that is necessary for construction is under control and the Government say that there is a dearth of houses and that, therefore, they should control

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housing. The idea is to exercise control and patronage. This Government, as I said on the floor of the House, have become totalitarian. They have a huge majority in this House as well as in the other House. The Constitution has provided for a democratic structure of Government by making the Executive responsible to the Legislature. But the Government, the Executive, is not responsible to the Legislature because it knows that the majority is willing to vote for any measure at the behest of the Ministry.

THE HON. SRI R. VENKATARAMAN: It is not within the bounds of decorum of this House to suggest that Members are voting at the behest of the Ministry.

* DR. V. K. JOHN: That is my deliberate, definite opinion in the matter.

MR CHAIRMAN: The hon. Member should not say that. It is not proper.

* DR. V. K. JOHN: Well, Sir, what have I to say when I find that the Government can get any measure passed?

MR. CHAIRMAN: The Government may be able to get any measure passed. But to say that hon. Members are voting at the behest of the Government is not in order.

* DR. V. K. JOHN: If that is your opinion, I do not comment on it further. Now, what I submit to this House is that we must very strongly oppose this control measure, through which the Government are seeking to take away houses for allotment to their employees instead of building houses for them. Sir, I was on the point that the Government had not helped private agencies to build houses. My strong advice to the Government is to try to allow the law of economics, viz., demand and supply, to operate freely. Let me tell them, once they go in for controls, they will continue for all time and the Government will not be able even to get out of these controls. Whatever be the consequences, I ask them not to continue this control. We have had this control since 1946. Now we want to extend it by two years more. Was it the intention of the Government in 1946 that this control must continue till 1959? What were the Government doing up to this time? Therefore, let me tell them: Have a decontrol measure and it will do good to the people and the country and all that you will lose is some power to exercise patronage and nothing else.

* THE HON. SRI V. RAMAIAH: Mr. Chairman, while introducing this Bill, I made it clear that I would be bringing in a comprehensive Bill which would remove certain hardships experienced by both the landlord and the tenant. For example, it was pointed out that widows who completely depended on house rent were experiencing some difficulty under the Act. On the side of the tenants, it was stated that many were harassed by the landlords. These and many more points were mentioned by hon. Members and we shall consider all of them before we undertake the

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comprehensive legislation that I referred to at the beginning. But before I go into details, I would like to refer to certain remarks made by the hon. the Deputy Leader of the Opposition. He said that when the Bill was brought before the House in 1955, Member after Member of this Hon. House opposed it. But, to-day, Sir, after listening to the speeches made by hon. Members this evening, I find that except for the Deputy Leader of the Opposition and another hon. Member, all Members want this measure to continue. They only want certain modifications which, I said, I would consider. So I have carefully gone through the proceedings of the House on the last occasion and I am happy to say on this occasion that I face less opposition from the House than what the Minister then had to face.

SRI MOHAMED RAZA KHAN: We like you. (Laughter.)

* THE HON. SRI V. RAMAIAH: I do not want the hon. Member, because he takes a fancy for me, to support any measure which may bring about hardship to the people.

SRI A. M. ALLAPICHAJ: He was opposing you.

* THE HON. SRI V. RAMAIAH: He was opposing the Bill. He said that in my introductory remarks, I was referring to the views expressed in the other House. Sir, it is not as if that is my only plank on which I can convince hon. Members in this House. The hon. Member Mr. Mohamed Raza Khan is completely mistaken. I do not want to quote the views of the other House to carry the Members of this House away. I do not mean to suggest that this House should judge things with reference to the feelings expressed in the other House. After all, this House can stand on its own legs. It can give expression to its own ideas and opinions, particularly when it has such an able Deputy Leader of the Opposition. He said that we had been keeping quiet, doing no work and that we were fond of accommodation control. Let me tell him this. For the last three months and a half, I have been studying this subject and I am not very happy about the existing housing position. Knowing the feelings of the other House as well as the views of this House, I am definitely of opinion that there is real shortage of housing accommodation, particularly in big cities like the City of Madras. Hon. Members may say, 'States have been reorganized and the position has eased'. Yes; that is so in theory. But you can find out the real position only if you go to one who is in need of accommodation.

SRI T. P. SRINIVASAVARADAN: Most of them have left their families behind, after reorganization.

* THE HON. SRI V. RAMAIAH: I am convinced reorganization of States has not helped to solve this problem, in spite of many new houses coming up and many new colonies coming into existence. The acuteness of the problem is still there and I feel that we must have the control measure for some time more.

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DR. V. K. JOHN : Will he give an assurance that it will not be extended beyond two years?

4-30 p.m. * THE HON. SRI V. RAMAIAH : I can never give that assurance. If that assurance will help, of course, I will give. But I definitely know that that assurance is not going to help anybody. I know that the Act is being worked in such a way as to benefit the class of people it is intended to help. The hon. Member Sri Balasubramanya Ayyar, during the course of his speech, mentioned how a number of families were often huddled in small houses. It is our duty to see that these people get better accommodation. Also, we should see that this Act is amended suitably to see that tenants are not fleeced by landlords. I am sure that the hon. the Deputy Leader of the Opposition will himself realise the hardships to which these people are put.

DR. V. K. JOHN : I am only concerned with 'accommodation control'.

* THE HON. SRI V. RAMAIAH : As far as accommodation control is concerned, there is trouble in getting accommodation only in the City of Madras and not much in other places. In the Madras City the Government have taken up the construction of houses. When I made mention about that in my introductory speech, I thought that it would not be necessary to refer to all the steps we had been taking in this matter. After listening to the speech of the hon. the Deputy Leader of the Opposition, I felt that I should have made a reference to it. I take this opportunity to inform the House that the Government have taken up a number of building schemes. If the hon. Member wants, I can give him full details about them. These details are also given on page 102 of the book—Second Five-Year Plan for the State, in Tamil. I have got with me also other details and I will, if required, pass them on to the hon. Member. In spite of the opposition to the Bill expressed by the Deputy Leader (Sri Mohamed Raza Khan : Deputy Leader of the Opposition) by the Deputy Leader of the Opposition (if that will please the hon. Member Sri Raza Khan) (Sri Mohamed Raza Khan : I do not want to embarrass the Hon. Minister.) I find there is not much opposition to this Bill.

It is the desire of the House that I should bring in a comprehensive Bill which will remove many of the difficulties experienced by both the tenants and the landlords. I also feel that some changes should be made in the Act. I will consider them and come before this House with a comprehensive Bill. We all understand that there is shortage of accommodation, and it must be remedied. While remedying that, we must see that the least hardship is caused both to the landlords and the tenants. With these words, Sir, I request that the Bill be taken into consideration.

MR. CHAIRMAN : I would like to state that there is no harm in referring to the proceedings of the other House because the Bill

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itself is sent by the other House. The only thing is we must not indulge in offensive recriminations and arguments against the other House. Otherwise, there is not the slightest harm in referring to the proceedings of the other House.

The question is—

“ That the Madras Buildings (Lease and Rent Control) Amendment Bill, 1957 (L.A. Bill No. 5 of 1957), as passed by the Legislative Assembly, be taken into consideration.”

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

Clause 2 was put and carried.

Clause 1 and the Preamble were put and carried.

* THE HON. SRI V. RAMAIAH : Sir, I move—

“ That the Madras Buildings (Lease and Rent Control) Amendment Bill, 1957 (L.A. Bill No. 5 of 1957), as passed by the Legislative Assembly, be passed.”

DR. V. K. JOHN : I am sorry to take a minute's time of this House again. I feel strongly that the Government should consider

MR. CHAIRMAN : I have not yet put the motion of the Hon. Minister before the House. The hon. Member may speak after I put it before the House.

Motion moved—

“ That the Madras Buildings (Lease and Rent Control) Amendment Bill, 1957 (L.A. Bill No. 5 of 1957), as passed by the Legislative Assembly, be passed.”

* DR. V. K. JOHN : Sir, I feel very strongly that the Government should have very seriously considered the question of repealing the provisions in the Act relating to accommodation control. I do not know why Government servants should be considered superior to other persons in the matter of providing houses. They should take their place along with other common people. The Government must build houses for their servants. From 1947 onwards, they have hardly done anything in this direction. At least, they must be able to say now that they would repeal the provisions relating to accommodation control and that they would not ask every house-owner to report to them whether his houses have fallen vacant or not. I am opposed to accommodation control, not so much to rent control.

* THE HON. SRI V. RAMAIAH : I have already stated that all the points raised by the hon. the Deputy Leader of the Opposition will be considered. I will give extra consideration to the points raised by him particularly with regard to his opposition to accommodation control and with regard to the preference usually shown to Government servants in the matter of provisions of accommodation.

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MR. CHAIRMAN : The question is—

“ That the Madras Buildings (Lease and Rent Control) Amendment Bill, 1957 (L.A. Bill No. 5 of 1957), as passed by the Legislative Assembly, be passed.”

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

(2) THE MADRAS TENANTS AND RYOTS PROTECTION (AMENDMENT)
BILL, 1957 (L.A. BILL NO. 11 OF 1957).

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

“ That the Madras Tenants and Ryots Protection (Amendment) Bill, 1957 * (L.A. Bill No. 11 of 1957), as passed by the Legislative Assembly, be taken into consideration.”

The object of this Bill is to extend the life of the Madras Tenants and Ryots Protection Act, 1949, by a further period of two years. This Act is applied to three categories of ryots, those in estates which come under the Madras Estates Land Act, those that come under 1936 inams and those in private lands in such estates. This Act also applied to ryots in Malabar, but now Malabar has ceased to be part of this State consequent on the reorganization of States. Now, almost all the estates which come under the Madras Estates Land Act have been taken over. So, the operation of the Act in those areas will also cease. Probably there are only one or two estates which are still to be taken over. The operation of the Act is extended to 1936 inams. The Government wanted to bring in legislation with respect to these inams but they could not do so for various reasons. Firstly, there was not that even tenor in this State to contemplate this legislation, because we had the separation of the Andhra districts from our State consequent on the formation of the Andhra State and again separation of Malabar and South Kanara districts consequent on the formation of the Kerala State. As a result of these changes, we lost some territory. But we have also acquired some new territories—Kanyakumari district and Shenkottah taluk of Tirunelveli district. The system of tenure prevailing in these areas is very different from ours. Therefore, we have to study it and fit in that system with our ideas of land tenure. Therefore, we are carefully examining this matter. Until we bring in further legislation for all these purposes, it is not proper not to give further protection to tenants. The present Act expires by October 1957. Therefore, it is now sought to have its life extended by another two years. It is hoped that within that period the estates and other land tenures can be dealt with.

MR. CHAIRMAN : Motion moved—

“ That the Madras Tenants and Ryots Protection (Amendment) Bill, 1957 (L.A. Bill No. 11 of 1957), as passed by the Legislative Assembly, be taken into consideration.”

The Bill is now before the House for discussion.

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SRI K. BALASUBRAMANYA AYYAR : Mr. Chairman, I consider this measure as a necessary evil. So, it has to be passed. But, I would only request the Hon. Minister to see that he does not come again on the expiry of two years for further extension. So far as zamindaris are concerned, they have almost disappeared. But, problems connected with the zamindari abolition have not yet been completely solved. Recently, in the Sivaganga estate, we were told that there were arrears of land revenue to the tune of about two crores of rupees. I think that has also been brought to the notice of the Hon. the Revenue Minister. They now want to have a three-pronged drive for the purpose of collection of this land revenue. Because, that is an area which was affected by the recent cyclone. Before that, it was affected by a gripping famine for a number of years. In addition to all these, waste lands in the estate which were formerly not taxed are now taxed under the Zamindari Abolition Act. There are about one lakh pattadars. We do not have the exact proportion of big pattadars to small pattadars. In regard to these matters, it is very difficult to get correct statistics. They are not easily available even to the Government and much less to people like myself. Anyway, the number of big pattadars as compared with the impecunious pattadars will be very small. We were told that there has been default in payment of land revenue for the last six years or so. I would request the Hon. Minister to settle all these problems which have arisen as a result of the introduction of the Zamindari Abolition Act before taking up further legislation in regard to 1936 inams and private lands in the estates. It is better to go step by step in regard to problems relating to lands. I would request the Government to proceed slowly. There is nothing wrong in doing it. The Government's ideologies may be there. They may be anxious to realize those ideologies. But, it is not necessary for them to see that those ideologies are realized within two years, three years, four years or even five years during which they are responsible for conducting the affairs of this Government. If you take one step in the right direction and that too a good step without the attendant evils, it would be much better and it would go a long way in solving all these problems. Therefore it is, I feel that once for all these problems which have arisen consequent on the introduction of the Zamindari Abolition Act must be solved in the first instance and that afterwards, the other problems may be taken into consideration. That is why I say that the measure need not be continued like this. Sir, there is an extraordinary provision and that is, stay of execution of decrees which had been obtained in Civil Courts. There are other difficulties regarding the deposit of arrears of rent and so on. This is really an emergency measure. We must see that all these problems are finally solved. While supporting the necessity for extending this Act for another two years, I would request the Government to stop with this extension and try to solve some of the problems in a manner satisfactory both to the ryots and to the inamdars so that we may not have these problems again. I see that many of the land reforms which the Government have already introduced have done more harm than good to the people concerned and

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to production as such. Therefore, I say that this measure should stop with this extension. In the meantime, I hope and trust that the Hon. the Revenue Minister will try to solve all these problems satisfactorily.

* DR. V. K. JOHN : Mr. Chairman, this Act of 1949 repeals the Madras Tenants and Ryots Protection Act, 1946. Actually, the Act was introduced as a temporary measure in 1946. In 1949, another Act was introduced after the issue of an Ordinance. The Act of 1946 and the Ordinance were repealed. In the Acts of 1946 and 1949, we find that the Preamble says, "Whereas it is necessary, pending further legislation, to provide for temporary protection against eviction of tenants . . ." That is the wording used. They were introducing a temporary measure pending further legislation. Now, from 1946 to 1957, the Government could not introduce a comprehensive measure. What are the provisions of this Act? Section 4 provides for stay of suits and proceedings. Section 6 provides, "All suits and proceedings stayed under this Act shall, after the expiration of this Act, be proceeded with, subject to the provisions of any law which may then be in force . . ." So, after the expiration of this Act, you can proceed with suits and proceedings instituted after 1946. Hundreds and perhaps thousands of them are pending. How can the Government be so callous in this regard? They have been telling us that this is a temporary measure. Can a Government which has some conviction and sincerity continue this measure for so many years? For how many years are the suits and the execution proceedings to be stayed? Instead of introducing a comprehensive measure, the Government are extending the life of this Act by two years every time. In 1959 also, the Government will only ask for the extension of the Act for two years. Even by then, they may not bring forward a comprehensive measure. Does this do any credit to the Government? The reason given, viz., that there was partition of the State in 1953 cannot be valid in 1957. If they were only so minded, the Government could have definitely brought forward a comprehensive Bill by this time. They could have easily brought forward a comprehensive measure of agricultural reform and repealed this temporary measure. We have not heard of a measure, that too a temporary measure being continued for a period of 13 years or so in any legislature of the world. The Government will surely continue this temporary measure again. I say it does not credit to the Government.

* THE HON. SRI M. A. MANICKAVELU : Mr. Chairman, it is not as if the Government are very happy over the periodical extension of the life of this Act. But, things have happened which could have been even dreamt of. There was the formation of the Andhra State. Again, consequent on the reorganization of States, certain areas left us and certain new areas have come to us. The areas that have come to us have a peculiar system of land tenure. There are so many other difficulties. Therefore, the legislation as it was contemplated could not be brought forward. Sir, in order not to have the

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necessity for extending this Act, the comprehensive legislation contemplated will have to be brought in. If that new comprehensive Bill is to be implemented, we have to have ready money. For instance, Sir, to take up the question of abolition of 1936 inams, the Government should be prepared to pay compensation which, I think, runs to the tune of some crores of rupees, say, 10, 11 or 12 crores. Therefore, the money has to be found, if we have the reform by abolition of those 1936 inams. Already in abolishing the other estates under the Estates Land Act, a lot of compensation has to be paid and Government are finding the means to deposit the money. That process is almost over. The next process will be about these 1936 inams and abolishing them means a lot of money by way of compensation. Apart from these financial difficulties, we have got administrative difficulties also. We have got these frequent partitions, additions and things like that. We must take into account all these things. If the hon. the Deputy Leader of the Opposition were in my position, I think, Sir, his plight would have been even worse. (Laughter.) He would throw up his hands and say, 'What is this?' So, he must congratulate the Minister in charge of the Bill on tiding over such a difficult situation and coming forward with this Bill for extension of time.

SRI T. PURUSHOTHAM : Does the Hon. the Minister for Revenue know what Dr. John would be if he were a Minister?

* THE HON. SRI M. A. MANICKAVELU : As regards the hon. Member's apprehension that I will come again for another extension of time, I must say, Sir, I have at present made up my mind that I should not come again for another extension. But how can I foresee what will happen after some time due to force of other circumstances? Now, I have fully made up my mind that I should not face Dr. John again saying, "You are again coming with this Bill" and all that. Unless some unforeseen circumstances beyond my control intervene I mean business.

As regards the remark made by the hon. Member Sri Balasubramanya Ayyar, the peculiar position is this. Here, the hon. Members say, 'We must carefully understand all these things, think about them and go slow and steady'. In the other House they say, 'You are going very slow. You should go very fast'. So, what should I do? In the circumstances, I have adopted a midway policy. Neither I go fast or run, nor I go slow or sit. I am making a judicious mingling of both. As reasonably as possible I go fast and as reasonably as possible I go slow. That is what I am doing.

MR. CHAIRMAN : The question is—

"That the Madras Tenants and Ryots Protection (Amendment) Bill, 1957 (L.A. Bill No. 11 of 1957), as passed by the Legislative Assembly, be taken into consideration."

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

Clauses 2 and 1 were put and carried.

The Preamble was put and carried.

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

“ That the Madras Tenants and Ryots Protection (Amendment) Bill, 1957 (L.A. Bill No. 11 of 1957), as passed by the Legislative Assembly, be passed.”

MR. CHAIRMAN : The question is—

“ That the Madras Tenants and Ryots Protection (Amendment) Bill, 1957 (L.A. Bill No. 11 of 1957), as passed by the Legislative Assembly, be passed.”

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

(3) THE HOLDINGS (STAY OF EXECUTION PROCEEDINGS) (MADRAS AMENDMENT) BILL, 1957 (L.A. BILL NO. 12 OF 1957).

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

“ That the Holdings (Stay of Execution Proceedings) (Madras Amendment) Bill, 1957* (L.A. Bill No. 12 of 1957), as passed by the Legislative Assembly, be taken into consideration.”

This extension is necessitated on account of the addition of territories from Kerala State to our State. The Act was there in operation and that also expires within two months. It is not peculiar to this State, and in that State they have been extending the Act from time to time. There it has been in operation for seven years, I believe, Sir. Now, there is greater reason for extending this Act because it is a new kind of tenure. We have not even understood Oodu tenure and things like that properly. It is therefore, absolutely necessary to have this Act extended so that we may study the peculiar tenure there and do what is possible. That is why, Sir, I ask for extension of the life of this Act.

DR. V. K. JOHN : May I know for information whether any steps have been taken under section 120 of the States Reorganization Act, 1956, i.e., power to adapt also by executive order?

MR. CHAIRMAN : Motion moved—

“ That the Holdings (Stay of Execution Proceedings) (Madras Amendment) Bill, 1957 (L.A. Bill No. 12 of 1957), as passed by the Legislative Assembly, be taken into consideration.”

SRI K. BALASUBRAMANYA AYYAR : This is an Act of the Travancore Legislature and it provides that stay of execution should be made on all decrees for eviction together with the claim of rent also. I shall explain the legal position. I want to make

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it a little clear. Section 119 of the States Reorganization Act says that the provisions of Part II shall be taken not to affect the operation of any existing law. Section 120 says that in order to facilitate the operation of the existing law in the two States, it is better to adapt the laws of those States within one year from the appointed day, the appointed day being the 1st November 1956. Then, if you have got any amendments or modifications, you can always make or even when you adapt, you may make some slight modifications.

So far as this Act is concerned, there is the Madras (Transferred Territory) Adaptation of Laws (No. 1) Order, 1957. I am very thankful to the Secretary for having supplied the book when I asked for it. But in that order this particular Act is not mentioned in the Schedule. I studied it on behalf of the Government. I looked into the general provision as I thought that that might apply. But, unfortunately, in section 3 of this Adaptation Order it is stated—

“ As from the appointed day, the existing laws mentioned in the Schedule to this Order shall, in their application to the transferred territory, except where the subject or context otherwise requires, and until altered, repealed or amended by a competent Legislature or other competent authority have effect, subject to the adaptations and modifications directed by the said Schedule or, if it is so directed, shall stand repealed.”

So, this confines itself to the Acts mentioned in the Schedule. But when I looked into the Schedule as a whole, this Act is not mentioned there. That is the difficulty so far as this is concerned. Of course, according to section 2 (1) (b), “ existing law ” includes any enactment, ordinance, regulation, order, by-law, rule, scheme, notification, or other instrument having the force of law in the whole or any part of the transferred territory immediately before the appointed day and in respect of which the State Government have power to make adaptations. That definition includes all laws. But, unfortunately, in section 3, they are circumscribed to the existing laws mentioned in the Schedule. So, what I feel is, there must be some order in which this thing should be adapted. That will be necessary. I should like to mention one thing.

In the previous Holdings (Stay of Execution Proceedings) Act, 1950, a copy of which was kindly given to me by the Secretary—the Secretary is very helpful to us in these matters—it is mentioned—

“ This Act may be called the Holdings (Stay of Execution Proceedings) Act, 1950.

It extends to the whole of Travancore and also to the enclaves which formed part of the Tirunelveli district and which have been absorbed in the State of Travancore-Cochin.”

According to the dictionary, ‘ enclaves ’ means any foreign territory, that is, foreign to the state, any foreign territory which formed part of the Tirunelveli district. That is rather vague. Exactly it has

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5 p.m. not mentioned what the portions are. But I suppose in that context it was certain or definite, I do not know. Therefore, it is all the more necessary for us to state here that this Act applies to the whole of the Travancore-Cochin State and also to the transferred territory. There is also another difficulty. It should not apply to the Nanguneri taluk. The Government are also not thinking of including that taluk because the land tenure system there is more or less akin to our land tenure system and it is not different. Therefore, it is necessary that adaptation should be correctly made and it may apply to the territory transferred from the Travancore-Cochin State where the land tenure system is a little different. That is why some time should be taken for that purpose. Now, they merely say that the execution of a decree should be stayed till September 1959 instead of September 1957. That is all right. I am not saying anything against this provision.

But there is another provision. Section 5 says—

“In computing the period of limitation prescribed for the execution of any decree, the time during which execution proceedings are stayed under this Act shall be excluded.”

That is very necessary. Otherwise, there will be difficulties concerning limitation and after 12 years, no decree can be executed. Therefore, they have properly provided for this section. That section must be there. That means the whole of the Holdings (Stay of Execution Proceedings) Act, 1950, must be adapted and applied to the transferred territory so that the time during which execution proceedings are stayed shall be excluded.

SRI T. PURUSHOTHAM: Why was it omitted?

SRI K. BALASUBRAMANYA AYYAR: It was not omitted. Perhaps in this Bill they have assumed that the whole Act will apply to the transferred territory and that is why they have merely stated that the stay of execution proceedings would be extended from September 1957 to September 1959, thinking that the rest of the provisions would apply. I think that has to be made clear. A small amendment that the Holdings (Stay of Execution Proceedings) Act applies to the transferred territory is necessary.

SRI A. GAJAPATHY NAYAGAR: Is the omission in the Schedule accidental?

THE HON. SRI R. VENKATARAMAN: No, no. I shall explain it later.

SRI K. BALASUBRAMANYA AYYAR: I am merely pointing out the difficulties. I am not casting any reflection on the Government.

THE HON. SRI M. A. MANICKAVELU: It was extended for a temporary period by an Act of the President. It was not a regular Act of the State.

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SRI K. BALASUBRAMANYA AYYAR: According to section 120 of the States Reorganization Act, 1956, the Government concerned with the transferred territory can alone do it. That is the position.

THE HON. SRI M. A. MANICKAVELU: The Holdings (Stay of Execution Proceedings) Act was extended by the President to this territory.

SRI K. BALASUBRAMANYA AYYAR: If the Government are clear about it, I have nothing to say. My object is only to point out that they should make it clear. I am only anxious that the whole Act should apply. Otherwise, they will find themselves in difficulties in respect of limitation proceedings.

Now, the Government propose an amendment to extend the stay of execution of a decree from seven years and six months to nine years and six months. That is all right.

Now, I would like to point out another thing. I understand that the Holdings (Stay of Execution Proceedings) Act has also been extended by two years. But if it is not extended for two years and they bring forward another Act in its place by making some other alterations, they would find themselves in difficulties. Therefore, I only request that the Government should not stand on prestige in regard to this matter. I am not saying this as a Member belonging to the Opposition. But I am saying this merely as a lawyer. I once again say that the whole Act will have to be enacted here. Otherwise, there will be some difficulties. This is all that I want to say on this Bill.

* DR. V. K. JOHN: Mr. Chairman, Sir, on principle I am against the stay of execution of decrees and also the stay of suit proceedings. Sir, the stay of the execution of a decree is interfering with the order of the Court. Only in exceptional cases, we can do it but it should not be the normal rule. The Travancore-Cochin Act provided for the stay of execution proceedings for only seven and a half years. But we are now extending it by two more years.

Secondly, it is very doubtful whether this Bill which has been brought before this House is in order. Section 119 of the States Reorganization Act makes the law in the Travancore-Cochin State applicable to the transferred territory. Then, there is section 120 which gives the Government power for one year to adapt such laws by amending them. There is no question of adapting them without any amendment. This is what section 120 says—

“For the purpose of facilitating the application of any law in relation to any of the States formed or territorially altered by the provisions of Part II, the appropriate Government may, before the expiration of one year from the appointed day, by order make such adaptations and modifications of the law, whether by way of repeal or amendment, as may be necessary or expedient, and

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thereupon every such law shall have effect subject to the adaptations and modifications so made until altered, repealed or amended by a competent Legislature or other competent authority."

5-10 p.m. My reading of the section is that it is not absolutely clear and I want the Government to examine the matter. It is only under section 119 of the States Reorganization Act, that the Act is in force now. Under section 119 of the Act, the enactment is in force there. The Government need not pass an enactment saying that the Travancore-Cochin State Act will be in force in the Kanyakumari district. The Executive Government are given legislative power to amend or even to repeal any of the provisions of the whole Act. The Government can do this for one year. It can be done by an executive order passed by the Government, but it cannot continue for all time. The alteration will continue until a competent Legislature interferes. What the Government could have done in this matter is this. They could have amended this Act by passing an order. That order would be effective until the Houses of the Legislature of Madras modify it. Legislative authority is given to the Government for one year in respect of the application of the Acts of Travancore-Cochin State, with amendments, if necessary. If this had not been done, the question is, 'Have we got jurisdiction?' The Act confers jurisdiction on the Government for one year. Our jurisdiction comes in only when the Government have exercised their jurisdiction. We can then say that the Government's amendment or repeal is wrong, and that we want the *status quo ante* to remain. The question for consideration is whether it is *ultra vires* of the Legislature if within one year the Legislature wants to pass this particular legislation. The Legislature can come in only after the adaptation by the Government of any law with amendment. I would not say that this section 120 is so very clear as to show that the Legislature has no jurisdiction. The proper procedure for the Government would have been to pass an order repealing or amending any part of that Act. This repeal or amendment would continue to be in force until the Legislature interferes. Whether the Legislature has power or not is another question. The Legislature has got jurisdiction to enact laws. Is this provision in the Constitution amended by this Act? No Act can amend the provisions of the Constitution. Therefore, it is very doubtful whether we do not have jurisdiction. But, at the same time, the language of section 120 makes it clear that the State Government may, before the expiration of one year from the appointed day, *by order* make such adaptations and modifications of the law, whether by way of repeal or amendment, as may be necessary or expedient.

SRI A. M. ALLAPICHAJ : May I ask whether the order of the State Government to be passed under section 120 is a condition precedent or it is only an enabling provision?

* DR. V. K. JOHN : That is what I said. It is not absolutely clear. But on a fair reading, it can be interpreted that it is a

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condition precedent for the Legislature to interfere. I would not say that this is absolutely clear. I would like the Hon. the Mover of this Bill, who is a very eminent lawyer himself (we have got another eminent lawyer in the Leader of the House) to deal with this question of jurisdiction. I am only concerned with jurisdiction. If we have no jurisdiction and pass the legislation, any body can go to the High Court and file a petition for the issue of a writ. He can say that this Act was passed without jurisdiction. My doubt is how under section 120 the inherent power of the Legislature can be taken away.

SRI T. PURUSHOTHAM : Can the jurisdiction given by the Constitution be taken away?

* DR. V. K. JOHN : That is the point worth examining.

THE HON. SRI R. VENKATARAMAN : Mr. Chairman, taking the last point of the hon. the Deputy Leader of the Opposition first, I desire to draw the attention of the House to the language of section 120. It says—

"For the purpose of facilitating the application of any law in relation to any of the States formed or territorially altered by the provisions of Part II, the appropriate Government may, before the expiration of one year from the appointed day, by order make such adaptations and modifications of the law, whether by way of repeal or amendment, as may be necessary or expedient, and thereupon every such law shall have effect subject to the adaptations and modifications so made until altered, repealed or amended by a competent Legislature or other competent authority."

Therefore, it is not obligatory on the part of the Government to adapt the laws. Before bringing in any legislation, an additional facility is given to the Government to enact an amendment or a change in the legislation which would otherwise be normally done by the Legislature. The ordinary and usual way of making any amendment to an existing law is by bringing forward a Bill before the Legislature or by resorting to the issue of an Ordinance. In this case, where territories are transferred, the Legislature in its wisdom thought that it was better to give executive power where they so desired to make adaptation of laws without going to the Legislature, and this power of adaptation would last for only one year. This power of adaptation we cannot have after one year. Dr. John spoke of the power of adaptation as if the Act were enacted by the Legislature. But I say that that power is given only for one year. If within one year, the Government have to bring forward legislation, the right of legislation is not barred. We had another remedy which was open to us and we did not resort to it for whatsoever reason. Therefore, Sir, on reading the language of section 120, it is clear that the expression *may* used in this section does not make it obligatory on the part of the Government to adapt the laws wherever they want.

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Then, Sir, Act VIII of 1950 (The Travancore-Cochin State Stay of Execution Proceedings Act, 1950) is valid, according to the Act itself, for a period of seven years and six months, that is, it would expire on the 24th September 1957. At the time of the passing of the States Reorganization Act, the valid law was in force in respect of the territories which have been transferred. The effect of section 119 is that that law, which is validly applicable to the transferred territory, would continue to be in force in the territory transferred to the other State. Therefore, without any legislation whatsoever, the law, namely, Act VIII of 1950 (The Travancore-Cochin State Stay of Execution Proceedings Act, 1950) is valid in the territory transferred. What the Government have now come forward to do is to extend the life of the Act which would otherwise expire on the 24th September 1957 by another period of two years so as to make it valid and alive up to the 24th September 1959. Therefore, it is within the competence of this House—this Legislature—so to do.

Another point was raised by the hon. Member Sri K. Balasubramanya Ayyar that in the description of the territories, the word 'enclaves' was used, and that that did not make the position clear. Now, I would invite his attention to clause 2, the definition clause in the Bill. Clause 2 says: 'In this Act, unless the context otherwise requires, the expression "the transferred territories" shall mean the Kanyakumari district and the Shencottah taluk of the Tirunelveli district'. So, whatever comes under the Revenue Division, as it is, of the Kanyakumari district including Nanguneri, will still continue to be governed by this Act if that is the law applicable to that particular territory or to that particular holding. There will be no difficulty in the application of this law, because the definition in clause 2 makes clear what are the territories to which this particular law will apply. So far as the general objective, namely, that execution proceedings should not be stopped, is concerned, that, I say, is a larger question. But I think in the larger interests of the community, the principle of staying execution as well as the giving of moratorium has been accepted. I think the Hon. the Revenue Minister will deal with the other points.

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* THE HON. SRI M. A. MANICKAVELU: Sir, the legal issues raised by the hon. Lawyer Members on the other side have all been clearly explained by my Hon. Colleague. As was pointed out, the adaptation clause was included with a purpose. It must have been introduced for the purpose of meeting an emergency. For some reasons, it may not be possible to summon the Legislature. In such a situation, the adaptation clause could be taken advantage of. But now within a period of one year, there is scope for the Legislature to meet and to extend the Act. Therefore, simply because we have not made use of the adaptation clause, it does not mean that we cannot amend the Act when the Legislature is in session.

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As regards the other point made, Sir, this Act was finally extended by the President's Act—Act VI of 1956. This was not enacted by the State Legislature and, therefore, probably this Act was not included in the Schedule. Whatever it is, we are now fairly assured that the legal position is all right. However, we shall further examine it.

Then, about the point raised by the hon. the Deputy Leader of the Opposition, he is always opposed to staying of execution, especially decrees. No doubt, it causes . . .

DR. V. K. JOHN: Interference with courts.

* THE HON. SRI M. A. MANICKAVELU: It causes disturbance in the relationship between the plaintiff and the defendant.

DR. V. K. JOHN: I am only against interference by the Executive with the orders passed by Courts.

* THE HON. SRI M. A. MANICKAVELU: I am also saying the same thing. Why should he think the other way? (Laughter.) If there is stay of execution, the logical conclusion is that the case is postponed. That is bad for both parties. But in the circumstances now prevailing, as the hon. Member Sri Balasubramanya Ayyar pointed out, this is a necessary evil. We cannot help it. Suppose we do not pass this Act; then obviously the tenants will be evicted and put to a lot of trouble. Therefore, in order to ensure the larger good of a larger section of the population, we need not mind a small evil for the smaller section of the population. (Dr. V. K. John: Has Kerala extended it?) They must be taking steps because the Act expires on 24th September 1957. With these words, I request that the House may be pleased to approve of this measure.

MR. CHAIRMAN: The question is—

"That the Holdings (Stay of Execution Proceedings) (Madras Amendment) Bill, 1957 (L.A. Bill No. 12 of 1957), 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 and 3 were put and carried.

Clause 1 was put and carried.

The Preamble was put and carried.

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

"That the Holdings (Stay of Execution Proceedings) (Madras Amendment) Bill, 1957 (L.A. Bill No. 12 of 1957), as passed by the Legislative Assembly, be passed."

SRI K. BALASUBRAMANYA AYYAR: Sir, about one point I am not satisfied, even after listening to the speech of the Hon. the Leader of the House. That is this. Suppose there is an

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amendment passed by the Kerala Legislature to the Travancore-Cochin Act. If you assume that all the other portions of the Act will apply to the transferred territories without any adaptation by us, then there will be difficulty. That is why I stated that we should adapt. Adaptation is always good. If we adapt, the amendment as a whole will apply to the transferred territories. But if we under the cover of section 119 of the States Reorganization Act merely assume that the Kerala Legislature has power to enact amendments in respect of areas under Part II of the Act, it may alter or amend or modify . . .

SRI T. PURUSHOTHAM: It has no jurisdiction to amend.

SRI K. BALASUBRAMANYA AYYAR: You have raised a relevant point. Under section 119, the Act as passed by the Travancore-Cochin Legislature applies to the transferred territories because we have not adapted the law and taken any steps for that purpose. That is my difficulty.

THE HON. SRI R. VENKATARAMAN: Sir, I think it is a moot point as to which law will apply to the transferred areas. As far as I can see, the law as it stood on the date of the transfer will apply, unless there is a modification, adaptation or change by the territory to which the areas have been transferred. If subsequently the parent State goes on making changes in the original Act, such modifications will not be binding on us. That is the point. Well, that is at any rate a moot point and we will examine the position and see that there is no lacuna in the law.

MR. CHAIRMAN: The question is—

“ That the Holdings (Stay of Execution Proceedings) (Madras Amendment) Bill, 1957 (L.A. Bill No. 12 of 1957), as passed by the Legislative Assembly, be passed.”

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

IV.—GOVERNMENT MOTION.

AMENDMENT TO RULES ISSUED UNDER SECTION 40 (1) OF THE MADRAS
ESTATES (ABOLITION AND CONVERSION INTO RYOTWARI) ACT, 1948
(MADRAS ACT XXVI OF 1948).

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

“ That the following draft amendment to the rules published with Revenue Department notification, dated the 21st December 1949, at pages 397-398 of the Rules Supplement to Part I of the *Fort St. George Gazette*, dated the 27th December 1949, as subsequently amended, which it is proposed to make in exercise of the powers conferred by section 40 (1) of the Madras Estates (Abolition and Conversion into Ryotwari) Act, 1948 (Madras Act XXVI of 1948), be approved.”

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Draft amendment.

“To rule 3 of the said rules, the following Explanation shall be added at the end, namely :—

“ *Explanation.*—The date of completion of the settlement operations in respect of a Zamindari estate, the assets of which consisted immediately before the notified date, entirely of jodi, kattubadi or other amount, if any, payable to the landholder thereof, whether in cash or in kind, or in both cash and kind, by the landholders of inam villages or under-tenure estates, shall be deemed to be the date on which the settlement operations are completed in respect of all the said under-tenure estates and such of the said inam villages as have been notified under the Act as inam estates.” ” ”

The amendment is necessitate under these circumstances. Now, there are zamindari estates which consist only of under-tenure estates whose assets consist entirely of jodi, kattubadi or any other. There is actually no settlement to be made in such estates. So, we cannot relate payment to the date of the settlement. That is why we relate this amendment to the under-tenure estates.

MR. CHAIRMAN: The question is—

“ That the following draft amendment to the rules published with Revenue Department Notification, dated the 21st December 1949, at pages 397-398 of the Rules Supplement to Part I of the *Fort St. George Gazette*, dated the 27th December 1949, as subsequently amended, which it is proposed to make, in exercise of the powers conferred by section 40 (1) of the Madras Estates (Abolition and Conversion into Ryotwari) Act, 1948 (Madras Act XXVI of 1948), be approved.”

Draft amendment.

‘ To rule 3 of the said rules, the following Explanation shall be added at the end, namely :—

“ *Explanation.*—The date of completion of the settlement operations in respect of a Zamindari estate, the assets of which consisted immediately before the notified date, entirely of jodi, kattubadi or other amount, if any, payable to the landholder thereof, whether in cash or in kind, or in both cash and kind, by the landholders of inam villages or under-tenure estates, shall be deemed to be the date on which the settlement operations are completed in respect of all the said under-tenure estates and such of the said inam villages as have been notified under the Act as inam estates.” ” ”

The motion was put and carried.

[29th July 1957]

V.—SEND-OFF TO THE LEADER OF THE HOUSE ON THE EVE OF HIS DEPARTURE FOR GENEVA TO ATTEND THE MEETING OF THE UNITED NATIONS SEVEN-MEMBER ARBITRATION AND ADMINISTRATIVE TRIBUNAL.

MR. CHAIRMAN: Hon. Members may be aware that the Hon. the Leader of the House is leaving for Geneva on the 31st instant to attend the meeting of the Seven-Member Arbitration and Administrative Tribunal of the United Nations Organization. I am sure it is the desire of the hon. Members that I, on their behalf, should wish him a safe flight to Geneva and happy landing back in Madras where we will wait to welcome him. We are sure he will add to the reputation he already has.

DR. V. K. JOHN: We all join you, Sir, in expressing our good wishes to the Leader of the House.

THE HON. SRI R. VENKATARAMAN: May I thank you and the House for the kindness shown to me?

MR. CHAIRMAN: The House will now adjourn *sine die*.

The House then adjourned *sine die*.

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

Bills passed by the Assembly and received therefrom in the Council:—

* (a) The Madras Buildings (Lease and Rent Control) Amendment Bill, 1957 (L.A. Bill No. 5 of 1957).

† (b) The Madras Tenants and Ryots Protection (Amendment) Bill, 1957 (L.A. Bill No. 11 of 1957).

† (c) The Holdings (Stay of Execution Proceedings) (Madras Amendment) Bill, 1957 (L.A. Bill No. 12 of 1957).

* Circulated by special messengers on 25th July 1957

† Circulated in the Chamber on 27th July 1957.

29th July 1957]

APPENDIX I.

[Vide answer to Starred Question No. 48 put by Sri A. Gajapathy Nayagar at the meeting of the Legislative Council held on 29th July 1957, page 189 supra.]

Statement showing the particulars of adult education centres started and number of adults trained/under training and expenditure incurred up to quarter ending 31st March 1957.

Names of Project/Blocks.	Adult Education Centres started.	Adult trained/under training.	Expenditure on Social Education.
(1)	(2)	(3)	(4) RS.
* Community Projects reverted into Post-Intensive Blocks (completed three years as on 31st March 1957).—			
Periyar Project (reverted into four N.E.S. blocks from 1st October 1956) (1-4 below)	142	12,736	3,62,941
1 Alanganallur	1	242	45
2 Vadipatti	3	160	1,207
3 Melur	4	870	..
4 Madurai	..	180	1,108
Lower Bhavani Project (reverted into six N.E.S. blocks from 1st October 1956) (5-10 below)	54	1,832	2,21,559
5 Erode	Nil	100	416
6 Gobichettipalayam	1	163	612
7 Satyamangalam	Nil	Nil	491
8 Perundurai	Nil	Nil	406
9 Kodumudi	1	15	1,497
10 Modakurichi	8	120	429
11 Munchira of Kanyakumari district ..	2	289	..
12 Tirukalikundram	49	2,900	46,051
13 Cheranmahadevi	47	870	77,347
14 Chidambaram	37	980	43,197
15 Athoor (Madurai)	31	1,654	40,541

* Periyar and Lower Bhavani Projects taken up for intensive development in 1952-1953, after completion of their period of operation as such, were split up into 4 and 6 blocks respectively from 1st October 1956 for post-intensive development. Similarly, the Munchira post intensive block, transferred from Kerala on reorganisation of States, is the one out of the four blocks into which the former Vilavancode-Neyyatinkara Project of the former Travancore-Cochin State was divided from 1st October 1956. The other four blocks (12 to 15) were also reverted as post intensive blocks from 1st October 1953. Particulars have been furnished, separately for the project as a whole up to 30th September 1956, and for the post intensive blocks for the period from October 1956 to March 1957, during which period they functioned as such.

[29th July 1957]

Names of Project/Blocks.	Adult Education Centres started.	Adults trained/under training.	Expenditure on Social Education.
(1)	(2)	(3)	(4)
Community Development Blocks which have completed three years as on 31st March 1957.—			
1 Kadambathur	102	9,270	27,262
2 Tiruvallur	96	3,889	33,199
3 Panruti	48	5,976	43,190
4 Tiruvannamalai	82	2,495	51,156
5 Kalarapakkam	47	1,000	63,351
6 Attoor (Salem)	46	2,451	35,135
7 Krishnagiri	92	3,781	33,676
8 Palladam	34	1,669	23,899
9 Perambalur	37	860	42,896
10 Karur	24	1,390	31,487
11 Vedaranyam	54	914	38,226
12 Niruchurapoondi	48	1,631	32,215
13 Usilampatti	18	900	58,404
14 Srivilliputhur	46	5,170	24,581
15 Sivakasi	68	1,477	30,767
16 Kuruvikulam	48	1,037	40,671
17 Sankarankoil	35	1,444	33,868
18 Ootacamund	27	1,080	36,496
19 Chinnasalem	24	1,745	6,671
20 Tiruppur	29	773	10,047
21 Tirumangalam	61	1,673	12,860
22 Kallupatti	44	924	23,074
23 Musiri	36	1,015	20,800
24 Kurinjipadi	56	1,113	59,504
25 Agastheeswaram	34	912	4,998
Community Development and National Extension Service Blocks which have completed two years as on 31st March 1957.—			
1 Kangayam	51	818	6,504
2 Coonoor	17	441	15,074
3 Rajapalayam	14	343	9,620
4 Alangudy	40	955	38,984
5 Koilpatti	29	420	41,004
6 Polur	36	2,332	28,158
7 Peddanayakanpalayam	39	452	58,030
8 Uthukottai	43	5,299	24,182
9 Papanasam (South)	21	895	29,930
10 Papanasam (North)	14	86	6,658
11 Kumbakonam (South) (2 blocks)	67	86	37,983
12 Kumbakonam (North)	19	810	26,263
13 Mayuram (East) (2 blocks)	55	850	34,681
14 Mayuram (W st)	38	640	50,724
15 Sirkali (North and South) (2 Blocks).	44	935	42,616
National Extension Service Blocks which have completed one year as on 31st March 1957.—			
1 Sriperumbathur	22	920	15,407
2 Valathi	14	822	28,170
3 K. V. Kuppam	25	423	13,257
4 Kaveripatnam	25	1,076	15,870
5 Kundadam	15	405	22,310
6 Vallianai	32	3,322	21,614
7 Valliyoor	33	1,120	24,524
8 Singamponeri	30	335	12,514
9 Kamuthi	3	72	8,221
10 Tiruvadanai	18	355	3,898
11 Kalayarkoil	..	..	2,216
12 Devakottai	2	40	2,680

29th July 1957]

APPENDIX II.

[Vide answer to Starred Question No. 50 asked by Sri A. J. Arunachalam at the meeting of the Legislative Council held on 29th July 1957, page 192 supra.]

(a) The statement below gives particulars of the number of handlooms registered up to 31st May 1957 in the districts in this State in pursuance of the Cotton Textiles (Production by Handlooms) Control Order, 1956. Figures relating to looms weaving silk, art silk and woollen fabrics are not included in the statement as the Control Order applies only to looms working on cotton yarn :—

Districts.	Number of looms registered up to 31st May 1957.
Madras	7,632
Chingleput	34,668
South Arcot	22,080
North Arcot	43,415
Salem	117,771
Coimbatore	58,270
Tiruchirappalli	23,477
Tanjore	13,054
Madurai	30,404
Ramanathapuram	43,911
Tirunelveli	36,323
Kanyakumari	16,168
Nilgiris	No handlooms.
Total	447,173

(b) The Second Five-Year Plan contemplates the enlistment in the Weavers' Co-operative Societies of at least 50 per cent of the total looms in the State, by the end of the plan period. It is the aim of the Government that all weavers should be brought into the co-operative fold under a phased programme.

APPENDIX III.

[Vide item III (1) on page 195 supra.]

A Bill further to amend the Madras Buildings (Lease and Rent Control) Act, 1949.

WHEREAS it is expedient further to amend the Madras Buildings (Lease and Rent Control) Act, 1949 (Madras Act XXV of 1949), for the purpose hereinafter appearing;

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

1. *Short title and commencement.*—(1) This Act may be called the Madras Buildings (Lease and Rent Control) Amendment Act, 1957.

(2) It shall come into force on the 1st October 1957.

[29th July 1957]

2. *Amendment of section 1, Madras Act XXV of 1949.*—In section 1, sub-section (3), of the Madras Buildings (Lease and Rent Control) Act, 1949 (Madras Act XXV of 1949), for the expression “30th September 1957”, the expression “30th September 1959” shall be substituted.

APPENDIX IV.

[Vide item III (2) on page 218 supra.]

A Bill further to amend the Madras Tenants and Ryots Protection Act, 1949.

WHEREAS it is expedient further to amend the Madras Tenants and Ryots Protection Act, 1949 (Madras Act XXIV of 1949), for the purpose hereinafter appearing;
BE it enacted in the Eighth Year of the Republic of India as follows:—

1. *Short title.*—This Act may be called the Madras Tenants and Ryots Protection (Amendment) Act, 1957.

2. *Amendment of section 1, Madras Act XXIV of 1949.*—In section 1, sub-section (3), of the Madras Tenants and Ryots Protection Act, 1949 (Madras Act XXIV of 1949), for the words, figures and letters “the 7th October 1957”, the words, figures and letters “the 7th October 1959” shall be substituted.

APPENDIX V.

[Vide item III (3) on page 222 supra.]

A Bill further to amend the Holdings (Stay of Execution Proceedings) Act, 1950, in its application to the transferred territories.

WHEREAS it is expedient further to amend the Holdings (Stay of Execution Proceedings) Act, 1950 (Travancore-Cochin Act VIII of 1950), in its application to the transferred territories for the purpose hereinafter appearing;

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

1. *Short title and extent.*—(1) This Act may be called the Holdings (Stay of Execution Proceedings) (Madras Amendment) Act, 1957.

(2) It extends to the whole of the transferred territories.

2. *Definition.*—In this Act, unless the context otherwise requires, the expression ‘the transferred territories’ shall mean the Kanyakumari district and the Shencottah taluk of the Tirunelveli district.

3. *Amendment of section 4, Travancore-Cochin Act VIII of 1950.*—In section 4 of the Holdings (Stay of Execution Proceedings) Act, 1950 (Travancore-Cochin Act VIII of 1950), for the words “seven years and six months”, the words “nine years and six months” shall be substituted.

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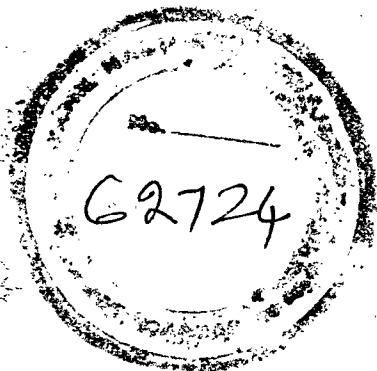
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